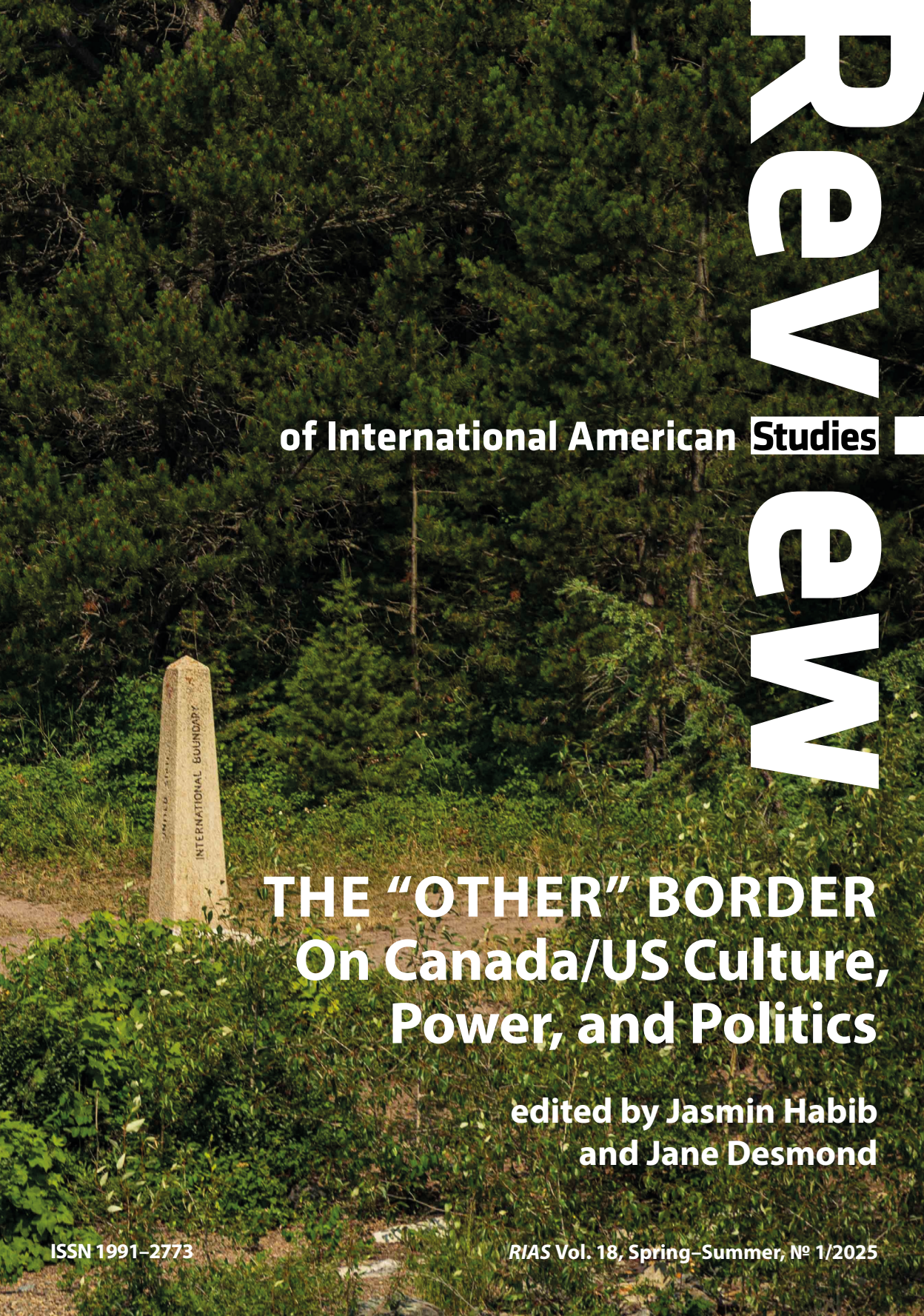

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THE "OTHER" BORDER
On Canada/US Culture, Power, and Politics

edited by Jasmin Habib
and Jane Desmond

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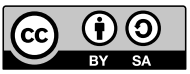

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THE CANADA-US BORDER
The International Boundary as Continental Cross-Section

Nathaniel R. Racine
Texas A&M International University, USA
RIAS Co-Editor-in-Chief
https://orcid.org/0000-0003-1431-8629

From the northernmost shores of the Arctic Ocean to the Gulf of Mexico, the combined area of Canada and the United States covers over 7.5 million square miles (or more than 19.5 million square kilometers). To begin to grasp it in any manner, one needs a method that simultaneously considers it as a single landmass while taking seriously the diversity of places in its geographical expanse. One time-tested approach to understanding any landscape is to take a cross-section of it. The east-west orientation of the Canada-US border passes through a variety of terrain, reflecting a great deal of regional variation, from the continental geomorphology to the ecosystems and human cultures that define its surface. In contrast to the east-west border, the basal substrata generally follow north-south orientations, from the Appalachian Highlands to the Canadian Shield to the Interior Plains and all the way to the Western Cordillera, which stretches from Alaska to Southern Mexico. Although grave in its implications, the recent increase in political tension between the US and Canada also offers a renewed opportunity to recognize how these two sovereign countries are linked together in their politics, economics, histories, cultures, environments, and, in a very literal way, their geographies. With that in mind, a study of the Canada-US border as a cross-section can illuminate the many regions of the continent as well as the finer grain of vernacular landscapes that exist along the deceptively simple lines that largely follow the forty-fifth and forty-ninth parallels. These different scales—from large to small, from the continental to the local—would ideally be seen not in competition with one another

but from a single prospect wherein their connections reveal something closer to the reality of Northern America as a whole.[1]

Such is the goal of this issue of the *Review of International American Studies* (*RIAS*), the cover of which presents the reader with a photograph depicting the Canada-US border made visible. Maintained by the International Boundary Commission (the "IBC," or Commission de la frontière internationale), this twenty-foot-wide swath of intentionally deforested land is known as a "cut line" or "vista line," and more commonly referred to as the "Slash." The IBC's website defines their task in remarkably unassuming and plain-spoken language, reading: "we clear and maintain a swath called a vista that extends 3 meters (10 feet) on either side of the line through dense forests, over mountain ranges, across wetlands and highlands and some of the most rugged terrain North America has to offer. We also control all works done within the vista" (IBC). This topography is not easily navigable, but many have tried to trace its route. The narratives resulting from such travels often reveal the border as a geographical cross-section, moving across geographical scales from the local to the regional, from the national to the international, and from the ground-level to the bird's-eye view. Each of these scales provides a perspective and a unique vantage point.

The ideal prospect, however, presents all these views at once—a sensibility inherent to the methods found in geography as a discipline and one from which other fields of the academy might learn. As Laura Dassow Walls writes in her article, "Literature, Geography, and the Spaces of Interdisciplinarity" (2011), geography reminds us that interdisciplinarity is a skill that must be learned, making it possible to remain "deeply grounded in one locale or discipline while simultaneously thinking about the kinds of things other peoples and disciplines think, and about the larger contexts—spaces—which hold us all in a tensive fellowship" (871). Looking at the cross-section of a landscape will show the complex relationships among scales as mutually reinforcing, helping to reveal what Walls writes of as the "illusion" that "the larger scales, the international or the Internet or the interstate or the interdisciplinary, somehow consume the smaller scales, the local, the regional, the national, the disciplinary; geography suggests how each exists at all only through the other, such that each stands fair to unsettle the other" (871). The Canada-US border (or any international border) provides a space where the international and the local meet

1 A different version of this essay would also include Mexico and the unique border it shares with the US. Given the focus of this issue of *RIAS*, however, the emphasis here will remain on the border with Canada.

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

and become inextricable from one another. When treated as a cross-section, the border offers one way to see how residents of the border negotiate these dynamics every day.

Within the academy, some of the disciplines implied in this discussion include geology, meteorology, ecology, agriculture, political science, sociology, history, and literature, among others. Although this Ed/Note could serve as an invitation to border studies and the way it intersects with these disciplines and others, the variety of articles in this issue of *RIAS* provides many examples of how those themes and preoccupations might be approached. Instead, the essay at hand seeks to position these questions on the border itself and, in the spirit of the International American Studies Association (IASA), to think about how this line on the map can—both literally and metaphorically—serve as a forum for the exchange of ideas and information among the many disciplines concerned with the regional, hemispheric, national, and transnational realities that the Canada-US border represents. In doing so, the examples provided here will step across another boundary, the one found between the academy and those works intended for a more general audience. It is an attempt that will, hopefully, provide yet another way to demonstrate the practical implications of these theoretical approaches.

One recent and intriguing example is Porter Fox's travelogue, *Northland: A 4,000-Mile Journey Along America's Forgotten Border* (2017). There, the reader follows Fox from east to west, traveling by water and by land—whether by canoe, by automobile, on foot, or by whatever means of transport is available and appropriate to the situation. Setting the scene in his introduction, he describes the borderline by writing, "it looks like an accident in many places," continuing:

> It runs along the forty-fifth parallel straight through the Haskell Free Library and Opera House in Derby Line, Vermont. Near Cornwall, Ontario, it splits the Akwesasne Mohawk Indian reservation in half, and in Niagara it bisects the largest waterfall on the continent. Homes, businesses, families, golf courses, wood pulp factories, and a natural-gas plant straddle the line. Taverns were purposely built directly on the borderline during Prohibition to welcome Americans on one side and sell them booze on the other. Where the boundary follows the forty-ninth parallel in the West, it cuts straight through obstacles like valleys, watersheds, and eight-thousand-foot peaks—necessitating a chaotic system of rules and easements to determine sovereignty and access. Pan out 50,000 feet above the line and you see the shape of America. Zoom in and you recognize

the timber yards, kettle lakes, tablelands, and two-lane asphalt roads of what locals call the 'northland.' (xiii–xiv)[2]

Fox's book thus documents the lived experience of these places, underscoring how the border operates in the daily lives of the people he meets while simultaneously marking the international political border. Fox adopts a regional sensibility to structure *Northland*, organized into five sections: "The Dawnland," "The Sweet-Water Seas," "Boundary Waters," "Seven Fires," and "The Medicine Line." Unique landscapes unto themselves and far more descriptive in their evocation of geography than the names found on most contemporary maps, Fox borrows much of his phrasing from peoples Indigenous to these regions of the continent, offering a linguistic counterpoint to the Cartesian rationale behind the forty-fifth and forty-ninth parallels. Not only do such lines belie the ecological and cultural realities that existed on the continent long before the arrival of Europeans, but they are also riddled with mistakes that are often, as Fox notes, quite accidental.

To illustrate the complexity of the border and the inherent difficulty of navigating his route, Fox introduces each section of his book with a map, often complementing these maps with descriptions of the landscape from a bird's-eye view. When he considers the "Boundary Waters" along the border of Minnesota and Ontario, for example, he writes: "There are no roads, no towns or airports. There are no people, gas stations, businesses, cars, airplanes, electricity, phone service. There is water. If you're not on it, you're in the woods. […] Looking down from an airplane, you see a landscape that is marbled blue and green, water and trees" (109). He then writes, "The Holocene created this wilderness" (109), a matter-of-fact statement recognizing the region's geomorphological reality—the literal bedrock of life on the continent—whether or not we choose to be aware of it. In his own way, Fox provides a continental cross-section, following the border through much of the same terrain the IBC regularly maintains

2 Fox writes in his conclusion that:
It should be said that this book was researched and written from the perspective of an American looking north of the border, and that many Canadian figures and historical events have been omitted. This was not out of bias, but merely because, having grown up in Maine, that was the path I took and the story I chose to tell. The story of America's forgotten border is a tale of early mistakes and more than two centuries of fixes. Which is to say there is no definitive event, treaty, document, or history that sums up the US-Canada border. (229–30)
It is important to remember these perspectives; similarly, it should be noted that the author of this article is also from the US.

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

along the border vista, better understanding the people and the places he encounters.

The very nature of Fox's narrative suggests the utility of looking at the landscape in cross-section. To place this journalistic travelogue in the academic context, we can draw from the legacy of Patrick Geddes, the Scottish biologist who, in the 1890s, diagrammed "what he called the 'valley section,' a variation of the geographer's traverse—a traditional learning device for recording a linear experience through new territory," which included cross-sections of both the built and natural environment as "interconnected realms of [. . .] hunters, shepherds, crofters, vintners, gardeners" as well as the town and its port where goods were exported to the world beyond (Clay 112–113).[3] Geddes' cross-sections were taken up and applied to regional planning in North America in the 1920s and 1930s by the Regional Planning Association of America (RPAA). In one essay for the RPAA titled simply "Regional Planning" (1931), Lewis Mumford writes about the importance of the regional scale in understanding the culture, economics, politics, and environment of the US. He writes: "The great states of the world, still more their minor administrative districts, are the products of political forces and events which have only accidental relations to the underlying geographic, economic, and social realities" (200).[4] Later, he continues:

> While the recognition of the region as a fundamental reality is part of the achievement of modern human geography, the recognition of a closely knit inter-regional life is no less so: indeed, geography wipes away the notion of definite boundary lines as anything but a coarse practical expedient; since such political lines forget not merely one nature of the region itself, but the natural zones of transition and the highways of movement, which tend to break up such formal definitions. (202)

In re-approaching the RPAA and its lost legacy today, Douglas Richert Powell writes that "Mumford's regionalism is not a description of a single autonomous place with an essential character, but an interconnective model" (24). Mumford's "natural zones of transition" are found where

3 In the article cited here, Grady Clay begins his discussion with medicine, describing Andreas Vesalius' diagrams of anatomical cross-sections from the European Renaissance.

4 Mumford was writing in the early 1930s, and world events were never far from his mind. Among the passages cited above, he also writes: "It is only in the dangerous theory of the all-powerful and all-sufficing National State that self-sufficiency within political boundaries can be treated, as it now is, as a possibility; and it is only in war time that this mischievous notion can be even momentarily effectuated—albeit with great suffering to the underlying population" (202). It is an observation that, unfortunately, remains relevant today.

one identifiable environment gradually becomes another. This interconnective model of zones is best understood through the cross-section, which geographer Grady Clay refers to as a "learning tool" for this reason, as these transitions provide "explanatory strength by revealing adjacencies and contrasts; they set up juxtapositions that spark our awareness and suggest analyses" (110).

The approach Clay details in his essay was inspired by writer and professor J.B. Jackson, who developed his own version of the cross-section in an essay titled "The Stranger's Path" (1957), which Clay drew from and expanded upon to understand the functions of growing urban regions across the US (Clay 120–22).[5] Whereas Jackson documented cross-sections of mid-sized US cities on foot, Clay documents cross-sections of different urban regions, making concessions to the automobile as the dominant mode of transport. Furthermore, he gestures toward a national and continental cross-section, emphasizing the importance of context made available in different geographic scales.

The "valley section" of Geddes and the "stranger's path" documented by Jackson present relatively small and somewhat self-contained cross-sections of distinct regions and cities. Even Clay's approach to larger, sprawling urban regions made possible by the automobile age is limited in scope. A continental cross-section implies a number of such sections followed linearly, placed end-to-end, for some four thousand miles by Fox's route. The number of "transition zones" through which one passes, the number of "adjacencies and contrasts" encountered, staggers the mind. A regional awareness becomes an essential "way of describing the relationship among a broad set of places for a particular purpose," writes Richert Powell, as "the larger identity of a region is not defined by any single definition but emerges from the dynamic, historical relationship of these acts of definition" (65). Paying attention to this rhetorical creation of the region also operates across various scales, and the way an international political committee defines a region along the border will necessarily differ from the way its residents define it on their own terms.

These processes of definition often collide in interesting ways. Perhaps one of the most frequently cited curiosities of North American political geography is the Northwest Angle, the only portion of the contiguous US existing north of the forty-ninth parallel, located on the shores of the Lake of the Woods, on the border of Minnesota and Manitoba. Although the forty-ninth parallel could have been "the longest,

5 Foremost among his contributions to critical landscape studies, J.B. Jackson was the founder of *Landscape* magazine (1951–99), which he edited until 1968.

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

straightest, physical line on earth, it is not perfectly straight, as it was based on surveying practices of the late nineteenth and early twentieth centuries. The accepted boundary, complete with its wanderings of up to a quarter mile from the true 49th, is now fixed, set in a thousand monuments […] anchored along its path, no matter how mountainous, or monotonous" (CLUI 2014–15). The few residents who live in the Northwest Angle can only travel to the rest of Minnesota by boat or car, and if the latter, they must travel through Manitoba and present a passport at each border crossing, negotiating their daily activities accordingly.

A little more than 260 miles (approximately 420 kilometers) west of the Lake of the Woods, however, residents of Dunseith, North Dakota, and Boissevain, Manitoba, actively chose to incorporate the border as the centerpiece of the more than 3.5 square miles (9.5 square kilometers) set aside for the International Peace Garden. Established and constructed in the 1920s and 1930s as a "celebration of peace, a living monument to the ideals of friendship and cooperation among nations. Acres of uninterrupted prairie, forests, and radiant floral gardens are defined by nature, not borders" (*IPG*). There is nothing accidental about the forty-ninth parallel there and, at the center of this acreage, following the border line itself is a fountain at the head of a formal, linear garden. It is a distinctive marker of neighborliness, and it provides a counterpoint to the more rough-hewn border vista maintained by the IBC. Many such sites exist (another will be considered below) as physical markers of international political geography and local reminders of the regional character shared on both sides of that same line.

To borrow the words of geographer J. Nicholas Entrikin, "From the decentered vantage point of the theoretical scientist, place becomes either location or a set of generic relations and thereby loses much of its significance for human action. From the centered viewpoint of the subject, place has meaning only in relation to an individual's or a group's goals and concerns. Place is best viewed from points in between" (5). Entrikin maintains that "To ignore either aspect of this dualism is to misunderstand the modern experience of place" (134). The examples found in this essay offer glimpses into this "betweenness," where the objective and generic political space are made into livable places by the subjective interpretation of the landscape by those communities who reside there.

Although unique among modern places, those occupying the Canada-US border are also remarkably ordinary. Yet, they cannot escape their position on the border and exist "between" two countries. Given the nature of the border, however, they are also at the center—metapho-

rically and physically—of Canada-US relations. The "betweenness" of the many localities dotting the border is well-illustrated in a fascinating photo essay titled *United Divide: A Linear Portrait of the USA/Canada Border* (2014–15). Published by The Center for Land Use Interpretation (CLUI), it travels from east to west and is divided into six chapters: "Eastern Maine," "Northern Maine and New Hampshire," "The 45th Parallel," "The Watery Boundary," "The 49th Parallel," and "Washington State."[6] Although somewhat less poetic than Fox's section titles, the CLUI's chapter headings nevertheless point to the same regional qualities characteristic of the Canada-US border. Its accompanying narrative also offers a remarkably detailed observation of local sites along the border. The extensive on-site photography provided by the CLUI team is given even more context through images gathered from Google Earth, modified to include a bright yellow line showing the international political boundary cutting from the bird's-eye view of the surrounding built and natural landscapes.

In their newsletter, *The Lay of the Land*, the CLUI introduces the project by weighing the implications of borderlines more generally. They write: "An examination of the edge of an object reveals its shape, and the CLUI is often drawn to the periphery in order to understand spaces and places as a whole" (CLUI 2015). In this scenario, the statement also implies that, although serving as an edge for two distinct countries, as a cross-section of the continent's interior, it simultaneously provides a representation of the whole, as it necessarily considers both countries together and at the same time. The CLUI's essay continues by describing the border as "an international interpretive corridor, passing through rivers, lakes, islands, bridges, airports, parks, towns, farms, pipelines, backyards, and the occasional living room" (CLUI 2015). The result is as much a "learning tool" as Clay could have ever imagined. The CLUI's project documents the quotidian reality of the border on the local level, cut through with the physical manifestations of political power—lines and monuments and markers and signage and checkpoints and customs offices—that, while representing two very large countries that share a vast landmass, look small and ordinary (and rather humble) amid the vernacular landscapes built mainly for and occupied by local residents, many of whom cross the borderline as a matter of course in their everyday lives.

6 It is an almost comprehensive survey of the Canada-US border, but as they write—and not without a sense of humor—"we left out the Alaska portion, as it is wilderness, mostly, pretty much" (CLUI).

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

In this way, the local and the regional often and unexpectedly subsume the national—if only temporarily.

The rhetoric of words and images found in the CLUI's *United Divide* project offers this perspective through the everyday, vernacular landscape. One early example from the first chapter is the Aroostook Valley Country Club on the border of the State of Maine and the Province of New Brunswick. With a parking lot in Maine and a clubhouse in New Brunswick, portions of the course straddle the border. The ninth hole has a tee box in the US with the fairway and green in Canada, and, on another hole, the course presents golfers with "perhaps the world's only international sand trap" (CLUI 2014–15). That entertaining example is one among many illustrating the almost superfluous presence of the border in many places.

Earlier in that same chapter, the narrative begins as follows: "The eastern end of the international boundary between the USA and Canada begins with uncertainty, ten miles off the coast, at Machias Seal Island, a 20-acre treeless outcrop which is still claimed by both nations" (CLUI 2014–15). They trace this pattern through all six chapters, the borderline characterized as much by ambiguity and subjectivity on the ground as it is by certainty and objectivity from the air, all the way to the border between the State of Washington and the Province of British Columbia, just south of Vancouver. There, they conclude the written narrative with the following words: "Though not visible anymore, the line continues over the water, passing a light tower on the Canadian side that guides the ferries to port, then, after another eight miles, it abruptly turns south, leaving the Forty-ninth Parallel, and zig-zags its way between islands, and out the Strait of Juan de Fuca, into the Pacific Ocean, where it dissolves completely into the sea" (CLUI 2014–15). It is a fitting end to their chronicle as the boundary, a bright yellow line the reader has followed all the way from the coast of Maine, becomes just as ephemeral as the electronic pixels used to create those same maps.

The symbols of international treaties and politics are never absent on the border, even if they can sometimes be reduced to minor inconveniences by local residents. Nevertheless, the towns that occupy these regions are always in an area between—and such areas gain their character, or their "sense of place," both because of and despite the presence of the border. The relationship between periphery and shape identified by the CLUI is one way of articulating this experience. Such places are always between the seemingly objective reality of international political systems found on maps and the subjective reality of human beings living in those places that no cartographic line can ever represent.

Despite being the result of international agreement and political decree maintained by governmental actors and commissions, the border vista maintained by the IBC is a very simple and very human intervention in the landscape, and one that could easily disappear should nature be allowed to take its course. The same can be said for any number of border crossings in the vicinity. One such example is the abandoned crossing in Noyes, Minnesota, closed in 2006, shortly after its counterpart in Emerson, Manitoba, closed in 2003 with the opening of a new port of entry on US Interstate 29. Both sit vacant, cracks forming in the pavement with the usual weeds and grasses growing through. The border and its infrastructure are, in this way, as humble as any other local building that dots this cross-section—and just as mutable, over time, as the waves on the Great Lakes or in the Strait of Juan de Fuca. Whatever interventions that humankind might make on the landscape, the earth abides.

By way of conclusion, I would like to offer an example from my own experience in Northern Vermont, on the border of Quebec, where I was born and raised (and, wherever I go, the place I still call home). It is its own region with its own complex geology and complicated cultural history. In the case of the former, it is where the Canadian Shield and the Appalachian Highlands meet as they both gradually give way to the Saint Lawrence Lowlands. In the case of the latter, it is where the English and the French encountered the Eastern Iroquois and the Western Abenaki peoples, reshaping the regional cultures through colonial violence in ways that still resonate today. Marked by the forty-fifth parallel, the borderline there does not signify any geography other than the political. When the boundary line is visible, it is either in more remote areas where one will see the "Slash" maintained by the IBC or when passing through the more highly trafficked routes and formal border crossings. These political markers are not always what holds one's attention, however, as the cultural differences found in daily life are far more interesting, whether the shift from English to bilingual signage (or to French as the primary language spoken), to architectural styles and details, to commercial brand names—the list could go on. One cannot—and should not—ignore those differences. Nevertheless, one often finds a shared sense of place here as well.

At the time of publication, one specific site mentioned by both Fox and the CLUI recently made international news far beyond Canada and the US.[7] The Haskell Free Library and Opera House (Bibliothèque

7 The story found its way to the pages of at least two international periodicals, *The Guardian* (headquartered in London, England) and *Al Jazeera* (headquartered in Doha, Qatar).

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

et salle d'opéra Haskell) has two addresses, one in Derby Line, Vermont, and one in Stanstead, Quebec. Identifying itself as an anchor of public life in both towns, its website describes its role in "support[ing] the cultural needs of the community on both sides of the Canada-US border, in both English and French, through access to information, reading material, a broad range of library services, and programming, as well as the visual and performing arts" (*HFLOH*). The description continues, "As a heritage building and cultural centre, the Haskell Free Library & Opera House plays a critical role in enriching the lives of its members and the community" (*HFLOH*). While housed in an architecturally noteworthy building on a unique plot of land, it is, in short, an ordinary library. The CLUI notes that, over the years, this has made the library even more distinctive in its appearance, for example, when

> two separate fire escapes had to be built, one in the US, and one for Canada. Many such redundancies and building code complexities have to be tolerated by the building managers. After repairing the roof a few years ago, the building's owners were sued for not hiring a Canadian contractor to work on the Canadian portion of the roof. (CLUI 2014–2015)

The very nature and history of the building and its deliberate construction as an intentionally permeable structure on the borderline has functioned, since 1904, as "a symbol of the close relationship between the two nations" (Sabet), whatever complications might arise. Although sited at an angle on the border between Vermont and Quebec, inside the building, the only marker is a diagonal line painted on the floor, running through the lobby and reading room of the library and along the floor of the theater upstairs—a rather unremarkable recognition of the border, a vernacular concession to the seeming permanence of political power.

In March 2025, the US decided to use the symbolic quality of the Haskell Library and Opera House for its own purposes with cruel intentions and rather grave implications. It was then that the US Customs and Border Protection (CBP) indicated its intention "to restrict Canadians' access to a library that straddles the international border due to 'a continued rise in illicit cross border activity'" (Giles). Nonetheless, such "illicit activity" is rare, and administration officials—apparently immune to irony—seem to be referring to two incidents of arms smuggling in 2010 and 2011 when, notably, the weapons were being moved from the US to Canada. It is a rather blatant example of how a national government might co-opt an otherwise harmless community center to, in the words of news reporters, "stoke tensions"

(Heintz) in what was clearly "a provocation" (Wilson).[8] In a different world, the library might have instead continued in its role as a local example of good neighborliness.

Nevertheless, as *VTDigger*, a local daily online newspaper, reported, "Within the library, it would be 'business as usual,' […] and there are no plans to restrict patrons' movement within the library, which is bisected by a line of tape representing the international border" (Sabet). Later, the same article quotes Stanstead Mayor Jody Stone as saying, "No matter what this administration does, it will not change the fact that Stanstead and Derby Line are friends and partners forever […] Without borders you wouldn't even know that we are two separate communities" (Sabet).

To make sense of all this, we might join Grady Clay in finding inspiration through the writings of J.B. Jackson. In the final essay from his collection, *Discovering the Vernacular Landscape* (1984), he writes that "underneath those symbols of permanent political power" are the vernacular landscapes,

> organizing and using spaces in their traditional way and living in communities governed by custom, held together by personal relationships. We learn something about them by investigating the topographical and technological and social factors which determined their economy and their way of life, but in the long run I suspect no landscape, vernacular or otherwise, can be comprehended unless we perceive it as an organization of space; unless we ask ourselves who owns or uses the spaces, how they were created and how they change. (150)

While the Haskell Library and Opera House may have momentarily been the most famous structure spanning the Canada-US border, it—and the community it serves—remains emblematic of how, despite the boundary, the people have organized and used the area. Within the space of the border, the Stanstead/Derby Line community maintains a sense of place "governed by custom, held together by personal relationships." Who is it that "owns or uses" the Haskell Library and Opera House? Who was it that created it, deliberately, on the borderline? How did its role as an institution change the towns and the community there? These questions are not rhetorical, and the answer to each is simple: Any sense of place found in Stanstead and Derby Line belongs

8 These phrasings are quoted from headlines in *The Boston Globe* and *Montréal Gazette*, respectively. Both articles directly reference a visit on 30 January 2025 by the current US Secretary of the Department of Homeland Security (DHS), in which the CBP is housed. During that visit, the secretary walked back and forth over the line within the library, repeating the phrase "USA number 1" and referring to Canada as "the fifty-first state."

Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

to the community of residents who actively foster it. So many of those places where the border "looks like an accident" are always deliberately negotiating the boundary in profound but quotidian ways. The border stations and customs offices exist within the community as much as the community exists within the political geography of the boundary line. Each exists simultaneously in and through the other, and, at least for the time being, it cannot be otherwise.

Abstract: This Editor's Note opens the present issue of RIAS through a meditation on the Canada-US border not simply as a line of division but as a dynamic cross-section—one that can reveal the entangled geographies, cultures, and histories of North America. Drawing insight from across the disciplines of geography, literature, history, and environmental studies, it proposes the east-west border as a methodological lens through which to apprehend regional continuities and local specificities alike. Exploring a number of examples, the essay considers the border as simultaneously separating and connecting the two countries, paying special attention to vernacular landscapes that defy simplistic geopolitical readings. The essay further considers the symbolic and contested role of the Haskell Free Library and Opera House in Vermont, recently politicized by US authorities, as a lived space of permeability and intercommunity resilience. Ultimately, the border emerges here as a site where the global and the local, the political and the personal, intersect—offering a uniquely instructive vantage point on the interdependent realities of modern North America.

Keywords: Canada-US Border, Cultural Geography, Regionalism, Landscapes

Bio: Nathaniel R. Racine, *RIAS* Co-Editor-in-Chief, is an assistant professor of English in the Department of Humanities at Texas A&M International University in Laredo, Texas. He holds a PhD in English from Temple University in Philadelphia and a professionally-accredited Master's degree in Urban Planning from McGill University in Montréal, Canada. From 2018 to 2019, he was a Fulbright Postdoctoral Scholar in Mexico. His recent work draws from the fields of geography and urbanism to understand the cultural exchange between the US and Mexico from the interwar period through the mid-century.

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Nathaniel R. Racine
Texas A&M
International University, USA
RIAS Co-Editor-in-Chief

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PREFACE: THE "OTHER" BORDER AND THE PRESENT MOMENT

Virginia R. Dominguez
University of Illinois at Urbana-Champaign, USA
https://orcid.org/0000-0003-2431-1391

I write this now at the conclusion of the second week of Donald Trump's second term as President of the United States and in the wake of Justin Trudeau's recent announcement of his resignation as Canadian Prime Minister. This issue of *RIAS* would be of considerable significance regardless of these developments; however, recent events render it even more poignant. Trump has escalated tensions by threatening Canada with substantial trade tariffs and has even entertained the notion of incorporating Canada as a state within the United States. While tariffs—particularly those directed against China—were central to his 2024 presidential campaign, the idea of annexing Canada was notably absent. It remains unclear whether these pronouncements constitute mere negotiating tactics or genuine policy objectives. Nevertheless, these threats are accompanied by equally audacious assertions, including proposals to purchase Greenland from Denmark and to reclaim the Panama Canal through military force, if necessary. Such claims may appear implausible, yet Trump seems unequivocally serious in his rhetoric.

This moment represents a profound rupture in US-Canada relations—one that is both shocking and paradoxical. On the one hand, Trump's rhetoric undermines Canadian sovereignty, diminishing the nation's standing. On the other hand, he simultaneously extends an ostensible "invitation" for Canada to join the United States as its fifty-first state. His statements are reminiscent of his admiration for the expansionist policies of President William McKinley, whose tenure at the turn of the twentieth century has been largely absent from contemporary American political discourse. Trump's glorification of McKinley's legacy—particularly the expansionist ambitions

culminating in the 1898 Cuban-Spanish-American War, which saw the US assert control over Puerto Rico, Cuba, and the Philippines—further signals a revival of American imperial rhetoric. The day before Trump's inauguration on January 20, 2025, Fareed Zakaria, a prominent US-based commentator (whom I regard as largely centrist), devoted significant airtime on CNN to these statements, characterizing them as an overt return to US expansionism.

As the co-editors elaborate in their introduction to this issue, the US-Mexico border has historically been regarded as the primary site of border-related tensions, while the US-Canada border has been perceived as largely unproblematic. Indeed, within American Border Studies, the concept of "the border" is almost invariably associated with the US-Mexico divide. One might ask whether the long-standing difficulties surrounding the southern border stem from the divergent ways in which Canadians and Mexicans are perceived in the US imaginary. At the 2018 International Forum for US Studies (IFUSS) conference—which laid the groundwork for the scholarship in this issue—co-editor Jane Desmond articulated her suspicion that, in the American consciousness, "Canada is tacitly assumed to be a largely 'white' nation—full of people from England who still revere a queen" (Desmond). This assumption significantly informs the differential treatment of the US-Canada and US-Mexico borders. While I concur with Desmond's assessment, she rightly urges further inquiry into the persistence of such representations, particularly given that Canada has always been home to Indigenous and Métis populations, as well as migrants and refugees from a wide array of backgrounds.

This issue, therefore, is of critical importance. Its scope is broad, its approach interdisciplinary, and its thematic concerns both historical and contemporary. Featuring contributions from scholars representing various countries, it foregrounds what it aptly terms the United States' "other" border. The fact that its contributors hail from beyond the US and Canada is particularly noteworthy and reflects the longstanding mission of IFUSS to cultivate diverse perspectives on American Studies.

Since its inception in 1995 at the University of Iowa—funded by a substantial Rockefeller Foundation grant—IFUSS has been committed to fostering rigorous scholarship on the United States by scholars working outside its borders. The organization has provided residencies for dozens of such scholars, published journals and books beyond US borders, and facilitated international collaborations through roundtables, panels, structured dialogues, and conferences. Its mission has consistently been to highlight the extensive scholarly engagement with the United States beyond its own institutions, par-

Virginia R. Dominguez
University of Illinois
at Urbana-Champaign, USA

ticularly in non-English-speaking regions, a body of work too often overlooked by US-based scholars.

Canada is, of course, one such country of critical interest to IFUSS. Yet, for many in the US, its geographical proximity, linguistic hegemony of the English language, and relative political stability (particularly in contrast with Mexico) render it simultaneously easy to ignore and, paradoxically, easy to imagine as an extension of the United States. IFUSS has engaged with Canadian scholars in the past, but the present collaboration—between Jasmin Habib (University of Waterloo, Ontario, Canada) and Jane Desmond (University of Illinois at Urbana-Champaign, where IFUSS is currently headquartered)—represents an unprecedented degree of intellectual partnership.

This issue features contributions from scholars working across disciplines, including political economy, social history, and cultural studies. Its relevance is pressing. More precisely, it interrogates the significance of the US-Canada border across historical contexts, particularly during periods of stark policy divergence on issues such as slavery, immigration, Indigenous rights, wildlife conservation, and multilingualism. Given the recent escalation of political rhetoric and punitive economic measures between the two nations, this thematic issue of *RIAS* on the "Other" Border could not be more timely or consequential.

Virginia R. Dominguez

Abstract: This thematic issue of *RIAS* explores the evolving dynamics of US-Canada relations amidst the backdrop of Donald Trump's second presidential term and Justin Trudeau's resignation as Canadian Prime Minister. The issue gains heightened relevance due to Trump's provocative rhetoric, including threats of economic tariffs, discussions of annexation, and broader expansionist ambitions. The US-Canada border has historically been viewed as stable compared to the US-Mexico border, yet this assumption is being challenged. The issue examines how the US imagines Canada, often overlooking its Indigenous and multicultural realities, and interrogates historical and contemporary border tensions. Featuring interdisciplinary perspectives from scholars in Canada, the US, and beyond, the issue contextualizes current political shifts by addressing historical policies on immigration, Indigenous rights, and cultural representation. Through its engagement with global American studies, this issue underscores the necessity of examining US-Canada relations from multiple international perspectives.

Keywords: US-Canada relations, Trump administration, annexation rhetoric, Border Studies, US-Canada border, expansionism, International Forum for US Studies (IFUSS), *Review of International American Studies*

Bio: Virginia R. Dominguez (BA, MPhil, and PhD Yale) is Gutgsell Professor of Anthropology (and member of the Jewish Studies, Middle Eastern Studies, Global Studies, and Caribbean Studies faculty) at the University of Illinois-Urbana/Champaign. She is also Co-Founder and Consulting Director of the International Forum for U.S. Studies (and Co-Editor of its book series, "Global Studies of the United States"). A political and legal anthropologist, she was president of the American Anthropological Association (2009 to 2011), editor of *American Ethnologist* (2002 to 2007), and Associate Editor of the *American Anthropologist* for World Anthropologies (2014 to 2021). Before joining the UIUC faculty in 2007, she taught at Duke, the University of California-Santa Cruz, and the University of Iowa and held visiting positions in Paris, Manchester, Cape Town, Rochester, Honolulu, Jerusalem, and Harvard. She is the current Secretary-General of the IUAES (International Union of Anthropological and Ethnological Sciences) and serves on the World Anthropological Union's Steering Committee. Author, co-author, editor, and co-editor of multiple books, she is well-known for her work on the Caribbean, her work on the United States (especially in *White by Definition: Social Classification in Creole Louisiana)* and her work on Israel (especially in *People as Subject, People as Object: Selfhood and Peoplehood in Contemporary Israel*. Her most recent books are *America Observed: On an International Anthropology of the United States* (co-edited with Jasmin Habib), *Global Perspectives on the U.S.* (co-edited with Jane Desmond), and *Anthropological Lives: An Introduction to the Profession of Anthropology* (co-authored with Brigittine French).

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INTRODUCTION
Culture, Politics, and the Canada-US Border

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois at Urbana-Champaign, USA

https://orcid.org/0000-0003-0875-1792
https://orcid.org/0000-0002-2180-4265

The US-Canada border is long. Although it is the longest undefended land border between two countries in the world today, only few people in the US have thought much about that border over the years, and when they do, it is not likely they think of it in the same way that Canadians are known to, and certainly not in the same way that they think about the US-Mexico border. The Canadian government's de facto closure of the US-Canada border during much of the COVID-19 pandemic probably shocked many people in the US, and while the narrative about its closure certainly played out differently in Canada, in both countries, it heightened focus on the border as a limit more than a uniting zone. It made the border politically visible.

In this thematic issue of *RIAS,* we address several issues about the border, drawing on perspectives from multiple disciplines in the social sciences and humanities, anthropology to political science, economics, and literature, and including the works of scholars based in Canada, the US, and Germany. Their works engage issues of Indigeneity, African-descendant populations, Franco-Canadians, Gender and Race, Colonialisms, and the more-than-human world. Topics include hunting, cross-border Indigenous relations, treaties, oil protests, immigration, domestic workers, historical memory, creative fiction, and the notions of borders as textures, zones, lines, connections, and cultural imaginaries. Our emphasis on combining social science and humanities approaches is essential to this work. Much previous work on the Canada-US border has tended to focus either on political/legal issues or on literary/media studies. Instead, we strive to bring multiple disciplinary perspectives into conversation and include artistic/visual work. This volume thus contributes to a broader project

than one that would center on nationalist interests—either the US or Canada's—and rather brings to the study of bordering practices and border theory a continental approach, one that attends to the places and spaces that are and/or become the border.[1]

One critical perspective—which the very title of our issue alerts the reader to—is that the US-Canada border is considered, from the perspective of most in the US, to be the *other* border. In this sense, it has been "othered" as a border that, until relatively recently anyway, was not envisioned or imagined as one that separated an "us" from "them" (the US from Canada) in ways that the US-Mexico border has become a trope for differentiating the US from its "other," Mexico and countries to its south. In fact, when one explores the US "Border Studies" literature, much, if not all, of the attention focuses on the US-Mexican border, although it is a much shorter international border than the US-Canada border. However, in some respects, the US-Canada border is not necessarily less politically contentious (from the perspective of trade and the harmonization of security but also on immigration policies, for example). To bring the study of these borders together, our final piece in this thematic issue is by Alejandro Lugo, who has made significant contributions specifically to US-Mexico Border Studies in his many groundbreaking works. He will close this issue with an Afterword and a photo essay.

An important question that frames our approach to the question of the other border is this: What marks the US-Canada border as less *problematic* when the reality is more complex? One could also add: in what ways has the US-Canada border been othered in its *perception* as a *non-border,* and in what ways does shifting our perspective to non-borders also shift the grounds upon which some earlier border theories have developed? If we shift from the popular perspective that

1 We especially want to recognize the important contribution, both conceptually and in terms of drafting this Introduction, by our colleague Dr. Virginia R. Dominguez, who was involved in the project from the beginning and whose words and ideas permeate this Introduction in numerous ways. In addition, Dr. Alice Balestrino drafted several of the article summaries as an IFUSS program assistant. Dr. David Schrag helped coordinate the original IFUSS symposium at the University of Illinois in Champaign, Illinois, out of which the project ultimately grew and which also benefited from the intellectual contributions of the University of Illinois colleagues in Anthropology/American Indian Studies, Dr. Jenny Davis and in Anthropology/Latina/Latino Studies, Dr. Gilberto Rosas. We also thank IFUSS assistants Joe Coyle and Dr. Emily Metzner, who contributed to formatting and correspondence in the final stages of the publishing process. Above all, of course, we thank our contributors who maintained their enthusiasm for this project even when COVID-19 slowed the pace considerably.

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

most citizens living in the US and Canada have, namely, that this is not a *real* border or that crossing that border should not pose any real problems, what then of border theories that conventionally approached borders as demarcation lines, as checkpoints that alert security officials to who does and does not belong, who can and cannot cross, who is and who is not welcome? These reflections have broad implications not only for thinking about borders, including the relationship of Canada to the US but, for that matter, for thinking about the relationship between Mexico and the United States. Should we think of borders as processes as much as places, as concepts as much as spaces, as "sutures" holding disparate parts together as Mark Salter has suggested, as hybrid zones of exchange, like Anzaldua's "borderlands"? Which of these models best captures the lived experiences of the "other" border? What other models might be needed? What contributions to wider border theories might a further consideration of the Canada-US border provide?

When some challenge us to put this into the context of rising populisms around the globe (as Homer Dixon did in December 2021, more below), we need to think otherwise about the future of this border and much of the taken-for-grantedness in those relationships. Might it be that, in the future, Canada and the US will together envision the end of a border between them, or might a more militarized relationship emerge, wherein those in Canada and the US imagine greater fortifications are necessary in order to secure their country's futures? We will return to this issue at the end of this essay.

Some of the pieces in this thematic issue engage the cultural imaginary of Canada held by US Americans. In co-editor Jane Desmond's opening remarks to the 2018 IFUSS (International Forum for US Studies)[2] conference, which engaged in some of the preliminary discussions that led to this volume, she noted as follows:

> In US academic circles and in US public discourse, "Canada" often has a muted presence. Many in the US, I suspect, think that Canada is just like the United States, except full of "nicer" people: less arrogant, less puffed up with their own sense of exceptionalism, and living out there in the colder regions with the polar bears. In the US imaginary, I suspect that Canada is tacitly assumed to be a largely "white" nation—full of people from England who still revere a queen. (Desmond)

This framing named at least one of the issues we consider significant, namely, that, despite its many racially and ethnically diverse

2 See Virginia R. Dominguez's explanation of the mission of the IFUSS in her "Preface" to the present issue (page 22-23).

populations, we think that Canada is often tacitly assumed by white Americans to be a predominantly "white" nation. However, with more than 20% ("The Canadian People") percent of its population being born outside Canada (and in cosmopolitan Toronto, that figure is over 45%), and with the majority of these newer arrivals coming from Asia in the past several decades, and with its substantial populations of Indigenous peoples including First Nations, Metis and Inuit communities, as well as African descendent residents, this is far from the case.

While this perception benefits many people in Canada, it clearly does not benefit Canadians who are racialized as non-White and, as a consequence, often approached as though doubly displaced, not belonging on *either* side of the border. It is as though US and Canadian border security does not expect a Canadian to be racialized as anything but "white" (Habib's own experiences crossing the border highlight this. She has many experiences of being pulled aside at the border, even prior to the 9/11 attacks, her Arab family name appearing to be a "red flag" for US border security when she tries to enter or depart the US for academic work.) This only reinforces racist assumptions in many parts of the US that the US is a (European) "nation of immigrants" whose citizens' ancestors voluntarily crossed the Atlantic Ocean (and not the Pacific) to settle in the United States and who remain faithful to their sense of European "whiteness."

Of course, counter-discourses contest this implicit notion of the US nation, highlighting Native American history pasts and presents in the US and the long-standing legacies of anti-Black racism built on a history of slavery. The latter surged following the Minnesota murder by white police of African American citizen George Floyd in 2020, with the expansion of the Black Lives Matter movement. Nevertheless, rising populism in the US counters this political force and reinforces this set of assumptions with tropes of "invasion" and "criminals" referring to new arrivals, especially from the Southern border, as evidenced during the recent Trump presidential campaign, which is the broader context in which this volume emerges.

The fact is that most people in the US know little about Canada, sometimes in shocking ways, although the opposite is not usually true. IFUSS Co-founder Virginia Dominguez recalls being amazed when a young contestant on a contemporary US television quiz show failed to answer a relatively simple factual question about Canada correctly. Hailing from California, he had been introduced to viewers as a highly regarded and successful student, but when he faced a multiple-choice question asking him to identify the capital of Canada, he clearly had no idea and guessed it wrong. That a "well-educated" US resident

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

did not know the capital of Canada represents anecdotally the larger imbalance between the two nations—the *need* to know about the other. For most in the US, ignorance about Canada has little cost.

On the other hand, Canadians tend to expect that of people on their southern border, and they clearly know much more about the US than people in the US know about Canada. Imagine Canadians not knowing that California and New York are in the US, that Donald Trump was president of the US from January 2017 to January 2021, or that Joe Biden beat him in the 2020 election. Imagine they do not know that Trump has been re-elected to serve from 2025–2029 and that he and the (as we write this) soon-to-step-down Canadian Prime Minister Justin Trudeau were often at odds. Why does this differential luxury of ignorance exist, and what are its effects? Here, we want to consider some of the likely assumptions readers may make and explain why we are not convinced that any of them work.

One possibility is that it has to do with the substantial difference in the size of our respective populations and the sense that the US is both insular and imperialistic in some respects. Scholars like Ulf Hannerz and Andre Gingrich have focused on this issue of differences in population size between countries and the consequences of that inequality. Their book *Small Countries: Structures and Sensibilities* looks at precisely this issue from the perspective of countries with populations under 15 million, but it is also true that the Russian invasion of Ukraine can be seen from that perspective, even though Ukraine's population was about 42 million before the invasion and Russia's was about 146 million. Clearly, Ukraine is not a small country—neither in land area nor in population size—but it is absolutely true that it is much smaller than Russia both in land area and population size. We are seeing how deliberate Russia is with respect to Ukraine, how Ukrainians think, and what they say about Russia.

The emphasis on large countries—military and political powers like Russia—making assumptions about smaller countries is well-known, though it is interesting that the US typically treats its northern neighbor as an ally rather than an enemy—so much so that Michael Moore's only fictional movie, *Canadian Bacon*, is a comedic take on a US invasion of Canada. It is true that the population of Canada is just over a tenth of the population of the US and that the population of Mexico is larger, though still not even close to the size of the population of the United States. So, why does the US treat Canada as an ally rather than an enemy or a rival while viewing Mexico as a problem—if not exactly an enemy? Although the difference in population size in both cases is substantial, after all, it alone does not account for the discrepancy.

Another possibility is the familiarity of the US with people in Canada. Because such a large proportion of the Canadian population lives within 100 miles of the US-Canada border, US media channels easily reach them. However, this explanation is problematic because there are many cases of countries whose populations are close enough to watch each other's television shows, both news shows and typical entertainment shows, and it does not produce that evident benevolence and familiarity. This includes Israel and Jordan, France and Germany, and obviously the US and Mexico. Therefore, should it not apply in both directions? To what extent do people in the US find Canada familiar because Canadian people and media cross the border quite a bit? One could ask how often US television programming even mentions Canada.

A third possibility is that Canadians have chosen over the years not to highlight being foreign in the US, but does not that, too, beg the question? Many Canadians visit the US or even live in the US, and some are indeed superstars. Among them are Ryan Reynolds, Ryan Gosling, Celine Dion, Justin Bieber, and, until his recent death, Alex Trebek. Some Canadians make a point of saying they are Canadian when they are in the US, while many do not. Do they find it useful to "pass" as Americans? There are also many US-born people who have moved to Canada and now live and work there.[3] Do people in either country know that? Is it just a matter of language, given that in both countries, despite their multilingual populations, English remains the dominant and shared language?

Each of these dimensions may contribute to the differential in knowledge between residents of one country and those of another. Desmond foreshadowed this question of differential knowledge in those 2018 opening remarks as well, noting:

> There is little public acknowledgement in national US public discourse of the vibrant urban life of Toronto, the substantial Chinese populations in Vancouver, the long standing and growing South Asian communities, the Francophone politics, and the extensive First Nations communities

3 Gillian Roberts notes that Canada has been seen as a possible "escape" for US residents—similar but different, and providing sanctuary for some populations—from the influx of African Americans who arrived via the Underground Railroad to the US draft resisters in the Vietnam War period. (*Discrepant Parallels* 14). While not all were welcome, of course, this notion of "sanctuary" survives. We can note the fact that, on the night of Trump's first election, when it became clear that he was to defeat Hilary Clinton, a Google search by US folks for "how to move to Canada" apparently crashed the Canadian government's immigration website, as reported on BBC News ("Canada's Immigration Website").

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

and public presence. We do note, however, that they (you) [addressing the colleagues from Canada who participated in that Symposium] seem to have gotten the hang of national health insurance and, of course, there are those Mounties in those smart red jackets on horseback [although we know that Mounties' red jackets symbolize something very different in western Canada, especially for Metis and First Nations for whom they symbolize repression]. Most US-Americans, scholars or not, unless they live in the border region themselves, know little about the deeply imbricated lives of these two nations and the multiple nations within them. Having what is touted as the world's longest undefended border between two nations means, largely, that we here [in the US] don't have to think much about Canada daily or in the daily news cycle. (Desmond)

We suggest that what we call a "freedom (or luxury) to not know" shapes US academic discourse and everyday perceptions. Most of the writing in several important books and journal issues on the US-Canada border and bordering practices (discussed below) is written by Canadian and UK-based scholars. Only occasionally do we find a US-based scholar or scholars from other countries included among the contributors, even though many configurations of "American Studies"—especially in Europe—construct their object of study as "North American Studies." Importantly, all these books discussed below are published outside the US. To our knowledge, books from these presses do not, unfortunately, circulate as widely as they should in the US academy. Nor, despite a few exceptions, do we find a concomitant series of publications about the Canada-US border issues coming from US-based scholarly presses doing "American Studies" or US Studies work.[4] We think this reflects an important differential in scholarly engagement—again, the presumed stakes of knowing. We hope this issue of *RIAS*, in its open access format, will be read not only by scholars in Canada, the UK, Europe, and far beyond, but also in the US itself, thus contributing to discussions of "Border Studies" within the US academy, too.

HISTORICAL CONTEXT

Like all academic writing, this volume takes shape in a specific historical moment and converses with the events of its time. For us,

4 There are exceptions, of course. See Claudia Sadowski-Smith (*Border Fictions*). Furthermore, tensions between notions of "American Studies," "Hemispheric Studies," and "Inter-American Studies" also emerge in *foci* of the work done by members of the International American Studies Association and have from its beginning.

this context includes especially the COVID-19 pandemic and the rise, fall, and rise again of the Trump presidency and Justin Trudeau's tenure. In turn, the political and social landscapes within each country are key, including changing relations with each country's Indigenous and Native American populations, immigrants, and global economic, cultural, and political trends, and natural and human-sparked disasters and conflicts abroad. Most currently, Trump's threats to start his second presidency in 2025 by slapping massive tariffs on Canadian goods imported into the US and his disrespectful joking about "erasing the border" and accumulating Canada as the fifty-first state set the stage for a heightened level of discourse about the Canadian-US border over the next four years.[5]

In the recent past, US media attention to Canada has often been sparked by incidents that disrupt the stereotype of the "non-border border." One example is the way much of the US media and US government misrepresented the hijackers on September 11, 2001, as people who had entered the US from Canada. Another example is the US coverage of the oil pipeline protests on both sides of the Canada-US border (something Paul Bowles discusses at length in this issue). Other recent examples include exchanges between Canadian Prime Minister Justin Trudeau and President Donald Trump during his first term, which were often characterized as petulant but had enormous economic and political effects on citizens on both sides of the divide.

Moreover, there is, of course, the so-called Trucker's Convoy, which snaked its way across Canada in 2022, blockading cities like its capital, Ottawa, and key bridges into Ontario and Alberta. The US and Canada are each other's most important trading partners, and the movement of goods across the border, so often invisible except to those who live on the border or those companies whose bottom lines depend on it, was also halted. Frustrations that had been building throughout the pandemic resulted in a surprisingly intransigent and, for some, frightening blockade of downtown Ottawa. This was ostensibly led by a group of truckers who supported the self-titled "Freedom Convoy," who claimed COVID-19 regulations had suspended their livelihoods and which, by order of the Canadian national government, required all truckers crossing from Canada into the US to be fully vaccinated or to quarantine for two weeks. The movement soon spread from a protest against pandemic restrictions to a more generalized, right-populist protest against Canadian Prime Minister Justin Trudeau.

5 For two reports from the Canadian press on these issues of tariffs and absorbing Canada into the US, see Crawley and Major.

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

While semi-trucks (known in the US simply as semis) blocked roads and halted all regular business and travel in and around Ottawa's core (with growing protests popping up in other Canadian cities and towns), the result was an unprecedented public disruption in the seat of power in Canada. For weeks, police stood by while citizens complained about the disruption of daily life. Ultimately, at least 100 protesters were arrested, although many were later released. These actions dogged the Trudeau government, which had invoked the Emergencies Act to clear the blockades.

In addition to the use of the Canadian flag as a way of (re)claiming their vision of the nation, truckers also flew US Confederate flags, adopting a form of populist refusal directly imported from the United States. In turn, a couple of weeks later, a convoy of US truckers tried to disrupt traffic in Washington, DC, to protest pandemic restrictions. The largely fizzled event was unlike the dramatic multi-week-long standoff with police in Canada.[6]

While the truckers' convoy was dramatic, perhaps the most poignant media attention to the border comes with death. An especially mournful eruption of the border took place in January 2022 when an Indian family froze to death trying to cross from Canada into the United States. Jagdish Baldevbhai Patel, a 39-year-old man; Vaishaliben Jagdishkumar Patel, a 37-year-old woman; Vihangi Jagdishkumar Patel, an 11-year-old girl, and Dharmik Jagdishkumar Patel, a three-year-old boy, froze to death in the attempt. Authorities believe they were part of an illegal human trafficking scheme preying on those wishing to immigrate from India. However, in most cases, the travel of desired immigration is from the US into Canada. The Royal Canadian Mounted Police, for example, apprehended more than 16,000 asylum seekers crossing north between border crossings in 2019 ("Indian Family that Froze to Death.").

In ways that surprised some viewers, the US media at the time seemed to have developed a newly compassionate response to immigration politics, informed by a visceral reaction to President Donald Trump's more explicitly racist anti-immigration stance. Obama's policies had been no less racist, having introduced cages at the border and a ban on many majority Muslim countries long before Trump came into office, but that was perceived as different. In that period, Canada was represented as a safe haven for Syrians escaping the war, with Prime Minister Justin Trudeau draping them in warm winter

6 Among the extensive coverage, see "Canada protests." See also Noakes and Coletta et al.

coats upon their arrival at Toronto's Pearson International Airport. Nevertheless, while the 2022 dramatic deaths of those trying to reach the Canadian border did make it to the news, far more attention focused on the detention of asylum seekers at the US-Mexican border.

Trump's re-election has stirred fears in Canada that his hardline immigration policies on the US Southern border will push more migrants northward. Even before the January 20, 2025 inauguration, Canadian officials were drawing up plans to "add patrols, buy new vehicles and set up emergency reception facilities at the border between New York State and the province of Quebec," for what is expected to be a surge in immigrants once Trump is again in office (Stevis-Gridneff and Aleaziz).

At the same time, this corresponds to a significant shift in Canada's traditionally welcoming attitude toward immigrants. In October 2024, Trudeau's government announced new restrictions, characterized as a "pause" for rebalancing, saying not that immigrants were not welcome but that there had simply been too many of them in recent years. This announcement comes as public support for immigration has declined overall in Canada.

Meanwhile, a surge of arrivals moving the other way, from Canada to the United States, has prompted concern, with US Borders and Customs Protection showing more than 19,300 undocumented migrants apprehended by US authorities at the border between Quebec and Vermont, New York State, and New Hampshire—nearly three times the number of the previous year, and compared to just 365 people in 2021 (Stevis-Gridneff and Aleaziz).

The mythic "hospitality" of the border, as Gillian Roberts might note, is here profoundly disrupted, laying bare what a border that is always there does, although it is only actuated under certain conditions and for specific individuals—reminders as well of the power of the border to contain, to restrain, to refuse, and to defy the simultaneous fluidity of transnational flows of people, ideas, goods, and cultural products that anthropologist Arjun Appadurai famously labeled "'scapes."

Like the Ottawa truckers' protests, these highly visible and sometimes tragic cases are part of a larger tapestry of legal and illegal, documented or undocumented, easy or hard, mundane or exceptional crossings of the US-Canada border. However, their stark costs in devastating human terms help us see the operations of the border with all its promises and prohibitions in ways that, more often than not, remain invisible. The border, always with us, both enabling and constraining, productive and disruptive, is skirted and re-asserted and lived in multiple ways, as the articles in this issue mark out in detail.

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

While much media coverage of the border emphasizes conflict, there are other ways in which it captures some salient differences between the two nations, which have disparate histories and economic priorities. In the opening symposium mentioned earlier, Desmond noted the US stereotype that Canadians are "nice," citing a striking story from *Newsweek Magazine* about Canadian physicians in Quebec who were protesting their salaries, which had just been re-negotiated by their professional federations (unions). Hundreds had signed a petition stating their salaries were too high and should not be increased. Instead of the promised raises, they want the money to go to nurses and needy patients (Sit).

This surely must fall into the category of "never in America!"—a way of distinguishing life in the two nations, each with its distinctive history, despite many similarities. Canadians might not find this anecdote particularly remarkable or amusing, but they are likely to understand why *Newsweek* included it. In an infamous exchange with US President Richard Nixon, Prime Minister Pierre Trudeau (Prime Minister Justin Trudeau's father) is known to have said: "living next to you is in some ways like sleeping with an elephant. No matter how friendly and even-tempered is the beast, if I can call it that, one is affected by every twitch and grunt." This statement was made in Washington, DC, in 1969. Many journalists and political scientists think it has come to define Canada-US relations (at least on the Canadian side) for much of the past 50 years. So, another question we delve into here is whether these words still resonate, and if so, how, moving into the second quarter of the twenty-first century.

INTELLECTUAL PRECEDENTS

Blooming roughly in the 1990s and especially accelerating in the 2010s, we see the emergence of works that argue for the importance of the Canada-US border as a site of inquiry for studies in Border/Borderlands/Border Cultures Theory, Transnational American Studies, and Hemispheric American Studies. Each of these intellectual communities has a somewhat different focus, and each evolved with perceived omissions in previous intellectual formations—for example, of "American Studies," with its highly-US centric formulations, or theories of "globalization," which can be seen as undervaluing the function of national identities in favor of an emphasis on a cosmopolitanism of flows.[7]

7 Roberts cautions that when US-based scholars approach "hemispheric studies," they may simply enlarge their object of study without engaging with the substantial body of work coming out of Canadian studies. If so, it would reinscribe

While it is beyond the scope of this Introduction to map all these arenas fully, four key books and several special issues of journals help paint the picture. Special issues/special sections on the Canadian-US border appeared, for example, in 2011 in the journal *Geopolitics*, which featured a section dedicated to Borders and Borderlands, edited by Emmanuel Brunet-Jailly, focusing on how border cultures link nation states. The following year, *Geopolitics* devoted an entire volume to "Critical Border Studies" (Vaughan-Williams and Parker), which was later gathered into a book published by Routledge in 2014 and reissued in 2024, indicating the continuing impact of those formulations (Parker and Vaughan-Williams).[8] Collectively, these pieces invited theorizations that went beyond seeing borders as a "line in the sand," a given entity, and argued instead for multi-perspectival approaches. Summing up their vision of the challenges for emerging "critical border studies," the editors called on scholars to: "develop tools for identifying and interrogating what and where borders are and how they function in different settings, with what consequences, and for whose benefit." They urged two twinned moves: a *shift from the concept of the border* to the *notion of bordering practice*; and the adoption of the lens of *performance* through which bordering practices are produced, and reproduced" (3, italics in original). Both these initiatives are seen in the articles collected in this thematic *RIAS* issue.

In 2011, the journal *Comparative American Studies* featured a special issue on Comparative Border Studies edited by Claudia Sadowski-Smith, intending to move beyond the US-centric focus on the Mexican border to discuss border maintenance and their rewritings in different parts of the world. Two years later, the same journal hosted another special issue, this time explicitly on the US-Canada border, edited by David Stirrup and Jan Clarke. An emphasis on Indigenous experiences of borders and conceptions of nationality, community belonging, and borders anchored that volume.

As this intellectual momentum accelerated, two key books also appeared between 2013 and 2015, underlining the growing interest outside of the discipline of political science in the Canada-US border. *Parallel Encounters: Culture at the Canada-US Border*, co-edited by Gillian

the differential size of the two nations' scholarly communities to the detriment of the complexity of the work (*Discrepant Parallels* 18). For publications in the US regarding the expansion of transnational American Studies, see also Desmond and Dominguez. See also later works, such as Rowe, ed., and Pease and Wiegman, eds., among others.

8 The editors and many contributors identified their disciplinary homes as political science.

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

Roberts and David Stirrup, featured articles arising from an international working group, mainly from the UK and Canada, and with expertise especially in literary texts and visual culture. That book highlights an analysis of popular culture and literature, along with a number of articles on Indigenous cultures and the border. Noting that transnational American Studies often merely takes an additive approach (3), adding "Canada" to a US-dominated formulation, the editors make the border itself central to their theorizations.

Two years later, in 2015, Gillian Roberts' important book *Discrepant Parallels: Cultural Implications of the Canada-US Border* built further on these works.[9] Roberts focused on the impact of the border through analyses of Canadian cultural texts from the 1980s to the mid-2000s, during the time of NAFTA (the North American Free Trade Agreement)'s enactment, and then with the fallout from 9/11, which heightened border security. This in-depth book focused mainly on Canadian cultural productions, such as literature by Indigenous and non-Indigenous novelists in Canada, television series, and works of drama and poetry. It drew on the mythic notions of Canadian "hospitality" and questioned them through the lenses of Indigenous and Black Canadian perspectives. At the same time, by engaging with hemispheric approaches, which, as Roberts notes, can have their own attendant pitfalls of intellectual imperialism that could ignore the contributions of Canadian studies, Roberts warns that Canadians may find their sense of positive Canadian-ness rearticulated and potentially transformed (18–19).

The most recent book to appear comes from the University of Edinburgh Press: *The Canada-US Border: Cultures and Theory*, edited by David Stirrup and Jeffrey Orr, and emphasizes work mainly by literary and media scholars, working explicitly to bring US-Canada border studies into conversation with US-Mexican border studies. Chapters emphasize the interplay of state infrastructure, social identities, and cultural imaginaries in specific case studies ranging from the Canadian TV series *Border Security*: *Canada's Front Line* to a study of the history of the Detroit River and its imbrication with the logic of border crossing as an "interface of empire" (54).

Like Roberts, Stirrup, Orr, and others, we, too, hope to emphasize and contribute to an understanding of the complexity of the Canadian-US border as a place, process, cultural imaginary and lived experience and have approached this through strategies of multiple expansion in comparison with some of these key preceding works.

9 See also Roberts, *Reading Between*.

The "Other" Border, then, expands the range of contributors to include scholars from the UK, Germany, the US, and Canada of multiple disciplinary and social backgrounds. It unites literary cultural studies with qualitative social sciences approaches. Topics of inquiry include not only the literary (including mobile borders in Francophone literature) and media studies but also embrace considerations of protests, bird migration treaties, trophy hunting, historical memory, as well as diasporic Indigeneity, and labor migration across multiple borders by African diasporic populations.

While no collection can possibly be inclusive of all disciplines and perspectives, we find that combining analyses based on literary, performative, political, legal, anthropological, and media studies approaches can point to the multiple ways that borders function as complicated, flexible, and transformative territorial inscriptions and cultural imaginaries with lived effects. To that end, rather than simply adding "more," we hope to model the challenge of, and potential impact of, multi-faceted approaches that take the necessity of this multiplicity of methods as a starting point. Finally, to help place this work directly in conversation with border studies, especially with that anchored in the study of the southern border of the US with Mexico, we close our issue with a photo essay by US Border Studies expert Alejandro Lugo, whose work has long focused on that region.

WHY THIS THEMATIC ISSUE NOW

Trump's re-ascendancy to the US Presidency and Justin Trudeau's departure from the Canadian Prime Minister's post make this an especially trenchant moment to embrace and extend work on the Canada-US border. Most recent policy shifts indicate that the "soft" border is becoming increasingly rigid, with anger on both sides towards flows from the other. Thus, we expect that border issues will be more salient in public discourse in both countries during the coming four years, highlighting the need for more scholarly work on the Canadian-US borders.

It is impossible to predict what the new leadership in Canada and the US will bring, much less how the broader global reconfigurations will shape that relationship in the coming years. However, some scholars have already sounded an alarm, noting rising populism.

As early as the end of 2021, on New Year's Eve, no less, one of Canada's most eminent scholars published a piece in the *Globe and Mail* entitled, "The American polity is cracked, and might collapse. Canada must prepare." In it, Professor Thomas Homer-Dixon warned:

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

> A terrible storm is coming from the south, and Canada is woefully unprepared. Over the past year we've turned our attention inward, distracted by the challenges of COVID-19, reconciliation, and the accelerating effects of climate change. But now we must focus on the urgent problem of what to do about the likely unravelling of democracy in the United States. […] [And] non-partisan Parliamentary committee with representatives from the five sitting parties, all with full security clearances. It should be understood that this committee will continue to operate in coming years, regardless of changes in federal government. It should receive regular intelligence analyses and briefings by Canadian experts on political and social developments in the United States and their implications for democratic failure there. And it should be charged with providing the federal government with continuing, specific guidance as to how to prepare for and respond to that failure, should it occur. (Homer-Dickson 2021)

In all the research conducted for this thematic issue, we have not come across a more dystopian nor threatening reflection on what has been developing in the relationship between the US and Canada.[10]

Just days before Trump's second inauguration on January 20, 2025, Thomas Homer-Dixon issued another warning, writing again in an extensive essay in the Canadian *Globe and Mail* to forecast that Trump during his second term "is likely to become one of history's most consequential figures," operating in a period of rising populism in many countries, and with a weakened Democratic opposition in Washington, DC. He warns that the nation of Canada itself is "in grave peril." "Mr. Trump," he continues,

> seems intent on fracturing our federation, by using tariffs and other measures to create an economic crisis severe enough to stimulate secessionist movements, particularly in Alberta, where polling indicates that 30 percent of the population already thinks the province would be better off as a US state. (Homer-Dickson 2025).

This attitude creates an unlikely synergy between Trump's offhand statements about erasing the border and annexing Canada and some Canadians' assessment that rewriting national boundaries could actually have positive effects.

While such forecasts may seem extreme, such discourse may well signal the end of the period of accord between Elephant and Mouse

10 While not mentioning Canada specifically, outgoing President Joe Biden's live, televised farewell address to the nation on Wednesday, January 16, 2025, sounded a similar dystopian sense of alarm and call to vigilance when he warned against the dangers of an ultra-rich, ultra-powerful oligarchy and disdain for democracy-sustaining institutions, urging Americans to "stand guard." For a text of that speech, see "Remarks by President Biden in a Farewell Address" at www.whitehouse.gov.

that the elder Trudeau so famously alluded to and the beginning of a period of heightened protectionism and boundary-marking. It is too soon to tell how such threats and ruminations will be interpreted by legislators and scholars or in the everyday lives of residents in both nations. However, it is safe to say that interest in Canada-US bordering practices, whether rendered metaphorically or materially, will continue well into the future.

THE ISSUE'S ORGANIZATION AND ARTICLES

This thematic issue prides itself on raising questions about the Canada-US border in multiple ways. It includes politics in the way most people think of politics and also cultural politics, that is, issues that many people (in both countries) think are outside politics—the arts (including visual arts and creative writing), the humanities (including historical accounts and philosophical discussion), museums and representations in many arenas, from advertising to films. Issues related to differences between the two countries are included here, but so are issues that link the two countries in significant ways. We have chosen not to order the essays by the country of residence of individual scholars nor by discipline itself. Instead, we have ordered essays provocatively, hoping to spur debate and discussion and encourage reading across separate articles.

Rowland Keshena Robinson's essay, for example, here called "Indigenous Diaspora, Identity, and Settler Colonial Borders," is based on the centrality of telling stories in Indigenous epistemology and methodology. It is a contribution that tells a story about and across settler colonial borders and the development of Indigenous identity against them. The essay's argument focuses on the division of the Gdoo-Naaganinaa, the Dish With One Spoon Territory, between Canada and the US, and the experience of the author's crossing it as a Wisconsin Menominee, born in Bermuda, who lives amongst his Anishinaabeg kin in Ontario. The author dwells on US and Canadian sovereignty over the regulation of movements across the border, particularly the asymmetric application of immigration protocols for Indigenous individuals. The application of the Jay Treaty, for example, demonstrates that Indigenous sovereignty is fundamentally of a secondary order and the settler's sovereign border concerns over security and citizenship overwrites any pretense, even in the wake of the Truth and Reconciliation Commission, that Indigenous people possess any kind of meaningful sovereignty. As a Menominee, Robinson dreams of a world where he can once again live and move

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

freely on the lands of the Anishinaabe according to their traditions and protocols.

Adina Balint's essay called "Mobile Borders in Contemporary Francophone Canadian Literature" stresses that much of current spatial thinking emphasizes the porousness of borders, the hybridity of cultures, and non-essential identities (Braidotti 1994; Deleuze and Guattari 1980). Nonetheless, it argues that it is crucial to step beyond simple dichotomies according to which spaces should be understood either as territorially bounded or open. According to the author, even the most fixed borders transform, are crossed, and are partly "mobile" (Ouellet 2005). Balint asks us to consider how literature leads us to think and act beyond the limitations of the border metaphor and, more specifically, how Francophone Canadian contemporary writers represent borders and migrant nomadic subjects. This essay explores these questions through the analysis of texts by the Québécois writers Dany Laferrière and Catherine Mavrikakis.

If the two previous essays address different ways to address borders and border mobility in the arts, Paul Bowles's "Oil Pipeline Resistance in Canada and the US: Similarities, Cross Border Alliances and Border Effects" addresses oil pipeline resistance from an economic and political perspective. Bowles is interested in the fact that the construction of new oil pipelines and the expansion of existing ones have been met with sustained resistance in both the US and Canada. He argues that pipeline expansion has been justified for economic reasons but has emerged as a "chokepoint" for the industry since popular resistance has sought to protect land and water resources. According to Bowles, this resistance has both national and cross-border continental dimensions, and he aims to analyze the nature of the opposition to oil pipelines in both countries.

Specifically, this essay addresses three questions. The first is whether pipeline opposition shares similar characteristics in both countries. The second is how resistance has flowed across the border. The third is whether "border effects" suggest that national resistance strategies are likely to persist and even dominate, notwithstanding the continental structure of the pipeline networks. This essay also documents some major similarities in the resistance movements in both countries, notwithstanding their different political economics and histories and, ultimately, suggests that regulatory frameworks, government actions, and state characteristics all point to the existence of "border effects" and the continued relevance of national-level resistance even in the presence of continental pipeline networks.

Jane Desmond's essay titled "Border Crossings and Polar Bears: How Indigenous Hunting Rights in Canada Become Part of a Transnational Economy" also addresses the border, ecological concerns, and the role of Indigenous and non-Indigenous people, but it does so from a combined visual, economic, and political perspective. She is interested in ecotourism both in terms of wider global issues and in terms of US-Canadian relations. The broader context is the global travel of „Big Game" hunters from "First World" nations to kill megafauna to put on their walls. Caribou, elephants, rhinoceros, polar bears, and many other rare or even endangered species are involved. She reminds us that the death of "Cecil the lion," illegally killed in Zimbabwe by a US American dentist, is a recent rendition of this phenomenon and that this drew significant international condemnation. US President Trump's backpedaling on a ban on imports of such „trophies" to the US, she argues, has caused outrage among animal protectionists, but that, she believes, is just a symptom of a broader global phenomenon of the sale of the right to kill, sometimes in the name of conservation, sometimes in the name of supporting local communities, and sometimes in the name of tradition and of continuing Indigenous hunting rights. Here is where Canada comes in. She is specifically interested in a uniquely Canadian phenomenon of the sale of killing rights by Indigenous Canadians to non-Indigenous, non-Canadian trophy hunters who want to hunt polar bears in Canada. Canada is the only country in the world that allows the sale of these rights. These hunters, of European ancestry, come mainly from the United S tates and, more recently, from Western Europe, which is not a simple case. It involves Indigeneity's intermeshed politics, the Canadian state's role, US-Canada relations, and the philosophical constitution of a more-than-human world in both Indigenous and European-derived epistemologies.

In this context, reading an Indigenous leader's words is interesting. Here, we note the essay written collaboratively by Philip Awashish and Jasmin Habib. Awashish is a prominent Indigenous elder from Mistassini First Nation who was directly involved in negotiating the amendments to the Migratory Birds Convention, a cross-border treaty that was initially signed between the US and the British and which needed to be amended not only because Canada had repatriated its constitution which included indigenous rights in its Section 35, but also because Canada had guaranteed a number of hunting rights in the signing of the James Bay Cree and Northern Quebec Agreement in 1975. It is not the only international treaty that Indigenous leaders have been directly involved in negotiating, of course, but it is among

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

those that are critically important to Indigenous livelihoods, as well as cultural and spiritual well-being.

Astrid M. Fellner's essay, "Drawing the Medicine Line: Sketching Bordertextures in Whoop-Up Country," explores the multiple dimensions of the Forty-Ninth Parallel in what she calls "Whoop-Up Country." Carving out the interwoven histories of labor and violence, this essay retraces the US-Canada border's function in forming and consolidating the two North American nations. The meaning of the Whoop-Up Trail may have faded into obscurity over time, but the hidden histories, geographies, and knowledges of this border zone have survived and continue to resurface in the cultural imaginary. A number of writers have engaged in "deep mapping the Plains," capturing "within their narrative structures a complex web of information, interpretation, and storytelling," including Paul F. Sharp (*Whoop-Up Country: The Canadian-American West, 1865–1885*), Wallace Stegner (*Wolf Willow*) and, most recently, Thomas King ("Borders"), each of whom constitute heterogeneous border voices that have charted multidimensional (hi)stories of the northern Plains.

Analyzing these multilayered cartographic texts through the lens of bordertextures, the essay proposes a view of borders that allows for an analysis of what Mike Pearson and Michael Shanks call the "details of memory," that is, "anecdotal, fragmentary, speculative ... all those things which we might never regard as authentic history but which go to make up the deep map of the locale" (Pearson and Shanks, 144). Drawing attention to the formation of territories and bodies that are inherently interwoven, the act of bordertexturing turns the Canada-US border into a texture whose analysis necessarily requires a theorization of socioeconomic structures, institutions, and flows that have shaped this border as an instrument of colonial fantasies of nation-building.

If Astrid Fellner leads us to think about institutions and flows that have shaped the US-Canada border as an instrument of colonial fantasies of nation-building, Karen Flynn's essay, "Rethinking the 'Other' Border: Caribbean Migration to Canada," tackles head-on the question of race and questions Canada's self-representation as a socially just and multicultural society. It argues that Canada's response to Black bodies entering its borders has hardly been convivial and that this has been reflected, in particular, by the measures undertaken by Immigration Canada to restrict Caribbean migration. Relying on archival and secondary sources, her essay focuses primarily on Caribbean domestic workers to reimagine who is involved in and what counts as nation-building. In this essay, Flynn argues that domestic workers directly contributed to Canada's nation-building

in two ways. First, they assumed the reproductive tasks on behalf of middle-class white women in Canada and their families, and second, they did so through their activism against deportation from Canada. The essay is divided into two sections: the first begins with examining immigration officials' response to mostly male migrants recruited to work in Canada, and the second focuses on two domestic schemes. It thus offers a critical race and feminist approach to our understanding of bordering practices—domestic and international.

We close with Alejandro Lugo's "Afterword," including photo reflections on the "Freedom Convoys" at the Canada-US border. Lugo's work helps to frame our approach: it captures, from the US side, representations of the border and thus also its limits. That is, the Freedom Convoys had disrupted the lives of Ottawans for months by the time US media began to pay serious attention to them, and one could argue that the shutdown concerned the US primarily because it involved trade and commerce. It signaled, even if for only a few flickering televisual seconds, that, despite long histories of political and cultural engagement, some quite conflicted, others collaborative—and despite claims to cultural affinity and identification between the two states and nations—the US-Canada border is also a heavily guarded one. *This* is what really made it *news*. Lugo's closing essay also assesses the potential impact of this volume in terms of its contributions to "the borders of border theory." It emphasizes the importance of interdisciplinary approaches across the arts, humanities, and social sciences in attempting to capture and theorize some of the complexities of time and space, peoples, non-humans, and place on the move in complex political, cultural, and physical terrains.

Abstract: In this thematic issue of *RIAS,* we address a number of issues about the border, drawing on perspectives from multiple disciplines in the social sciences and humanities, from anthropology to political science, economics, and literature, and including the works of scholars based in Canada, the US, and Germany. Their works engage issues of Indigeneity, African-descendant populations, Franco-Canadians, Gender and Race, Colonialisms, and the more-than-human world. Topics include hunting, cross-border Indigenous relations, treaties, oil protests, immigration, domestic workers, historical memory, creative fiction, and the notions of borders as textures, zones, lines, connections, and cultural imaginaries. Our emphasis on combining social science and humanities approaches is essential to this work. Much previous work on the Canada-US border has tended to focus either on political/legal issues or on literary/media studies. Instead, we strive instead to bring multiple disciplinary perspectives into conversation and include artistic/visual work. This volume thus contributes to a broader project than one that would center on nationalist interests—either the US or Canada's—and rather brings

Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

to the study of bordering practices and border theory a continental approach, one that attends to the places and spaces that are and/or become the border.

Keywords: Border Studies, Borderlands, US-Canada Border, Canada-US Border, Interdisciplinarity

Bios: Jasmin Habib is the Chair of the Political Science Department at the University of Waterloo, former Director of the PhD Global Governance at the Balsillie School of International Affairs (2019–2022), and founding Director of the Global Engagement Seminar Program (2016–2019). She holds a Ph.D. in Anthropology (McMaster University) and an M.A. in International Peace Studies (University of Notre Dame). Her publications include *Israel, Diaspora and the Routes of National Belonging* and *America Observed: On an Anthropology of the United States* (co-edited with Virginia Dominguez). Her research and publications focus on the politics of empire and the practices of decolonization with a primary interest in the experiences of war-affected refugees now living in Israel, Palestine, Canada, and the United States; indigenous practices and relations of autonomy in North America; and the architecture of consent for contemporary state violence (systemic and direct). Her work is primarily ethnographic and collaborative. Her research methodologies and practices are informed by postcolonial, diaspora, Indigenous, and feminist theories of the state, as well as the theories of spatial and visual cultures of violence/non-violence. Her work is primarily ethnographic and collaborative. In 2022, she was honored to receive the Weaver-Tremblay Award, which is presented annually to an anthropologist who has made extraordinary contributions to Canadian applied anthropology.

Jane Desmond, past IASA President, is a Professor in Anthropology and Gender and Women's Studies and Co-founder and current Director of the International Forum for US Studies, a center for the Transnational Study of the United States. She also holds appointments in the Unit for Criticism and Interpretive Theory, the Center for Global Studies, and the College of Veterinary Medicine. Her primary areas of interest focus on issues of embodiment, display, and social identity, as well as the transnational dimensions of US Studies. Her areas of expertise include performance studies, critical theory, visual culture (including museum studies and tourism studies), the critical analysis of the US from a global perspective, and, most recently, the political economy of human/animal relations. She has previously worked as a professional modern dancer and choreographer, and in film, video, and the academy. She is the Founding Resident Director of the international Summer Institute in Animal Studies at UIUC and the "Animal Lives" Book Series at the University of Chicago Press. In addition to academic publications, she has written for a number of public publications such as CNN.com, *The Washington Post*.com, and the *Huffington Post*, and her creative work has appeared on PBS and at numerous film festivals.

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Jasmin Habib
University of Waterloo, Canada

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

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INDIGENOUS DIASPORA, IDENTITY, AND SETTLER COLONIAL BORDERS

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada
https://orcid.org/0000-0002-1214-0970

INTRODUCTION

This paper is about, in short, Indigenous life across settler borders. It is about the politics of the borders and Indigenous people, particularly the politics of Indigenous identity across borders. It is an often-remarked refrain that "we did not cross the border; the border crossed us," and while such statements are more often made in the context of the United States' southern border, the same sentiment may be frequently found among Indigenous peoples on both sides of its sibling boundary line to the north. Nevertheless, what does this mean in a practical sense of trans-border Indigenous identity? My family is Indigenous to the lands presently known as the US state of Wisconsin. I presently live and work in Ontario, Canada, and so I think often of my relationship with the people for whom this is their traditional territory and of what it means for me to be on this land. It is these questions that I will seek to, perhaps not answer but meditate upon in this paper in the hope of leading to further thinking.

This paper is also, at its core, an autoethnographic work. I am both an Indigenous person and an immigrant on these lands, and so to research and write on these topics is to speak of myself, my experiences, my relations, and my life. In my practice of autoethnographic methodologies, this also means to tell stories: stories about me, stories about my family, stories about the people I have come to know over the years and who have made me who I am. Indeed, this paper is structured as a series of stories about borders and Indigenous identity, interspersed with critical analytic reflection. I am also trained as an anthropologist and a sociologist, and I presently teach in a political science department. Therefore, I am deeply inspired

by the work of the Mohawk scholar Audra Simpson, who, in her work *Mohawk Interruptus: Political Life Across the Borders of Settler States*, not only speaks to the complexities and experiences of Indigenous life across settler-colonial boundary lines but also combines ethnographic research with the production of political theory (Simpson). I am also deeply inspired by the work of the sociologist Avery Gordon, especially her text *Ghostly Matters: Haunting and the Sociological Imagination*, where she writes not just "that life is complicated" but that such "a banal expression of the obvious … is nonetheless a profound theoretical statement—perhaps the most important theoretical statement of our time" (Gordon 3).

I firmly believe that is how I am best able to examine these topics, to contribute to academic discourse on the topics of borders and identity, and, at a more important-for-me ethical level, also to make space within such discourses—be they anthropological, sociological, political scientific, methodological, or otherwise, as I do not wish to fall into the trap of borders of a different kind, ones defined by a worn out disciplinary decadence (Gordon; Rabaka)—especially other Indigenous scholars and Indigenous students also to employ these sorts of research and writing methods.

Thus, with that said, let me begin with my first story.

BY AIR OR BY SEA

Quo fata ferunt. These Latin words often stared back at me as I grew up. They were everywhere, part of the national background of the culture I was primarily raised in. They are emblazoned on the national crest of the small island nation and the largest remaining British Overseas Territory, Bermuda, upon which I was born. It was many years before I learnt that they translated as "whither the fates carry." I think about them now often as the winds of my life have carried me to many places and many people I would have never expected in my childhood.

My Bermudian father is a sailor at heart, like so many of his and my compatriots, like those of the *Sea Venture*, whose winds carried them onto the reefs that, fortress-like, surround Bermuda on all sides. He used to race and has sailed from Bermuda to locations as far afield as Boston and Aruba. I was never much for sailing and never took to it, but I was raised on the deck of a boat. Sail to either the eastern or western ends of the island chain or just off the north and south shores, and the ocean depth quickly drops to the bottom of the Atlantic. However, many might not even notice the sea change beyond the shift from teal to the deepest blue.

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

What is more immediately noticeable, indeed the first thing that likely catches any eye not turned towards the land is that the ocean stretches to the horizon and beyond. The closest land, Cape Hatteras in North Carolina, is 563 nautical miles away, easily several days' travel by sea. There are no roads, no trains, no science fiction deep-sea tunnels with which one can either come or go, only the sea (or, by the mid-twentieth century, the air).

Our borders are the shorelines, never quite fixed in place, always in flux with the coming and going of the ocean's tides. As the Atlantic slowly erodes, the limestone islands that make up the Bermudian archipelago, and as the sea levels rise, the border creeps slowly inwards. On the scale of human time, the border seems fixed, but every Bermudian who has ever toured around the unified aquarium, museum, and zoo has probably taken in the exhibit showing that Bermuda was once much larger when the world was last covered by glacial ice. However, I never considered the sea border; it was part of my home.

Neither did I think about borders much when I would travel to visit my mother's family. My mother, and by extension, myself and my younger brother, are American Indians of the Menominee Nation of Wisconsin. My father and mother met on her traditional territory. My dad told my mom he was from Bermuda, which she was incredulous about. She told him she was an Indian princess, which, for him, was something he had only known about by way of Hollywood caricatures. However, they quickly fell in love, and soon, she metaphorically set sail for a new life far away from either the bustling city streets of Milwaukee or the dense forests of our reservation.

I was born ten years later, and my younger brother was born eighteen months later. We are both blessed, or perhaps cursed, with three citizenships: American, British, and British Overseas Territory. So, the border, as much as one can think of the seashore as a border between the United States and Bermuda, was never something that concerned me much as we traveled back and forth between the island and Wisconsin every summer. This is added to by Bermuda being one of only a handful of countries granted the status of being able to perform American immigration and customs clearance on the non-US side. Thus, even then, I never had the experience of passing through border control, having an immigration officer scrutinize my passport, and determining whether I had the right to enter the country. The flags displayed at either end of the trip changed, but the experience was closer to internal travel within a country.

It was not until I moved to Canada, where I would eventually permanently settle, that I experienced the concept of a border for real.

It was 2005, and I was a month from my nineteenth birthday. I was set to begin my undergraduate studies in Ontario, and, as one should expect, I needed to obtain a Canadian study permit. To save a long story for another time, it did not work out as planned. Nevertheless, my mother and I still boarded our plane in Bermuda and "set sail." When we landed in Toronto, we were, of course, immediately shunted off towards immigration. We were told that, as my study permit had not been approved, I would not be allowed entry. My mother, distraught, went, sat down, and I think she began to cry. However, I went over and said something to her: "Did you remember to bring my US birth certificate like I asked you to?" She had, so I took it and returned it to the immigration officer. Canadian study permit policy allowed American citizens to apply for, pay for, and receive their study permit at the port of entry. Thus, with that information presented, my situation was, luckily, quickly cleared up, and I was allowed to enter the country. While I am not a scholar of migration or diaspora per se, the idea of borders has ever since been with me.

This deepened when I decided to pursue studies centered around Indigenous peoples and our experiences of settler colonialism in North America. Indigenous studies and border studies may not be often thought of together, at least on this side of the United States (the situation is, of course, quite different at the Rio Grande), but for me, for my life, and how my studies connect to my life, they are ineluctably linked. The intersection of these two seemingly disparate experiences has brought me to where I am now as I write this: an American Indian born and raised in Bermuda, writing about US and Canadian Indigenous people in Canada, and now teaching about it in the same country.

THE BORDERS OF MYSELF

As I said, I am a Bermuda-born Menominee Indian currently living and working in Canada, and so speaking or writing about borders, Indigenous life and politics, and their intersections is, for me, fundamentally autoethnographic. A long time ago, no doubt because of my early training as a critical cultural anthropologist, I shed the idea that I could simply extract myself out of my body and my experiences to write on topics such as these. The reasons for this are twofold; firstly, the ability to engage in some kind of "neutral" or "objective" study of this topic is nothing but a pure illusion because in this, the classical subject-object dichotomy collapses as I am both the researcher and the researched. On another level, reflecting a common trope

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

within Indigenous research and politics, it is not ethically responsible to either myself or my kin.

Thus, while an academic paper, this text is also a small window into my life as a person, an Indigenous person, and an immigrant, finding my way on and down that path. For me, it is important to state outright that this is a story because the epistemic centering of stories and storytelling is essential for a decolonial Indigenous scholar (Doerfler, Sinclair & Stark). In essence, it is how we come to know the world, tell our stories, hear the stories of others, and find that space of interconnected intersubjectivity that lies between them. The importance of centering stories as both Indigenous epistemology and methodology is made by Margaret Kovach when she notes:

> Stories remind us who we are and our belonging. Stories hold within them knowledges, while simultaneously signifying relationships. In oral tradition, stories can never be decontextualized from the teller. They are active agents within a relational world, pivotal in gaining insight into a phenomenon […] they tie us with our past and provide a basis for continuity with future generations. (Kovach 95)

To borrow from an oft-recited Indigenous motto of sorts, we are all connected, or as Judith Butler says, "I am not fully known to myself, because part of what I am is the enigmatic traces of others" (Butler 32).

Thus, ethical responsibility to the context of my kinship relations—those living, those long gone, and those yet to come—is fundamentally central to how and why I write. Therefore, I want to tell another story to set the stage for my broader meditations in this paper.

Every year during my childhood, at least as far back as I can remember, my younger brother and I traveled to Wisconsin, often taking in Milwaukee before finally arriving in Shawano, the small settler town a few miles south of our reservation. We stayed there with our grandmother and grandfather. Sometimes, they would come to Bermuda and take us back with them. Other times, we traveled with our mother. Either way, my brother and I, our mother, and eventually also our father would all gather in Shawano and spend the summer. Often, we were joined there by cousins, the children of our mother's siblings in Milwaukee, who would make the trek north with us. I have vivid, though long past memories of going to the annual pow wow on the reservation, traveling deep into the woods—covered head to toe to avoid ticks and always weary of the possible presence of snakes and bears—to pick blackberries and raspberries with family,

and of going to the cemetery to see where other kin have been laid, including the older half-brother Benny, my aunt Margaret, and others.

It was during these childhood years that, despite the great distances needing to be traveled and while otherwise spending most of the year on the island in school, I had perhaps the strongest link back to my own, my mother's, and my mother's family's nation. Slowly, that began to change, however. First, my grandfather passed away on the cusp of my teenage years, after which our regular summer journeys to Wisconsin would become fewer and fewer. His passing was followed not long after by my aunt Anne. We made one more trip in our mid-teens at our insistence. After that, it would be another five years or so before we returned, and only then was it on the occasion of the passing of my uncle Lee in the summer of 2007, who, after my grandfather, was probably the most important male Menominee figure in my life. My brother and I were pallbearers; it was the only time I had had that kind of dark honor, and it was a surreal experience in hindsight. Following that, it would be another sixteen years before I would return once more to bury my grandmother and give the eulogy at her funeral. She and I had stayed in semi-regular contact, often having quite long phone conversations on birthdays, Christmas, New Years, American Thanksgiving, and other occasions. She was always very interested in hearing about the Native experience in Canada, and we would often speak at length about the state of Indigenous and Indigenous politics. However, it is one of my deepest regrets that I never returned to see her before she passed on. Now that she is gone, I do not know when the next time I will return shall be.

During those years of steadily declining returns to my Menominee source, I also made a major life choice and moved to southern Ontario to undertake university studies. While I have returned to Bermuda over the years, mostly during my summers off or full-time for a brief period from 2012 to mid-2014, I have made this region, nestled between Lakes Erie, Ontario, and Huron, my home. In a way, it always felt like home without being home. Yes, I was born in the King Edward VII Memorial Hospital in the parish of Devonshire in Bermuda. I carry one of those odd British Overseas Territory passports with the national emblem of Bermuda, which doubles as a British passport. However, I have often felt more connected to the Wisconsin's lands than Bermuda's, which is not to say that I have no affection or no connection to its famous pink sands, blue waters, pastel-colored homes with white roofs, subtropical climate, plentiful ocean seafood. Because I do have that. Likewise, I have great affection for my Bermudian father. Nevertheless, perhaps because of the mixed-up generations of my father's

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

family, where the cousins my age are the more distant ones, while many of my first cousins are older than my mother, I have felt a closer kinship to my maternal family.

Likewise, because my brother and I were always raised to know that we are Menominee—even if due to the vicissitudes of settler colonial biopolitical governmentality of Indianness, we are just shy of the blood quantum to be fully enrolled members and are thus included in the nation as "First Degree Descendants"—and because such deeply important and meaningful formative moments were spent either on the reservation or in its shadow, I came to think of those far-off Indian Lands as my real home. This is my connection to southern Ontario. The differences between here and northern Wisconsin and the upper Michigan peninsula are imperceptible to most who are not specialists in climatic, ecological, plant, or animal sciences. More than that, this territory is Gdoo-Naaganinaa, the Dish with One Spoon Territory, traditional lands of the Attiwonderon, Anishinaabeg Three Fires Confederacy & Mississauga, and Rotinonshón:ni Six Nations Confederacy. The Anishinaabeg—Ojibwe, Odawa, Pottawatomie, Mississauga, Algonquin, and Nipissing—are all close kin to the Menominee. We have many words in our language to describe that relationship, and indeed, it has become a bit of a running joke that most Anishinaabe I know can relate to you that one of the first things I often say upon meeting them for the first time is "our nations are very closely related, you know." It has also pleasantly surprised me the number of Anishinaabe people I have met in this region who, upon hearing that I am Menominee, "Oh, our family carpools to your pow wow every summer," or "Oh wow, I go to your reservation to attend lodges and ceremony." I also sometimes joke with them that as Menominee is actually the Anishinaabe name for us and means "people of the wild rice," that should show deference given the cultural and ceremonial significance of wild rice to both our peoples. The joke is, of course, always taken in good spirits. So, this place feels like home because of that as well. A home that I have come to know, an Indigenous home, across settler borders and oceans.

THE POLITICS OF FINDING MYSELF ACROSS SETTLER BORDERS

As it came to be, because I slotted myself in alongside my Anishinaabeg kin, most of the time the only Menominee outside of the brief period in which my younger brother also lived in the same city as me with his now wife. While I did not immediately find myself as part of the local Indigenous community, when I eventually did,

it pushed the ideas of borders and diaspora further into the back of my mind. As such, it was many years before I found myself actively returning to them, what they mean to me, and my life experience rather than my passive speculation as an immigrant in Canada. More than anything, I think the driving impetus behind this revisiting has been the cultural shift, which one can see any day by paying attention to #NativeTwitter or other Indigenous enclaves on social media platforms, of what I think of as the 'old pan-Indianism.'

Educated as I was in my Indianness and my Menomineeness by a mother and her kin who came of age in the great period of social upheavals, activist mobilization, and political turmoil of the 1960s and 1970s, my sense of Indigeneity—including as it what manifested in my methodological, pedagogical, and praxiological commitments in both activism and academia—was rooted in the pan-Indian undercurrent of the American Indian Movement and the broader Red Power Movement. "I was—I am—an Indian, and all of the Americas is stolen Indian land;" this is what I used to tell myself and what (in)formed my politics at a deeply fundamental level. I felt that anywhere I walked, I would be an Indigenous person on Indigenous land. Indeed, that was my feeling whenever I spent time in New England, Atlantic Canada, or the American Southwest. If I could find Indians, I could find kin and a home.

Of course, politically speaking, there was a period where that was a progressive aspect of who we were. Certainly, those decades of upheaval and movement-building brought us together in ways I do not think we had been since the end of the so-called Indian Wars and the closure of the frontier. However, that has been slowly turned on its head. Whereas once the notion that we are all Indians played a positive role in bringing us together, today, more often than not, it is, correctly, I believe, seen as an anachronism that contains within it the danger of smothering over our uniqueness as different nations, and the sometimes significant gulfs that exist between us in terms of language, culture, epistemologies, and worldviews.

Slowly coming to understand this fundamental truth, though not without some resistance at first and not to say that I evenly apply it today, I came to recognize something else: my own diasporic Indigeneity. I have never been from the 'homeland.' I have visited, yes, many times, though also not, as I said, in many years. I was born and raised far away. I sometimes joke that while there is a common divide between urban and 'rez' Indians, I am neither, as I am not even continental.

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

Furthermore, even though this land is the land of perhaps my nation's closest kin, it is not mine. While I readily, if paradoxically unsteadily, came to accept this logic, it would not genuinely reflect this story if I also shared that it was an intensely jarring experience at first. While there has been a shift in my perspective—a recognition that one can be both Indigenous and diasporic in the case of Native peoples from so-called Latin America or the worldwide African diaspora—the idea of linking an Indigeneity from North America with a diasporic from was new to me.

However, today, that is what I recognize my Indigeneity to be. I am a diasporic Menominee. I am a Menominee born within what some may consider either the outermost reaches of the British West Indies or one of the most isolated oceanic locations in the world, perhaps both. I am a Menominee who makes his current home on the lands of his Anishinaabe kin. I am a Menominee who does not, and never has, made his life and home on the lands of the Menominee Nation, which might, of course, be different in other nearby worlds. Obviously, I mean in those possible worlds, alternative time streams and feverish dreams in which the white wave of death inaugurated by the Colombian Contact Event never took place, but, of course, this is not such a world. The hypersurface of this present colonial moment, from those hazy first moments in the Caribbean, is one in which our traditional territories, nations, and lives are bisected, marked out, and controlled by the presence of borders imposed by white settler imperialism and colonialism.

My people are closely related and are old allies, kin, and friends of the Anishinaabeg. I have already said that. So, in my wildest dreams, in one of those other timelines where colonialism never happened, it is not beyond the realm of comprehension that in that world, in this same year, it would not be out of the question or all that bizarre for myself as a Menominee to make my home on this territory. Indeed, even now in this world, I feel I can safely say, even without having undertaken any research on the matter, that I am not the first one. I can feel it in my bones when I touch the trees or feel the soil and water.

Nevertheless, once again, this is not one of those worlds, of course. Today, my nation's traditional territories are on the other side of a border created not by us but by those who came after, those who dispossessed and settled, those who took, tried to assimilate, and, at their worst, murdered. Despite the nominal claims from both settler governments and the various "tribes" that Indigenous communities are sovereign, I am not able to simply come and live with my Anishinaabeg kin. Indigenous sovereignty is of a second-order variety, if it can be said to have any meaningful content at all, and is utterly under the suzerain

of the colonial state. To borrow a concept that I was first exposed to via the online science fiction writing of the SCP Foundation, I have come to think of Indigenous sovereignty as *mesofictional*; it exists at the whim of the sovereignty of the settler and, more fundamentally, perhaps even metaphysically, it is subordinate to a higher order, more real, or more accurate form of sovereignty. If the settler governments of North America decided it was within their best interests that Indigenous sovereignty ceases to function, even in its second-order state, tomorrow, we would awake to find that we are truly no longer sovereign nations.

Thus, to be able to visit, much less live, amongst my kin here on the *Gdoo-naaganinaa,* I am subjected not to whatever the immigration protocols may be that a possible contemporary Anishinaabe governance structure might employ on some nearby possible world but rather to the border surveillance and policing of the Canadian state. It is to Canada that I must seek permission to live on this territory, even as it is even more common to place words of territorial acknowledgment such as these from the University of Waterloo, where I presently work, on course syllabus, websites, and before the first words of a speaking event:

> The University of Waterloo acknowledges that much of our work takes place on the traditional territory of the Neutral, Anishinaabeg, and Haudenosaunee peoples. Our main campus is situated on the Haldimand Tract, the land granted to the Six Nations that includes six miles on each side of the Grand River. Our active work toward reconciliation takes place across our campuses through research, learning, teaching, and community building, and is coordinated within the Office of Indigenous Relations (University of Waterloo Office of Indigenous Relations).

Territorial acknowledgments are common in Canada in 2024. Setting aside the performativity that I often, perhaps cynically, find in the liberal-settler praxis of territorial acknowledgments, here we have encapsulated a paradox, or at least the appearance of a paradox: Indigenous nations are said to be at least nominally sovereign, and now we are seeing a rise in clear recognition of the people for whom these territories were theirs long before Europeans plied the waves to cross that great oceanic border, yet still even for me, a Menominee, kin to the nations of the Anishinaabe, it is the settler border that I must cross, the settler's state apparatus that I must appeal to and ultimately be granted permission to visit, live, work, study, or anything else.

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

BORDERS AND JAY TREATIES

This can be most clearly seen in the asymmetric recognition of the Jay Treaty, which the United States nominally continues to uphold, but Canada does not, which means that First Nations people in Canada have a degree of freedom when crossing the border. They still must present themselves to border control, but certain rights are there, particularly the ability to cross using one's status card or even to live and work in the United States. Obviously, there are caveats, especially if one wishes to cross the border for more than a visit. For example, if one wishes to live and work in the United States, one must not only present proof of status, such as the above-mentioned ability to cross the border using an Indian Status Card but also proof that one meets 50% blood quantum and the prospective Canadian Indigenous applicant must also present an extended form birth certificate indicating parental status.

However, while an Indigenous citizen of Canada may cross into the United States to visit, work, or live, even if there may be some hurdles to surmount, the opposite is true on the other side of the settler-created boundary line. As the US and Britain signed the Jay Treaty, the Standing Senate Committee on Aboriginal Peoples in Canada wrote in *Border Crossing Issues and the Jay Treaty* that "the Jay Treaty has no practical application in Canada today" (8). They list two reasons for this: first, the document claims that the treaty was abrogated by the War of 1812, a war between the US and Britain that has become a hallmark of recent Canadian settler nationalism, and second, the "Treaty has not been implemented or sanctioned by legislation in Canada" (8). It continues by noting that the Canadian courts have upheld both reasons for Canada's non-application of the Jay Treaty several times. This Senate report is also clear about the asymmetric immigration protocols that apply to Indigenous individuals when crossing between these two settler states:

> Consequently, currently when entering Canada, First Nations are subject to the same requirements as all other individuals. Individuals may enter Canada by right to live and work if they are Canadian citizens or have Indian Status in Canada. For other individuals, including Native Americans in the United States, the right to enter Canada is not automatic. The requirements are different for First Nations entering the United States. With the appropriate documentation, First Nations who are born in Canada but who do not hold American citizenship are permitted to freely enter the United States by right for the purposes of employment, study, retirement, investing, and/or immigration (2016, 8–9).

What is most striking in these words, though in no way surprising or even terribly interesting, is how it is made clear that it is the sovereign legislative authority of the Canadian settler state that has the final say in the matter rather than the pre-existing rights, laws, governance structures, or agreements of the Indigenous people who had little, if any, say in the formation of a colonial border which now splits them and their territories from themselves. Indeed, if it was merely a matter of the War of 1812 abrogating the treaty, that may be enough of an argument, but the secondary statement explicitly notes that it is *also* a matter that Canadian legislation has not chosen to implement the treaty. Perhaps this is the Derridean deconstructionist semiotician in me which holds that just as much meaning is held in what is not said or what may be read between the lines, but the obvious implication in the words of this standing committee of the senate is that, despite the War of 1812, Canada *could* choose to make the Jay Treaty a reality for Indigenous people south of the border entering the country. It is clear then that Canada chooses not to enact this treaty despite its various other claims and desires to inherit past British territorial claims and treaty agreements in North America.

THE SOVEREIGNTY OF BORDERS OR THE BORDERS OF SOVEREIGNTY?

Thus, it is the sovereignty of Canada—a settler entity that has imposed itself and continues to impose itself, often by way of violence, on top of the territories and sovereignties of Indigenous people—that possesses the power of the final word on the matter. Once again, Indigenous sovereignty, despite its promise, the claim that it is actually something real and tangible, and not a feverish fiction, is rendered moot. This is made all the more clear when the same senate report recounts the testimony of a representative of the Mohawk Council of Akwesasne who spoke before the standing committee to say that the border crossing right of Indigenous people ante-dates the colonial imposition of the US-Canada border before continuing immediately on to say that the Jay Treaty has, as was noted above, no practical application (8).

Canada's concerns regarding border security issues, citizenship in the settler state, and international law and trade configure the matrix of power and the exercise of rights North of the boundary line. Canadian settler state sovereignty overpowers the limp, residual sovereignty of Indigenous nations on this matter. Furthermore, indeed, if my many years studying, working, and living amongst the mixed Anishinaabe and Rotinonshón:ni community of this part of southern Ontario have taught me anything, it is that there is actually a desire on the part

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

of Canadian Indigenous peoples to see the Jay Treaty recognized. Until such a time that we might be able to say that we have reached a decolonized and decolonial future, I believe that this will always be the case. Unlike my perhaps more liberal- or social-democratic-minded compatriots in the Indigenous community or Indigenous Studies, I do not hold out any meaningful hope of the prospect of the settler state in either the United States or Canada meaningfully opening the border to trans-national movements by Indigenous peoples who lived, traded, loved, hunted and migrated across these lands for thousands of years before Europeans set sail for spices and pillage. Thus, it is not at this moment that the Three Fires Confederacy, Rotinonshón:ni Six Nations Confederacy, or the Mississaugas operate passport control at Toronto Pearson airport. It is Canada. Our ancient ties mean little today in the face of the rigid barrier to movement that is the northern settler border. This border severs, almost but not quite, our nations from one another, attempting to cut through old alliances, kinship and friendship, trade routes, and sacred migration paths, and which even bisects many of our nations apart from themselves. These new settler governmental formalities are such that maintaining relations across them may often be fraught with difficulty if not peril.

While I was indeed raised offshore, off the soil of the continent, it is this, the presence of a settler colonial border, drawn, at least from an Indigenous perspective, seemingly capriciously and arbitrarily, following lines of latitude emergent from a worldview alien to us before Europeans arrived on these shores, that perhaps more than anything contributes to my sense of Indigenous diaspora while still living on the land of kin and old allies, a land in which my people almost certainly lived, loved, and worked long before the existence of the US or Canada. It would undoubtedly be the case that if the border was not in place, I would still be a Menominee living on the territory of another nation. I do recognize that.

However, I do not believe that in a world where the invasion and the border did not happen, it would be quite the same experience to pass through some kind of Anishinaabe passport control to live, work, or study. Thus, I must leave the visions of such a different world and order of things to the realm of decolonial and Indigenous futurist imaginings for now. Perhaps one day, we will reach such a new power and social relations arrangement. Perhaps, if I am to be so blessed, I will be able to see it and experience what such a world would feel like in my everyday life as a diasporic Menominee on Anishinaabe land. Nevertheless, for now, that world does not exist. The border is here, and we must reckon with its presence and implications for our lives and work.

Abstract: This paper examines the complex interplay between Indigenous identity and settler-colonial borders through autoethnographic and storytelling approaches. As both an Indigenous person of the Menominee Nation of Wisconsin and an immigrant from the island of Bermuda, my experiences span both oceanic and continental borders between the United States, Canada, where I presently live and work, and the United Kingdom's largest remaining overseas territory, providing a unique vantage point on the politics of Indigenous identity across these settler-imposed boundaries. Using these experiences as a starting point and inspired by the works of Mohawk scholar Audra Simpson and sociologist Avery Gordon, in this paper, I integrate personal narrative with critical analysis to examine the complex nature of an Indigenous life lived across the borders of settler colonialism. Further, I also examine the historical and contemporary ramifications of the Jay Treaty and, in doing so, highlight the asymmetrical recognition of Indigenous rights to mobility upon their traditional territories, territories that existed long before the arrival of settlers to North America, between the United States and Canada. This treaty, which ostensibly provides certain border-crossing rights to Indigenous peoples, is upheld by the United States but not Canada. Not only does this asymmetry underscore the persistent challenges faced by Indigenous communities in asserting their ancient pre-colonial mobility rights, but it also speaks significantly to the imbalance of power that exists between nominally sovereign Indigenous nations and the sovereignties of settler nation-states whose border controls Indigenous people are now subject. Through this narrative, the paper seeks to contribute to the broader discourse on Indigenous internationalism and the ethical responsibilities of Indigenous scholars. By centering stories and storytelling as both epistemological and methodological tools, the paper advocates for a decolonial approach honoring the interconnectedness of Indigenous experiences and the enduring ties between Indigenous nations across borders.

Keywords: Indigenous identity, settler colonialism, borders, autoethnography, storytelling, diaspora, Jay Treaty, sovereignty, transnationalism

Bio: Rowland Keshena Robinson is an Assistant Professor in the Department of Political Science at the University of Waterloo, Canada. Born and raised in Bermuda and a member of the Menominee Nation of Wisconsin, since 2005, Rowland has lived and worked on the lands of the Menominee's close kin, the Anishinaabeg, as well as the Rotinonshón:ni, in what is now known as southern Ontario. Rowland's primary academic work involves a complex humanist project drawing on auto-ethnographic and phenomenological description, interdisciplinary, integrative analysis, narrative-informed theory, memoir, and dialectical philosophy to interrogate the genealogical formation and function of Indigeneity within biopolitical formations and racializing assemblages, as well as the visual, ontological, narrative, and affective imaginings of the United States and Canada. More broadly, his interests range from the politics of recognition and refusal to Marxist theories of ideology, classical and contemporary Western Marxism, the logics of settler colonialism and dispossession, semiotics, and national mythmaking, the metaphysics of sovereignty, world-systems analysis, as well as decolonial and Indigenous critical theory. He is also deeply interested, entirely as a lay person though still informed by his academic passions, in classical Chinese philosophy (Tiantai, Huayan, and Zen Buddhism, Mohism, Legalism, Daoism, Confucianism,

and Neo-Confucianism) as well as the philosophy and sociology of science and scientific practice. Recent work by Rowland has been featured in the edited volume *Three Way Fight: Revolutionary Politics and Antifascism* (Kersplebedeb) and in *Settler Colonial Studies*. He is also working on a monograph-length project entitled *A Distant Red-Shift Discord: Settler Colonialism and the Cartography of Savagery.*

Rowland Keshena Robinson
Department of Political Science at the University of Waterloo, Canada

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MOBILE BORDERS IN CONTEMPORARY FRANCOPHONE CANADIAN LITERATURE

Adina Balint
University of Winnipeg, Manitoba, Canada
https://orcid.org/0009-0001-2126-1176

If mobility has not always been explored in connection with a metaphysical context of self-transcendence, but rather in connection with geography (the border, the territory), the power relations (hierarchies, social classes), cultural studies and anthropology, since 2000, the "new mobility turn" in Anglophone studies links mobility and immobility to surpass the somewhat essentialist imaginary of a planetary condition marked by mobility, fluidity, and liquidity.[1] In her article "Mobility," Mimi Sheller states:

> The new mobilities paradigm suggests a set of questions, theories, and methodologies rather than a totalising description of the contemporary world. It delineates the context in which both sedentary and nomadic accounts of the social world operate, and it questions how that context is itself mobilized, or performed, through ongoing sociotechnical and cultural practices. (Sheller, "Mobility")

Transgressing the dialectics that movement would be superior to immobility or vice versa is also the aim of contemporary writers who favour "the third space" (Bhabha). The question of the binary opposition mobility-immobility, process-fixity, and path-sedentary is an essential component of contemporary literary studies as it allows us to reflect on differences and similarities among various Francophone Canadian writers today. This article explores how Québécois writers with multiple origins, as well as contemporary Canadian Francophone minority writers, think about the topic of the return to a homeland linked to identity changes, border crossing, and mobility. We notice

1 Mimi Sheller states that, "we do not insist on a new 'grand narrative' of the global condition as one of mobility, fluidity, or liquidity" (2011).

that such a return (physical or imaginary) generates a certain number of conflicts between the one who returns and his or her first community. These conflicts are closely tied to various transformations in the narrative subject/narrator due to his or her being away, which also leads to questioning one's identity and relations to alterity and reflecting on how one defines oneself in relation to others when it comes to feelings or impressions of belonging or exclusion to a given group or community. Above all, the identity rethinking and regeneration process appears to be at the core of the homeland return narratives.

In Québec, a contemporary writer like Dany Laferrière (born in Haïti, based mostly in Montréal since 1976, and a member of L'Académie française since 2015), in his novel *L'Énigme du retour,* explores the conventional topic of identity but with the intention of transgressing it through cultural encounters and a "third space" likely to generate new connections and knowledge marked by ambiguous events, self-doubt, and complex emotions. *L'Énigme du retour* tells the story of a narrator who is a writer in Montréal and who returns to Haïti for the funeral of his father, who had been long exiled to the United States. The postmodern structure of the novel composed of an alternation of narrative and lyrical passages covers the narrator's trip from the North (Canada, Montréal) to the South (Haïti, Port-au-Prince), his feelings towards the political situation of his native country, the evolution and changes of his relationship with his family, as well as his views on life in general and on the broad ontological question "who am I?", more particularly. The trip – and by extension, the concept of mobility itself—becomes a pretext for exploring the narrator's "becoming" (Deleuze and Guattari) in contrast with an impression of political and social stagnation in his homeland. Even if the narrator attempts to explain how he feels by making connections with notions such as hybridity and nomadism—without being limited by them—there always remains a part of incompleteness, which characterizes who he is and who he has become, and which allows the reader to delve into the meanings of ontological border crossing and the nomadic subject.

THE NOTION OF THE NOMADIC SUBJECT

In her essay *Nomadic Subjects. Embodiment and Sexual Difference in Contemporary Feminist Theory*, the contemporary philosopher and feminist theorist Rosi Braidotti examines the notion of "nomadism" in relation to subjectivity. In search of non-normative feminist knowledge, Braidotti comes up with the concept of a critical and creative feminism based on nomadism. According to her, the nomadic

Adina Balint
University of Winnipeg,
Manitoba, Canada

subject incarnates a "political fiction" capable of blurring borders: "The nomadic subject is a myth, that is to say a political fiction, that allows me to think through and move across established categories and levels of experience: blurring boundaries without burning bridges" (Braidotti, *Nomadic Subjects* 4). If Braidotti chooses the mythical and iconoclastic figure of the nomad, it is because it brings about a perspective against the settled and conventional nature of theoretical and especially philosophical thinking, opening up new complicities and new forms of interaction beyond partiality and intermittence:

> The choice of an iconoclastic, mythic figure such as the nomadic subject is consequently a move against the settled and conventional nature of theoretical and especially philosophical thinking. This figuration translates therefore my desire to explore and legitimate political agency, while taking as historical evidence the decline of metaphysically fixed, steady identities. One of the issues at stake here is how to reconcile partiality and discontinuity with the construction of new forms of interrelatedness and collective political projects. (4)

Moreover, the figure of the nomad also signifies the subversion of conventions and not directly the physical act of travelling: "The nomad does not stand for homelessness, or compulsive displacement; it is rather a figuration for the kind of subject who has relinquished all idea, desire, and nostalgia for fixity" (4). The very essence of the nomadic subject is thus being "post-identitary": "nomade est un verbe, un processus à travers lequel nous dressons la carte des transformations multiples et des multiples modes d'appartenance […]" (Braidotti, "Sur le nomadisme"),[2] or else: "[t]he nomadic subject […] is not devoid of unity; his/her mode is one of definite, seasonal patterns of movement through rather fixed routes. It is a cohesion engendered by repetitions, cyclical moves, rhythmical displacements" (Braidotti, *Nomadic Subjects* 22). A sense of cohesion emerges through the repetitions of the nomadic subject and his or her cyclical movements inspired by seasons, for instance. However, contrary to the farmer, the nomad gathers, picks up, and exchanges; he or she does not exploit. This kind of practice, respectful of the environment, resonates with the lifestyle and the thinking of Indigenous peoples of Canada as they appear in Leanne Betasamosake Simpson's essay, *As We Have Always Done*. The latter claims a "land-based pedagogy" (22). This process will likely lead to a better revaluation of the Nishnaabeg knowledge and values, primarily nourished by the land.

2 We translate: "nomad is a verb, a process through which we erect the map of multiple transformations and of multiple modes of belonging […]".

In fact, the existential position of the nomad is not that of the homeless. Instead, it is rather turned toward creating an "at home" space everywhere without actually being rooted: "As an intellectual style, nomadism consists not so much in being homeless, as in being capable of recreating your home everywhere. The nomad carries her/his essential belongings with her/him wherever s/he goes and can recreate a home base anywhere" (Braidotti, *Nomadic Subjects* 16), writes Braidotti. Like Deleuze and Guattari, Braidotti distinguishes the nomad from the exile and the migrant who wishes to be re-territorialized. The mobility of the nomad does not take the shape of homelessness or compulsive displacements; it rather incarnates border crossing, the act of walking or wandering, the art of being in movement, no matter the destination.

In this sense, it is important to note that contemporary Québécois and Francophone Canadian literature cannot avoid these cultural and identity updates that go beyond geographical and metaphorical borders, fostering hybrid or *nomadic* narratives, such as Dany Laferrière's *L'Énigme du retour* or Régine Robin's *Cybermigrances. Traversées fugitives* and Catherine Mavrikakis's *La Ballade d'Ali Baba*, for example. These narratives depict heterogeneous spaces that transgress the referential fixity and lead us to question new forms and figures of "nomadism." By shifting the reader's attention from geographical spaces to imaginary ones, the writers portray a relation to territory at the junction of geographical and poetic representations, while questioning the feeling of belonging to a territory (here, the act of writing itself) and to a collective identity. In fact, Braidotti—by rejecting the notion of self-identity (or personal identity) in favor of that of nomadic subjectivity, which is its opposite and reiterates the value of constant becoming—focuses on the community rather than the individual. She aims to surpass the identity discourse to explore the notion of the individual globally. It is this perspective that Laferrière embraces in *L'Énigme du retour* by highlighting contemporary cultural encounters instead of simply depicting personal stories. The writer invites us to envision cultures today not only as depicting the sedentary or the transit, and time and space, but more particularly, how it is possible to transgress these categories through imagination, complex identity-alterity relations, and fluid encounters, which is actually what we also read in other contemporary Québécois texts, such as *La Femme qui fuit* by Anaïs Barbeau-Lavalette or *Le Retour de Lorenzo Sánchez* by the Rio de Janeiro-born Sergio Kokis, which explores the topic of mobility, of cultural encounters and the renewal of the self. The experience of mobility is therefore essential in contemporary Canadian Fran-

Adina Balint
University of Winnipeg, Manitoba, Canada

cophone literary practices, namely in relation to the study of exile, immigration, and identity metamorphosis linked to the subjectivity. In literary works after 2000, this perspective becomes more relevant than a mere exploration of the geographical or physical border crossing, as stated by Alexander Gefen in his essay *Réparer le monde. La littérature française face au XX^e siècle*. Fictional and non-fictional works can then be called *écritures ordinaires* ("writings of the ordinary") that expose the power of the literary word to psychologically transform an individual (Gefen 21).

MOBILE BORDERS

Let us remember that national borders have considerably changed in the last decades. They shifted and became "mobile." In *The University in Ruins*, Bill Readings underlines the progressive demise of the idea of a Nation-State: "[the] Nation-State and the modern notion of culture arose together, and they are, I argue, ceasing to be essential to an increasingly transnational global economy" (3). At the same time, Readings asserts that the hegemonic power of the Nation-State is now integrated into a complex globalization process that questions national cultures, on the one hand, and on the other hand, sustains different forms of nationalism. Since his book was published, we have noticed a proliferation of populist movements in North America (the second Donald Trump administration) and certain European countries (Italy, Hungary, the Netherlands, or Poland). In the context of these political and ideological changes linked to the fast circulation of all sorts of information (fake news included), and having global consequences on a vast majority of the world population, literary texts lead us not only to reflect on such issues, but also to anticipate new "territories" likely to embrace endless changes and disclose new possibilities, as underlined by Jean-François Côté in his article « Littérature des frontières et frontières de la littérature: de quelques dépassements qui sont aussi des retours »:

> […] ces territoires nationaux bien délimités, bien répertoriés, qui n'étaient plus censés contenir de "surprises" ou de "mystères" pour l'expérience depuis leur exploration au XIX^e siècle et la construction subséquente et graduelle des cultures nationales, redeviennent partout ainsi de nouveaux lieux intensifs de découvertes. (56)[3]

3 We translate: "[…] these national territories, well limited, well indexed, which were not supposed to contain any 'surprises' or 'mysteries' for the experience since their exploration in the nineteenth century and the subsequent and gradual cre-

Without ignoring the complexities of the Nation-State, this new manner of conceiving the territory as the space of new possibilities—a territory in movement and metamorphosis—enables us to read more subtly the representation of experiences of becoming and identity transformation in contemporary Québécois literature. It is known that the Québécois society (a Francophone minority in the context of Anglophone Canada and Anglophone North America) reflects the foundation context of the Americas and the New World, that is to say the "formation sociohistorique d'une entité hybride issue fondamentalement de la rencontre des cultures autochtones, européennes, africaines, et immigrantes diverses qui ont peuplé par leurs présences la culture des Amériques" (Côté, "Littérature des frontières et frontières de la littérature" 519).[4] These mixed cultures—Indigenous, European, African and immigrant—illustrate the pluralistic character of the foundation of the Americas as well as the conflicts and confrontations that lead to the formation of different nations. Taking notice of these aspects, we distinguish two main attributes of the border in association with the dialectic mobility-fixity: the first relies on the fact that borders are artificially built on the territory. Be they natural or not, borders remain "artificial" in the words of Henri Dorin in *Éloge de la frontière,* who states that: "[ces frontières] demeurent néanmoins artificielles en ce sens que c'est l'homme qui les choisit, les installe, les consolide, les modifie selon ses besoins, ses velléités, ses conquêtes, les inscrit dans une grille de répartition des juridictions, des responsabilités" (32).[5] In this perspective, it is humans who erect and crop borders. As underlined by the French philosopher Michel de Certeau, borders, just like territorial signs, come out of ideologies and political influences (33). They also indicate the direction a community or group will likely take politically and ideologically.

The second attribute of the border derives from an observation: initially conceived to divide and separate, the border evolves, shifts and sometimes morphs into a linkage, into an "élément de solidarité,

ation of national cultures, are becoming everywhere again new intensive places of discovery".

4 We translate: "the socio-historical formation of a hybrid entity originating basically from the encounter of diverse Indigenous, European, African and immigrant cultures that used to inhabit through their presence the culture of the Americas."

5 We translate: "[these borders] remain nevertheless artificial in the sense that it is man who chooses them, installs them, consolidates them and modifies them according to his needs, his desire, his conquests, and he writes them in a grid of geographical breakdown of jurisdictions and responsibilities."

Adina Balint
University of Winnipeg,
Manitoba, Canada

voire un moteur de cohésion régionale qui transcende la fonction limitative qui est à son origine" (Dorin 33)[6]. From this angle, North America could appear like a territory in constant evolution, both geographically and symbolically, or culturally. The border allows for oscillations and alternations between languages, various displacement practices (migration, immigration, refugee movements), and the integration or exclusion of members to a given community, which obviously impacts the literary texts dealing with such topics. In literary studies, the border has a heuristic value, opening up or restricting interpretation. According to Deleuze and Guattari, the border symbolically displays the peculiarities of the "rhizome" (54). This conception insists on the necessity to conceive the border as a non-confrontational entity fed by fluidity and encounters. Furthermore, the porous characteristic of the North American border joins the relational one through which—in an ideal world—"*frontières de séparation* devraient céder le as aux *frontières de contact* qui mettent en valeur la complémentarité et les éclairages réciproques" (De Certeau 35).[7] If we allow ourselves to dream of forms of contact without fusion between "borderland" communities—be they geographical or represented in literary texts—it is because there is something obvious: the territory, even broken by a border, generates intermittent movement allowing communities to consider themselves as being different when new and promising spaces emerge:

> […] the entry point of "the border" or "the borderlands" goes unquestioned, and, in addition, often is assumed to be a place of politically exciting hybridity, intellectual creativity, and moral possibility. The borderlands, in other words, are the privileged locus of hope for a better world. (Michaelsen and Johnson 2-3).

De facto, borderlands remain transition spaces as shown through the North American travels and wanderings of the character of Vassili Papadopoulos, the father of the female narrator in *La Ballade d'Ali Baba* by the Québécois writer Catherine Mavrikakis. The border as a mere *line* implies crossing by people, cars, objects, and information: they are in transit and reveal the intermittent movement of coming and going. The border does not really "end" anything: it crosses from one State to another, for instance, both geographically (crossing a line or a checkpoint)

6 We translate: "element of solidarity, perhaps an engine of regional cohesion that transcends the limitation that is at its origin."

7 We translate: "*Separation borders* should give up to *contact borders,* which emphasize complementarity and mutual illumination." (The italics belong to the text.)

and temporarily (in the sense that the border crossing does not last; one is "on" the border for a brief moment). If we consider the border as being "natural," we can also imagine it sparking a mixed relation between an individual and his or her desire to transgress it, merely an illustration of the desire to cross a spatial or geographical limit. Contrarily, a territory that would solely be transgression would not allow for any anchoring, be it at a particular point in space or individuals belonging to a borderland community. It becomes evident that such an exercise of imagination, where we either privilege freedom or restriction regarding the border, does not advance our analysis.

From another perspective, the border creates a form of intimacy between those who cross it. The coming and going of people and goods illustrates once more the importance of the intermittent movement when interpreting various types of mobility (nomadism, voyage, immigration, etc.) in literary texts. The writers, particularly Laferrière and Mavrikakis, set the scene for the representation of places of intimacy on the threshold of the inside and the outside, of here and there, life and death. The multiple connections and rhizomatic threads developed through these narrations lean on a postulate of openness to alterity. Furthermore, the literary discourse as a cultural, social-political, and identity-related "interface polémique"[8] ("controversial interface") leads us to consider the heuristic function of the border as a metaphor for a space in which the narrator or character can negotiate various transformations and temporary hospitable places of belonging.

The autobiographical novel *La Ballade d'Ali Baba* by Mavrikakis is a perfect example of the representation of mobility linked to border crossing and to the negotiation of a place where Érina, the narrator, and her father feel in the presence of each other, even if intermittently and only for a limited time. The *incipit* of the text in particular discloses the topic of the movement as a promise and an epiphany, but ends paradoxically in an offset tone:

> Dans la lumière incandescente de l'aurore, les rayons impétueux du soleil à peine naissant tachaient la nuit d'une clarté carmin. Nous roulions à tombeau ouvert à travers tout Key Largo. Les néons des enseignes des motels vétustes bâtis à la hâte dans les années vingt et trente et les panneaux multicolores des bars de danseuses nues datant de 1950 faisaient des clins d'œil au ciel tumescent du jour à venir. Les phares des voitures roulant en sens inverse nous éblouissaient

8 The expression belongs to Régis Debray, *Éloge des frontières* (Paris : Gallimard, 2011), 37.

Adina Balint
University of Winnipeg,
Manitoba, Canada

par intermittence. Ils nous lançaient des signaux de reconnaissance lubriques. (Mavrikakis, *La Ballade* 9)[9]

At a second glance, this paragraph seems quite coherent, presenting several of the topics and motives that structure the novel: road trips, adventures, encounters, breakups, etc. Everything seems in movement: the sunrise doubles the car headlights and the street neons; the carmine sky is stained by striptease bar billboards along the road, while naked dancers reverberate with the urban lighting. In this opening paragraph, there is implicit dialogue between the transcendence (represented by the illuminated sky) and life on earth, associated with the carnal *jouissance* of the striptease dancers. The father of the narrator, who passed away, led the life of an adventurer, a rules-breaker, constantly on the edge. No wonder that his passing illustrates the passion for life in spite of everything and refuses the confinement of the stone tomb "de la grande dalle noire, très triste, très funèbre" (108).[10] The father figure remains spectral: a ghost, a haunting presence, still enjoying his wanderings.

La Ballade d'Ali Baba also points to a complex temporality made up of coming and going between the past and the present, between Vassili's life and Érina's. The novel multiplies the brackets in which the reader transgresses the chronological timeline: "le temps [sort] de ses gonds" ("time [fell out] of its hinges") (104). One particular scene is evocative: Érina finds herself caught in the "l'étrange présence » ("strange presence") (96) of the specter of her father and Sofia, her partner. Far from depicting the gothic atmosphere of ghost stories, Mavrikakis locates this scene in a trendy apartment in downtown Montréal. Vassili and Sofia are having a wonderful time waltzing and laughing; they are both specters and mock death. According to the same logic, towards the end of the novel, time "stops;" it is placed into brackets ("effectue une parenthèse" 195). While driving to the Keys, in Florida, Érina remembers the little girl she used to be, and she seems confused: she "ne sai[t] que penser de cette enfant-là" ("does not know what

9 We translate: "In the incandescent light of the dawn, the impetuous sunrays hardly broken were staining the night with carmine clarity. We were driving at breakneck speed through Key Largo. The neons of old motel brands built hastily in the 1920s and 1930s and the colourful billboards of striptease bars from 1950 were winking to the pompous sky of the new day. The headlights of the cars driving in the other direction were blinding us intermittently. They were launching lubricous complicit signs".

10 We translate: "slabs of concrete, very sad, very mournful".

to think of that child") (195) who "attend, nerveuse, l'avenir" ("is waiting the future, anxious") (195).

Intermittent experiences are a recurrent feature of the novel: from the point of view of the form, the narration is composed of several essays whose titles—"Key West, 31 décembre 1968" ("Key West, December 31, 1968"), "Montréal, sous la neige, février 2013" ("Montréal, under the snow, February 2013"), "Florence, 1966", "Kalamazoo, été 1968" ("Kalamazoo, summer 1968")—name several places and epochs and create the effect of an eye blink, splitting the story in several parts and fragments. Then, jumping from one city to the other, from one country to the other—the United States, Canada, Italy, Algeria—and among the different periods of the different narratives also indicates the phenomenon of the intermittence. The reader actually circulates across geographic and symbolic spaces. They are enabled by memories of the past trips like in the scene where the narrator is actively searching for a place that would likely welcome her, make her feel she belongs: "Je reprends le chemin de Key West. Celui-là que j'ai emprunté avec toi dans ta Buick Wildcat à la fin de décembre de l'année 1968" (Mavrikakis, *La Ballade* 185).[11] Through the act of writing, the road towards Key West becomes a myriad of memories. From geographical places easily identifiable on the map, the narration slides into an imaginary universe that allows us to meet once again the little girl, Érina, the narrator, as she was in 1968, and as she used to belong in the paternal lineage.

In her previous novels, Catherine Mavrikakis—particularly in *Ça va aller* and *Le Ciel de Bay City*— created women narrators who wished to break from their family and historical lineage by refusing to transmit the legacy of the past to their daughters. Such women narrators did everything they could to escape their past without really managing to. They were condemned to put up with the effects of the eternal return and the cyclical character of events that often ended up repeating themselves. On the contrary, in *La Ballade d'Ali Baba,* the perspective is reversed: the narrator is the one who receives the parental heritage, not the one who transmits it. She accepts that she is "to write" the end of her father's story, respecting his last wishes. Her father's legacy is not exactly linked to the family genealogy: it does not imply rootedness, continuity, or a sense of the future. Instead, it defines itself by ambiguity and hazard: "'[…] Mais mort, comme vivant, on ne peut avoir de lieu à soi ni de nostalgie […]'. Ces mots avaient été […] au centre

11 We translate: "I take again the road towards Key West. That one that I took with you in your Buick Wildcat at the end of December of the year 1969".

Adina Balint
University of Winnipeg,
Manitoba, Canada

de son parcours dans ce monde, de ses liens familiaux, de ses départs, de ses infidélités" (Mavrikakis, *La Ballade* 160).[12] Ultimately, the novel appears like a *requiem* in the memory of the disappeared father: a Greek immigrant to Canada and the United States who wanted to look like a North American at all costs: "faire l'Américain, coûte que coûte" ("play the American at all costs" 184). "To play the American" meant both "to become" American and "to play" being an American, like in a fiction about immigrants—this was one of the roles that Érina's father played on his life's stage. After all, the daughter is the one who remembers ("celle qui se souvient" 189)—the one who will disperse her father's ashes into the sea at Key Largo.

The metaphorical border crossing between reality and fiction, between geographical and narrative spaces, just like the voices of memory and literary discourse, resonates in the *topoi* of the road trip and adventurous wanderings. The gap between different places like Key West, Montréal, Alger, Florence, etc., and different periods (1968, 2013, 1966) illustrates the power of the writing of the movement and the movement of writing: the writer marks the page with her pen like the father used to mark the map with his travels. Therefore, the personal cartography of father and daughter joins through the dream of being "away," be it in the referential or in the scriptural space. Like in western and road movies, the father and later on, the daughter, following in his steps, both get to the confines of the North American continent. Shakespeare's *Hamlet* comes to mind (the play is often quoted in Mavrikakis's novel): the father's ghost returns to literally haunt the daughter and shake chronological time. To these references is added the Arabic story of Ali Baba: Mavrikakis's novel *La Ballade d'Ali Baba* is continuously moving and on the move, its different parts play with the boundaries between popular and high culture, between realism and fantastic imaginaries, between tragedy and farce. The narration is built as a palimpsest: the text blends layers of old and new (his)stories and turns around symbolic border crossings not only regarding father and daughter, but also regarding the boundaries of geography and literary discourse.

CONCLUSION

In his essay *L'Esprit migrateur. Essai sur le non-sens commun,* Pierre Ouellet affirms that the topic of migration has become more

12 We translate: "'[…] But dead like alive, one cannot have a place of one's own or of nostalgia […]'. These words have been […] to the center of his life path in this world, of his family relations, of his departures, of his infidelities."

and more common in contemporary Francophone Canadian literature – in migrant writings and not only. Mobility is no longer geo-cultural and linked to going and coming from one place to another. According to Ouellet, mobility is:

> […] aussi de nature ontologique et symbolique, puisqu'elle caractérise le déplacement même du Sens et de l'Être dans l'expérience intime de l'altérité, où l'on fait preuve du non-sens ou du néant de son identité, individuelle ou collective, qui n'existe pas sans l'appel à l'autre où elle se métamorphose à chaque instant. (*L'esprit* 9)[13]

The contemporary writer – a migrant or not – appears like an alchemist and a dissident figure: he or she is no longer the writer of migration, of exile or of wandering, but the writer of the "transportation, transmigration, transmutation" ("transportation, transmigration, transmutation") (*Où suis-je?* 289), in Ouellet's words. Such a writer explores the mobility of our times (of people, goods, and information), including the mobility of the spirit, thinking, and all forms of creation. From this point of view, there is no real border between migrant writers and the others, born in Canada. The contemporary writer is the new nomad in a fragmented and diverse world: he or she leads us to reflect on the values and challenges of interculturalism, multiculturalism, and transculturalism. After all, what does it mean to live and to be a creator dealing with several languages, several ethnic groups, going and coming, past and present, identities in progress, and encounters with multiple others? In fact, we would like to believe that today's literary productions (novels, autobiographies, autofictions, essays, etc.) instruct us to appreciate the value of hybridity and renew our thinking about who we are and what our place in the world is. "La grande saveur des frontières, une fois reconnues et garanties, c'est qu'on peut les franchir, jouer à leurs marges, exercice autrement plus exaltant que leur abolition pure et simple. Seuls les conquérants rêvent d'effacer les frontières, surtout celles des autres"[14], writes Régine Robin in her essay *Nous autres, les autres : difficile pluralisme*.

13 We translate: "[…] also ontological and symbolic, because it characterizes the displacement on Meaning itself and of Being in the intimate experience of alterity, through which one demonstrates the non-sense or the void of one's identity, individual or collective, that does not exist without the call of the other where it transforms every second."

14 We translate: "The great flavour of borders, once recognized and secured, is that we can cross them, play with their edges, an exercise even more exciting than their abolishing pure and simple. It's only the winners who dream of erasing the borders, especially those of the others."

Adina Balint
University of Winnipeg,
Manitoba, Canada

Finally, no writing today is likely to escape the idea of border crossing and pluralism if we consider the numerous topics that are explored and transgressed in literary pieces: from exile, migration, immigration, to road trips, to name only these aspects. As mentioned in the Manifesto "Pour une littérature monde en français", published in *Le Monde* in 2007,[15] the configurations of the Francophone literary field have become more and more permeable and mobile. This Manifesto acknowledges the latest changes and searches by writers and critics to cease the domination of hegemonic French and go beyond the dichotomy of center-periphery by proclaiming the end of the Francophonie and the advent of open literatures, proclaiming the value of multiple languages and cultures.

In Québec nowadays, the literary corpus by migrant writers has an essential role in the history of Québécois literature. The phenomenon of migrant literature remains fascinating as it historically links the evolution of Québécois literature to the major literary and philosophical trends of the twentieth century that was defined by postmodernism, transculturalism and multiple migrations of people and ideas from one continent to another, as well as by fragmented identities that tend to integrate otherness and make the most of cultural encounters. Finally, in Québec, we witness the mobility of a new type of writing that is likely to develop, "d'aller de surprise en surprise, comme dans un rêve, et c'est ce que devrait être la vie"[16], in the words of Dany Laferrière. It is the migrant writing that initially explored this imaginary of mobility that is reshaping the national literature today, by opening it up to new understandings and new interpretations of the border and alterity.

Abstract: This article explores how contemporary Québécois and Francophone Canadian writers think about the return to a homeland linked to identity transformation, border crossing, and mobility. Drawing from the theories of the mobility turn and using Rosi Braidotti's notion of "nomadism," I show how this return (physical or imaginary) generates both conflict and resilience. My hypothesis is that analyzing a fictional text through the lens of mobility allows for new approaches to identity formation and contributes to renewing literary forms.

15 "Pour une littérature-monde en français", *Le Monde*, 15 mars 2007, accessed June 25, 2019, https://www.lemonde.fr/livres/article/2007/03/15/des-ecrivains-plaident-pour-un-roman-en-francais-ouvert-sur-le-monde_883572_3260.html.

16 Dany Laferrière, *Dany Laferrière à l'Académie française. Discours de réception. Réponse d'Amin Maalouf* (Montréal, Boréal, 2015) 23. We translate: "to go from surprise into surprise, just like in a dream, and this is how life should be".

Keywords: border crossing, contemporary literature, Québécois literature, Francophone Canadian literature, nomadism

Bio: Adina Balint is Professor of twentieth and twenty-first century literature at the University of Winnipeg, Manitoba, Canada. Her current research focuses on the representation of everyday life in contemporary French and French-Canadian literature. She has recently published: *Les ambiances dans les littératures de langue françaises du XIX^e siècle à nos jours* (Presses de l'Université Laval, 2024, with S. Buekens), *Simone Chaput : espaces, cultures et identités* (David, 2024, with I. Chassaing, L. Gaboury-Diallo, J. Thibeault) and *Imaginaire et représentations littéraires de la mobilité* (Peter Lang, 2020). She is vice-president of the *Association des lecteurs de J.M.G. Le Clézio.*

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Adina Balint
University of Winnipeg, Manitoba, Canada

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OIL PIPELINE RESISTANCE IN CANADA AND THE US
Similarities, Cross-Border Alliances and Border Effects

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada
https://orcid.org/0000-0001-7714-772X

In this essay, I analyse the nature of the opposition to oil pipelines in both Canada and the US[1]. Specifically, the essay addresses three questions. The first is whether pipeline opposition shares similar characteristics in both countries. The second is how resistance has flowed across the border. Thirdly, I analyze whether "border effects" suggest that national resistance strategies are likely to persist, and even dominate, notwithstanding the continental structure of the pipeline networks. I draw upon evidence from the 2010s, but these questions have ongoing relevance, not least because of the re-election of President Trump.

In the next section, I provide a brief overview of the continental oil market and the role of governments, on both sides of the border, in promoting it over the past four decades. In section 4, I turn attention to the dynamics of resistance in both countries and the emergence of cross-border alliances, identifying which groups have found it the most feasible to make cross-border alliances and why. Section 5 discusses "border effects."

I document some major similarities in the resistance movements in both countries, notwithstanding their different political economies and histories. The cross-border scalar jump has been most easily made by Indigenous groups and international environmental NGOs; local NGOs have found this leap more difficult and, in some

1 I am grateful to participants at "The Other Border" workshop held at the University of Illinois at Urbana-Champaign, March 8–10, 2018, for their comments on the earlier version of this paper. I also thank Angela Carter and Zoltan Grossman for their comments and to the Corporate Mapping Project.

cases, unwanted. I also find that regulatory frameworks, government actions, and state characteristics all point to the existence of "border effects" and the continued relevance of national-level resistance even in the presence of continental pipeline networks.

THE CONTINENTAL CONTEXT

Under the provisions of the Canada-US Free Trade Agreement signed in 1989, a "proportionality clause" was included, which stated that Canada would maintain the average ratio of energy exports to the US to Canadian energy total production over the previous three years (see Laxer and Dillon; Sierra Club et al.). Reductions in Canadian exports to meet domestic needs were therefore ruled out, and a regulated continental energy market between Canada and the US was formally put in place (even though it was part of a "free trade" agreement).

The proportionality clause was included in the subsequent NAFTA Agreement of 1994, although Mexico negotiated an exemption from it. Therefore, while Mexico retained energy sovereignty, Canada did not, reducing Canada to what critics termed an "energy colony" (Laxer and Dillon 9). At this time, the US focused very much on securing its energy supplies, and the proportionality clause was seen as a way of contributing to this. This was still the post–OPEC period when energy supply was seen as a crucial component of national security; in 1975, the US had introduced a ban on all crude oil exports as part of its energy security policy.

The US crude oil export ban was lifted 40 years later, when the continental energy market was much different. For example, in the Bakken field, unconventional oil and gas extraction had led some to ask if the US was the "new Saudi Arabia" (Gross). The same technologies had also transformed oil production in Canada with the extraction of bitumen from Alberta's tar sands, making Canada the world's fourth largest oil producer, with 64 percent of that coming from the tar sands, and the world's fourth largest oil exporter (Natural Resources Canada).

When the US repealed its crude oil export ban in 2015, it was no longer in such need of oil from Canada. However, the export ban was lifted to enable the light oil from the Bakken plays to be exported since the US refineries had long been built to refine the heavy oil from Canada, Mexico, Nigeria, and Venezuela. Therefore, Canadian extracted oil still goes overwhelmingly to the US market. To illustrate this, in 2023, 98% of Canada's crude oil exports went to the US, accounting for approximately 60% of total US crude oil imports. 85%

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

of Canada's oil exports are by pipeline (Canadian Association of Petroleum Producers, *Canadian Exports* 3–8).

Even though NAFTA's renegotiated successor, the United States-Mexico-Canada Agreement (USMCA), does not contain a proportionate clause, the Canadian and US oil markets remain heavily intertwined. The dynamics have shifted, however, and now Canada—or its governments working on behalf of oil companies—is making the pleas for the US to accept more of its oil. With 98% of Canada's known oil reserves located in the Alberta tar sands and with tar sands producers wanting to increase tar sands production anywhere between 50 to 100 percent by 2030 depending on the global oil price (Williams), the US will continue to be a major destination for Canadian oil notwithstanding the Canadian government's aim to also diversify its markets.

Tar sands have achieved global attention for their actual and potential impact on climate change. Debate continues on the sands' culpability for emissions and climate change (Greenpeace; Canadian Association of Petroleum Producers, *GHG Emissions*), as well as on their implications for Canada's ability to meet its own greenhouse gas emission reduction target of a 30 per cent decrease on 2005 levels by 2030 (Laxer; Harvey and Miao). Regardless, expansion is sought, and for this to be realized, oil must increasingly be transported across the Canada-US border. Despite the ever-increasing rail shipments, this has meant a need for increased pipeline capacity. This went anything but smoothly for the many projects that were proposed during the 2010s, including TransCanada's Keystone XL, the TransMountain Expansion (which includes a Puget Sound connector pipeline into US refineries), and Enbridge's Alberta Clipper and Line 3 replacement pipelines (See Figure 1).[2] While pipelines have been in place for many decades, they were built when climate change was not on the public radar, Indigenous[3] rights were routinely ignored, and local communities and landowners had less opportunity for opposition and voice. The situation in the 2010s changed substantially, and pipelines were challenged at every step of the way.

2 Of course, other intra-country pipelines such as Enbridge's Northern Gateway pipeline in Canada (discussed further below) and Energy Transfer Partners' Dakota Access pipeline in the US have also led to substantial resistance.

3 The term Indigenous is used throughout except when quoting sources which use alternative terminology such as Native North American, First Nation, Indian, and Aboriginal.

Fig. 1: Oil Pipelines from Canada's Tar Sands, Actual and Proposed, and Continental Oil Pipeline Infrastructure 2014. Source: Nelson, Joyce, "Line 9 - Shipping Tar Sands Crude East", November 7, 2012. By permission of *Watershed Sentinel* (https://watershedsentinel.ca/articles/line-9-shipping-tar-sands-crude-east/).

In the next section, the dynamics of pipeline resistance in Canada and the US are examined and compared. Analysis is focused on the rural areas, which include land containing Indigenous and rural settler communities, and through which many pipeline routes, actual and proposed, pass. The section then discusses how cross-border alliances developed as necessary to combat some pipeline routes and projects. This discussion also brings in the broader environmental movement, which is more generally opposed to all pipelines designed to facilitate increased tar sands production.

PIPELINE RESISTANCE IN CANADA, IN THE US, AND CROSS-BORDER RESISTANCE IN CANADA AND THE US: WHO AND WHY

The Sioux Nation's fight against the Dakota Access Pipeline at Standing Rock in 2016–17 captured global attention for many reasons, including the power of Indigenous voices opposed to fossil fuel development and for the violent reactions of the US state against them. Another remarkable part of that struggle was the sight of over 4,000 US veterans forming a human shield to protect the "water protectors." As part of this show of solidarity, Veterans' leaders took part in a ceremony where they asked for forgiveness from the Lakota people for the pain and suffering that the US Army had caused them (Taliman), which provides one example of a wider phenomenon,

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

namely, that resistance to oil pipeline has resulted in what Grossman has termed "unlikely alliances." [4]

To further examine this, I analyze the dynamics of resistance in rural areas of Canada and the US. Pipeline routes, including those from Alberta's tar sands, typically need to travel distances of around a thousand or more kilometers to find either refineries in the US capable of refining the heavy bitumen extracted and/or to tide water where it can be exported, which means traversing many hundreds of kilometers of territory populated by small towns and rural communities, both Indigenous and settler; typically, pipeline routes try to avoid the larger population centers where opposition could be more coordinated and politically stronger. I start by examining resistance in these small communities. Of course, not all communities, much less all people in them, oppose pipelines; many see the employment and revenue opportunities they potentially offer as ways to ensure their community's survival.[5] However, this essay does not consider these debates and focuses on the opposition to pipelines.

To examine the nature of the opposition on both sides of the border I draw upon published interviews conducted with anti-pipeline protesters (and anti-fossil fuel activists more generally) who organized against pipeline projects in Canada and in the US, taking two projects—Keystone XL in the US and Enbridge Northern Gateway in Canada as specific examples. This comparative method enables differences and similarities to be identified and analyzed.

In a recent book, Grossman persuasively argued that resistance to fossil fuel extraction in the US was based on the widespread formation of "unlikely alliances" between "native nations and white communities" defending "rural lands." In this, he used interviews with Indigenous leaders and white ranchers to show how and why these alliances had been formed and the obstacles to overcome. Interestingly, many of the same dynamics reported by Grossman are also found in Canada. Despite the different colonial histories, legal frameworks, and social and political systems, the responses to a shared external threat—an oil pipeline—show remarkable similarities.

To demonstrate this, I compare the examples presented by Grossman with the interviews with twelve anti-pipeline resisters on which I reported

4 For a more general analysis of Standing Rock as an Indigenous-led coalition, see Steinman, Estes. For parallels between Standing Rock and resistance at the Unist'ot'en camp in British Columbia, see Rowe and Simpson.

5 This includes some Indigenous communities, notwithstanding the leading role of other indigenous communities in resisting pipelines. See, for example, Wanvik and Caine.

as I travelled the route of the proposed Enbridge Northern Gateway pipeline in northern British Columbia in 2013 (Bowles and Veltmeyer, *The Answer Is Still No*). This latter pipeline proposal involved the construction of two parallel 1,177–kilometer pipelines from Bruderheim, near Edmonton, to Kitimat on the northwest coast of British Columbia. The westerly pipeline would carry 525,000 barrels of bitumen daily to Kitimat, where it would be loaded onto supertankers (225 annually) and shipped to Asia and the United States. The easterly pipeline would carry condensate used to thin the bitumen to transport it by pipeline. The project was over a decade in the making; however, it was finally rejected by the Federal government in November 2016 (at the same time that the government approved Enbridge's Line 3 and the Trans-Mountain pipeline expansion, which is discussed below).

While the Enbridge Northern Gateway project was rejected, the resistance that it faced is instructive and bears comparison with the resistance in rural lands reported by Grossman. The dynamics of resistance in rural areas on either side of the border show some remarkable similarities. Writing of the US experience, Grossman (170) states that "alliances of environmental and climate justice activists, farmers and ranchers, and Native peoples are blocking plans to ship carbon and the technology to extract it." Much the same has been said about Canada. As Bowles and Veltmeyer (*Pipelines and* Protest 270) note in their analysis of the alliances in northern British Columbia against the Enbridge Northern Gateway pipeline, they "crossed many lines, involving First Nations, landowners, ranchers, environmentalists and labour, an impressive example of Putnam's (2000) 'bridging' social capital." Both are examples of the activism which Klein has termed "blockadia."

Turning in more detail to these "unlikely alliances," the first similarity I discuss here is the ways in which conservative ranchers become surprised by the agreement that they found with environmentalists in protecting land and water resources from corporate threat; as Grossman (5) notes, it formed the basis for an "anti-corporate populism" which brought together seemingly disparate groups. Consider, for example, the initial reactions and struggles expressed by Shannon McPhail, an anti-Northern Gateway campaigner who first became active in an earlier campaign against Shell and its plans to drill for methane in the Sacred Headwaters of the Skeena in northwestern BC. Describing herself as a "cowgirl," she says, "when you look up red neck, you will see a picture of my family" (Bowles and Veltmeyer, *The Answer Is Still No* 89). She was enticed by the promise of funding for her campaign against Shell to attend the Canadian

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

Environmental Leadership Program. Her initial reaction was that it sounded "really hippy" and that she would not go. Things got worse when she discovered that meditation and yoga were morning activities. However, the promise of funding persuaded her, although things did not go much better initially. She describes being "furious" when discovering the retreat was vegan and being "livid" when songs were part of the activities. She "just wanted to go home." Nevertheless, over time, she realized that the people she had spent almost her "entire life mocking and thinking they were wing nuts" were on to something and joined them. She has been active ever since, including playing a vocal role in the anti-Northern Gateway campaign (Bowles and Veltmeyer, *The Answer is Still No* 94–95).

Compare this with the views of Nebraska rancher Bob Allpress, an opponent of the Keystone XL project, reported in Grossman: "I'm a redneck Republican […] standing there in cowboy boots and a hat next to people in peace necklaces and hemp shirts … it's been—an experience. A good experience. We've enjoyed the hell out of it" (185).

The alliance between rural settlers and urban environmentalists is not, however, a seamless one, and many of the former still see themselves as more grounded environmentalists or even not as environmentalists at all, given the associations that often come with the term in rural areas. Another Nebraska rancher, Ben Gottschall, opposed to Keystone XL, says that "[…] we pipeline fighters are not just a few angry landowners holding out or environmentalists pushing a narrow agenda. We are people from all walks of life and include the people who have been here the longest and know the land best" (as reported in Grossman 186). For Gottschall, environmentalists push a "narrow agenda" whereas he sees himself as part of a movement including a wide range of people. The same sentiments can be found among anti-pipeline activists in northern British Columbia. McPhail again: "some people call it environmentalism, but I call it 'common sensism.'" (Bowles and Veltmeyer, *The Answer Is Still No* 91)[6]

You could also take the example of a member of a small NGO, Douglas Channel Watch (DCW), which took on Enbridge in a plebiscite campaign over the Northern Gateway pipeline held in Kitimat in 2014. She reported viewing her environmentalism as being defined by local inhabitants enjoying their natural surroundings and nature-based activities such as fishing, contrasted with extra-local "environmen-

6 See also Willow (37) for discussion of how, in Canadian Indigenous communities, "environmentalism" has been seen as an outside label applied to the activities that they have always done.

talists" who were more concerned about climate change (Bowles and MacPhail 22). Indeed, this provides one primary reason why, when fighting the plebiscite, DCW turned down offers of assistance from outside environmental groups and deliberately chose to keep their campaign against the world's largest pipeline company as local as possible.[7] Interestingly, similar strategies have been reported in the US, too. Grossman (201) reports that in Washington State, where a coal terminal was proposed, "the Quinault Nation sponsored the July 2016 'Shared Waters, Shared Values' rally, including a flotilla of fishing boats, tribal canoes, and kayaks. Notably, the rally's roster highlighted tribal and local speakers, but none from outside environmental groups".

The quote from rancher Gottschall above about ranchers working with "those who have been here the longest" refers to rancher—Native American alliances or, as it became formally known in the opposition to Keystone XL, the Cowboy Indian Alliance (CIA). The alliance, starting as a "loose affiliation" and moving towards an "alliance deepened through a series of spiritual camps" (Grossman 180–181), played a critical role in bringing Indigenous and rural settlers together in opposition to the corporate takeover of their lands. Of course, the status of "their" lands is ambiguous, but the external threat brought disparate actors together. This alliance was based on the meaning that the land had for both communities, not only for the Indigenous peoples but also for "the ranchers and farmers who treasure Mother Earth as we do," as spoken by a chief (quoted in Grossman 180).

This shared sense of place and the gradual building of Indigenous-settler relationships based upon it are also evident in northern British Columbia. Postal worker and DCW activist Murray Minchin recalls, when at the Northern Gateway hearings, "the Aboriginal people got to hear about how much place this means to us, the newcomers, I think that was the first time that they'd ever really heard emotion like that from us, about how we love this place. And then we got to hear about things that I wasn't aware of […] So it was really an eye-opener for us too." (Bowles and Veltmeyer, *The Answer Is Still No* 116). McPhail made use of the cowboy-Indian analogy, too. She explained that the organization of which she is a part, the Skeena Watershed Conservation Coalition, was formed by

> loggers and ranchers and miners and drillers and welders and farmers, and First Nations, because that's what our community is. When people talk about our

7 This strategy was also found in Newfoundland's anti-fracking movement by Carter and Fusco.

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

region, the USA have their version of cowboys and Indians, but a little differently up here, we are all on the same side ... I'm non-Native, 85 percent of the population here is Gitxsan. And so, as a minority, you absorb the culture of the majority. Hence, the connection to the river, and the culture and the history, and the knowledge that this is my home, this is where my roots are. It's the only place (Bowles and Veltmeyer, *The Answer Is Still No* 92).

Many of the dynamics of resistance to pipelines at the local level and the 'unlikely alliances' formed as part of it, and therefore, find common expression on either side of the border. Needless to say, none of this is unproblematic. While there is an Indigenous/settler binary, each combines complexly with other group labels such as "ranchers", "environmentalist", "loggers", etc., and some people may reasonably see themselves as belonging to several such groups. Furthermore, as Whyte has argued, in the context of Standing Rock, "nonindigenous environmentalists are only allies if they work broadly toward decolonization, instead of aligning with indigenous peoples only when a particular issue, such as opposition to one pipeline seems to match their interests" (Whyte 6). Bosworth has also noted how populist anti-pipeline strategies reproduce dominant Euro-American worldviews that privilege private property relations and marginalize Indigenous peoples.[8] For the purpose of the analysis here, the point is that these issues are equally relevant on both sides of the border.

CROSS-BORDER ALLIANCES: POSSIBILITIES AND CHALLENGES

When it comes to the alliances across the border, a different dynamic is evident. That is because the alliances formed within communities are based on local attachment to land and the politically scalar leaps to oppose not just the particular path of one pipeline, but the whole pipeline, and then all pipelines designed to increase tar sands production, are easier to make for some actors than others. Therefore, activism at the local level in rural areas has characteristics that differ somewhat from those more readily found in cross-border resistance. The 'scalar bridge' has been made firmly by Indigenous nations, and it is they who have formed some of the strongest cross-border alliances, as have international environmental organizations focused on climate change and campaigned against specific projects, such as Keystone XL, on those grounds. Local NGOs and communities have often found that it is a bridge too far.

8 See also Snelgrove, Dhamoon, and Corntassel for the dangers of "reifying" settler colonial modes of domination.

Before coming to cross-border alliances, it is also important to recognize the importance of informal knowledge and information sharing between organizations on different sides of the border and the importance of actions and outcomes in one jurisdiction resonating with others. For example, recall that on the same day the Canadian federal government cancelled the Enbridge Northern Gateway pipeline, it approved the Enbridge Line 3 replacement. Organizations such as the Indigenous movement's Honor the Earth used the rejection of Northern Gateway to inform its campaign against Line 3. The two pipeline projects share some clear similarities. Northern Gateway would have traversed pristine wilderness, threatening wild salmon stocks—an important food source in the local sharing economies of northwest British Columbia and a cultural cornerstone for Indigenous peoples. The line 3 replacement would also traverse "pristine aquatic ecosystems" and threaten wild rice beds, which are also important for local sharing economies and of cultural significance.[9] It is not surprising that the two campaigns would become linked. Honor the Earth co-founder Winona LaDuke referred to the defeat of the Northern Gateway project and the failure of Enbridge's 'Indigenous Inclusion' policy in BC's northwest in her 2017 "Letter to Enbridge."[10] The slogans used in the two campaigns parallel each other, such as "United Against Tankers/Enbridge" and "No Tankers, No Pipelines, No Problems." Slogans and strategic messaging travel easily across borders.

However, in addition to these project-to-project linkages, Indigenous nations have increasingly used alliances between themselves and with support from non-Indigenous groups to spearhead wider resistance based on Indigenous Law, which has also crossed borders. For example, the Save the Fraser Declaration used Indigenous Law as the basis of opposition to the Northern Gateway pipeline. Indigenous Law stresses responsibilities and obligations, rather than simply rights, and the responsibility to nature was invoked to oppose the pipeline and the oil sands. The Declaration started with 30 or so communities as signatories and, in the end, had been signed by over 160 First Nations. As Yinka Dene Alliance[11] member Jasmine Thomas explained, the Declaration was signed by Indigenous communities

> all along the pipeline route as far as the Northwest Territories to the Arctic Ocean, including nations from other North American Indian tribes as well. Basically,

9 See http://www.honorearth.org/sandpiper_line_3_corridor

10 See http://www.honorearth.org/dearenbridge2017

11 The Yinka Dene Alliance is an alliance of six First Nations in north–central British Columbia that were instrumental in the Save the Fraser Declaration.

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

what it looks like is the whole entire coast of BC, along the Rocky Mountains border, the Northwest Territories on top, and then the US border. So, it's like Enbridge is totally surrounded. (Bowles and Veltmeyer, *The Answer Is Still No* 28).

The Declaration was followed by a Solidarity Accord which brought non-Indigenous groups into the opposition and included "some of Canada and BC's most powerful unions [such as Unifor and the BC Teachers Federation], as well as a host of local leaders from tourism businesses, municipal government, health and conservation organizations" (Anon, "First Nations").

This strategy of alliances designed to surround particular projects can be found in a number of instances including the Mother Earth Accord to Oppose Keystone XL signed in September 2011 between Indigenous chiefs, treaty councils and Alberta First Nations (Grossman 178) and the Nawtsamaat Alliance signed in 2014 which brought First Nations, tribes, together with environmental groups, interfaith communities and frontline residents in defense of the Salish Sea. They signed the International Treaty to Protect the Sacredness of the Salish Sea and to Declare the TransMountain pipeline illegal under Coast Salish laws (193). However, the most ambitious expression of this strategy is found in the Treaty Alliance Against Tar Sands Expansion, signed in September 2016 by over 50 Indigenous nations from both sides of the border. The Treaty aims to block all proposed pipeline, tanker, and rail projects affecting Indigenous land and water, thereby surrounding the tar sands.[12] It is common in the Canadian, and especially the BC, context to talk about "modern treaties," as the BC Treaty Commission likes to refer to them but the cross border Indigenous treaties discussed above are a very different form of "modern treaty" in their focus on the tar sands and the global environment.

This places Indigenous peoples at the forefront of the cross-border campaigns against tar sands expansion, just as they have been in local project-specific resistance within each country. The Indigenous resistance is based on an interconnected set of struggles for the preservation of Mother Earth, adherence to Indigenous Law, and the recognition of and respect for treaty rights. The Indigenous Environmental Network, working across borders, has been instrumental in these struggles, too. Of course, Indigenous cross-border alliances should come as no surprise since the forty-ninth parallel is itself an arbitrary creation of colonial powers, which contradicts

12 For the list of signatories, see McSheffrey. See also Stoddart for the coalitions opposing the tar sands.

the unity of Turtle Island in Indigenous worldviews and commonality of resistance.[13]

The environmental NGO/climate justice movement has also been active in its promotion of cross-border resistance to pipelines. Activists from both sides of the border have been involved in some of the largest rallies calling for action on climate change. There was a series of popular rallies held in the centers of power in the US and across the world, seeking to build pressure for climate change measures, organized by many environmental NGOs, including the Sierra Club and 350.org, and which targeted the Keystone XL pipeline and the tar sands in general. This new form of "rowdy greens" is a loose, decentralized alliance capable of mass mobilization (Bradshaw 2015). At the 2013 rally, a member of the Yinka Dene Alliance fighting the Northern Gateway pipeline in northern BC spoke:

> The Yinka Dene Alliance of British Columbia is seeing the harm from climate change to our peoples and our waters," said Chief Jacqueline Thomas, immediate past Chief of the Saik'uz First Nation in British Columbia and co-founder of the Yinka Dene Alliance ("People of the Earth"). "We see the threat of taking tar sands out of the Earth and bringing it through our territories and over our rivers. The harm being done to people in the tar sands region can no longer be Canada's dirty secret. We don't have the billions of dollars that industry has. But we do have our faith that people will do the right thing to protect Mother Earth. The Forward on Climate Rally shows that we are not alone in the fight to stop tar sands expansion and tackle climate change. (Henn)

At the time, the Forward on Climate rally was the most significant climate protest in US history, with approximately 40,000 people in attendance. The following year, it was over 300,000, and the protest went global to include rallies in 162 countries (Bradshaw).

As LeBillon and Carter have observed, "highly inclusive coalitions spanning environmental, social, labour, religious and Aboriginal organizations now extend from local and provincial organizers to national and international levels" (5). However, this scale jumping is not seamless. As discussed above, there have been occasions where there have been tensions between local and 'outside' environmentalists; this has led to something of division of labour between them as local NGOs take the lead on local issues, whereas national

13 See, for example, Hastings. It should also be noted that under the provisions of the 1794 Jay Treaty, Indigenous people living on either side of the border were permitted to transport their personal goods duty-free. The right of Indigenous peoples to move across the border imposed upon their land continues to be an evolving legal issue.

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

and international environmental NGOs focus on campaigns such as tar sands and fossil fuel divestment. However, it has left a space for those who seek to divide the opposition movement based on its national origin, as will be discussed in the next section.

BORDER EFFECTS

The cross-border alliances discussed above have merged to oppose the pipeline networks designed to facilitate the expansion of the Canadian tar sands. The Indigenous alliances have long historic roots as noted above, but especially the environmental alliances can be seen as part of the emergence of transnational social movements which have characterized contemporary globalization and garnered much attention (see, for example, Smith; Gould and Lewis). Indeed, a continental pipeline infrastructure has created a political opportunity structure conducive to fostering such transnationalism; such transnationalism is evident beyond North America (see, for example, Cerda). To this explanation for the growth in cross-border alliances, we could also add the more recent argument that space is increasingly being conceptualized and re-engineered by "corridorization" with the geography of nation states less relevant (Hildyard and Sol; Mayer and Balazs); North America's "carbon corridors" provide interesting examples not only of the flow of oil but also of the flow of resistance along them. The resistance documented above explains why pipelines are often seen as "chokepoints," not simply as a technocratic logistical issue, but as sites of political resistance and struggle (see Chua and Bosworth).

While transnationalism and corridorization have both generated considerable scholarship and provided explanations for the cross-border alliances described in section 3.2 above, which will undoubtedly continue to play a significant role in pipeline resistance, in this section, however, I will concentrate on the contrary, and perhaps less well-explored issue, namely, the reasons why we might expect to find a limit to cross-border alliances and activities and why national spaces will also remain significant for pipeline opponents, notwithstanding the oil industry's continental structure. That is, I will analyze why we might expect the continuation of "border effects," defined here as the reasons for barriers to mobilisation which arise from the existence of a border.[14] I argue here, necessarily speculatively, that three fac-

14 Border effects are defined in the economics literature as effects that limit the flow of goods and services across national borders to less than would be predicted on the basis of economic models (gravity models) that estimate these flows based on distance in the absence of borders. They are significant in the case

tors might lead us to expect that the Canada–US border will inhibit the flow of resistance, with the result that pipeline resistance will likely continue to exhibit a "home bias". These three factors are regulatory review processes, the fissures in the pipeline resistance movements exploited by other actors, especially governments and corporations, and the nature of the Canadian and US political economies.

The first of these factors, most obviously, is that pipelines face regulatory review separately in each country and therefore require close engagement with national and subnational institutions. In the Canadian case, this means the National Energy Board and Canadian Environmental Review Agency for inter-provincial pipelines, on top of which may be layered provincial environmental review processes. In fact, one of the largest pipeline disputes in Canada was between the provinces of Alberta and British Columbia, indicating the importance of subnational jurisdictional boundaries (Lindsay). In the US, this means the State Department reviews. In both countries, review processes are continually challenged, leading to lengthy domestic legal processes. As a result, resistance is likely to retain a strong national/domestic focus.

A second factor arises from the actions of governments, the putative policers of borders, which seek to disrupt cross-border alliances. This is not simply a matter of physical border controls but political attempts to divide the pipeline resistance movement along national lines. One clear example was the Open Letter sent by the then Canadian Minister of Natural Resources, Joe Oliver, in 2012, on the eve of public hearings over the Northern Gateway. In his letter, Minister Oliver wrote:

> Canada is on the edge of a historic choice: to diversify our energy markets away from our traditional trading partner in the United States or to continue with the status quo. Virtually all our energy exports go to the US. As a country, we must seek new markets for our products and services and the booming Asia-Pacific economies have shown great interest in our oil, gas, metals and minerals. For our government, the choice is clear: we need to diversify our markets in order to create jobs and economic growth for Canadians across this country. We must expand our trade with the fast growing Asian economies. We know that increasing trade will help ensure the financial security of Canadians and their families.
>
> Unfortunately, there are environmental and other radical groups that would seek to block this opportunity to diversify our trade [...].

of Canada and the US (Helliwell) and arise because of the institutional, legal, and cultural reasons, among others, which contribute to "home bias." I adapt the term here to refer to barriers to the flow of resistance across national borders.

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

> These groups threaten to hijack our regulatory system to achieve their radical ideological agenda [...]. They use funding from foreign special interest groups to undermine Canada's national economic interest. They attract jet-setting celebrities with some of the largest personal carbon footprints in the world to lecture Canadians not to develop our natural resources. (Oliver)

The letter is interesting for a number of reasons. Firstly, at the same time that the government was urging acceptance of the Keystone XL pipeline as being in the national interest of both Canada and the US, the Minister implied in his letter aimed at garnering support for Northern Gateway that, in fact, Canada's national interest was best served by diversifying away from the US market. This inconsistency has only intensified over time, as shown further below. Secondly, the accusation is made that "foreign special interest groups" were undermining Canada's national interest. These special interests were implicitly from the US, as were the "jet-setting celebrities" telling Canadians what to do. Thirdly, it shows how rattled a Minister can become when domestic opposition to a pipeline undermines his international sales pitch; it is all the fault of foreigners.

In many ways, the letter and its intemperate language backfired. Many who presented at the Northern Gateway public hearings took delight in pointing out that it was not radical to seek to protect their environment from potential oil spills; in fact, the corporations sought to force the pipelines through against popular opposition that were the 'radicals'. However, at another level, the letter did expose and play on the suspicions of local rural place-based environmentalists of 'outside' environmental organizations, as discussed earlier. Oliver's letter made the funding of environmental organizations an issue and reinforced that 'outsiders', in this case from a different country, were opposing Canada's national interest. This had an impact on the ground as Nikki Skuce, a northern BC-based employee of US funded ForestEthics (as it was then called; it is now Stand.earth) agreed: "It was a meme that stuck for a while and it definitely was a challenge" (Bowles and Veltmeyer, *The Answer Is Still No* 84). Cross-border alliances, especially those that involved funding, suffered from a chill effect, rooted in local suspicions of 'outsiders' in the first place.

The government specifically targeted ForestEthics, with its funding from the US Tides Foundation. According to an affidavit from a ForestEthics employee, the organization was singled out by the Prime Minister's Office (PMO) and described as an "enemy of the Government of Canada" and an "enemy of the people of Canada."[15]

15 Domestic opponents were also targeted in a process described by LeBillon and Carter (9) as the "criminalization of dissent."

Parenthetically, the tainting of oil development opponents as puppets of foreign-funded interests also found expression in the US, not aimed at Canada, but at Russia. The 2018 United States House of Representatives Committee on Science, Space, and Technology Majority Staff Report entitled *Russian Attempts to Influence U.S. Domestic Energy Markets by Exploiting Social Media* concludes that "the Kremlin is attempting to make … 'useful idiots' of unwitting environmental groups and activists in furtherance of its energy influence operations" (7). The Report went on to argue that Russia has an interest in disrupting US energy markets since it competes with Russia's oil and gas industry and points to how Russia has sought to sow discord and encourage pipeline protestors, including those at Standing Rock. In fact, this tactic of governments blaming foreign influences for opposition to fossil fuel (and other natural resource) projects is a common tactic. Governments around the world have sought to appeal to a nationalist populism to defeat the anti-corporate populism of resistance movements and in doing so have made the work of local NGOs with international contacts and transnational networks that much harder, often with legislation designed to hinder (or worse) such alliances and repress NGOs (Matejova, Parker and Dauvergne).

The third factor contributing to border effects concerns the nature of the political economies that pipeline resistance faces. Arguably, the extent to which opponents focus on domestic governments depends partly on the size of the task they face in persuading their governments of their objections. If this is the case, we may expect that national focus will continue for some time, given the stances of the two governments representing Canada and the US, which can be described as a petro-state and a rogue state, respectively.

A petro-state can be defined in a variety of ways. One approach is purely statistical, relying on indicators such as the percentage of exports derived from fossil fuels, the percentage of tax revenue from energy, and the percentage of GDP (Campbell). This definition spurred debate even in the mainstream financial media about whether Canada is or is not a petro-state (Anon, "Canada"). Another approach is viewing the designation from a political economy perspective, where a petro-state is interpreted as an alliance between the state and fossil fuel corporations promoting fossil fuel development (Carter).[16] It is this approach that is used here.

16 For an analysis of how the state-corporate alliance fractured the "unlikely alliance" that emerged in response to the Northern Gateway pipeline project, discussed here, when a later natural gas pipeline was proposed for the region, see MacPhail and Bowles.

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

The promotion of the energy sector by the Harper Conservative government has been well documented and critiqued (Nikiforuk; Urquhart). The tar sands developers' early goal of doubling production by 2025 was embraced by the government, which saw it as a way of making Canada an "energy superpower." It lobbied extensively in Washington to convince the US to accept more tar sands oil and branded Canadian oil as coming from a reliable friend, as opposed to that supplied by other countries. Gary Doer, a former NDP leader in Saskatchewan and Canada's Ambassador to the US during the Harper government, urged President Obama in 2015 to approve the Keystone XL pipeline arguing that "the courageous choice for the administration is to choose hard hats over Hollywood, the intelligent, energy-efficient, safer infrastructure of a pipeline over rail, and Canada, an ally, over Venezuela" (Doer 2015). He had previously made the point that "it always makes more sense in our view to get energy from middle North American than the Middle East" (Chiasson).

The Harper government provided a clear example of the political economy definition of a petro-state. Here, I focus on the post-Harper Trudeau government and argue that it deserves to be tarred with the same brush. Attending an energy conference in Texas in March 2017, Trudeau received a standing ovation from oil company executives for his speech, which included the statement that, "No country would find 173 billion barrels of oil in the ground and just leave them there" (Berke), which is a quite extraordinary statement and indicates a commitment to extracting every last drop of tar sands oil. He continued in his speech to offer support for the Keystone XL pipeline and to repeat the Harper-era mantra that "nothing is more essential to the US economy than access to a secure, reliable source of energy. Canada is that source."

At the same time as Trudeau supported Keystone XL and argued that Canadian exports of tar sands oil to the US is in the interests of both Canada and the US, he has also continued with the contradiction, evident in former Minister Oliver's letter above, that actually it is in Canada's interest not to sell more oil to the US, where the price is lower, but to diversify sales to Asia. This is evident from his support for (then) Kinder Morgan's TransMountain expansion pipeline through British Columbia, which was approved the same day Enbridge's proposed Northern Gateway route was rejected. Speaking in Alberta's capital in February 2018, Trudeau stated that "we know that getting our oil resources to new markets across the Pacific is absolutely essential" and that "we can't continue to be trapped with the price differential we have in the American market. We need this pipeline and we're going to move forward with it responsibly like I committed to" (Reuters).

It appears that Canada's national interest is in favour of whatever pipeline is being discussed at the time, whether that be to sell more oil to the US or to diversify and sell more oil elsewhere. The one constant is the increase in tar sands production. Furthermore, to emphasize the fact that government and industry sing from the same songbook, compare Trudeau's explanation above for supporting the Kinder Morgan project with that offered by the company itself at the time:

> The Trans Mountain Expansion Project will help make sure Canada gets full value for its oil. Everyone will benefit [...]. Currently, nearly all the oil produced in Western Canada goes to one market, the United States Midwest [...]. For much of the last decade, Canada has been selling into the United States at a discount to the world price for similar oil products.
>
> The simple truth is that Canada's oil will fetch a better price if we give ourselves the option of shipping more of it via Trans Mountain's Pacific tidewater terminal in Burrard Inlet. Canada will earn more on every barrel of oil that's piped west compared to those sold to our existing customers in the United States Midwest market, a differential that exists regardless of the price of oil. The Project will allow Canadian oil to be delivered to international markets and, as a result, Canada will earn approximately $3.7 billion more per year. (Trans Mountain)

The simple truth, it could be plausibly argued, is that this could just as easily have been a government press release. It came as no surprise then when, faced with Kinder Morgan's hesitancy in the face of on-going legal challenges, the Federal government announced, in May 2018, that it would purchase the project for $4.5bn in order to ensure its completion (and has put Canadian taxpayers on the hook for the ballooning construction costs which are six times higher than initially forecast). Canada is, and remains, a petro-state, and opposition focused on challenging this domestic agenda is likely needed at least as much as international activity. Canadian-based activists are in the best place to lead it.

Similarly, the peculiarities of the US as a state make it necessary for US activists to operate in their own backyard. The power of Big Oil in the US is unquestionable and it took sustained large scale popular pressure to finally convince President Obama after years of prevarication to declare in November 2015 that "the Keystone XL Pipeline would not serve the national interest of the United States" and that "America is now a global leader when it comes to taking serious action to fight climate change. And frankly, approving this project would have undercut that global leadership" (The White House.) Since then, of course, Trump came to power, the US abandoned any role as a global

Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

leader on climate change, Keystone XL was approved by Trump in 2020, a decision which President Biden subsequently revoked on his first day in office in 2021. With the re-election of President Trump, Keystone XL is now back on the agenda, and Big Oil will be as potent as ever under the mantra of "drill, baby, drill". It is an understatement to say that there remains plenty of work for US activists to do at home.

In his first stint as President, Trump's withdrawal of the US from the Paris Accord placed it at the time in the same company as only Nicaragua and Syria as non-signatories (bot signed in October and November 2017, respectively), prompted even Nobel Laureate economist Joseph Stiglitz (2017) to describe the US as a "rogue state." However, the US has long been viewed as a rogue state, unwilling to submit itself to international laws and regulations and unwilling to support a range of human rights domestically; according to Blau et al (2016), the US is even the leading rogue state. With President Trump expected to withdraw again from the Paris Accord after taking office in 2025, US activists and oil pipeline opponents will have enough on their hands with their government and correspondingly less time to organize against Canada.

CONCLUSIONS

In this essay, I have discussed the impacts of the border on resistance to oil pipelines in North America. The context for this is the widespread battles over pipeline expansion projects needed to expand tar sands production. I showed that resistance to pipelines shares some remarkable similarities on both sides of the border in the wide spaces of rural Canada and rural US, through which the proposed pipelines will pass. This resistance is characterized by what Grossman has called a series of "unlikely alliances" encompassing Indigenous nations, settler communities, environmentalists, faith-based communities, and labour organisations, alliances which we find duplicated on both sides of the border. The task of resisting the pipeline projects has led to cross-border alliances in order to "surround" particular pipelines as well as the tar sands themselves. In this change of scale, the resistance of Indigenous nations has found new expression while national and international environmental NGOs have been active; local environmental NGOs have often found this scalar bridge more difficult. Cross-border alliances have continued to grow and might be expected to continue to do so as the climate crisis intensifies and becomes ever more urgent, and yet the relentless push for greater continental oil production continues.

However, there are also factors constraining this scalar shift, and "border effects" are likely to remain significant. I argued that three factors are important in the continuance of national and subnational mobilization strategies, namely, the national and subnational regulatory regimes, the efforts of governments to divide opponents along national lines, and the political economies of Canada and the US which are likely to ensure that pipeline opponents will have to maintain a strong domestic focus. While the analysis of this paper focused on the 2010s, it is of continued relevance for the challenges of the 2020s.

Abstract: The construction of new oil pipelines and the expansion of existing ones have been met with sustained resistance across North America. Pipeline expansion has been justified for economic reasons, but has emerged as a "chokepoint" for the industry as popular resistance has sought to protect land and water resources. This resistance has both national and cross-border continental dimensions, depending on the specificities of the pipeline under analysis. The cross-border dimensions are particularly evident in the efforts to halt the expansion of Canada's tar sands, the source of much of the increased oil production. Despite the continental scope of the oil industry, however, distinct national dimensions—"border effects"—and cross-border alliances remain.

Keywords: pipelines, resistance, North American oil market, extractivism

Bio: Paul Bowles, Professor Emeritus, Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada, is a political economist who has published widely on the themes of capitalism, globalization, and development. Particular areas of interest are: China's political economy, extractivism in Canada and elsewhere, and global monetary relations. Recent books include: *Capitalism*, 3rd edition, Routledge, 2024; *Extractive Bargains: Natural Resources and the State-Society Nexus*, Routledge, 2024 (co-edited with Nathan Andrews); and *The Essential Guide to Critical Development Studies*, 2nd edition, Routledge, 2022 (co-edited with Henry Veltmeyer).

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Paul Bowles
Department of Global and International Studies and School of Economics, University of Northern British Columbia, Canada

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BORDER CROSSINGS AND POLAR BEARS
How Indigenous Hunting Rights in Canada Become Part of a Transnational Economy

Jane Desmond
University of Illinois at Urbana-Champaign, USA
https://orcid.org/0000-0002-2180-4265

"Big Game" hunters from "first world" nations fly around the world to kill megafauna to put on their walls: caribou, elephants, rhinoceros, polar bears, and many other rare or even endangered species are involved. The 2015 death of "Cecil the lion," illegally killed in Zimbabwe by a US American dentist, is a relatively recent rendition of this phenomenon, drawing international condemnation (Hall). In the United States, former President Trump's backpedaling on a ban on imports of such "trophies" caused outrage among animal protectionists for its illegality. However, it was just a symptom of a broader global phenomenon of the sale of the right to kill, sometimes in the name of conservation, sometimes in the name of supporting local communities, and sometimes in the name of tradition and of continuing Indigenous hunting rights.

In this essay, I consider a specific case study—a uniquely Canadian phenomenon of the sale of killing rights by Indigenous peoples in Canada to non-Indigenous, non-Canadian trophy hunters who want to hunt polar bears in Canada. These hunters, primarily of European ancestry, come mainly from the United States and, more recently, also from Western Europe. What can we understand about the role of the Canadian state, the national government, the US-Canadian border, the philosophical constitution of a more-than-human world in both Indigenous and European-derived epistemologies, and the politics of Indigeneity in the international marketplace through this one case study focused on human-animal relations?

At every stage of this series of events involved in hunting polar bears, we see the importance of the notion of the nation—the nation of Canada, the nations of Indigenous communities, specifically First

Nations and Inuit, the transnational communities of the circum-Arctic nations and their legal agreements, and the transnational marketplace for wealthy, elite (predominantly male) hunting access to limited animal goods/lives. Ultimately, I hope to demonstrate both the necessity and the utility of anchoring our transnational analyses in a more-than-human world because access to and protection of living non-human beings, often termed national or human patrimony, plays a crucial role in defining the nation and communities.[1]

The right to kill embedded in Indigenous hunting rights in Canada is extremely contentious terrain.[2] For example, in 2013, the Canadian Minister of the Environment used her Twitter account to celebrate a cousin's first killing of a polar bear by posting a picture of the dead animal. Soon after, the Minister, Leona Aglukkaq, an Indigenous member of the Inuit, found her Twitter account erupting. Activists decried the killing of a member of an endangered species, while other posters defended Indigenous hunting rights (Young),[3] which is not the only instance of such a Twitterverse eruption over Indigenous hunting. As Chickasaw Nation American Studies scholar Elizabeth Rule later pointed out in a 2018 article on a related cyber defamation of Inuk throat singer Tanya Tagaq,

1 For just a sample of works investigating non-human animals' crucial symbolic and material associations with community and national identities, see works by Canadian-based scholars Kim TallBear and Zoe Todd and US scholar Claire Jean Kim, among others. See also Burton and Mawani, whose edited volume *Animalia* includes the work of Indigenous Canadian scholar Daniel Heath Justice. Zahara and Hird argue that Canada's North is a site of colliding cosmologies as Inuit and other Indigenous cosmologies are pitted against settler colonial epistemologies in public policy development of animal management.

2 Debates and contests over Indigenous harvesting rights span several species in Canada and the nearby Northwest United States. See, for example, Beldo and von der Porten, Corntassel, and Mucina. In 2020, contestations over the rights to hunt have grown into violent conflicts between Indigenous and non-Indigenous lobster fishermen. See Bilefsky. See also C. Kim. In addition, Engelhard provides an extensive historical analysis of the symbolic import of polar bears, including Indigenous and settler colonial perspectives and artistic renderings.

3 Young presents a starting point and calls for further research on how Inuit community members are using the web and the ways that some Inuit perspectives regarding environmental debates and knowledge are both potentially more widely dispersed and assimilated or marginalized in wider consumption across Indigenous and non-Indigenous communities concerned with environmental issues. His early findings suggest that in the digital realms he investigated, like Twitter and Wikipedia, knowledge systems between "science" and "Indigenous" ways of knowing become opposed to each other and that broader epistemologies of Indigenous concepts of relations with the more-than-human world are reduced to "information" that is deemed either accurate or inaccurate by "science" standards.

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

following her posting of a photo of her infant daughter next to a freshly killed seal, Indigenous hunting rights in Canada are subject to ongoing transnational commentary and engagement.[4] In this essay, I investigate a related but different, and as yet less examined, component of Indigenous hunting—the sale of the right to kill to outsiders—predominantly to white Americans and white Europeans who want to hunt polar bears. As we will see, at the heart of these debates lies the bear's life, and intersecting that life is a phalanx of forces, histories, economies, laws, and cultural practices that gather new meaning in a transnational sphere.

Only Indigenous subsistence hunters can legally hunt polar bears in Canada, but they can sell that right with certain restrictions. Non-Indigenous hunters from the US and elsewhere come to Canada, pay up to $50,000 US/$63,030 CA to kill a polar bear guided by Indigenous guides, and then ship parts of the animal back home to put on their wall as a trophy. Various countries have different bans on importing certain "trophies," and this legal landscape is in flux. Currently, it is illegal to ship polar bear parts into the United States. However, hunt organizers stress on their websites that bear parts can be taxidermized in Canada after the kill and can be stored for years (presumably until the laws change again).[5] Alternatively, they note that "replica" taxidermy mounts can be prepared, which are "difficult to differentiate from the real thing" (globalhuntingsafaris.com) so that a trophy for the wall back home can still be obtained. In the meantime, photo documentation of the hunter with the dead animal, such as those featured in hunt advertisements, can serve as a virtual "trophy."

Canada is the only country in the world that allows the commodification and sale of Indigenous polar bear hunting rights, and this practice

4 Elizabeth Rule (Chickasaw Nation), in her 2018 article "Seals, Selfies and the Settler State," argues that this case is a continuation of broad-based gendered violence against Indigenous women by non-Indigenous communities and the state, tying the critiques (even threats) emanating from some "settler environmentalists," as she terms them, to a campaign to denigrate Indigenous mothers as "culture bearers" and thus to continue a campaign of both subtle and overt forced assimilation that stretches back through residential schools, and the taking of Indigenous children from their homes for adoption. While my focus here is on a more male-centric world of polar bear hunting, the broader debates do involve transnational non-Indigenous environmentalists as well as non-Indigenous scientists and state officials.

5 By contrast, the importation of polar bear parts into the UK remains legal, although a movement to prohibit trophy hunting imports is gaining traction. Furthermore, polar bear skins and body parts command high prices in China; however, I have no information regarding how they are acquired. At this time, Mexico also prohibits the importation of polar bear trophies.

articulates a complex moral economy of wildlife life, death, and commodification. This moral economy is delineated through treaty rights that form the core of Indigenous sales of hunting options in Canada, the opinions of Indigenous hunters and communities, the competing claims by international animal activists, and the rhetoric of the big game hunting outfitters themselves to chart the intersecting and divergent assumptions about ethics, rights, and the value of animals that underpin this complex phenomenon.

My analysis of this shifting terrain is based on examining news reports from Indigenous and non-Indigenous Canadian and international sources, NGO reports, scientific articles, online videos of polar bear hunts, and representations online of hunting outfitters. I have not yet done fieldwork in the hunting communities with the hunters or outfitters themselves, and obviously, such first-hand observations and conversations might provide additional viewpoints. Thus, what I offer here is a preliminary set of observations and questions about how Canadian investments in polar bears come to have symbolic, cultural, and economic meaning in the current debates about trophy hunting, transnational hunters, and the maintenance of what are termed traditional cultural practices in the Canadian northern communities.

A note about terminology: The Canadian government has ongoing relations with numerous Indigenous communities, and these result in a variety of designations, complex treaty interpretations, constitutional recognitions, governmental interventions and supports, and new commitments to restorative justice. I also recognize that some Indigenous scholars have rejected the terms "Aboriginal" or "Indigenous" because, like the US term "Native American," it can flatten the complex relations between numerous populations into a homogenized vision of a historical past merely opposing Indigenous and settler populations. However, in this research, I am focused on legal and historical relations between local communities in specific parts of what is now "Canada" and the polar bear, or Nanuq, who has been so central to those communities both economically and symbolically. At times, these relations are governed across large configurations of communities termed "Indigenous" in public discourse, and at others, they apply more specifically to unique communities. Where I can, I will specify which.

I endeavor to use the desired terminology supplied by those communities in the polar regions most connected to polar bears, including the Inuit. Long "studied" by European and European-American anthropologists, this diverse community is now setting the terms for collaborative research with their communities and outside scien-

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

tists and proposing the term "Inuit Nunangat." A recent white paper on the "National Inuit Strategy on Research" produced in 2018 by Inuit Tapiriit Kanatami (ITK), the national representational organization for the 65,000 Inuit in Canada, to guide future non-Indigenous research relations with Indigenous peoples, proposes using the term "Inuit Nunangat" to refer to the communities and governance structures previously designated in English as the "Arctic," or "the North" in Canada. It includes 53 communities and roughly 35% of Canada's landmass ("National Inuit Strategy on Research"). "Inuit Nunangat is the distinct geographic, political, and cultural region that includes the Inuvioluit Settlement Region (Northwest Territories), Nunavut, Nunavik (Northern Quebec), and Nunatsiavut (Northern Labrador)," states the Inuit Tapiriit Kanatami ("National Inuit Strategy on Research"). These are some communities in which polar bear trophy hunting is most prevalent.

Hunting rights for all Indigenous populations are tightly controlled and vary both according to an individual's geographic location relative to their community of origin, the current interpretations of historical treaties and their presumed geographic reach, and the person's enrolled status or not, governing what type of legal documentation to hunt they must carry while hunting.[6]

In this essay, I recognize the distinct differences among Indigenous communities and the complex Canadian governmental designations of Indigenous belonging (which differentiates between multiple long-standing non-European communities and which employ the term "Aboriginal" to guarantee certain rights in the Canadian constitution, including Aboriginal harvesting rights of certain animals). However, Canadian law also distinguishes further between Aboriginal rights, which are held by First Nations members, including "status" and non-status Individuals (which is similar to "enrolled" and non-enrolled members of tribes in the US), the Inuit and the Metis (whose claims are not explicitly adjudicated as "before contact").

As the preceding paragraph makes clear, the matrix of relations between polar bears, local communities, and the Canadian legal landscape as well as the international animal protectionist one, including designations in the global Convention on the International Trade in Endangered Species, or "CITES," registry, make any discussion of hunting polar bears in Canada not only highly complex but subject to ongoing transformation as international regulations and local eco-

6 For information on Indigenous hunting and fishing rights, see Istvanffy and Johnston.

nomic and cultural policies in Canada evolve. My goal in entering this discussion is not to prescribe, as an outsider, what "should" be, nor merely to describe, again from a position outside Canada, what appears to be, but rather to begin to think through the construction of a scholarly format through which those of us specializing in the anthropology of tourism, in transnational North American or transnational European Studies, and Animal Studies or the study of human-animal relations, might contribute to discussions going forward—for it is clear that transnational debates about human-polar bear relations are going to continue to be highly contested in the future, especially as the intensifying effects of global climate change decrease the presence of some of the bear's home ranges on sea ice (Fountain).

HUNTING POLAR BEARS

Although numbers cannot be precise, it is estimated that there are currently, at most, approximately only 30,000 polar bears worldwide, of which two-thirds reside in Canada (George). They are found in four provinces and three territories in Canada, but most of these bears are in Nunavut (*Socio-economic Importance of Polar Bears*). With its 85% Inuit population, Nunavut Territory is part of Inuit Nunangat (Dowsley 161). Beyond Canada, the rest of the world's polar bears live in the US, Russia, Denmark/Greenland, and Norway, none of which allow commercial non-Indigenous hunting.

Why focus on polar bears? For both Inuit and non-Indigenous populations, like international wildlife protection agencies, the polar bear carries immense cultural weight in addition to their economic value. As the apex predator in the Arctic, the polar bear symbolizes strength, power, and freedom. For example, the World Wildlife Federation (WWF) recently considered changing its panda logo to that of the polar bear. In 2011, the Coca-Cola company decided to change the color of its iconic red cans for the holiday season to white to draw attention to the polar bear's plight, joining with the WWF and featuring an image of a mother polar bear and her cubs. The image of a strong, brave, and innocent victim of climate change was a powerful goad to consumers beyond the Arctic who had never seen a polar bear except, perhaps, in a zoo.

For many in Indigenous communities, the polar bear has equally strong and longer-lived cultural symbolism, prominently in Inuit mythology and cosmology (Englehardt). The polar bear is then a textbook definition of a charismatic species, and as such, it facilitates international debates about its future. While Indigenous individuals can legally hunt these animals (in Alaska, in Russia, in Greenland, for example),

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

it is only in Canada that non-Indigenous trophy hunt killings are countenanced—it is the only place in the world where the notion of a culturally contiguous and subsistence hunting of these bears is transposed into capitalist commodification ("Beyond the Edge.")

The development of commercial sport hunting of polar bears is historically a government initiative to bring income-generating possibilities to native peoples (Waters et al.). The rise of this business is caught up in international legal changes, indicating the global dimensions of the trade in killing polar bears. Fifty years ago, US conservationists began to worry about the number of bears in Alaska being killed for trophy hunting. In 1972, the US added polar bears to the protections of the new Marine Mammal Protection Act (since they spend most of their time on sea ice, the bears are considered marine animals), which effectively closed out trophy hunting in Alaska. Just a year later, in 1973, the International Agreement on the Conservation of Polar Bears was signed by all five polar bear nations (the US, Canada, the then Soviet Union (now the Russian Federation), Denmark (for Greenland), and Norway. From 1973 onward, Canada claimed the right to have Inuit-led trophy hunts, while all four other signatories refused to allow trophy hunting (Waters et al.).

The Canadian government-led efforts to develop touristic trophy hunting of polar bears, despite a slow response by Inuit communities, some of whom refused (and still do) to sell their right to hunt to outsiders. Objections seem centered on whether this type of hunting was disrespectful to the bear and whether it upended the traditional moral and spiritual economy of Inuit hunting (Waters et al.). Although numbers are hard to come by, it seems that most Inuit communities do not hold such hunts or do so rarely. Communities themselves decide how many tags (i.e., permits) to sell to outsiders. A maximum of 50% of available tags can be sold to outsiders ("Polar Bears in Canada"). One interview with a Quikiqtarjuaq elder (referred to as "M.A.") in 2004 by scholar Martha Dowsley echoed this concern about respect: "In the old days you were told to only kill what we needed. I'm so against how it is now. We were told not to play with animals, now there's sport hunting and fishing derbies" (qtd. in Waters et al. 7). Historically, these "guided hunts" sold to outsiders have represented a maximum of 20% of the total "harvest" ("Polar Bears in Canada").

The total number of bears that can be legally killed each year in Canada is tightly controlled by regional commissions. These commissions, in turn, are modeled on a cooperative management mechanism that unites (at least in theory) both European-derived "science" based knowledge (for example, population counts derived from helicopter

surveillance) with historical and experiential knowledge about polar bear populations developed by Inuit elders and current hunters, who derive their sense of the health of contemporary herds based on sightings and in relation to past numbers of encounters. A massive report issued in 2019 by the Nunavik Marine Regional Wildlife Board, titled "Nunavik Inuit Knowledge and Observations of Polar Bears: Polar bears of the Davis Strait Subpopulation," and printed in both English and Inuktitut, attempted to document some of the historical knowledge from Inuit communities and the types of evidence they bring to their discussions of polar bear populations, making it more available outside the Inuit community.

Tensions between these two ways of knowing are well documented. Indigenous-oriented publications like *Nunatsiaq News* reported in 2014 that "there's still a huge gap between how Inuit and [non-Inuit] scientists want to count polar bears." However, the commitment to co-management has been there since the mid-1990s.[7] In 2018, for example, Environment Minister Joe Savikataaq in Nunavut announced the Nunavut Wildlife Management Board's recommendation of 34 bears for the season. Some groups wanted more ("Public Hearings"). Polar bear numbers are contentious, with non-Inuit scientists frequently arguing against increased quotas. "Kivaliiq hunters have frequently insisted that their on-the-land observations are more accurate than the complicated mathematical projections of wildlife researchers," says Savikataaq. At the base of these arguments are the validity of two different concepts of evidence and cultural power in decision-making. The local groups decide how many bears can be killed each year, and then, among those, how many of those "tags" will be sold to non-Indigenous, non-local hunters. (The sale of killing rights does not increase the number of polar bears killed). At present, approximately 600 tags to kill bears are available across the country.[8] Some Inuit leaders and community members feel that the number is too low to allow them to keep the bear numbers in check in their communities, posing a danger to humans. With climate change impacting bears' ability to find food, more bears are approaching human habitation.

7 Polar bears are divided for these purposes into several subpopulations, each of which is monitored, and the number of bears that can be killed in each region varies from year to year based on cooperative estimates of the population of the bears in the area.

8 The latest available hunt statistics from 2020–21 indicate a "harvest" in Canada of 475 polar bears killed through hunting, which does not include any bears killed in self-defense. See Letts.

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

A Canadian Broadcasting Corporation report in 2018 ("Inuit Community") details these clashes as it focuses on the town of Arviat, Nunavut, on the Western shore of the Hudson Bay, where local bear patrols try to protect the community of 2,500 people ("Inuit Community"). Deputy Mayor Alex Ishalook says he must keep reminding children of the danger. With up to 8 bear sightings a night, the local bear patrol and wildlife officers are on call 24 hours a day/7 days a week to deter bears that come too close to the inhabitants. The bears can only be killed if they pose an active danger to a human. However, sometimes it is too late.

Local hunter Brian Aglukark refers to some outsiders' perceptions of the bears when he says, "We don't think they are cute. They are dangerous creatures and very scary." Aglukark sadly witnessed the mauling death of local resident Aaron Gibbons as Gibbons was trying to protect his three children from a bear. Gibbons' sister, Darlene Gibbons, told CBC News that change is urgently needed: "The polar bears are being overprotected now without talking to the elders or hunters around here."

After these reports, things have gotten worse. On October 30, 2024, Alex Ishalook, chair of the Arviat Hunters and Trappers Organization and vice-chair of the Kivalliq Wildlife Board, addressed government biologists during the Nunavut Wildlife Management Board meeting, venting frustration at the harvest quotas, saying, "There's been lots and lots of encounters by polar bears—damages to cabins, close calls, people being chased […]. Our concerns are getting stronger and stronger" (Letts). He wants his Kivalliq region to return to a pre-2007 quota of 20 tags from the current allotted 14.

The complex entanglements of the role of human-driven climate change, which is forcing the bears to search for food scraps in human settlements, the role of the national government, the local efforts at community protection, and the sometimes contested nature of elders' knowledge based on their lived experiences as well as historical knowledge, are all clear in these powerful news reports. However, these contested knowledges are not widely known beyond the communities involved. As Dr. Victoria Qutuuq Buschman, the first Inuk Ph.D. in Conservation Biology, notes, "[…] the public is largely unaware of the Indigenous contexts that shape Arctic conservation, especially in the pursuit of ethical, equitable, fair, just, and meaningful conservation that supports Indigenous rights, sovereignty, and reconciliation with colonial forces laid out by nationally and internationally recognized rights and responsibilities" (Buschman). While Buschman is hopeful about Indigenous-driven conservation efforts in the cir-

cumpolar region and the widening influence of local communities in charting conservation policies, she underlines that "The colonial legacy of conservation in Indigenous homelands in the Arctic, both historically and currently, strains relationships between researchers, practitioners, and Indigenous communities ("Arctic Conservation"), just as is detailed in the reports from Arviat, Nunavut.[9] Unsurprisingly, these strained relationships, the bear-human clashes, and their deadly potential for some Indigenous communities are not featured in international hunting promotions, which focus instead on producing memorable individual experiences for the trophy hunter.

WHAT IS BEING SOLD?

A key question for cultural studies scholars of North America, as opposed to biologists and economists, is just what is being sold. The scarcity and the challenge of the experience of killing a polar bear are part of the lure.[10] Numerous hunting outfitters based in Canada

9 Writing about the discipline of conservation science, Dr. Victoria Qutuuq Buschman notes Indigenous Arctic youth's difficultie in getting involved in scientific education, including often having to leave home to pursue such education. She argues for transformed opportunities to bring youth into scientific conversations and unite Indigenous on-the-ground research with non-Indigenous research efforts. Both these initiatives could/do serve as bridges between the oppositional construct of "science" vs. "cultural knowledge," which currently seems to dominate the characterization of the regional commissions. "Conservation as a discipline and practice will continue to evolve. Strengthening the potential for ethically-conscious, culturally relevant, and fully knowledge-based conservation in the Arctic is contingent on continuing to grow space for Indigenous worldviews, knowledge, and ways of life."

10 When the US included the polar bear in the Marine Mammal Protection Act list in 1972, the commercial sport hunting of polar bears in Alaska was closed off, thus limiting such hunting to Indigenous populations. The act established, according to the National Oceanic and Atmospheric Administration, "a national policy to prevent marine mammals from declining beyond the point where they ceased to be significant elements of the ecosystem of which they are a part." Thus, American big-game hunters began to look north. A US Fish and Wildlife Service, a part of the US Department of the Interior, with its ruling in 2008, made it impossible to import the trophy from such hunts into the US. A legislative move in 2014, approved by the Obama administration, enabled hunters who had killed prior to the institution of the ban to import their trophies into the US. The Trump administration tried to relax trophy import bans as part of dismantling several other wildlife protections via executive orders. However, activists decried these attempts, and Trump eventually shelved them. See "After Legal Loss." Notably, Donald Trump Jr. was a big-game hunter. Currently, as hunting outfitters note on their websites, importing polar bear parts to the US is impossible, but they can be taxidermied and stored in Canada in case such a ban is lifted. In addition, it is possible

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

or the US offer the opportunity to kill polar bears. Among them are Quality Hunts ("Hunt Polar Bear in the Frozen Arctic"), Ameri-Cana Expeditions, Inc. ("Hunt Polar Bears in the Arctic North"), and Hunt Nation ("Nunavut Polar Bear, Grizzly Bear, Muskox, Caribou Hunting #13"). The consolidator Global Hunting Safaris ("Hunt Polar Bear") also offers polar bear hunts in Nunavut, even offering a rental rifle and ammunition, and up to 12 full hunting days or until a bear is killed. Often, these (non-Indigenous owned) companies have been in operation for decades and offer hunting "expeditions" to shoot other large wildlife species such as moose, muskox, and bighorn sheep. Stressing the unique experience that polar bear hunting provides, one company's promotional text states: "Polar bears are a unique and amazing animal. Adult polar bears can weigh over 1,500 pounds and can reach almost 10 feet in length. The largest polar bear ever recorded weighed over 2,200 pounds, and when mounted, stood 11 feet 1 inch tall. The oldest wild polar bear on record died at the age of 32. They can swim under water for up to 3 minutes. Nanook also swim extreme distances, the longest known being 220 miles. Why would you not want to harvest one of these magnificent animals?" ("The Best Polar Bear Hunt").

Killing such a "unique and amazing animal" comes with a high price tag, and these hunts are expensive propositions sold to a global elite, especially US hunters. Published figures for 2024 costs posted by outfitters run approximately $40,000 to $50,000 US (approximately $50,911.00 to $63,639.00 CA at the time of writing) for a ten-day hunt for one hunter with an Inuit guide, Inuit assistant, and dog team. The hunt ends as soon as a polar bear is killed. Rates vary somewhat by the outfitter and the location of the hunt. Tag fees paid to the local government from these fees are a small fraction of the cost, only around $2,000 US or $2,888.62 CA.

Part of what is being sold, if only obliquely, is an Inuit cultural experience for outsiders. When the Canadian government approved the sale of hunts to outsiders, it was on the basis that those hunts be conducted in "a traditional manner," for example, only using dog sleds, even though many contemporary Inuit hunters use snowmobiles. Some communities had to relearn how to use dogs since mechanized transport largely replaced them. Some imagined "traditional" past is part of this

to import them into other countries. The issue of illegal importation remains to be investigated, especially given the length of the US-Canadian border and the number of crossing points available. When US hunters pulled away from Canada because they could not import trophies of their shoot, non-US hunters swiftly filled the gap, especially hunters from the EU.

sale, ignoring the complicated, ongoing negotiation of the interface between rural Inuit and non-Inuit/international communities that is at play in contemporary Indigenous communities. For example, many Inuit of all genders are engaged in land-based economic activities, such as hunting and fishing, in addition to market-based capitalism. This feature is masked in the presentations of hunting trips (Arriagada and Bleakney).

One large outfitter of big game hunts, Canada North Outfitting (www.canadanorthoutfitting.com), is now celebrating its fortieth anniversary and claims to be the oldest, largest, and most reputable outfitter operating in the Canadian Arctic. Its website underwent a dramatic overhaul between 2018 and 2022, with a new substantial emphasis on Inuit cultural traditions and Inuit employees/guides, although these individuals are not named. Earlier website versions featured old, undated black-and-white photos of Inuit cultural practices, not contemporary life, subtly de-contemporizing the communities. The new website emphasizes the privilege the company feels in being able to partner with Inuit communities year-round, not just in hiring guides for hunting but in providing monetary and material support for a whole range of cultural events. The company supports children's daycare centers, events for senior citizens, local Inuit ice hockey teams, a drum dance festival, and a traditional throat-singing group. A promotional video narrated by CEO Shane Black, who does not identify as a member of an Indigenous community, shows these activities, accompanied by still photos on the website.

Also new since 2018 is the company's expansion from the hunting business only to now include some "adventure tourism," so they can offer guided treks by Inuit guides to visitors who do not come to hunt. The company is currently offering a training program to assist Inuit guides in transitioning from hunting to adventure ecotourism. However, this is a small part of the overall business.

Many of these companies also stress the fact that polar bears are not endangered (they are listed as "vulnerable populations," not "endangered species") and that (some) bear populations are slowly growing, not declining, due to strict government conservation rules. The hunting company sites I examined rarely, if ever, mention the important impact of climate change, shrinking sea ice, and pollutant contaminants that are currently threatening certain polar bear populations, which scientists forecast can have significant negative effects in the future (Routti et al.). Despite the respectful language appreciating Indigenous hunting skills and the photos of contemporary Indigenous individuals, including smiling children and adults at company-

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

sponsored cultural events, the emphasis remains on uncomplicated notions of tradition and cultural continuity. The inclusion of a "Photo Archive" in black and white on the Canada North Outfitting website, featuring photos of Inuit kayakers in skin-covered boats and hunters, reinforces this notion of unbroken tradition. From these sites, the casual viewer with little knowledge of Canada (which one may assume would be the case for most international customers) would be unlikely to learn much about the contemporary complexity of Indigenous community life in Canada or the extreme economic need that some of these communities experience, or even the fact that without the presence of an Indigenous guide, such hunting is illegal for outsiders.

The hunts depend on and pay for Inuit expert knowledge of where to find the bears and how to get in a position to kill them. The website salutes this knowledge: "Hunting is at the very core of Inuit culture. Comprehensive knowledge of local wildlife and survival techniques combined with incredible patience, tracking skills, physical and mental strength, stamina, and courage required to become an effective hunter provider are fundamental values in traditional Inuit culture, still passed down from generation to generation." These decidedly manly values were complemented in a 2018 website version, which noted that women contribute by sewing warm clothing for the hunt.

Reports vary on whether the income from such hunts, split with hunting outfitters, makes a key difference to communities or the individuals involved. Indeed, hunting sales are not solving the problem of high poverty and food insecurity in Inuit communities. Estimates vary, but the International Fund for Animal Welfare (IFAW, an International NGO) argues that the estimated value of trophy hunting is a mere one-tenth of one percent of Nunavut's GDP (as of 2008). While wages certainly can make a big difference to those employed as spotters and guides, these are relatively few individuals, and their profits are shared with companies. The meat from the polar bear does come back to the community, though (the trophy hunters have no need for it), and some have argued that the income is used to finance cultural maintenance activities by community members, including hunting for "country foods" (Dowsley; Waters et al.).

The latest reports (2018) peg the number of tags for polar bears in total from Indigenous or sport hunts at around 500 a year, although not all of these are used, and the number killed is probably less.[11] Still,

11 The skins are also a valuable source of income, and Canada exports around 300–350 skins a year. Depending on size, a polar bear rug on the legal market can obtain between $16 K and $35 K (Canadian). See Weber.

this is not an insignificant number of the estimated 20,000 polar bears in Canada. However, beyond these economic issues, polar bear hunting could be seen as both successful ecotourism and "conservation hunting" (Dowsley 162). Hunting by outsiders is closely monitored and is dependent upon, as anthropologist Dowsley puts it: "Inuit themselves . . . struggling to develop the industry in a culturally appropriate way. . . there is a strong cultural interest in engaging in subsistence harvesting and traditional methods of distribution and consumption of wildlife products" (166). However, the largest commercial outfitters take most of the business, and these appear to be owned by Euro-Canadians or Euro-Americans, based on their websites, not by the Indigenous hunters employed by those outfitters, both for their knowledge and to meet legal hunting requirements. Indeed, with language implying that smaller outfitters are not as reliable, these operations can subtly promote a perception of Indigenous businesses as unreliable.

With all these hunting complications, cultural tourism as opposed to sport hunting tourism might seem to offer an alternative, as with the polar bear viewing tourist industry in Churchill, Manitoba, and some Indigenous leaders like Inuit activist Aaju Peter, who calls tourism "the most sustainable path for the Arctic," are in support of this. However, the Canadian government, which underwrites a great deal of the Inuit economy, has yet to put substantial money into building the tourist infrastructure, like museums, transport, hotels, and so on, that might expand that sector in these more remote communities. By contrast, hunters usually arrive singly or in small groups and spend little time in town, needing little food and lodging since they camp outside on the hunt, thus contributing little to these tourism sectors as well (A. Kim). This vision of various modes of generating income reveals the ongoing roles of the nation state in fostering or inhibiting various ways the Inuit have to make a sustainable living out of the access to the land and its inhabitants that treaties have granted them.

The tensions of privatization in a communally oriented community, along with "worries over the response of sentient bears to perceived mistreatments" in a cosmological and socio-economic Inuit system that regards both bears and humans as active participants, cause ongoing tensions (Dowsley 168). Quotas can be seen by Inuit hunters as disrespectful to the bears, predicting death, negotiating it, and as polar bears are considered especially intelligent and having the ability to hear people's words and even thoughts, there can be a worry that the bears will retaliate, moving away or removing themselves from the hunt (169–170).

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

Statistics[12] underline how many non-urban Inuit communities struggle with issues of poverty, lack of access to education, legacies of residential schools, and food insecurity. Killing a polar bear can address some of these key issues, bringing in dollars, providing food, and helping to cement a sense of community belonging, as the meat is traditionally shared among the whole community, not just with the hunter's family, with provisions made for the most vulnerable, such as the elderly and single mothers. However, how does this commodification interrupt the language of spiritual closeness that some indigenous hunters use to describe their relations to the land and animals? That many Indigenous communities have rejected the option to sell their rights to kill bears may indicate a resistance to the notion. Does the structure of the hunting experience somehow lead the non-Indigenous hunter to embrace, or at least encounter, this spiritual sense of closeness?

It should be noted that in these hunts, the presence of and guidance by Indigenous hunters is a legal requirement. Indigenous skill in knowing where to find the bears at different times of the year and tracking them is crucial to the entire enterprise and a legal requirement. The guide positions the hunter for the kill shot. The only thing the non-Indigenous hunter has to do is endure the cold, pay attention, and be able to fire a high-powered rifle through a scope accurately. This piercing bullet (or occasionally high-powered bow) concentrates the masculine moment of white pleasure in the penetrating bullet's kill. It is hard not to find echoes of the so-called "Great White Hunter" of European imperialists in nineteenth-century colonized African countries. The physical challenges of heat and terrain to "bag" an elephant are similar to the extremely demanding remote landscapes where polar bears are found, both inaccessible without the expert knowledge of local guides who do not shoot the animal themselves. Numerous website photos document the (mainly white) hunters' successes, each with a solo hunter posed with a gun or high-powered bow and arrows behind the massive slain body of a polar bear, white fur against a white snow landscape, sometimes punctuated with blood red marks of the kill. The crucial role of the Indigenous guides, who make it all possible both legally and literally through their skills and knowledge, is invisible in these virtual trophies.

These particular colonial critiques do not seem central to the reported Indigenous debates about polar bear hunting that I have been able

12 Figures supplied by the National Inuit Strategy on Research.

to access.[13] Instead, these debates concentrate on the notion of a sustainable harvest and the tensions between Indigenous counts of polar bear populations (based on sightings and comparisons in elders' memories) and those of the Canadian government, enmeshed in the high-tech scientism of aerial counts. Although the present Indigenous harvest of polar bears is at a mean annual sustainable harvest level of approximately 3.5% of the Canadian polar bear population ("Polar Bears in Canada"), International (non-Indigenous) activists have seized upon this sport hunting to criticize Indigenous hunters selling of their tags or the right to hunt. Moreover, not surprisingly, online commentary can easily turn to racist tropes denigrating members of Indigenous groups, like these comments posted on CNN.com: "Inuit' just use the money to buy booze anyway[…]" and "Natives in Canada survive by collecting welfare checqs (sic) from the Feds" (qtd. in Young). However, others push back, noting that the number of bears killed in this sale is tiny compared to the billions of animals raised for food, often in horrific conditions and slaughtered worldwide each year. These commentators see the Indigenous hunters as unfairly singled out. Others, in turn, note that farm animals like chickens are not endangered and that not killing polar bears is an easy step to take.

In the end, it is the charismatic status of the polar bear and its centrality to both animal protection groups and to Indigenous communities that fuels these debates, pitting European-derived "science" against Indigenous modes of knowledge to estimate the health of polar bear populations.

Of course, "tradition" does not guarantee humane treatment for humans or animals. Not only do notions of what counts as traditional change over time in variable historical contexts and across communities (Hobsbawm and Ranger), but so do notions of what constitutes humane treatment. Each of these concepts varies across communities as well. However, the sale of the right to kill positions the polar bear as a material resource to be mined rather than as a part

13 Currently, these critiques are not as widely circulating as previous (non-Indigenous) activist critiques of a different type of commercial hunting in Canada, the seal hunts, which received widespread condemnation from many international animal welfare groups. Although they made clear they were not criticizing the harvesting rights granted to Indigenous communities, the impact of the campaigns drastically lowered the international market for seal pelts, and that also had an impact on Indigenous hunters' ability to sell those skins. See Randhawa; see also Nadasdy, detailing Aboriginal-state relations in northern Canada, who argues that state power emerges explicitly in struggles over the notions of "knowledge," including knowledge of the animals' land; see also TallBear.

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

of a complex web of relations between humans and the more-than-human world, and that perhaps is where the deepest divisions come in. When the right to kill is commodified and transferred to an outsider, that web of relations becomes redefined. In this extraction, the polar bear becomes, at least for some consumers, a commodity fetish in a global economic and symbolic capital system.

At the same time, for many Inuit, it seems that a different notion of relations encompasses this commodification. As anthropologist George Wenzel suggests, "subsistence" hunting is not simply about killing an animal in order to eat (Wenzel). It positions hunting as a means to sustain a community through complex webs of economic and cultural relations based on long-standing values of sharing and reciprocity.

HUMAN AND MORE-THAN-HUMAN FUTURES

The sale of the right to kill polar bears to non-Indigenous outsiders may seem like a simple, straightforward economic transaction. Nevertheless, its meanings, contentious as they are, are produced at the intersection of discourses of sustainability, conservation, cultural identity and rights of self-determination, international sports tourism, national and international law, international animal protection NGOs, Indigenous cosmologies and epistemologies, colonial legacies, and ethology. Given the growing urgency of anthropocentric climate change, which threatens polar bears' futures in the warming Arctic, these debates will likely only intensify in the future.

In these analyses and the development of policies for the future, Indigenous conceptions of the Anthropocene are key—as the debates charted throughout this paper have made clear and as works by Indigenous scholars such as Kim TallBear (Sisseton-Wahpeton Oyate enrolled member, South Dakota), Zoe Todd (Metis), and Kyle Whyte (Potawatomi) have argued. Todd, for example, notes that "Not all humans are equally implicated in the forces that created the disasters driving contemporary human-environmental crises," nor are they "equally invited into the conceptual spaces where these disasters are theorized or responses to disaster formulated" ("Art in the Anthropocene" 244).

Beyond this assigning of cause and effects, Whyte argues for a recognition of what he provisionally terms "Indigenous climate studies," developed by Indigenous scholars, knowledge bearers, allies, and scientists (153) that position anthropogenic climate change as part of continuing colonial impacts which in the past have disrupted locales, land usage, knowledge, and epistemologies of relations among humans, ecosystems and spiritual beings.

He notes, too, that climate changes differentially impact Indigenous populations, affecting them earlier and more severely than other populations (154). Indigenous communities, he says, will formulate their own visions of futures based on experiences of navigating numerous periods of environmental change and displacement. In this way, he echoes the arguments of Inuk conservation biologist Victoria Qutuuq Buschman, quoted earlier, who sketches a vision of circum-polar conservation in which Indigenous communities not only participate in nation-state and international-organization-driven efforts but often lead in defining policies for their regions.

For those of us analyzing the roles of borders in defining the contemporary movement of goods, people, ideas, cultural practices, services, and animals or animal bodies across national borders, and the relationship of that mobility to economics, the nation-state, and Indigenous rights, the case of the "right to kill" polar bears reveals how complex such movement is. By anchoring our analyses not only in the action s of humans but also in broader conceptions of the more than human world, in—as Zoe Todd has written in another context—the central role of humans and animals, together, as active agents in political and colonial processes ("Fish Pluralities" 217), we come to see that geopolitical configurations often lean on the non-human as well as the human spheres.

Future affordances of human rights and social justice must also consider the protection of animals and the challenges of defining what "justice" for non-human animals might be. Indeed, such case studies can help us, as both Indigenous and non-Indigenous scholars engaged with the "more-than-human-worlds," have stated, to foreground the challenges of articulating routes to furthering "justice" across borders. These include the borders of the human and more than human, the borders of the state(s) between Canada and the US, Indigenous nations and communities, and the imagined futures of equity in a shared world defined by climate change.

Articulating and reconciling what these notions of "justice" might consist of regarding practices and policies will not be easy, as they may involve a contestation of variable ontologies and epistemologies about the more-than-human. As Indigenous scholar Kim TallBear reminds us, Indigenous beliefs about the world, including what non-Indigenous scholars often now term the "more-than-human-world," should not, following the work of anthropologist Paul Nadasdy, be delimited simply as "beliefs" about the world but acknowledged as "knowledge" about the world. "Like our methodological choices," TallBear writes," language choices are ethical choices and are key in this

project of constituting democratic relations and worlds." In the case of polar bear hunting rights, the sale of these rights to non-Indigenous, non-Canadian, predominantly US hunters, and the transnational economies of knowledge, value, and bodies that ensue in still-shifting legal terrains, the future remains to be written. The impacts of those political debates will surely affect not only the human communities involved but also their "more-than-human" communities, kin, or conceptions in this ongoing, very complex, and contested realm.

Abstract: This article considers a specific, highly complex, and contentious case study, the uniquely Canadian phenomenon of the sale of hunting rights by First Nations Canadians to non-Indigenous, non-Canadian trophy hunters who want to hunt polar bears in Canada. These hunters, largely of European ancestry, come mainly from the United States and, more recently, from Western Europe as well. Ultimately, this analysis demonstrates both the necessity and the utility of anchoring transnational analyses in a more-than-human world because access to and protection of living non-human beings plays a crucial role in defining nations and communities. The essay addresses questions such as "What can we understand about the role of the Canadian state, the national government, the US-Canadian border, the philosophical constitution of a more-than-human world in both Indigenous and European-derived epistemologies, and the politics of Indigeneity in the international marketplace, through this one case study focused on human-animal relations?"

Keywords: Indigenous rights, hunting, polar bears, trophy hunting, Canada, Canada-US Border

Bio: Jane Desmond, past IASA President, is a Professor in Anthropology and Gender and Women's Studies and Co-founder and current Director of the International Forum for US Studies, a center for the Transnational Study of the United States. She also holds appointments in the Unit for Criticism and Interpretive Theory, the Center for Global Studies, and the College of Veterinary Medicine. She is the author or editor of five books, including the 2016 monograph *Displaying Death and Animating Life: Human-Animal Relations in Art, Science and Everyday Life* (University of Chicago Press). Her primary areas of interest focus on issues of embodiment, display, and social identity, as well as the transnational dimensions of US Studies. Her areas of expertise include performance studies, critical theory, visual culture (including museum studies and tourism studies), the critical analysis of the US from a global perspective, and, most recently, the political economy of human/animal relations. She has previously worked as a professional modern dancer and choreographer, in film, video, and the academy. She is the Founding Resident Director of the international Summer Institute in Animal Studies at UIUC and the "Animal Lives" Book Series at the University of Chicago Press. In addition to academic publications, she has written for a number of public publications such as CNN.com, *The Washington Post*.com, and the *Huffington Post*, and her creative work has appeared on PBS and at numerous film festivals.

Jane Desmond
University of Illinois
at Urbana-Champaign, USA

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University of Illinois
at Urbana-Champaign, USA

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Jane Desmond
University of Illinois
at Urbana-Champaign, USA

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ON AMENDING THE 1916 MIGRATORY BIRDS CONVENTION
Indigenous Reflections and Priorities

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science, University of Waterloo, Canada
https://orcid.org/0000-0003-0875-1792

PREFACE

It is a Saturday afternoon, and Philip Awashish and I are discussing the role of law in Canadian society and its relationship to Eeyou's activism and advocacy. The key, he explains, is to understand that the Eeyou do not expect Canadian laws to be able to represent what is important or inherently Eeyou. He tells me, "The right to hunt and fish is far more than the pursuit of fish and game […] it involves related activities, which are associated with the cultural and spiritual core from an Eeyou perspective. Too often, we are limited to having our rights described by Canadian law, but Aboriginal rights need to be defined by taking into consideration Aboriginal perspectives. That is what we are trying to do in these negotiations; we are not just concerned with the actual pursuit of hunting geese, for example, but rather there are other related matters, including spiritual matters that are associated with the annual spring hunt and the first kill, as I outlined in the report. These are cultural and spiritual matters and no Canadian law can genuinely represent these." That is, the Eeyou are guided by "miiyoupimaatsiiwin," or the-interconnectedness and interdependence of life and the need for spiritual, psychological, societal, and physical balance. Cree's and First Nations' life-giving and world- and life-defining relations to lands and animals, the means by which their communities continue to exist and survive, extend from the lands they govern across the borders and boundaries of nation states far from their territorial homes. These relations continually implicate them in national and international relations and border problems, which are not widely recognized.

In the essay below, Philip shares his experience in a momentous engagement, negotiating an amendment to an international treaty between the United States and Canada that involved the boundary breaches of migratory birds and had affected migratory birds-Indigenous Peoples relations for nearly a century. In it, he explains the perspective of an Indigenous negotiator whose aim was to ensure proper representation and the restitution of the inherent rights and claims of Indigenous Peoples in a settler colonial context. He indicates how it took repeated, diverse, and multi-decade Indigenous initiatives to reconcile the breaches created by the Migratory Birds Convention. Indigenous initiatives included treaty-making, negotiating a commitment by the Canadian Government to renegotiate the international treaty with the US, initiating specific constitutional changes, securing Indigenous representation on the Canadian negotiating team for Canada-US treaty negotiations, and providing effective inputs to necessary modifications in the modified international treaty and protocol. They negotiated inter-governmental jurisdictional conflicts, environmental and wildlife conservation groups' opposition, commercial interests, legal impediments, and legislative reluctance. Philip explains how Indigenous leadership resolved these boundary issues that affected Indigenous lives, communities, rights, and their relations with migratory birds and how they affirmed a future for their ways of life.

This essay draws from, updates, and revises the report Philip Awashish wrote in October 2000, entitled "Amending the 1916 Migratory Birds Convention," to inform the Cree (Eeyou Istchee) leadership of these achievements. He and two other Aboriginal intervenors had been appointed negotiators by the Canadian Government. This contribution is unique because it documents the process of these negotiations from an Indigenous perspective (for which we could find no other published source).[1] Philip Awashish is an Eeyou (James Bay Cree) elder, political leader, and negotiator. When in 1971 he read that the Quebec Government was planning to build a new hydro-

1 Among the works we located on the negotiations process was a short overview by Wagner and Thompson (1993), found in a publication of the Canadian Arctic Resource Committee; a working paper by Gastle (2002) which described Indigenous peoples' participation and engagement in negotiating international affairs and which cites (and partly relies on) Philip's unpublished report on the negotiations; a dissertation by Julliet (2000) which carefully documents the negotiations process from a public policy perspective; and an article co-authored by Anjali Choksi and Cree legal counsel Peter Hutchins (Hutchins and Choksi 2002). Although each piece refers to or acknowledges the participation of Indigenous negotiations, none begins from Indigenous positionality nor primarily adopts the perspective of the Indigenous negotiators, as this article does.

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

electric project on Eeyou Istchee, in anticipation of their exclusion from the planning process, he called together the first-ever meeting of James Bay Cree leaders from across their territory, both to make everyone aware of these plans and begin to organize and mount an effective campaign to have a seat at the table. He would soon become one of the key negotiators, principally responsible for negotiating around key issues such as governance, environmental protection, hunting, fishing, trapping rights, and security for hunters and trappers. Philip was one of the ten Eeyou signatories of the 1975 James Bay and Northern Quebec Agreement (JBNQA), Signing for the Grand Council of the Crees (Eeyou Istchee), also signed by the Northern Quebec Inuit Association, the Government of Canada, the Government of Quebec, Hydro-Quebec (an integrated public electricity utility), the James Bay Energy Corporation and the James Bay Development Corporation. Among his leadership roles since that period, he served as the Executive Chief and Vice-Chairman, respectively, of the Grand Council of the Crees (Eeyou Istchee) and the Cree Regional Authority (now the Cree Nation Government) and as Chief and Councilor of the Cree Nation of Mistissini. He remains active as a Commissioner on the Cree-Naskapi Commission, to which he was appointed by the Government of Canada pursuant to the recommendations of the Cree Nation Government and the Naskapi Nation of Quebec. The Commission "is an independent, arms-length body responsible for investigating representations submitted to it concerning the implementation of" Cree government institutions and the obligations of other governments to Cree (Cree-Naskapi Commission). As Philip himself writes:

> For Eeyou of Eeyou Istchee, the treaty process was the path chosen to commence the process of nation-building, secure recognition, protection, and continuity of Eeyou rights such as hunting and fishing, and self-governance, use and protection of Eeyou Istchee and redefine relationships with Canada and Quebec. Before the 1975 JBNQA was signed, ratified, and put into effect and force, for centuries, Canada and Quebec had engaged in a continuous and acrimonious exercise and process of the denial of the rights of Eeyou to their ancestral, historical, and traditional land—an area covering 410,000 square miles [that is, a land mass that is greater than the entire province of Ontario]… The history of Eeyou's relations with other governments and nations can be summarized as a legacy of conflicts over land, natural resources, and the exercise of power. Prior to 1975, it is a legacy of the exclusion of Eeyou in the exercise of power, development of natural resources, and denial of Eeyou rights to their homeland- Eeyou Istchee (Awashish,

"Worldviews, Values and The James Bay and Northern Quebec Agreement," March 31, 2022, unpublished paper).

While the process leading to an Indigenous-led modification of the Migratory Birds Convention had many unique features, the process and the partial but significant reconciliation it achieved have implications for Indigenous, Canadian, and international entities today. Indigenous Peoples, governments, and developers are each seeking to shape the expanding numbers of international development projects and infrastructure projects that serve international corporations and consumers from lands that Indigenous Peoples govern as foundations of their increasingly diverse futures.

THE SPRING GOOSE HUNT

Every 'NISKIPISUM' ("month of the Goose," i.e., April) is a sacred and moving occasion for the Eeyouch/Eenouch when the light and warmth of the sun renews the face of Eeyou Istchee. It is the season for renewing life as Eeyou Istchee continues to nourish men and animals through the providence of the Creator when the 'NESK' (Canada goose) returns north to Eeyou Istchee of the Cree Nations.

In the Cree villages, there is much excitement in the air. With cheerful hearts and great anticipation, men and women prepare for the spring goose hunt. The children are excited, too, as they watch the preparations for this annual traditional activity. The young boys wonder if this will be the season they will kill their first goose.

When a young boy kills his first goose, there is much happiness and festivity in the bush camp, which brings together three to five families. The young boy is initiated as a young hunter into a life profoundly based on love and respect for the land and its wildlife.

For the feast in which all camp members will participate, the whole goose is cooked along with other geese. The head of the goose is decorated with beads and ribbon ornaments for the young hunter to keep for the rest of his life; it is a reminder of the "gift" from his first kill. Before the goose is eaten, a piece of goose is thrown into the fire by an elderly person to thank the southerly winds for bringing their "gift" and to honor the Creator so that the days of Eeyou may be long upon Eeyou Istchee.

In itself, the feast expresses the central role of sharing in Eeyou culture and society. As the geese have shared themselves by binding themselves to hunters, people must share the harvest with each other. In this way, the young hunter learns that the unique relationship,

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

not only between persons but also between men and animals, is one of reciprocity. As the young hunter practices the customs and rituals of respecting geese, he develops a relationship of love and respect for the land and animals, and thus, he unites the cultural and natural domains of humans and animals. This relationship between men and animals gives the Cree people a sense of belonging in nature and, just as importantly, a sense of their place in nature.

Subsistence and harvesting activities, along with their associated rituals and customs, provide the Eeyouch/Eenouch with a perception of themselves as a distinct continuing society and affirm their continuity with the past and their unity with the natural world. While hunting geese and other migratory birds is very important for subsistence, the harvesting and associated activities and ceremonies are essential for the cultural and spiritual well-being of Eeyouch/Eenouch of Eeyou Istchee.

In 1916, Great Britain (on behalf of Canada) and the United States of America (USA) signed the Migratory Birds Convention (MBC), which formed the international conservation agreement or treaty that provided the basis for managing and hunting birds migrating between Canada and the USA. Article II of the Convention provided for a close season for the hunting of migratory birds between March 10 and September 1 of each year. In 1917, the Government of Canada enacted the Migratory Birds Convention Act to give legislative effect to the MBC. Federal legislation established and enforced the close season, which meant that what was an important, if not essential, spring hunt of migratory birds to the Indigenous Peoples was considered illegal by the Government of Canada. Notwithstanding the close season, Eeyouch/Enouch and other First Nations Peoples harvested migratory birds, which led to many hunters getting charged simply for participating in the spring hunt of migratory birds—a right and tradition exercised by past and present generations of Eeyou/Eenou hunters and their families in the pursuit and conduct of their traditional way of life.

THE JAMES BAY AND NORTHERN QUEBEC AGREEMENT, 1975

The Eeyouch/Eenouch of Eeyou Istchee are beneficiaries of the James Bay and Northern Quebec Agreement (JBNQA), which is an out-of-court settlement as well as a treaty that was signed after a long and arduous battle to halt the first phase of the James Bay hydroelectric development project of Quebec within Eeyou Istchee in the early 1970s. Signed in 1975, the JBNQA is a comprehensive

and detailed Cree rights charter approved, given effect to, and declared valid by Acts of the Parliament of Canada and the National Assembly of Quebec.

Because hunting, fishing, and trapping are essential to the Cree traditional way of life, the protection of this way of life through the recognition of precise hunting, fishing, and trapping rights for Crees and the establishment of a new legal regime for the exercise of these rights within Cree traditional territories formed a fundamental purpose of the JBNQA and legislation under that Agreement. Furthermore, the environmental and social protection regime established by, and in accordance with, Section 22 of the JBNQA provides for the protection of the rights and guarantees of the Eeyouch/Eenouch of Eeyou Istchee.

During the negotiations that led to the signing of the JBNQA, the Eeyouch/Eenouch of Eeyou Istchee raised awareness of the close spring season on migratory birds. At the time, the Government of Canada took the position that it was bound to its international obligations under the 1916 Migratory Birds Convention and that Indigenous Peoples were subject to the laws and regulations on hunting migratory birds, including the Migratory Birds Convention Act and the Migratory Birds Regulations.

Following the coming into force of the JBNQA, further discussions between Canada and the Crees of Eeyou Istchee identified the provisions of the Migratory Birds Convention Act and its Regulations, which conflicted with the new Hunting, Fishing and Trapping Regime of the Agreement. The joint Indigenous-Federal-Provincial Hunting, Fishing and Trapping Coordinating Committee, established by the Agreement, also submitted a series of proposed amendments to the regulations to the Government of Canada. The result of Cree efforts, which were not entirely satisfactory, was the inclusion in the Federal Regulations of a non-derogation provision, which provided that nothing in the Regulations would be interpreted or applied in a manner inconsistent with the provisions of the JBNQA.

There were several objections to the Government's approach. For example, the Eeyouch/Eenouch of Eeyou Istchee objected that Article II of the 1916 Migratory Birds Convention provides for a close season on hunting migratory birds. They did not recognize the application of Article II of the Convention, as it prohibited an essential and traditional hunt. The Eeyouch/Eenouch of Eeyou Istchee, therefore, also did not recognize the application of the Migratory Birds Convention Act and the Federal Migratory Birds Regulations issued to implement the Act, as this statute and its regulations implemented the provi-

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

sions of the Convention. The position of the Eeyouch/Eenouch was stipulated in sub-section 24.14.6 of Section 24 of the JBNQA, which established that the Eeyouch/Eenouch had secured their Aboriginal rights to hunt migratory birds. Section 24 of the JBNQA provides for the right of every Native person to hunt, fish, and trap any species of wild fauna (including migratory birds) at all times of the year.

Therefore, under Section 24 of the JBNQA subsections 24.14.2 and 24.14.3, the Government of Canada had important undertakings and obligations to amend the Migratory Birds Convention Act and the Federal Migratory Birds Regulations in order to recognize the Eeyouch/Eenouch's right to harvest migratory birds to the extent possible under the Convention and, more importantly, to seek amendments to the 1916 Migratory Birds Convention or the application of the Convention in and to the Cree territories to eliminate all conflicts with the Hunting, Fishing and Trapping Regime established by and in accordance with Section 24 of the JBNQA.

1979 PROTOCOL AMENDING THE 1916 CONVENTION ON THE PROTECTION OF MIGRATORY BIRDS

On January 30, 1979, the Governments of Canada and the United States of America signed the Protocol Amending the Convention of August 16, 1916, for the Protection of Migratory Birds in Canada and the United States of America, acknowledging the right of each party to dispense with the close season provided in the Convention as it applied to Indigenous Peoples. The Protocol was not submitted to the United States Senate for ratification due to the influence of intense lobbying by interest groups. The Protocol, which did not come into force, reads in part as follows:

> Notwithstanding any other provision of this Convention, the High Contracting Powers may, without prejudice to those rights accorded to Indians by sub-paragraph 1 of the first paragraph of this Article and to Eskimos and Indians by sub-paragraph 3 of the said first paragraph, authorize by statute, regulation, or decree the taking of migratory birds and the collection of their eggs by the indigenous inhabitants of the State of Alaska and the Indians and Inuit of Canada for their own nutritional and other essential needs (as determined by the competent authority of each High Contracting Power), during any period of the year in accordance with seasons established by the competent authority of each High Contracting Power respectively, so as to provide for the preservation and maintenance of stocks of migratory birds. (1)

Interest groups opposing the Protocol of 1979 felt that an Aboriginal hunt of migratory birds in Canada and a subsistence hunt in Alaska would pose a conservation threat, as its size would be unknown and the ability of governments to regulate the hunt was minimal.

Although the scale of the Alaskan hunt had mostly been documented, the Canadian aboriginal harvest remained a focus for concern within the United States hunting community. In Canada, harvest information is gathered and documented in areas of completed comprehensive land claims. Harvest documentation and regulation are generally part of pending claims agreements. Through claims agreements, "co-management" blends government jurisdiction and aboriginal practices into effective conservation regimes. At the time, Foreign Affairs and International Trade Canada and the United States State Department expressed ease with developing a common document between the Canadian Wildlife Service and the US Fish and Wildlife Service as a precursor to the formal negotiations respecting amendments to the 1916 Migratory Birds Convention. The successful negotiation of the proposed changes required the full support of the provinces and territories and Indigenous groups in Canada, as well as the concurrence of the US Fish and Wildlife Service and the US State Department. At the time, one question remained: Should Canada be unable to secure the agreement with the US, would unilateral domestic legislation be contemplated to accommodate aboriginal hunting of migratory birds within Canada? This was not an entirely meaningful option, given that it ignored the international nature of bird migration and nearly a century of cross-border cooperation with the US.

THE NORTH AMERICAN WATERFOWL MANAGEMENT PLAN, 1986

In May of 1986, the Governments of Canada and the United States of America signed the North American Waterfowl Management Plan, which put in place an ambitious 15-year program to achieve a net gain in wetlands and associated upland habitat for waterfowl across the continent. The management plan clearly acknowledged that the destruction and degradation of waterfowl habitat, *not* hunting, was the key threat to waterfowl species. In fact, the Waterfowl Management Plan estimated the total subsistence harvest of ducks and geese to be 5–7% of the total continental harvest, indicating that the aboriginal subsistence hunt would have only a minor impact on waterfowl populations. The Waterfowl Management Plan also clearly differentiated between "recreational hunting" and "subsistence hunting" both in its principles and in its recommendations. Fur-

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

thermore, as significant changes had occurred in the management of North American waterfowl since the time of the 1916 Migratory Birds Convention, the Waterfowl Management Plan referred to efforts to amend the Convention with respect to both the subsistence hunt and the appropriateness of the cooperative involvement of subsistence hunters in the process.

CONSTITUTION ACT 1982

Section 35 of the Constitution Act 1982 provides that "the existing aboriginal and treaty rights of the Aboriginal Peoples of Canada are hereby recognized and affirmed," thus giving constitutional recognition to Aboriginal and treaty rights and protecting them from legislative attack. Aboriginal rights are rights held by Aboriginal Peoples, not by virtue of Crown grant, legislation, or treaty, but by the fact that Aboriginal Peoples are independent, self-governing peoples in possession of lands now making up Canada. Section 35 of the Constitution Act 1982 explicitly includes rights acquired under modern land claims agreements in its protected treaty rights. The JBNQA, as a modern land claims agreement, acquired constitutional status and protection accordingly, and, amongst other rights, the right of the Eeyouch/Eenouch to hunt, fish, and trap under the JBNQA is "recognized and affirmed" by the supreme law of Canada. Furthermore, the Courts had also clearly identified the right to hunt and fish for food as a right included in Section 35 of the Constitution Act, 1982. In addition, the Courts held that Aboriginal and treaty rights overrode the Migratory Birds Convention Act and its regulations. Consequently, the prohibition of waterfowl hunting during the close season provided for by the Migratory Birds Convention Act under the 1916 Migratory Birds Convention clearly violated the Aboriginal and treaty rights of the Eeyouch/Eenouch of Eeyou Istchee, as well as other Aboriginal Peoples of Canada.

The entry into force of Section 35 of the Constitution Act 1982 prevented Canada from implementing any international treaty without considering the Aboriginal and treaty rights of the Aboriginal Peoples of Canada. This limit on Canada's ability to implement the 1916 Migratory Birds Convention constituted a fundamental change in the circumstances, radically different from those prevailing when Canada first expressed its consent to be bound by the Convention. (Canada is also bound by treaty obligations to amend the Convention to eliminate any conflicts or incompatibilities with treaty rights).

PROCESS AND PROGRESS ON AMENDMENTS TO THE 1916 MIGRATORY BIRDS CONVENTION

Acknowledging the difficulties created by the 1916 Migratory Birds Convention (MBC) for Eeyou hunters, the Government of Canada agreed in the JBNQA to obtain a modification or amendment to the Convention.[2] In 1979, the Government of Canada and the United States of America had reached a tentative agreement on an amendment to the MBC that would have allowed regulated subsistence spring hunting of migratory birds by Alaskan residents, Indians, and Inuit in Canada, as mentioned above. However, this proposal, or the Protocol of 1979, failed to receive the political support required for ratification. The most commonly expressed objection to the Protocol as written was that it was too vague concerning the means to be used to implement its terms. In response to this problem, the Canadian Wildlife Service and the United States Fish and Wildlife Service jointly prepared a discussion paper regarding Protocol implementation and distributed it for discussion in 1985. The discussion paper was prepared without the direct participation of the representatives of the First Nations of Canada. Members of the wildlife management community gave the paper considerable attention, but for various reasons, it was never formally accepted or rejected.

In 1987, the International Association of Fish and Wildlife Agencies (IAFWA), an international association with membership from the Canadian and Provincial departments, the US government, State departments, and interested organizations in the conservation and management of wildlife species within North America, considered these issues. The IAFWA urged Canada and the United States of America to enter into negotiations that would provide for comprehensive solutions to all outstanding issues, including, for example, the delineation of peoples who would qualify as subsistence hunters, the geographic areas that would be open to subsistence hunting, and the mechanisms for regulation, enforcement, and monitoring.

In 1988, the Canadian federal and provincial wildlife ministers considered similar issues related to the Protocol without the direct participation of any First Nations or Aboriginal representatives from Canada. The ministers involved instructed their representatives to develop an MBC amendment for northern regions that would ensure the conservation of migratory birds, allow for regional flexibility

2 An identical commitment is found in the 1984 Inuvialuit Comprehensive Claims Agreement for the Western Arctic region and other modern land claims agreements (The Western Arctic Claim).

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

in their application, allow all residents to potentially benefit, maintain, and enhance current shared arrangements, allow the federal government to retain paramountcy concerning MBC matters, and that all of the amendments would bind both Canada and the United States.

In Canada, various legal issues affected the development of amendments that met the ministers' criteria and addressed the concerns of IAFWA. Evolving developments, however, opened the door to renewed efforts to resolve the MBC amendment issue.

The Canadian Wildlife Service and the United States Fish and Wildlife Service felt that some future conservation of the continental migratory bird resources required biologically-based and equitable harvest management in northern areas, as elsewhere. The conservation concerns raised by the IAFWA in 1987 and by the Canadian federal and provincial wildlife Ministers in 1988, in conjunction with the 1979 Protocol, would have to be addressed to ensure current and future sustainable conservation needs were met. Any changes to the existing Convention would have had to meet these needs in both countries and would have to be developed in close cooperation with provincial, territorial, and state wildlife agencies, native groups, and non-governmental organizations with significant interests in migratory birds conservation.

In the fall of 1990, the Government of Canada, in partnership with its provincial and territorial counterparts, intensified its efforts to amend the MBC. An extensive program of public consultation was undertaken as part of that effort. Consultations included bilateral discussions between the Canadian Wildlife Service (CWS) and Aboriginal, wildlife, naturalist, and environmental organizations across Canada. As part of and in response to the bilateral discussions, the Cree Regional Authority/Grand Council of the Crees (of Quebec) submitted a brief on migratory waterfowl to the Government of Canada. The brief stated the position of the Crees of Quebec concerning the process and amendments to the MBC. Following these discussions, CWS, in February 1992, prepared a paper, "Migratory Birds Convention Amendments: A Discussion Paper," which set out general scenarios for amending the MBC. Consultation workshops were the next step in the advice-seeking process. The Government of Canada, through the Canadian Wildlife Service, engaged the Canadian Arctic Resources Committee (CARC) to conduct the consultation workshops, which were held in the spring of 1992. The overall purpose of these workshops was to gather the perspectives of Aboriginal organizations, wildlife and habitat groups, and naturalist and environmental interests involved in the use and management of migratory game birds.

The Cree Regional Authority/Grand Council of the Crees (of Quebec) participated in one of the workshops.

There were four scenarios presented to stimulate discussion on possible amendments to the MBC or possible solutions to this long-standing issue: (1) pursue equitable northern access, (2) develop a modification of the 1979 Protocol, (3) develop cooperative wildlife management agreements, or (4) retain the status quo. The workshops stimulated people across Canada to express their views on regulatory measures and migratory game birds. In particular, they considered the strengths and limitations of the 1916 Migratory Birds Convention and suggested how it should be changed by process and content. The status quo was not presented as an acceptable alternative since the Convention conflicted with the Constitution Act, 1982, as well as court rulings respecting Aboriginal and treaty rights, along with the spirit and intent of the JBNQA, among other treaties. The intensive consultation process conducted by the Canadian Wildlife Service demonstrated general support for an amendment to the 1916 Migratory Birds Convention among provincial/territorial governments, Aboriginal groups, and non-governmental organizations. One provincial exception was Quebec, which disagreed with spring hunting by Aboriginal People outside of the comprehensive claims areas. The United States Fish and Wildlife Service also conducted a series of nationwide consultation meetings in 1992. The majority of opinions favored amending the Convention.

In September 1993, based on and in response to presentations made by Aboriginal groups and in the course of the Canadian Government's inter-departmental review process, the proposal to amend the MBC was revised by the CWS and resolved the MBC as follows:

(1) Ensuring year-round access to hunting of migratory birds by Aboriginal People throughout Canada, subject to conservation;

(2) Regulating the murre hunt in Newfoundland, Labrador, and adjacent waters;

(3) Ensuring opportunities for some non-Aboriginal residents of the Northwest Territories and Labrador living a subsistence lifestyle to hunt migratory game birds, subject to approval by local management authorities; and

(4) Granting authority to Canada to vary dates of the close season for qualified residents holding migratory bird permits in certain regions of the Northwest Territories and Labrador.

An Aboriginal Advisory Committee, chaired by James Bourque, Yellowknife, Northwest Territories, was established to help guide the CWS in discussions and negotiations respecting the proposed amendments to the MBC. The Cree Regional Authority/Grand Council of the Crees

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

(of Quebec) participated in the Committee on an informal basis. The revised proposal for amendments to the 1916 Migratory Birds Convention meant a new Protocol would be determined through negotiations between Canada and the United States of America.

In response to the revised proposal (of September 1993) respecting amendments to the 1916 Migratory Birds Convention, the Cree Regional Authority/Grand Council of the Crees (of Quebec) shared a number of principal interests and concerns, reiterating their positions concerning their right to representation in the determination and development of the "Canadian position" and in the negotiations with representatives of the Government of the United States. The CRA/GCC demanded that the proposed amendments affirm "year-round access to hunting of migratory birds by aboriginal people, subject to conservation," thus eliminating one of the principal conflicts of the MBC with the Hunting, Fishing and Trapping Regime as established by and following Section 24 of the JBNQA; namely, that the right to harvest is recognized in conformation with Section 24.6 of Section 24 of the JBNQA.

Following CWS meetings with other organizations interested in the use and management of migratory birds, the Ministers of Environment and Foreign Affairs drafted and presented a memorandum to the Cabinet. The memorandum was accepted and ratified in early June 1994. Consequently, the Department of Environment and the Department of Foreign Affairs were mandated to negotiate amendments to the 1916 Migratory Birds Convention with the Government of the United States of America.

In early July 1994, officials from CWS and the US Fish and Wildlife Service met to discuss the logistics of the negotiations. The composition of the negotiations team was discussed with particular reference to representation by non-governmental members. The US team, which was limited to 10 people, would include a State representative from Alaska, a State representative from the lower 48 states, a representative from conservationist organizations, a representative from hunting organizations, one or two Native persons from Alaska, along with the State Department and Interior Department officials. Canada proposed to have three Aboriginal members (one representative from each Aboriginal Peoples—Indian, Inuit, and Metis), a provincial representative, two representatives from each of the Department of Environment and Department of Foreign Affairs, and representatives from the Department of Justice.

CWS and members of the Aboriginal Advisory Committee discussed the Aboriginal composition of the Canadian Negotiation

Team based on the recommendations of Aboriginal organizations and non-governmental organizations, such as the Hunting, Fishing and Trapping Coordinating Committee established by Section 24 of the JBNQA. By early October 1994, invitations were extended by the Director of CWS to three Aboriginal persons, James Bourque, Rosemarie Kuptana, and Philip Awashish, who formed part of the Canadian negotiations team or the Canadian delegation.

The Aboriginal representatives of the Canadian delegation took the following principal positions respecting the negotiation process and proposed amendments to the MBC of 1916:

(1) the harvesting of migratory birds by Aboriginal peoples of Canada must be expressed in the context of "Aboriginal peoples of Canada having aboriginal and treaty rights";

(2) the taking of migratory birds for food by qualified non-aboriginal residents in northern Canada must be subject to the provisions of treaties, land claim agreements, or co-management agreements with Aboriginal Peoples from Canada;

(3) a general non-derogation provision must be included in the body of the Convention (as amended) to ensure that the provisions of the Convention shall not be construed so as to derogate from Aboriginal and treaty rights.

On April 10 and 11, 1995, the Canadian delegation met in Ottawa to negotiate a draft protocol with the proposed amendments to the 1916 Migratory Birds Convention. The protocol was a legal instrument that would provide for acceptable amendments to the 1916 Migratory Birds Convention. The meeting of the Canadian delegation, in which the three Aboriginal representatives participated, determined the Canadian position concerning the contents of the protocol. The Aboriginal representatives of the Canadian delegation were persistent in maintaining the following principal positions respecting Aboriginal and treaty rights of Aboriginal peoples and the MBC:

(1) the harvesting of migratory birds by Aboriginal Peoples must be expressed within the context of Aboriginal and treaty rights and;

(2) the Convention must not abrogate nor derogate from the Aboriginal and treaty rights of the Aboriginal Peoples of Canada.

In addition, the Aboriginal representatives insisted that the proposed taking of migratory birds by qualified non-Aboriginal residents of Northern Canada must be subject to the consent of Aboriginal Peoples by means of treaties, land claims agreements, self-government agreements, and other formal agreements with Aboriginal Peoples.

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

The Aboriginal representatives also raised other details, such as any commercial component of Aboriginal and treaty rights.

In general, the draft protocol as determined by the Canadian delegation on April 11, 1995 provided for a number of principal elements respecting Aboriginal Peoples of Canada including that Aboriginal Peoples of Canada having Aboriginal and treaty rights may harvest all species (notwithstanding classification of game, non-game, and insectivorous) of migratory birds, their eggs, and nests throughout the year; that the sale of down be permitted, but that migratory birds, eggs, and nests shall not be sold or offered for sale unless provided for in the relevant treaty, land claims agreement, self-government agreement or other agreements made with Aboriginal Peoples of Canada; that qualified non-Aboriginal residents in areas of northern Canada may take migratory game and non-game birds and their eggs for food only if Aboriginal Peoples so permit, in accordance with treaty, land claims agreement, or self- government or other agreements made with Aboriginal Peoples of Canada; and that decisions respecting the close season for sport hunting by qualified non-Aboriginal residents must be made following the provisions of treaties, land claims agreements, self-government or other agreements made with Aboriginal Peoples of Canada. These elements were made subject to existing Aboriginal and treaty rights of the Aboriginal Peoples of Canada under Section 35 of the Constitution Act, 1982, and the regulatory and conservation regimes defined in the relevant treaties, land claims agreements, self-government agreements, and other formal agreements with Aboriginal peoples of Canada. Furthermore, the preamble to the draft protocol clearly stated that "changes to the Convention are now required to establish conformity with the Aboriginal and treaty rights of the Aboriginal Peoples of Canada."

The Aboriginal representatives and members of the Canadian delegation supported the draft protocol (of April 11, 1995) because it upheld and advanced Aboriginal and treaty rights of the Aboriginal Peoples of Canada, proposed the removal of existing barriers to the exercise of Aboriginal and treaty rights, provided for the consent of the Aboriginal peoples for the taking of migratory birds by qualified non-aboriginal residents of Northern Canada, and acknowledged that the Convention would need to be amended to conform with Aboriginal and treaty rights.

On April 11, 1995, the Government of Canada submitted the draft protocol to the Government of the United States of America for negotiations between the parties by their respective negotiation teams or delegations.

MIGRATORY BIRDS CONVENTION ACT, 1994

Bill C-23, An Act to implement a Convention for the protection of migratory birds in Canada and the United States or the Migratory Birds Convention Act 1994, received Royal Assent on June 23, 1994. When Bill C-23 was under consideration by Parliament, the Standing Committee on the Environment held hearings on the implications of the Bill. The Eeyouch/Eenouch of Eeyou Istchee and other First Nations made representations to the Standing Committee to express their concerns and positions. In appearing before the Standing Committee on May 26, 1994, the Grand Council of the Crees (Eeyou Istchee) testified that the Government of Canada and Parliament must adopt positive measures to ensure that all legislation respects Aboriginal and treaty rights of the Aboriginal Peoples of Canada and the responsibilities of the Government of Canada towards the Aboriginal Peoples. In response to Eeyou, as well as other interventions, Parliament enacted the Migratory Birds Convention Act, 1994, with the following non-derogation provision: "For greater certainty, nothing in this Act shall be construed as to abrogate or derogate from any existing aboriginal or treaty rights of the Aboriginal Peoples of Canada under section 35 of the Constitution Act, 1982."

PARKSVILLE PROTOCOL AMENDING THE 1916 MIGRATORY BIRDS CONVENTION

Through contemporary treaty instruments, such as the JBNQA, the Government of Canada had undertaken to seek amendments to the 1916 Migratory Birds Convention to align it with the rights recognized in treaties signed between Aboriginal Peoples—particularly those addressing the Convention's close season provisions, which were incompatible with their right to harvest migratory birds throughout the year. Furthermore, in 1982, an explicit recognition and affirmation of the Aboriginal and treaty rights of the Aboriginal Peoples of Canada was incorporated into the Constitution of Canada. Subsequently, the Courts in Canada have declared that the Aboriginal and treaty rights of the Aboriginal Peoples of Canada prevail over incompatible legislative provisions. As a result of these developments in law and undertakings in contemporary treaties, Canada undertook to renegotiate the 1916 Migratory Birds Convention with the United States. In recognition of the value of the migratory birds to Aboriginal Peoples and the importance of Aboriginal knowledge, institutions, and practices in the conservation and management of migratory birds, Canada ensured that there was Aboriginal representation

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

on the Canadian delegation designated to negotiate amendments to the 1916 Migratory Birds Convention. It was agreed that Canada would embark on negotiations to amend the 1916 Migratory Birds Convention for the specific purpose of bringing the Convention in line with the Aboriginal and treaty rights of the Aboriginal Peoples of Canada. The "Canadian position" was determined through negotiations between Canadian and Aboriginal representatives of the Canadian delegation to achieve this purpose.

On April 27, 1995, after several days of complex negotiations, the *Protocol Between The Government Of Canada And The Government Of The United States of America Amending The 1916 Convention Between The United Kingdom And The United States Of America For The Protection Of Migratory Birds In Canada And The United States* was agreed upon and initialed by the head representatives of the Canadian and American delegations in Parksville, British Columbia, Canada.

This article has focused attention on the negotiations that led to those provisions of the Parksville Protocol that affect Aboriginal Peoples in Canada and their treaty rights. It is important to return and note the original 1916 Migratory Birds Convention. Article II of the Protocol and Article II of the original Convention are the principal provisions that refer to "Indians and Eskimos" (in the original Convention) and "Aboriginal peoples of Canada" (in the Protocol).

Article II of the original 1916 Migratory Birds Convention provides for the following close seasons during which no hunting shall be done by Aboriginal and non-Aboriginal persons:

(1) The close season on migratory game birds shall be between March 10 and September 1 of each year. However, 'Indians' may take at any time scoters for food but not for sale.

(2) The close season on other migratory insectivorous and non-game birds shall continue throughout the year, except that 'Eskimos and Indians' may take at any season auks, auklets, guillemots, murres and puffins, and their eggs for food and their skins for clothing, but the birds and eggs so taken shall not be sold or offered for sale.

Consequently, the hunting or harvesting of migratory birds during the close season, particularly during the spring and summer, was considered illegal by the Government of Canada because of its international obligations under the 1916 Migratory Birds Convention and implemented by the Migratory Birds Convention Act. Furthermore, the original Convention did not refer to Aboriginal and treaty rights. However, Article II of the Protocol amending the 1916 Migratory Birds

Convention provided for the following main principles respecting Aboriginal Peoples and their Aboriginal and treaty rights in Canada:

(1) Migratory birds and their eggs (regardless of classification as game, insectivorous and non-game birds) may be harvested throughout the year by Peoples of Canada having Aboriginal or treaty rights. (The close season provisions are subject to the Aboriginal and treaty rights of Aboriginal Peoples of Canada.)

(2) Down and inedible by-products may be sold, but migratory birds and eggs shall be offered for barter, exchange or trade or sale only within or between Aboriginal communities as provided for, in the relevant treaties, land claims agreements, self-government agreements or co-management agreements made with Aboriginal Peoples of Canada. The commercial component of Aboriginal and treaty rights as it relates to migratory birds and eggs is further subject to the definition, nature, and scope of said rights as may be determined by the courts, negotiated treaties, or land claims agreements. (The original 1916 Convention does not permit the sale of migratory birds and eggs under any circumstances. The said Convention of 1916 does not even provide for the sale of down and inedible by-products within or between Aboriginal communities.)

(3) Qualified non-Aboriginal residents may take migratory game and non-game birds and their eggs throughout the year for food in areas of Northern Canada where the relevant treaties, land claims agreements, self-government agreements, or co-management agreements made with Aboriginal Peoples of Canada recognize that the Aboriginal Peoples may so permit. (Without the said treaties or agreements, the taking of migratory game and non-game birds and their eggs by such qualified non-Aboriginal residents for food shall not be permitted.)

(4) The dates of the fall season for the taking of migratory game birds by qualified residents of the Yukon and the Northwest Territories may be varied, by law or regulation, by the proper authorities (including Aboriginal authorities and institutions involved in regulatory and conservation regimes).

Furthermore, the principles of the Protocol to amend the 1916 Migratory Birds Convention were made subject to existing Aboriginal and treaty rights of the Aboriginal Peoples of Canada under Section 35 of the Constitution Act, 1982, and the regulatory and conservation regimes defined in the relevant treaties, land claims agreements, self-governments, and co-management agreements with Aboriginal Peoples of Canada.

Concerning the management of migratory birds, the Convention stated that "the means to pursue these [conservation] principles may include, but are not limited to:

Monitoring, regulation, enforcement, and compliance;

Cooperation and partnership;

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

Education and information;

Incentives for effective stewardship;

Protection of incubating birds;

Designation of harvest areas;

Management of migratory birds on a population basis;

Use of Aboriginal and Indigenous knowledge, institutions, and practices; and

Development, sharing, and use of best scientific information. (MBC, Article II)

These elements constitute explicit recognition in an international treaty (the MBC as amended by the Protocol) of the importance of Aboriginal and Indigenous knowledge of the species, Aboriginal and Indigenous institutions including Aboriginal governments, and, of course, Aboriginal and Indigenous practices, which might include Eeyou/Eenou stewardship and management practices as well as the use of resources for personal and community purposes.

Another important addition to the Convention was the language concerning environmental protection, the prevention of damage to birds and their environments, including damage resulting from pollution, and the protection of habitat necessary for the conservation of migratory birds. This language is significant for Aboriginal Peoples as it identifies the real threat to migratory birds—environmental degradation and habitat loss—rather than the alleged threat of overharvesting.

In September 1995, the Parksville Protocol was amended to incorporate changes requested by the United States to provisions relating to the harvesting of migratory birds and their eggs by the Indigenous inhabitants of the State of Alaska. The Grand Council of the Crees (of Quebec)/Cree Regional Authority and the Cree Trappers Association supported the Parksville Protocol and requested the signature to and ratification of the Protocol by the Government of Canada. The Federal Cabinet approved the Protocol in September 1995, and the Governor-in-Council authorized the Minister of the Environment and Deputy Prime Minister of Canada, the Honourable Sheila Copps, to sign the Protocol amending the 1916 Migratory Birds Convention in October 1995.

On December 14, 1995, the Protocol between the Government of Canada and the Government of the United States of America amending the 1916 Migratory Birds Convention was signed by all parties in Washington, DC. Upon ratification of the Protocol by the Governments of Canada and the United States of America, the Protocol ensured substantial conformity of the 1916 Migratory Birds Conven-

tion with the Aboriginal and treaty rights of the Aboriginal Peoples of Canada. According to the Canadian Government ("Acts and Regulations: Protected Areas"), "The Protocol improves the Convention by enhancing conservation efforts to provide for and protect the habitat necessary for migratory birds, and includes an updated list of migratory birds under the Convention's Article I. The Protocol further recognizes and endorses Aboriginal Peoples' traditional harvesting rights and clarifies and expands some of Environment and Climate Change Canada's obligations in relation to migratory birds (Article II to V of the Convention)."

As far as the Government of Canada was concerned, the ratification by Canada was completed once the Federal Cabinet had approved the Protocol and the Governor-in-Council had authorized a Minister of the State to sign the Protocol. The Secretary of the Interior for the United States, Bruce Babbit, signed the Protocol on behalf of the United States of America. In October 1997, the United States Senate unanimously agreed to provide "advise and consent" to the President to ratify the Protocol. The exchange of the instruments of ratification took place in Ottawa on October 7, 1999.

The Protocol entered into force on the date the Parties exchanged instruments of ratification. Therefore, as of October 7, 1999, the Protocol entered into force. It remains in force for the duration of the Convention and is considered an integral part of the Convention, particularly for the purposes of its interpretation. In this regard, the Protocol does not replace but updates and amends the 1916 Migratory Birds Convention. Once the Protocol was enacted between Canada and the United States, Canada was obliged to give effect to its international obligation by amending its domestic legislation. Accordingly, on May 18, 2000, Minister of the Environment, the Honourable David Anderson, tabled in the House of Commons a Government Order amending the schedule to the Migratory Birds Convention Act, 1994, to incorporate the Parksville Protocol, which amended the 1916 Migratory Birds Convention.

CANADIAN DELEGATION INTERPRETATION DOCUMENT

During the negotiations leading to the Parksville Protocol, in late April 1995, the representatives of the Government of Canada undertook, in response to the concerns of the Aboriginal representatives of the Canadian delegation, to provide a document which set forth a common understanding of the purpose and intent of the amendments to the 1916 Migratory Birds Convention negotiated and set out

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

in the Parksville Protocol. This undertaking by the Canadian Government representatives was intended to confirm for the Aboriginal representatives, in writing, that the language of the Convention and, in one particular example, the language relating to the commercial use of birds and eggs would not be invoked by Canada in future treaty negotiations with Aboriginal Peoples as a reason for not negotiating broader commercial use provisions. The purpose of negotiating the Protocol for the Government of Canada was to permit Aboriginal and treaty rights to evolve in accordance with the understanding of these rights in Canadian domestic law. That is, the Aboriginal Representatives of the Canadian delegation wanted to ensure that there was official documentation relating to the stated intention of the parties and their perception and understanding of the language negotiated and agreed to in the Parksville Protocol. It was only appropriate then for the members of the Canadian delegation, including the Aboriginal representatives who negotiated the Parksville Protocol, to outline their common understanding of the purpose and intent of the amendments to the 1916 Migratory Birds Convention and set out in the Parksville Protocol as an aide to its interpretation. This common understanding of the parties was set out in the "Canadian Delegation Interpretation Document."

CONCLUSIONS

The Parksville Protocol made a historically significant contribution to the recognition of Aboriginal and treaty rights of the Aboriginal Peoples of Canada and the preservation of migratory birds and their sustainable use in North America. The Parksville Protocol did not replace the 1916 Migratory Birds Convention but amended and updated it. The Protocol removed inconsistencies between the 1916 Migratory Birds Convention and the Aboriginal and treaty rights recognized and affirmed under Section 35 of the Constitution Act, 1982. It also fulfilled the commitment made by the Government of Canada in constitutionally protected, comprehensive claims agreements, including the James Bay and Northern Quebec Agreement of 1975, to negotiate an amendment to the Convention to eliminate, to the extent possible, all conflicts with the harvesting regimes established by treaties or claims agreements and to eliminate to the extent possible any conflict with the right of Eeyouch/Eenouch as well as other Aboriginal Peoples to harvest at all times of the year all species of wild fauna.

In particular, the Protocol served to update and amend the 1916 Migratory Birds Convention in recognizing and endorsing the tradi-

tional harvesting rights of Aboriginal Peoples of Canada. Consequently, Eeyouch/Eenouch of Eeyou Istchee, as well as other Aboriginal Peoples, may now conduct their activities and their traditional way of life associated with harvesting migratory birds in a manner consistent with their Aboriginal and treaty rights. The Protocol reaffirmed that the priority rests with the conservation and preservation of migratory birds. While recognizing existing management regimes, the Protocol enabled the development of new partnerships between the Government of Canada and Aboriginal Peoples in the management and conservation of migratory birds.

In conclusion, with the proper implementation of the Convention as amended, barriers to Aboriginal Peoples' traditions, which had existed for nearly 84 years, were successfully removed, and the right to exercise inherent Aboriginal and treaty rights was secured. It was one more in a series of important and ongoing actions that the Eeyouch/Eenouch of Eeyou Istchee and other First Nations of Canada have taken in their struggle for their Aboriginal and treaty rights. Guided by Eeyou's law and principles, that struggle will continue. Life, after all, is a matter of faith.

Abstract: This article is the result of a collaboration between Philip Awashish, Eeyou leader, and anthropologist Jasmin Habib. It provides an account of the process by which the people of Eeyou Istchee, also known as the James Bay Cree, sought and, in the end, succeeded in obtaining an amendment to the Convention for the Protection of Migratory Birds in the United States and Canada (1916). The James Bay and Northern Quebec Agreement signed in 1975 expressly permitted the goose hunt at all seasons and therefore conflicted with the 1916 Convention and the Act and regulations that enforced it. A protocol drawn up by Canadian and American negotiators in 1979, allowing exceptions to the closed season for Indigenous populations, was rebuffed by conservationists. However, the 1982 Canadian Constitution Act affirmed the primacy of treaty obligations of the Governments of Canada and Quebec and Indigenous peoples, and the courts ruled that it, therefore, permitted the harvesting of migratory birds. Eeyou's attitudes respecting the economic and spiritual importance of the hunt are explored in the article. The article describes how this conflict of law was successfully resolved with a new protocol in 1995.

Keywords: Convention for the Protection of Migratory Birds in the United States and Canada, Cree Nation of Eeyou Istchee, Goose Hunt, James Bay Cree, James Bay and Northern Quebec Agreement

Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

Bios:

Philip Awashish was one of the principal negotiators and the signatory for the Cree Nation of Eeyou Istchee in the negotiations leading to the signing of the James Bay and Northern Quebec Agreement in 1975. He was an elected official and an executive of the Grand Council of the Crees/Cree Regional Authority between 1976 and 1989. He has served as Commissioner of the Cree-Naskapi Commission since 1998. He is widely called upon as a speaker and adviser, the author of several articles, reports, and expert opinions in legal cases. He is currently preparing a Cree history of how the Cree engaged in nation-building throughout the last half-century of court cases against resource developments that ignored their self-governance and rights, the negotiation and implementation of the first modern treaty in Canada (the James Bay and Northern Quebec Agreement, JBNQA), and subsequent agreements. He is an elder and teacher, guided by and renewing "miiyoupimaatsiiwin," or the interconnectedness and interdependence of life, foundational to Cree's ways of actively living and doing things.

Jasmin Habib is the Chair of the Political Science Department at the University of Waterloo, former Director of the PhD Global Governance at the Balsillie School of International Affairs (2019–2022), and founding Director of the Global Engagement Seminar Program (2016–2019). She holds a Ph.D. in Anthropology (McMaster University) and an M.A. in International Peace Studies (University of Notre Dame). Among her publications are *Israel, Diaspora and the Routes of National Belonging* and *America Observed: On an Anthropology of the United States (co-edited with Virginia Dominguez)*. Her research and publications focus on the politics of empire and the practices of decolonization with a primary interest in the experiences of war-affected refugees now living in Israel, Palestine, Canada, and the United States; Indigenous practices and relations of autonomy in North America; and the architecture of consent for contemporary state violence. Her work is primarily ethnographic and collaborative. In 2022, she was honored to receive the Weaver-Tremblay Award, which is presented annually to an anthropologist who has made extraordinary contributions to Canadian applied anthropology.

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Philip Awashish
Cree Nation of Eeyou Istchee

Jasmin Habib
Department of Political Science,
University of Waterloo, Canada

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DRAWING THE MEDICINE LINE: BORDERTEXTURES IN WHOOP-UP COUNTRY

The West is made up of one long series of necessary and true fill-in-the-blank stories, and sometimes it seems we are doomed to live them cyclically and perpetually, simply because there is no such thing as The Story. As the colonial culture of the West, we have no culture, which is just the same problem as having no story that tells us how we fit in the place.

—Richard Manning, Grassland 92

I may not know who I am, but I know where I'm from.

—Wallace Stegner, Wolf Willow 23

INTRODUCTION

Astrid M. Fellner
Saarland University, Germany
https://orcid.org/0000-0003-1566-2923

Every year in August, the town of Lethbridge, Alberta, celebrates Whoop-Up Days, a festival that includes a parade, a tradeshow, rodeo action, and other fun events. The town is also home to Fort Whoop-Up, a replica of a nineteenth-century trading fort, which, during the heyday of fur trading and whiskey smuggling in the early 1870s, was the most notorious whiskey fortress in the northern Rocky Mountain-Great Plains borderlands area that ranged from the Missouri River to the Bow River Valley. Tourists traveling northward on Interstate 15 from Great Falls, Montana, to Lethbridge, Alberta, are driving through a region once called Whoop-Up Country. The modern highway parallels the Whoop-Up Trail, "a colorful and useful avenue of commerce and a high road of adventure in the years before the railways crossed the western plains" (Sharp 3).

The trail from Fort Benton, the region's commercial center established on the upper Missouri in 1846,[1] to Fort MacLeod in southwestern Alberta

1 Fort Benton, also referred to as the "Chicago of the northern plains" (Turner 16), was established as a trading post by the Pennsylvanian fur dealer Alexander

became famous for the northward flow of contraband whiskey during the Whoop-Up era. This trail was an international path, as it was "neatly bisected by the Canadian-American boundary that marches steadily westward along the forty-ninth parallel with the precision of the surveyor's chain" (Sharp 3). Conspicuously, though, to the pioneering traders and settler colonists, "the trail symbolized the economic, social, and cultural ties that for many years defied a politically inspired division of the northern plains" (Sharp 3). Until the North-West Mounted Police ended the illegal Montana-based whiskey trade in the winter of 1874, the International Boundary Commission finished its survey in 1874, marking "the outside world's final assault on this last frontier" (Rees 3) and the main line of the Canadian Pacific across the Alberta plains was completed in 1883, the "Whoop-Up Trail symbolized the unity of this northern grassland empire" (Sharp 8).

Like all political borders, the forty-ninth parallel between the we stern US and Canada in this region was artificially constructed, dividing a vast region of grasslands; the creation of the border, however, has profoundly shaped the region's development and has contributed significantly to how this borderlands region has come to be understood (Morris, "Fort MacLeod" 151). In fact, the northern Plains are a borderlands[2] of many differently layered and often conflicting claims to territory. In the nineteenth century, these "homelands became a focal point for the struggles between Indigenous peoples and British, American, and Canadian agents over the establishment and control of the territorial limits of the US and Canadian states and the boundaries of belonging within them" (Hogue 5). After the dominant settler nations put in place their national frameworks, "the United States and Canada continued to derive their coherence, to constitute themselves and their territorial imaginaries, out of the efforts to fully incorporate the lands and peoples on these new national peripheries" (5). Like many other borderlands, the northern Rocky Mountain-Great Plains border zone

Culbertson (Tolton 13). Paul F. Sharp devotes an entire chapter to the "Chicago of the Plains" (157–182).

2 While historian Herbert Eugene Bolton coined the term 'borderlands' in the 1920s, his concept never gained much influence beyond historical scholarship. It was not until Gloria Anzaldúa's book Borderlands/La Frontera appeared in 1987 that the concept became foundational for Border Studies in the humanities. Anzaldúa's concept emerged from the historical specificity of the boundary region of *la frontera*, the border culture between the United States and Mexico. My use of the term borderlands also draws on Jeremy Adelman and Stephen Aaron, who have used the term in order to refer to "contested boundaries between colonial domains" (816), which allows for a linking of intercolonial and transatlantic imperial histories to local transcultural histories.

Astrid M. Fellner
Saarland University, Germany

is "a paradoxical zone of resistance, agency, and rogue embodiment" (Rajaram and Grundy-Warr ix), a space which is "reified by a kaleidoscope of indigenous and non-indigenous cultural practices, complicated by competing constructs like *state/province/territory*, *reservation/reserve*, *Indian*, *Métis*, and *frontier*, which continue to frame the lived experience of their residents" (Miner 171).[3]

In this article, I will explore these multiple dimensions of the forty-ninth parallel in Whoop-Up Country.[4] Carving out the interwoven histories of labor and violence, I want to retrace the US-Canada border's function in forming and consolidating the two North American nations. The meaning of the Whoop-Up Trail may have faded into obscurity. However, as I will show, this border zone's the hidden histories, geographies, and knowledges have survived and continue to resurface in the cultural imaginary. A series of writers have engaged in "deep mapping the Plains,"[5] capturing "within their narrative structures a complex web of information, interpretation, and storytelling" (Naramore Maher 7). For instance, Paul F. Sharp, Wallace Stegner, and most recently, Thomas King constitute heterogeneous border voices who have charted multi-dimensional (hi)stories of the northern Plains. Analyzing these multi-layered cartographic texts through the lens of bordertextures, I want to propose a view of borders that allows for an analysis of what Mike Pearson and Michael Shanks call the "details of memory," that is "anecdotal, fragmentary, speculative … all those things which we might never regard as authentic history but which go to make up the deep map of the locale" (Pearson and Shanks 144).

3 The complicated historical situation is mirrored in the difficult act of naming groups of people in North American borderlands. The international boundary has also contributed to different naming practices. While terms like "Aboriginal" or "First Nations" are common in Canada, the term "Native American" is instead used in the US. I use the term "Indigenous," a term which is used on both sides of the border, to refer to all peoples whose ancestors lived in North America prior to colonization. I sometimes use the term "Indigenous" interchangeably with "Natives." Whenever I refer to the constructed, stereotyped, and objectified image of Indigenous peoples in North America, I use the term "Indian."

4 Parts of this article have appeared in French in Fellner's "Contre parallèles et méridiens."

5 The concept of the deep map was put forth by William Least Heat-Moon, an American writer of English, Irish, and Osage ancestry. His book *PrairyErth: A Deep Map* (1991) is an intensive exploration of place, which gives more information than a two-dimensional map of places, names, and topography by including composite, multi-layered multimedia methodologies to investigate the cultural and historical geographies of Chase County, Kansas.

Bordertexturing[6] activates the deep map, laying bare a place's connection with other places and drawing attention to how its inhabitants have perceived these places and how these affective discourses have, in turn, created personal, social, and imaginary networks. Drawing attention to the formation of territories and bodies that are inherently interwoven, the act of bordertexturing turns the Canada-US border into a texture whose analysis necessarily requires a theorization of socioeconomic structures, institutions, and flows that have shaped this border as an instrument of colonial fantasies of nation building. My analysis of Paul F. Sharp's *Whoop-Up Country: The Canadian-American West, 1865–1885*, Wallace Stegner's *Wolf Willow*, and Thomas King's short story "Borders" then wants to proceed in a decolonial mode, attempting to look beyond the fixation on European settlers to include the knowledge systems of people constitutively erased from narratives of nations, territories, bodies, and borders.

THE CANADA-US AND THE US-MEXICO BORDERLANDS

While the US-Mexico border is often seen as the 'birthplace' of the field of Border Studies (Michaelson and Johnson 1) and has consequently been the subject of many critical analyses, the investigation of the Canada-US border, the 'other border,' has received less critical attention and is a relatively recent phenomenon (Konrad and Nicol 34–37). As many historians, geographers, and cultural studies critics have observed, there are crucial differences between the US-Mexico and the Canada-US borders as markers of national identifications. Where, as Bryce Traister has said, the history of the Southwest is a contested history that "has now become a unilaterally militarized struggle," the northern US border has a "history of economic exchange (and, in the nineteenth century, military conflict) which […] has proceeded more or less peacefully and within the 'friendly' universe of modern and late capitalist social exchange-relations" (Traister 33). As he puts it:

6 The concept of 'bordertextures,' together with the interpretative strategy of 'bordertexturing,' are currently being developed in the Working Group Bordertextures at the University of the Greater Region-Center for Border Studies at Saarland University in Saarbrücken, Germany. Proposing a theoretical foundation for analyzing borders, bordertexturing emphasizes an understanding of borders as (im)material structures consisting of practices and discourses with various social and cultural reference points. See AG Bordertexturen, Fellner's "Counter-Mapping," and Fellner's "Thinking from the Border."

Astrid M. Fellner
Saarland University, Germany

> So while *la Frontera*—the borderlands of the US Southwest/northern Mexico and the site of much recent theorizing of a post-national borderlands critique—solicits conceptualizations of a more fluid exchange of identity across borders, the northern United States/southern Canada border presents a different set of problems to negotiate and articulate as a critical borderlands practice. (33–34)

Part of this set of problems is a topographic imaginary that likens Canada to the border. As novelist and literary critic Robert Kroetsch has stated, "Canada is supremely a country of margins, beginning from the literal way in which almost every city borders on a wilderness" (Kroetsch 22). Marginality, "a life of shifting edges" (30), is part and parcel of Canadian self-understanding. Then, the Canada-US border is an important identity marker, a dividing line that also secures Canadian distinctiveness. Famously, W.H. New has said of the importance of borders in Canadian thought:

> Borders, as sites of contestation […] neither require nor guarantee fixed differences, or inevitably commit to the erasure of difference […] the presence of the United States right next to Canada almost constantly presents Canadians with socio-political options: some of which they adopt, some they resist, and some they … export. (New 27)

As a result, examining the Canada-US border or the US-Canada border is a remarkably different endeavor depending on the point of view of whether one looks at the border from a Canadian or a US-American perspective. This difference in the meaning of the border is also related to the fact that Canadian historians have defined the importance of the border and frontier development differently from US historians, investing it with a different ideological meaning. Where Frederick Jackson Turner's 1893 "Frontier Thesis" claimed that the exceptionalism of the United States was rooted in the country's history of "westering," Canadian historians viewed the expansion of the West "through the prism of 'metropolitanism'" (Higham xiii). This theory, also referred to as "Staples Thesis" by Harold Innis, "states that the markets of the metropolises in Europe and eastern Canada shaped the economic and political development of the hinterlands. In other words, the desires and needs of the established regions drove and defined the creation and development of the West and/or North in Canada" (Higham xiii). As Innis explains: "The importance of metropolitan centers in which luxury goods were in most demand was crucial to the development of colonial North America" (Innis 4). The most important example that corroborated this theory was the development and significance of the fur trade in the Canadian

West. Innis's analysis of the material practices, the forces of transportation and trade, and the colonial relations between center and margin "originated with his research on the fur trade, which led him to focus on the development of the canoe, boat and rail routes that transported European commerce to the New World" (Berland 68). Two important and intertwined historical transformations resulted from this trade: "the development of increasingly rapid transport routes across the Canadian shield and eventually through the Pacific coast; and the emergence of a mercantile policy dedicated to the export of natural resources, or 'staples,' for external markets" (68).

What both Turner's 'Frontier Thesis' and Innis's 'Staple Thesis' of westward expansionism have in common is a focus on east-west connections and the importance of the westward movement in the development of the nations. Most crucially, both the Frontier Thesis and the Staple Thesis have ignored Indigenous perspectives, proclaiming each country's national success and justifying the conquest and dispossession of Native peoples who lived in the borderlands. While north-south exchanges, as the whiskey trade in nineteenth-century Whoop-Up Country shows, were still important in the pre-national era, they were relegated to obscurity when the international boundary was established. The border bisected native land, and the new nations enforced their territorial claims by developing strong east-west connections. In the years that followed, the drawing of the boundary line, the building of the Canadian Pacific Railway (CPR), and the rise of other communication technologies like the telegraph and newspapers enabled rapid expansion. "Such technologies," as Berland explains, "mediate ontologically between power, and knowledge and spatially between center and periphery," facilitating "both the spread of empire and the reorganization of cultures within its reach" (74). Before long, Indigenous claims to land, local traditions, and native forms of knowledge "collapsed before the pecuniary and technical advantages of the European explorers, and the land, along with its use, was profoundly altered" (69).

Therefore, imperial expansion and establishing national borders interrupt time and space, and these breaks are often marked by trauma. In *Borderlands/La Frontera*, Gloria Anzaldúa has described the US-Mexico border as "*una herida abierta*," an open wound, "where the Third World grates against the first and bleeds" (25). This image of the violent character of the boundary line dominates the current imagination of the US-Mexico border. By contrast, the Canada-US border has been viewed as a benevolent, peaceful border for a long time. This reputation goes back to the 1870s and 1880s when the interna-

Astrid M. Fellner
Saarland University, Germany

tional boundary came to signify political refuge from the American government on the Canadian side and the Canadian on the US side. Sitting Bull and the Sioux famously fled across the border after the Battle of the Little Bighorn. Louis Riel, in turn, fled South of the border to the US. There were countless others for whom crossing the border meant sanctuary.[7]

In popular tradition, the border came to be nicknamed 'the Medicine Line' in recognition of the boundary's power to mark different jurisdictions. For Northern Plains Natives, the word "medicine" referred to objects with magical power, and the term was adopted to suggest that the boundary line possessed strong medicine. While for the Europeans, the international boundary stood for the establishment of two different legal systems, the border was also seen as a "road" by the Indigenous population, a "path of something living," an "instrument of camouflage, a stay against the erosion of life that had begun decades earlier" (LaDow, *The Medicine Line* 41). According to Tony Rees, the Sioux probably started to use this term after Sitting Bull sought refuge across the border after the Battle of the Little Bighorn (5). While it is unclear when exactly or by whom the term Medicine Line was first used, Beth LaDow quotes a Mohawk scholar who believes that the term originated with the Iroquois Confederacy in the East as early as the 1760s when, during the Seven Years' War, one group of Mohawk attempted to persuade another to come back to the confederacy. As La Dow explains: "They promised to police this line in order to prevent the whites from warring with each other, and represented the medicine line on their wampum belts as a white line between two black lines" (41). Conspicuously, while in the late nineteenth century, for a brief moment, some Indigenous people found refuge and power in the medicine line, as the border began to take shape, it became a dividing line, bifurcating Blackfoot country in northern Montana and southern Alberta.

Interestingly enough, the idea of a 'wild' American West has remained in popular imagination, which is contrasted to a peaceful, orderly Canadian West and the Canada-US border as a guarantor of sanctuary. As LaDow has stated, "Sitting Bull's description of Canada as the benevolent 'white mother' and the United States as the evil 'white father' was a simple and lasting scheme" (LaDow, "Sanctuary" 73). Furthermore, while the US Army and the Texas Rangers on the US-Mexican border have come to serve "as symbols

7 Charles Card and his Mormon brethren also went to Canada. Among the refuge-seeking people were also many deserters of both the US Army and Canada's Mounted Police (Morris Peter 157).

for a brutal, racist white conquest of the American West," the North-West Mounted Police have managed to be viewed as "the benevolent authority of the Canadian frontier" (73).

As history has shown, however, border wounds have also been inflicted on the Canada-US border. The world's longest undefended border, as it was referred to for a long time, can be renamed "the world's longest *secure* border after the attacks of 11 September 2001" (Conway and Pasch 3). Border violations occur everywhere, also in places "sometimes overlooked as staid, such as the northern Great Plains and the Prairies, which may appear to people on the coasts as fly-over country" (3). While the much-studied US-Mexico border "appears to find its remedy in the sanctuary offered north of the forty-ninth parallel" (Roberts 15), recent interventions from Indigenous, African-Canadian, and Latin American perspectives have drawn attention to Canada's troubled history and complicity in colonialism and neocolonialism, refiguring Canada as "a site of privilege and power rather than its nationalist sense of disempowerment vis-à-vis the United States" (19).

BORDERTEXTURING THE FORTY-NINTH PARALLEL

In order to analyze this complexity and carve out the multi-dimensionality of the forty-ninth parallel, I want to introduce an approach that allows for the analysis of the interrelated material and ideological workings of bordering practices. Drawing from Sandro Mezzadra and Brett Neilson's proposal to analyze borders not simply as objects of study, but, through concepts such as labor, also as methods, the following analysis of some key border texts of the northern Plains borderlands attempts to offer an analysis of the bordertextures of Whoop-Up Country. Following Mezzadra/Neilson, borders can be viewed as social methods of division and multiplication; they both divide geographical and social space and multiply social differences. Bordertexturing then attempts to outline the different methods with which the border both separates and constitutes space, obstructs global flows, and channels movement. Playing a key role in "producing the times and spaces of global capitalism," borders shape "the struggles that rise within and against these times and spaces" (Mezzadra and Neilson 4). For Mezzadra and Neilson, the study of borders as a method "is above all a question of politics, about the kinds of social worlds and subjectivities produced at the border and the ways that thought and knowledge can intervene in these processes of production" (17). Viewing the border as an "epistemic angle" (viii), bordertexturing then means listening to the varied stories of the border and conduct-

Astrid M. Fellner
Saarland University,
Germany

ing a deep mapping of the borderlands, which picks up on differently orchestrated heteroglossic border voices. Mike Pearson and Michael Shanks describe deep maps in the following way:

> Reflecting eighteenth century antiquarian approaches to place, which included history, folklore, natural history and hearsay, the deep map attempts to record and represent the grain and patina of place through juxtapositions and interpenetrations of the historical and the contemporary, the political and the poetic, the factual and the fictional, the discursive and the sensual; the conflation of oral testimony, anthology, memoir, biography, natural history and everything you might ever want to say about a place. (Pearson and Shanks 64–65)

Bordertexturing strives to carve out stories that address the "depth of place" (65), which is the depth of borderlands, in our case. It gives voice to the border as a viewpoint that "allows an acute critical analysis not only of how relations of domination, dispossession, and exploitation are being redefined presently but also of the struggles that take shape around these changing relations" (Mezzadra and Neilson 18). As such, bordertexturing can expose what Walter Mignolo has called "border thinking" (64). Crediting, in turn, Gloria Anzaldúa's *Borderlands/La Frontera*, border thinking, for Mignolo, does not only entail the study of actual territorial borders but rather constitutes an epistemic framework for the geopolitics of knowledge and power. Referring to the creativity and energy that emerge from subaltern subject positions, thinking *through* or *from* the border rather than thinking *about* it, according to Mignolo, exposes the colonial underside of Western modernity.

While the works of Mezzadra/Neilson and Mignolo have shaped the theoretical underpinnings of bordertexturing, my understanding of this concept also has evident genealogical roots in two concrete borderlands practices, one from the US-Mexican and the other from the Canada-US borderlands. Combining ideas and concepts from Chican@ Studies and decolonial thinking, bordertexturing also draws attention to how border thinking can give rise to alternative forms of this border zone knowledges. Concretely, the metaphor of textures takes its creative force from Anzaldúa's *Borderlands/La Frontera,* in which she refers to her border writing as a "mosaic" or "weaving pattern." Describing her text as writing that threatens to "spill over the boundaries" and that offers a "hybridization of metaphor [...] full of variations and seeming contradictions," Anzaldúa stresses that it refuses the neat dichotomy of "deep structure" and "smooth surfaces" in its "central core, now appearing, now disappearing in a crazy dance" (88). It is this weaving practice that performs the labor of border thinking. The weaving patterns that appear and disappear "in a crazy dance"

provide the epistemic angle from which my understanding of the concept of bordertextures derives its creative potential and radical force. The metaphor of weaving, I argue, is constitutive of the act of bordertexturing, which can be seen as a performative process of creating a thickly amalgamated web of corporeal and other disciplinary discourses that form a dense border texture.

My understanding of bordertexturing also owes much to the First Nation epistemological tradition of wampum belts, which function as important documentary, legal, and cultural records according to the Haudenosaunee tradition. The historic Two Row Wampum Belt is a woven beaded belt, which is an early seventeenth-century treaty of friendly coexistence and mutual respect between Haudenosaunee and Europeans. Originating in 1613, the Two Row Wampum Treaty has two purple bands, symbolizing the two parallel paths taken by two ships, one of the Haudenosaunee and the other of the Europeans (Morris, "Running the Medicine Line" 555). In this belt, as Birgit Brander Rasmussen explains, "the Haudenosaunee recorded an early agreement with European settlers to be 'like brothers' rather than 'like father and son'—metaphoric language that means to interact as distinct, equal, and sovereign nations" (Rasmussen 72). Central to diplomacy, the Haudenosaunee have held wampum belts as the authoritative records of agreement until today. Crucially, used as mnemonic devices in the ratification of treaties, wampum belts constitute alternative forms of knowledge, what Elizabeth Hill Boone and Walter Mignolo have termed "alternative literacies," which have "the potential to radically disrupt a colonial legacy maintained by narrow definitions of writing and literacy" (10). They function as important archival records, which store the knowledges of the borderlands, retaining the alterity of an uncompromised Indigenous presence.

The Two Row Wampum belt and Anzaldúa's weaving logic inform my conceptualization of bordertexturing. In the following sections, I want to re-read and cross-read selected historical events and texts that were important in making the national border between Canada and the US with First Nation histories and stories. Exposing the interwoven and continuous existences in the borderlands, I also intend to reveal the historical and cultural politics of exclusion in making the forty-ninth parallel.

Astrid M. Fellner
Saarland University, Germany

WHOOPING-UP THE FORTY-NINTH PARALLEL: PAUL F. SHARP'S *WHOOP-UP COUNTRY* AND WALLACE STEGNER'S *WOLF WILLOW*

In the second half of the nineteenth century, Whoop-Up Country was an isolated area in the West that spread over present-day Montana in the US and the Canadian provinces of Alberta and Saskatchewan. After the United States had acquired the Louisiana Territory from France in 1803, Thomas Jefferson suggested a boundary at 49 degrees North latitude as the northern line of the Louisiana Purchase (LaDow, *The Medicine Line* 2). In 1818, British and American diplomats agreed on this border to separate the US from British territory from Lake of the Woods to the Rockies. When the Lewis and Clark expedition arrived in the area, they found the Prairies at the northern edge of the Louisiana territory dry and uninviting to settlers. "This Country may with propriety I think be termed the Deserts of America, as I do not think it can ever be settled," was the judgment that Clark noted in the journal entry for May 26, 1805 (Thwaites, Vol. 2, 84). Lewis wrote on July 17, 1806, comparing the plains to an ocean: "I steered my course through the wide and level plains which have somewhat the appearance of an ocean, not a tree nor a shrub to be seen" (Vol. 5, 205). As Paul F. Sharp has noted, the ocean metaphor turned out to be an image many settler colonists used.[8] As he writes:

> The undulating swells rolling away to distant horizons like restless waves, the vast solitudes resembling the ocean wastes, the unlimited vision of the daylight hours and the myriads of bright stars during the night watches suggested the ocean environment, even to unimaginative travelers. (Sharp 11)

Before the railroad's completion on either side of the border, which made east-west connections possible,[9] this ocean-like grassland area was "one horizon-stretching singularity" (Rees 4). Between the Hudson's Bay Company's surrender of the North-West Territories to the Canadian government in 1870 and the arrival of the North-West Mounted Police in 1874—followed by the construction of the Canadian Pacific Railway—Whoop-Up Country became a haven for outlaws, fugitives from justice, and deserters from the American Civil War. After the Montana territory in the US was garrisoned, the area was policed, and contraband trade in liquor was pushed North

8 Sharp cites the British explorer Captain William F. Butler, who also compared the vast area of the Great Plains to an ocean, saying that this "[...] ocean is one of grass" (Butler 199, qtd. in Sharp, *Whoop-Up Country* 11).

9 The Northern Pacific Railway arrived in Helena, Montana, in 1883, while the Canadian Pacific Railway made it to Calgary in 1884.

of the border. As a result, whiskey traders from the South of the border seeking to exchange liquor for buffalo robes set up their trading posts on the banks of the Belly River near present-day Lethbridge, Alberta. "The ribald name of Whoop-Up became a generality, more a description of the region than of the Fort itself—an autonomous duchy untouchable by law," writes Gordon E. Tolton, the biographer of John J. Healy, the notorious proprietor of Fort Whoop-Up (Tolton 116). Fort Benton, the American Fur Company post located at the head of the Missouri River navigation, was the hub of Whoop-Up Country, and the Whoop-Up Trail tied it neatly to the prairie commerce up North.

In historiography, Whoop-Up Country has been most famously chronicled by Paul F. Sharp. His 1955 study, *Whoop-Up Country: The Canadian-American West, 1865–1885,* is an interesting example of a regional history that focuses on this "shared Canadian-American borderland" (Morris, "Regional Ideas" 472). The book explores the late 1860s and 1870s trans-border whiskey trade and is a detailed study of the Whoop-Up Trail. This is how Sharp describes the trail:

> Despite its rowdy name, this half-forgotten highway once brought trade and culture into a great interior market stretching northward from the Missouri River to the Bow River Valley. From Fort Benton on the Great Muddy to Fort Macleod on the Oldman, it reached into the North, writing history in whiskey, guns, furs, freight, and pioneer enterprise. (Sharp 3)

Fort Whoop-Up, the original Fort Hamilton, was "a notorious rendezvous for whiskey traders at the junction of the Bow and Belly rivers" (McKenna 86). The origin of the name Whoop-Up is as mysterious as some of the whiskey trading tall tales which were spun like wild yarns. As the story goes, a frontiersman who was in Fort Benton to buy supplies was asked, "How's trade?" The reply supposedly was: "We're a whoopin' it up" (Turner 46). As Tolton explains, the phrase 'whoop'n it up'—referring to rowdy behavior—was in everyday use at the time, and 'bullwhackers' manning the freight wagons would call out 'Whoop-it-up!' when they wanted the bulls to pick up the pace" (108). Sharp says that some claim that the name came from "traders whose fast, six-horse wagons 'whooped it up' for the boundary to avoid both police and army patrols" (Sharp 49). He also states that the phrase "whoop you up" means "to be rounded up" (49). The name stuck, and soon "official government maps, both Canadian and American, marked the wagon road into Canada as the Whoop-Up Trail," and the entire region was referred to as Whoop-Up Country (50). As the success story of this trading post spread, other forts were set up,

Astrid M. Fellner
Saarland University, Germany

echoing the name Whoop-Up by employing monikers such as "Slideout, Slough Bottom, Robber's Roost, and Standoff" (Tolton 117).

Sharp points out that it is impossible to write "an accurate history of these colorful little forts" (46). Many of the stories that emerged from Whoop-Up Country were exaggerated, combining fact with fiction. They have become part of the extensive mythic repertoire of the West. "Tall tales of garrulous old-timers and lively imaginations of colorful writers nourished the myth to formidable proportions," writes Sharp (107). The Western writer Bertha Muzzy Sinclair, better known by her pseudonym B.M. Bower has undoubtedly contributed to this myth. In 1933, for instance, she also wrote a dime novel, *The Whoop-Up Trail*, in which she told the story of a young man named Chip Bennet, who sets out along the Whoop-Up Trail in search of his older brother.

All these stories have fed into the creation of the lasting myth of the West. Sharp's historical analysis, however, also zooms in on the economic struggles of this region. He elaborates on how the Hudson's Bay Company, the North West Fur Company, and the American Fur Company each struggled to assert their rights and claims to the regions and how the Sioux and Blackfoot resented intrusions and struggled for survival. Offering a detailed chronology of the "massacre at Cypress Hills" in chapter 4, Sharp also writes about Sitting Bull's flight (chap. 12). In the chapter "One People, Divided," he quotes the observation by Police Commissioner Gilbert M. Sproat, who in 1878 summed up the dilemma of the Blackfoot people: "The Indians north and south of the International boundary are one people, severed politically by an invisible line" (133). When in 1882, he states, the American government "acted unilaterally to end the free movement of Canadian Indians and half-breeds across the boundary," the forty-ninth parallel became a barrier to the Indigenous population: "From that time onward the Blackfeet were truly one people divided by an invisible line" (156).

When it appeared in 1955, Sharp's transborder study was well received, but it quickly fell out of favor as a localized account of a specific area. From today's point of view, the book clearly is dated: it is essentialist and, in many ways, condescending to the Indigenous population. I do not want to rehabilitate Sharp's study within the larger American and Canadian West historiography. Instead, I aim to show that in offering a history of a particular segment of the Great Plains, which lies astraddle the Canada-US border, this book constitutes an interesting border voice that, by zooming in on north-south connections, has departed from many national histories. At the same time, however, it has also eclipsed other voices, notably Indigenous perspectives.

As Aaron L. Barth has said, Sharp shifted Frederick Jackson Turner's frontier model north across the forty-ninth parallel. In doing so, Sharp turned Turner's national model into a transborder one, describing the two-decade history of the trail (Barth 2012). Sharp's words clearly sound like Turner's when he states: "Here on the northern plains, the two great streams of Anglo-Saxon pioneering that had pushed across the continent finally reached their last west in the same environment" (Turner 8). As Johnson and Graybill explain, when the book came out in 1955, it was initially favorably received in the US. However, Sharp was criticized by Canadian historians "for emphasizing the regional unity of the northern Great Plains" (Johnson and Graybill 12). The dominant school of Canadian history around Harold Innis at that time "stressed the economic links between the eastern core of the nation and its western hinterlands, leaving little room for north-south connections and making it easy for Sharp's more politically oriented account to be treated as a regional, and not national, story" (Johnson and Graybill 12). Sharp's study, however, provides a good insight into the boundary-making process of the Medicine line, also showing that embedded in the power struggles over control of the land were also efforts to contain and suppress alternative understandings of territoriality and sovereignty of Indigenous communities. The separation and division of myths into national frameworks—that of the orderly Canadian hinterland and the American Wild West—pushes other stories into the background. Sharp, for instance, adds a footnote to the history of Whoop-Up Country, a trivia fact which, although part of the multi-layered bordertextures of this cross-border region, has long been forgotten. Before the Canadian Pacific Railroad was completed, mail from Macleod and other Canadian settlements in the area went East through Fort Benton, bearing United States postage stamps. The Canadian Fort Macleod even had a United States post office on Canadian soil (Sharp 188). With the completion of the railroad, Macleod and its surrounding Whoop-Up Country experienced a reorientation "onto a new all-Canadian axis" (Morris, "Fort MacLeod" 153). The accumulated knowledge of the borderlands, the stories and experiences of the many frontiers people who used the border to their advantage, and the many Indigenous people whose lives were affected by the settler colonists together with the detrimental effects that colonialization and settlement had on the natural environment, flora, and fauna, has all too often been dismissed in the dominant national versions of the settlement of the Prairies.

In the same year as Sharp's history of Whoop-Up Country appeared, Wallace Stegner started to write his memoir *Wolf Willow*—which,

Astrid M. Fellner
Saarland University, Germany

unlike Sharp's book that was concerned with how the border came into being and how it affected an area, focused on the border as a marker of a clear difference between Canada and the US. Whereas Sharp's book presents itself as a history of the region, which, however, also relies on the techniques of storytelling, Stegner's text is "history filtered through the evocative and judgmental mind (and memory) of the region's most illustrious native son" (Stegner xi–xii). Consequently, the Penguin edition of the book is called *Wolf Willow: A History, a Story, and a Memory of the Last Plains Frontier*. Stegner spent the time from 1914 to 1920 growing up in southwestern Saskatchewan in a town called Eastend, a homestead lying 70 kilometers south of this town, right on the Saskatchewan-Montana border. By the time Stegner's parents took their sons to homestead on the Saskatchewan-Montana border at the beginning of the twentieth century, the settler colonists' dream of founding a new society, as Frederick Jackson Turner had described it, began to fade, and his family's experience of homesteading was a disillusioning one. Droughts and frigid winters destroyed the crops and decimated livestock, and the Stegner family had to give up and leave. In 1920, Stegner's father briefly turned to a border-crossing activity that Whoop-Up Country was familiar with: smuggling bootleg liquor. This time, the direction was, however, reversed: after the passage of the Volstead Act in the US, whiskey was smuggled into the now dry Montana from Canada (xvii–xviii). In the end, though, Stegner concludes, Whitemud, the fictionalized town of Eastend, was a failure, a place that was "dead, dead, dead" (296) and could only be seen as "an object lesson in the naïveté of the American hope of a new society" (287).

Being "engaged in a deep mapping of the place" (Naramore Maher 7) and offering a good example of bordertexturing, Stegner carefully weaves together fiction and nonfiction, history and personal impressions, childhood remembrance, and adult reflections. Set in the Cypress Hills, *Wolf Willow* brings to life both the pioneer community and its magnificent landscape. As he describes the beauty of the land:

> The drama of this landscape is in the sky, pouring with light and always moving. The earth is passive. And yet the beauty I am struck by, both as present fact and as revived memory is a fusion: this sky would not be so spectacular without this earth to change and glow and darken under it. (Stegner 7)

Stegner's account is framed by his telling of a visit as a "middle-aged pilgrim" (5) back to the town he calls Whitemud in his memoir. At the beginning of his visit, he describes a walk around the town during which he tries to elicit memories, which come back in a moment of sensory experience of the land's "remembered textures" (6). "It is wolf willow, and not the town or anyone in it, that brings me home" (19), writes Stegner, recalling the "tantalizing and ambiguous and wholly native smell" (18) of this shrub. His story is an "embodied narrative" (Naramore Maher 8) or what Kristie S. Fleckenstein has termed a "somatic" text, that is, writing that "recognizes the cultural, historical, and ecological systems that penetrate and reconstitute these material places" (281). Weaving together a narrative that emerges from the place and is embodied in the immediate experiences of the writer, Stegner admits that his "own recollections cover only a fragment; and yet it strikes me that this is *my* history" (Stegner 20, emphasis in the original), Stegner writes a memoir with healing powers against his previous feeling of "discontinuity." When he lived in the Cypress Hills as a young boy, the adult Stegner remembers, "I did not even know I lived there, and hadn't the faintest notion of who had lived there before me" (27). He blames his feeling of alienation and displacement on the experience of his family's failure as homesteaders and on the broken dreams of settler colonialists when they discover the harsh realities of the West: "Once discovered, history is not likely to be lost. But the first generation of children to grow up in a newly settled country do not ordinarily discover their history, and so they are the prime sufferers of discontinuity" (111). Stegner's bordertextures restore not only his memories but also local history, countering the process of forgetting.

The metaphor of the map functions as the guiding rod of Stegner's project, and the book correspondingly begins with a map: "An ordinary road map of the United States, one that for courtesy's sake includes the first hundred miles on the Canadian side of the Line, will show two roads, graded but not paved, reaching up into western Saskatchewan to link US 2 with Canada 1, the Trans-Canada Highway" (3). It immediately becomes clear that Stegner writes from a US perspective. Generally considered a US-American writer, Stegner's stay on the Canada-US border was only a brief episode in his life, albeit, as the book shows, the most formative time. Returning to Cypress Hills through the writing of this book, the adult narrator can then finally say, "I may not know who I am, but I know where I am from" (23). As his son writes in the introduction to the book, "it is clear that this historical memoir

Astrid M. Fellner
Saarland University,
Germany

is, above all, a conscious attempt to define a *who* out of the excavation of a childhood *where*" (xiv, emphasis in original).

The Medicine line is an important factor in this narrative (re-)construction of his sense of himself. He explains that "the forty-ninth parallel ran directly through my childhood, dividing me in two" (81). The border shaped the young boy's upbringing: the textbooks used in school were Canadian and published in Toronto, but in the summer, he celebrated the Fourth of July and Labor Day (81–83). Nonetheless, as it becomes clear, the border divided people, exerting "uncomprehended pressures upon affiliation and belief, custom and costume" (84). As he sums up: "The forty-ninth parallel was an agreement, a rule, a limitation, a fiction perhaps but a legal one, acknowledged by both sides; and the coming of the law, even such limited law as this, was the beginning of civilization in what had been a lawless wilderness" (85). The border was "less a boundary than a zone" (85), he states, and although there "was no telling where the precise line lay" (85), the border did have a dividing effect. Stegner also makes out the division when it comes to the policing of the line. Because of the contrasting coats of the US Army and the Mounted Police, the border was clearly visible:

> One of the most visible aspects of the international boundary was that it was a color line: blue below, red above, blue for treachery and unkept promises, red for protection and the straight tongue. That is not quite the way a scrupulous historian would report it, for if Canada had been settled first, and the American West had remained empty, the situation might well have been reversed. (101–102)

Essentialism and prejudices aside, Stegner's account reflects the dividing character of the international boundary, which, if we consider the national focus of (his)stories North and South of the border that have been written about the Prairies, really has also been an intellectual border that few scholars and writers crossed.

Stegner acknowledges that the completion of the boundary drawing in Whoop-Up Country in 1874 had the most immediate effect on the Natives, who, as he says, "can see the last years of the Plains frontier with the distance of history and with the passion of personal loss and defeat" (112). Writing about the power of the medicine line, he explains:

> It turned out that the Line which *should* not be crossed by raiding Indians literally *could* not be crossed by uniformed pursuers, and generally

wasn't crossed even by the un-uniformed ones. The medicine of the line of cairns was very strong. […] The red coats of the Mounties […] came only to the Medicine Line, like stars that rise only a certain distance into the sky. (97–98)

We know, however, that this line that crossed Whoop-Up Country and which bifurcated Indigenous territories not only provided sanctuary but also inflicted deep wounds. We also know that the Cypress Hills witnessed massive cruelty and violence. It was here that a band of American wolfers out of Fort Benton in Montana killed twenty-four Indigenous people in 1873. The Cypress Hills massacre and the arrival of Chief Sitting Bull, who escaped across the border to Canada after defeating Lt.-Col. George Custer, in 1876, focused international attention on this particular stretch of the border for years.

Dominant (hi)stories have often framed Indigenous experience as ongoing victimization, and Sharp's *Whoop-Up Country* and Stegner's *Wolf Willow* are no exception. By approaching the history of Whoop-Up Country with a focus on "necropolitics" (Mbembe 11), both Sharp and Stegner reenact those acts of extinction, perpetuating the silencing of Indigenous voices. However, in my sketch of the bordertextures of Whoop-Up Country, I want to show how Indigenous knowledge has prevailed and how writers have contributed to the web-making of the multiple layers and strings of bordertextures by exposing the fault lines and cracks in the dominant myths. The works of Thomas King, for instance, function as powerful alternative narratives, which hark back to hidden stories in the archive of the narratives of Whoop-Up Country. Here in these borderlands of what was formerly called Whoop-Up Country, Thomas King has set his short story with the apt and simple title "Borders."

BORDERCROSSINGS: THOMAS KING'S "BORDERS"

Criticizing colonialism and racism as part of decolonial struggles and focusing on enduring lives, Indigenous writers have created stories that focus on what Gerald Vizenor has called "survivance" strategies, practices that promote a sense of presence over historical absence (vii). Thomas King is undoubtedly one of the best-known writers of the Canada-US border who has exposed the forty-night parallel as "a figment of someone else's imagination" (Davidson, Walton, and Andrews 13), even though it bears the realities of sociopolitical, cultural, and psychic consequences. Both his life and his writings have constituted forms of border transgressions. As I have argued

elsewhere, his "entire oeuvre can be read across the US-Canadian border because, as a First Nation writer, he criticizes national borders imposed by imperial nations as artificial and imaginary" (Fellner 60). King is of Greek, German, and Cherokee ancestry; he was born in the US but moved to Canada and now holds Canadian citizenship. His cultural affiliation qualifies him as a border writer, because "as an 'American' Cherokee who moved to Canada, he can be a Canadian writer and a Native writer, but he cannot be a Canadian Native writer because the Cherokees are not 'native' to Canada" (Andrews and Walton 605). Shifting the attention away from traditional forms of storytelling, his narratives are embodied forms of knowledge production, comprising a postmodern pastiche of cultural counter-narratives. Oral tales, his stories insist, can transform the "story of an imaginary border" (Miner 2013, 176). His stories show that the forty-ninth parallel can be redrawn and undrawn by writers. The Medicine line "*can* have good medicine, especially when disarticulated from their Euro-western sociopolitical contexts" (177).

In his short story "Borders," a Blackfoot woman refuses to identify as either Canadian or US American and insists on giving her citizenship as Blackfoot. She gets stuck between border checkpoints with her son for a few days until they are finally allowed passage into the US after a television crew appears and broadcasts their story. The story is told from the point of view of the son, who has grown up on the Alberta Blackfoot Reserve, which is located directly on the border.[10] The border runs not only through the territory but also directly through the family. The boy's father was born on the US side of the forty-ninth parallel, and the boy says, "Dad's American, […] so I can go and come as I please" (King 131). While his mother was born on the Canadian side, his sister has moved to Utah, and at the beginning of the story, the mother and son want to travel to Utah to visit her.

King's story is "paradigmatic for the complex ways in which he addresses the issues that the forty-ninth parallel raises for Indigenous peoples" (Sarkowsky 218). The culminating point of the story is when they are waiting in the area between the two different border posts. When asked about her citizenship, the mother answers "Blackfoot" (King 1993, 135). The mother insists on her Blackfoot identity and citizenship, enacting a "decolonizing border-crossing" (Andrews and Walton 609), drawing attention to the rights of Indigenous

10 The Blackfoot of Montana were given an official reservation in 1874, which, however, was made smaller over the next twenty years. The Blackfoot in Alberta signed Treaty No. 7 in 1877 (cf. McManus 111).

border crossings guaranteed by the Jay Treaty.[11] "Just to keep our records straight," insists the border official, "what side do you come from?" (King 135), to which the mother simply responds, "Blackfoot side" (136). As the drawing of the forty-ninth parallel cuts right into and through Blackfoot territory, the mother is right: it is her ancestors' land and the border guard's request that the boy and his mother "have to go back to where [they] came from" (137) completely misses the point. The whole situation is all the more painful as dividing the Blackfoot territory was a deliberate move in the late nineteenth century to ensure better population control. Commissioner Steele of the North-West Mounted Police, for instance, believed that:

> Canadian Blackfoot […] would be more manageable if they could not mingle freely with their American confederates, and so a strip of land on the southern side of the promised reserve […] was confiscated and made available for not-Native settlement (Davidson, Walton, and Andrews 124).

The border dilemma is resolved through the intrusion of the trickster Coyote, who seems to do his magic. Stuck in the duty-free between the border posts, mother and son watch the stars, and the mother tells a trickster story. "You see all those stars," she said. "When I was a little girl, my grandmother used to take me and my sisters out on the prairies and tell us stories about all the stars. […] Coyote went fishing, one day. That's how it all started" (King 142). The next morning, media people arrive, the mother's Blackfoot citizenship is recognized, and the mother and son are allowed to cross the border. Although the connection between the trickster and the influence of media pressure on the border patrol agents is only insinuated, it is clear that Coyote has interfered, as traditionally "[t]rickster border narratives portray the second coming of Trickster, who returns with the potential to reorder the chaos of the frontier for Native Americans" (Groover Lape 15). For a brief moment, the mother's Blackfoot citizenship is acknowledged, and "the borderlands are thus briefly recognized as Blackfoot country spanning and overwriting the national border between Canada and the US" (Sarkowsky 20).

11 After the newly founded United States established a border with the British Empire in the Treaty of Paris of 1783, the Jay Treaty of 1794 should settle boundary disputes, mitigating the effects of the recently established boundary line on the Native peoples who suddenly found their lands bisected by an international border. Article Three of the Jay Treaty secured the right of free passage for Natives.

Astrid M. Fellner
Saarland University, Germany

In this story, the mother fails to comply with settler colonialist logic and "aligns herself with her own conception of a nation" (Roberts 128). Surely, from a dominant Western point of view, this Blackfoot woman fails to subordinate herself to the national logic of settler colonizers. However, her failure to comply with settler rules and her refusal to locate herself within the logic of the nation state not only constitutes an act of resistance but also works as an insistence on a form of being in the world that Audra Simpson calls "the hard labor of hanging on to territory, defining and fighting for your rights, negotiating and maintaining governmental and gendered forms of power" (Simpson 3). The fault lines that King's story exposes and renders visible activate border thinking, constituting a powerful counter-narrative that offers new tactics for cultural survival.

CONCLUSION: THE BORDER—AN UNEXPLAINED GUEST

Following the entangled histories of labor, violence, and cruelty, my sketch of the bordertextures of a particular stretch of the forty-ninth parallel—Whoop-Up Country—has analyzed the palimpsestic rewritings of the stories of these borderlands in both dominant, mainstream texts like Paul F. Sharp's *Whoop-Up Country* and Wallace Stegner's *Wolf Willow* as well as subaltern texts of territorialities and corporealities like Thomas King's short story "Borders." These texts show that many people were driven to the northern Plains borderlands, "their last, best hope—the Indians for escape and refuge, the settlers for the open western lands that seemed nearly gone—and lived a common story of hardship, disappointment, failure and, in fewer cases than not, persistence" (LaDow, *The Medicine Line* 3). The contest over territory and questions of rights and sovereignty did not end in the national era; in fact, it has continued until today. Nevertheless, the character of Whoop-Up Country changed so dramatically at the end of the nineteenth century that the name fell into disuse. Still, its legacy endures. The reconstruction of the old fort near Lethbridge, Alberta, and the annual Whoop-Up Days festivities testify to the lasting spirit of this turbulent era. It should also serve as a reminder of a history of violence and appropriation.

As Beth LaDow has stated, the forty-ninth parallel "appears like a quiet and unexplained guest in North American history, with its seemingly arbitrary straight line, slightly mysterious origin, and hazy significance, and to none more so than North America's Native peoples, whose territories it divided" (LaDow, "Sanctuary" 65). As fur trade empires crumbled, as the buffalo were hunted down

to near extinction, and as rival settler colonial empires consolidated their claims, the relations between the Indigenous peoples and the settler colonists deteriorated. Nation-making went hand in hand with bordering processes, hinging on "subverting the sovereignty of Indigenous people and incorporating them as domestic subjects in new nation-states" (Hogue 5). The Medicine Line, in what was called Whoop-Up Country in the nineteenth century, only forms a small part of the Canada-US border. Its cultural and symbolic significance cannot, however, be underestimated, as it also testifies to the fact that Native understandings of the border were different and mostly incongruous with settler colonialists' views. Natives, as Brenden W. Rensink has stated, had always negotiated boundaries but viewed them rather as "shared buffer zones" than sharply defined lines on a map (Rensink 44). When Indigenous peoples did recognize the border, it was in its meaning as the Medicine Line. Using it to their advantage because they knew that US and Canadian officials would stop at the border, Indigenous peoples, however, felt that they should be able to cross it freely. "Few factors," as Rensink has it, "transformed the nature of North American borderlands and international boundaries more rapidly than Native disregard for 'the line'" (12). King's short story "Borders" shows how Indigenous people continue to resist an ideology of containment, denying the authority of the borders to restrict their movements and insisting upon their freedom to reimagine themselves within shifting and fluid borderlands. His characters demonstrate that history can be revisited and endings can be rewritten.

Abstract: This article focuses on "Whoop-Up Country" in the Canadian/American West, analyzing a series of multi-layered cartographic texts through the lens of bordertextures. While the meaning of the Whoop-Up Trail may have faded into obscurity, the hidden histories, geographies, and knowledges of this border zone have survived and continue to resurface in the cultural imaginary. Zooming in on texts by Paul F. Sharp, Wallace Stegner, and Thomas King, the analysis carves out the multi-dimensional (hi)stories of the Canada-US border that account for the complexity of North American borderlands.

Keywords: Canada-US border, border thinking, bordertexturing, deep map, Whoop-Up Country

Bio: Astrid Fellner is Chair of North American Literary and Cultural Studies at Saarland University, where she also served as Dean of Studies at the Philosophical Faculty (2020–2024) and Vice-President of International Affairs (2014-2017). She is also Head of the UniGR-Center for Border Studies at Saarland University. She holds a Ph.D. in American Studies (1999) and a Habilitation from the University of Vienna (2006). Her research spans North American literatures and cultures, gender studies, border studies, and body studies, focusing on transnational and transcultural spaces. Pre-

viously, she has held positions as Austrian Chair at Stanford University and visiting fellowships at the University of Illinois, the University of Massachusetts Amherst, and Hong Kong Polytechnic University. Dr. Fellner has contributed extensively to scholarship, co-editing volumes such as *Narratives of Border Crossings* (2021), *Desbordes / Undoing Borders* (2021), *B/Orders are (not) Everywhere (for Everyone* (2023), and *Handbook of Higher Education in Latin America* (2020), and leading projects on diversity and border studies.

Astrid M. Fellner
Saarland University, Germany

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RETHINKING THE 'OTHER' BORDER: CARIBBEAN MIGRATION TO CANADA

Karen Flynn
University of Illinois, Chicago, USA
https://orcid.org/0009-0000-2836-180X

INTRODUCTION

Historica Canada's minute-length film in its series Heritage Minutes called "Underground Railroad" illustrates the heart-wrenching narrative of two adult children waiting anxiously for their father to arrive safely from the Southern United States to Canada. The father eventually arrives hidden in the bottom of what appears to be a church pew. Amidst exuberant voices, the narrator reminds the audience that during the years 1840–60, about 30,000–40,000 enslaved African Americans made their way to Canada via the Underground Railroad. The family can be heard saying, "We made it to Canada; we are free." Without question, Canada provided refuge to enslaved, free people and loyalists who sought to escape the brutality of slavery and oppression in the United States. The reality is that while "Canada represented new liberty […] this was a new liberty mixed with familiar prejudice and a racism that knows no boundaries" (Reid-Maroney 10). To "recreate events of importance, accomplishment, and bravery in our country's history,"[1] Historica Canada reinscribes and reinforces a hegemonic narrative that reaffirms Canada as the "Promised Land"[2] and conveniently ignores slavery on its own soil. In this script, enslaved people often appear as extras in episodic instances to maintain a myth of Canada as a country willing to open its borders to dispossessed populations.

An iteration of Canada as the "Promised Land" was reproduced in a slate of stories circulated in the Canadian, US, and British media

1 For a discussion regarding the significance of the Underground Railroad in Canada, see Davis.

2 For an explanation of the "Promised Land," See Reid-Maroney et al.

in 2017. "Migrants Walk Through Snow to Canada After 'Hatred' in US," "A Surge of Migrants Crossing into Quebec Tests Canada's Welcome," "A Back Road to Hope: Immigrants Flood into Canada on Foot at Unofficial Crossings," and "Prime Minister Trudeau Says Canada Welcomes Refugees" are examples of some headlines (Razek, Levin, Ring, CBS/AP). In a few of these scenarios, Canada is juxtaposed with the United States, which is a hardly uncommon comparison. Historically, Canada has constructed its identity vis-à-vis its neighbor South of the border. Eva Mackey argues how "the constant attempt to construct an authentic differentiated and bounded identity has been central to the project of Canadian nation-building, and is often shaped through comparison with, and demonization of the United States" (147). Whether concerning its history of race relations vis-à-vis its treatment of Indigenous peoples, health care, or political parties, Canada emerges as a better and more caring nation.

Indeed, several of the displaced persons interviewed in the stories above pointed to the Muslim ban in the US and the country's anti-immigrant sentiments as the reason for wanting to live in Canada. Like the descendants of African Americans who came to Canada in the eighteenth and nineteenth centuries, for these newcomers, Canada represents hope. However, as this paper illustrates, Canada's response to Black bodies entering its borders has hardly been convivial, as reflected by the measures undertaken by Immigration Canada to restrict Caribbean migration.

Relying on archival and secondary sources, such as immigration records, the paper focuses primarily on Caribbean domestic workers to reimagine who is involved and what counts as nation-building activities. While there is some recognition that Chinese and Sikh immigrant men furnished the physical labor necessary for nation-building by constructing railways and working in the lumber industry (Razack 2), the bodies and the work performed are gendered. Thus, I argue that Caribbean domestic workers should be included to expand the repertoire of actors and the parameters of what counts as nation-building activities. Specifically, I examine how these working-class women both inadvertently and directly contributed to Canada's nation-building in two ways: 1) by assuming reproductive tasks on behalf of middle-class white women and their families and 2) through their activism against deportation. To understand the experience of the domestic workers, some attention to Immigration Canada's response to prospective Caribbean migrants, mostly men, is warranted.

Karen Flynn
University of Illinois, Chicago, USA

CARIBBEAN MIGRATION TO CANADA

Whiteness is inextricably connected to nation-building; thus, immigration policies are designed to ensure that only certain migrants are eligible to enter the country. There was no question, especially in Canada's infancy, that British and northern European migrants were preferred and viewed as integral to the nation-building project regardless of their labor. To ensure that Canada remains a white nation, officials circulated racist and sexist discourses of Caribbean people, including domestic workers, as lazy, sexually promiscuous, mentally and morally deficient, and therefore unfit to belong to the Canadian nation. Indeed, Immigration officials at various levels appointed themselves "guardians of Canada's racial purity" (Schultz 53). Despite concerted attempts to exclude them, a few Caribbean people entered Canada. During the First World War, for example, Paula Hastings pointed out that "hundreds of West Indians migrated to Canada to join the Canadian armed forces, to meet the labor demands created by wartime economic expansion, and the absence of enlisted workers, and to study at Canadian universities" (Hastings 444).[3] These wartime activities should be considered as a component of the nation-building enterprise. Such an acknowledgment disrupts the narrative, which positions white people as primarily responsible for the creation of and maintenance of the nation while simultaneously disavowing and ignoring the Indigenous presence. Despite their contributions to Canada's wartime economy, immigration officials were relentless in their efforts to prohibit Caribbean migration.

The inability of the colonial Caribbean to provide employment for its inhabitants and Canada's need to fill particular niches led to migration initiatives. To encourage out-migration, the Barbadian government subsidized the transportation of skilled tradesmen in carpentry and mechanics. The men migrated to Halifax, Nova Scotia, and other Maritime ports. Upon their arrival, however, these skilled workers found themselves restricted to tedious work in the coal mines and the steel plant's coke ovens of Sydney, Nova Scotia (Calliste, "Race"; Flynn, "Caribbean Migration"). Similarly, to alleviate Antigua's unemployment, in 1923 and 1924, the governor of the Leeward Islands petitioned Canada to allow 1,000 harvesters to migrate. Despite objections from Immigration Canada, the Dominion Iron and Steel Company (DISCO), located in Sydney, Nova Scotia, recruited 61 laborers from

3 A perusal of McGill University yearbooks, for example, featured Caribbean students primarily in medicine and other disciplines. See Flynn, "In Search of What Better Life?"

the Caribbean to work in the mines during 1920–21 (Calliste, "Race" 135). While most migrants came from Barbados, recruits also came from Grenada, St. Vincent, and Guyana (Reid 323–337).

To preclude Caribbean people from migrating to the Maritimes, Superintendent of Immigration W.D. Scott and individual agents devised a range of schemes such as tightening "local inspections by means of strict enforcement regulations" (Calliste, "Race" 136). Claudine Bonner, in her detailed study, highlighted how immigration officials relied on legislation as well as "their discretion" to position Black migrants as inadmissible. When their tactics proved unsuccessful, immigration agents were summoned privatively to "exclude Caribbean [B]lacks even when they complied with the Immigration Act." Writing to Scott, the Inspector of Immigration Agencies in the Maritimes suggested that "every obstacle is to be put in their way, and if everything fails […] reject them under subsection (g) of Sec. 3. of the Act as 'likely to become a public charge'" (136). Several individuals, such as the Chief of Police in Sydney, disputed the public charge insinuation. He and others pointed to the fact that Caribbean migrants found work. Those who did not work in the mines or the steel plants found employment as "waiters in restaurants, carpenters, or shoe-shine shops," noting that "most appear to get work" (Williams). The Chief also included a meeting with Mr. Hickey, an immigration agent who "had no knowledge of any negroes becoming a public charge." Hickey told the Chief that he spoke to a captain who had brought "over 50 [N]egroes from Barbados to Sydney" and warned him of the implications if the migrants' were unable to find employment. Hickey told the captain, "If they became a public charge he would have to take them back at his own expense" (Williams). The lack of evidence substantiated by other agents of the state regarding Caribbean migrants as potential public charge did not deter immigration officials. They continued to concoct ways to curtail Black migration even at the expense of companies who needed labor, albeit inexpensive and expendable.

To satisfy their racist imagination that Caribbean people were clamoring to enter the country, immigration officials resorted to detaining and deporting potential migrants. Verbal instructions were given to "deport any coloured person whether they complied with the law or not." A letter signed by Pickford & Black Ltd., representing the Canadian Pacific Railway Company (CPR), elucidates the tensions between immigration officials and companies sponsoring or recruiting laborers. The agents wrote that two Jamaicans were "being excluded from your department" based on the assumption of them becoming a public charge (Pickford and Black Ltd). In defending the two migrants,

Karen Flynn
University of Illinois, Chicago, USA

Pickford and Black pointed out that both fulfilled all immigration requirements, including being medically fit. Clearly displeased, Pickford and Black wrote:

> We protest [a]gainst the deportation as we brought them forward in good faith complied with every immigration regulation and if any new regulations are to be put in force, then steamship companies should have sufficient notice in order to enable them [to] advise their agents […]. (Pickford and Black Ltd)

The CPR was not the only company impacted by the Department of Immigration's arbitrary detention policies. Local agents of The Royal Mail Steam Packet Company wrote W.D. Scott about nine passengers detained on the ship Chal. The agents explained, "We have wired you enquiring if passengers can obtain guarantee from reliable persons that they will be given employment if you permit them to land." The agents continued, "They all seem to be able bodied and willing men and they left their own country in good faith and on positive assurances that their medical and physical examination was in accordance with the requirements, it is unfair that they are not allowed admittance" (William Thompson and Co.). Given immigration officials' claims about the Caribbean migrants' admissibility, even as they were advocating for their companies, some agents criticized the unfair and capricious practices leveled against Caribbean workers.

Besides detaining and deporting Caribbean migrants, one senior immigration official attempted to create panic around local labor conditions in Sydney. Following an interview with L.M. Fortier, Inspector of Immigration Agencies of the Maritime, the headline in the *Sydney Daily Post* read: "Immigration to Sydney to Be Censored," followed by "Many West Indians Gain Entry To This City." "Will protect local labor" and "Rigorous Supervision of All Aliens To Be Inaugurated […]" ("Immigration to Sydney"). To buttress white Canadians' fears, Fortier pointed out that Caribbean migrants were taking jobs that rightfully belonged to them. Like Scott, he also gave the impression that there was an influx of Caribbean people in Sydney. In fact, during the years 1900–16, Black migration accounted for 0.04 percent of the Canadian population, a figure that would also include African Americans (Mathieu 59). By 1921, there were a total of 1,200 Caribbean migrants in Toronto and 400 in Montreal. By 1923, The Black population in Sydney was 600 (Reid 325).

The most egregious policy designed to restrict Black migration was the order-in-council signed on August 12, 1911, by Sir Wilfred Laurier. Sarah Jane Mathieu argues that:

> The new edict, the first ever of its kind adopted in Canada singling out a racial group for unqualified racial exclusion, codified white paranoia into federal law and earned the Department of Immigration the dubious distinction of being the first federal government branch to institute a nationally implemented Jim Crow Law in Canada. (57)

Mathieu points out that while the "order in council fell through the cracks of the federal government turnover in the fall of 1911, the white supremacist rationale fueling it haunted Black would be settlers for another century" (57). It is in this climate of anti-blackness that Caribbean migrants attempted to thrive.

Caribbean migrants in Sydney worked to ensure their survival and challenged dominant narratives that they were lazy. Aware of the economic situation in their home countries, these men found employment in a wide range of industries, often working in conditions not of their choosing. Besides working in the coal mines and coke ovens, some found employment in carpentry and the can-meat factory. Others worked in hotels as waiters. One man migrated to work as a barber at his brother's barbershop. Even as immigration officials worked assiduously to curtail Caribbean migration, they supported the request of elite men and facilitated the migration of Caribbean domestic workers.

THE FIRST DOMESTIC SCHEME

While domestics from the Francophone Caribbean are often associated with the first domestic scheme, archival evidence suggests that domestics from the English-speaking Caribbean were also in Canada around the same time. J. B Williams, the department's "travelling border inspector," wrote to Immigrant Branch Superintendent, W. D. Scott, informing him that there were Negro girls in Nova Scotia "who came from time and are in great demand as domestics, and those that have them in their employ speak highly of them." Williams added, "Two of these girls are working at the hotel, and are giving every satisfaction, and appear to stand the winter weather alright." Likewise, L.M. Fortier, Chief Clerk Immigration Branch, wrote how a friend "of a well known barrister […] is bringing Creole girls from Jamaica as domestics." Regardless of the period, Caribbean domestic workers

Karen Flynn
University of Illinois, Chicago, USA

were never sought after or welcomed to migrate to Canada; they were the last resort to meet the demand for inexpensive labor.

J.M Authier, a former consul in Guadeloupe, traveled to the island "to bring from there a party of coloured domestic servants for situations awaiting them at Three Rivers, Quebec" (Robertson). The arrival of what appeared to be the first group of Francophone domestic workers to Quebec caused quite the spectacle, evidenced by the coverage in the local media. The headline in the *Montreal Herald,* written in capital letters, read, "58 Dark-Skinned Domestics Here Advance Guard." Underneath the aforementioned caption was the following: "Importation of Colored Servants From Guadeloupe Inaugurated by Montrealers," followed by: "All Have Places in Local Families" written in capital letters ("58 Dark-Skinned Domestics"). If Montrealers expected the women to arrive in Quebec appearing dowdy, they were pleasantly surprised. The women wore long, colorful dresses complemented by hats and handbags. Unfortunately, no one informed them about the weather prior to their arrival. The women arrived in April, which meant that compared to the weather in Guadeloupe, Montreal was cold. The final caption in the story was the tagline: "French-Speaking Housewives Meet Girls and Loan Them Clothing."

The domestic workers could not escape the stereotypes of Black women as lascivious. Even though the *Montreal Herald* mentioned that "French-Speaking Housewives Meet the Girls and Loan Them Clothing," the *Colliers* magazine ran a story that "red light district women" met the girls and, in exchange for warm coats, took them away to work as prostitutes (Calliste 141). Immigration officials chose to investigate the story, ignoring the fact that the women were accounted for; all were placed in the homes of their employers. That the story was fabricated made no difference to Immigration officials who contacted employers inquiring about the domestic workers' performance. As the Caribbean men discussed earlier, reports attesting to Guadeloupian domestic workers' suitability were ignored by immigration officials. In fact, before the women began working, they were assessed favorably.

Before and after their arrival in Montreal, the Guadeloupian women were interviewed by various immigration personnel. A. Regimbal, Asst. Dominion Immigration Agent, writing to the Superintendent of Immigration, explained, "the majority of them have been in domestic service for years in their native country. They are all strong and apparently healthy; they seem to be a good class of immigrants and in all probability will prosper in this country." Similarly, the Acting Canadian Government Official posted on Ellis Island described the domestic workers as follows: "I found them to be of a very intelligent class,

almost 70% of the party being able to read and write" and except for one of the women, they all spoke French (Klein). Another immigration officer determined the women "to be physically and mentally quite able to pass the medical examination." He also noted, "these domestics seem intelligent and capable" (Klein).

Guadeloupian domestic workers lived and worked in a conservative society where Quebec women's rights were severely curtailed. The inability to vote meant, according to John Dickinson and Brian Young, "women virtually had no power […]" in male-dominated institutions such as the government and the education system (239). Even when Quebec women trained for skilled jobs, such as teaching, nursing, and telephone operators, "their job training […] had larger ideological implications […] preparing them for their roles as wives and mothers" (239). As soon as they were married, "women were expected to quit the paid labour force and to exemplify wifely, motherly, and homemaking virtues" (239). As will be illustrated shortly, domestic workers were expected to embody specific degree characteristics akin to motherly and homemaking virtues, reflected in their employers' assessment, which will be discussed shortly. The low status of domestic work, coupled with characteristics ascribed to the women who perform such work, makes it challenging to underscore parallels to middle-class white women. Domestic workers lived and worked in homes where traditional gender ideals prevailed. Husbands serve a dual role as breadwinners and employers. Their productive work for remuneration sustains families and pays their household help. Freed up from some of their reproductive responsibilities, wives can focus on meeting their husbands' physical and emotional needs. In addition to household work, domestic workers were also responsible for caring for children. Indeed, when some of the responsibilities of mothering are relegated to domestic workers, they are helping white women raise future citizens, indirectly assisting with fulfilling the ideals associated with nation-building. Moreover, domestic workers maintain healthy families and, by extension, a stronger nation. While influenced by racist and sexist views of Black women, the employers' description of their domestic workers suggests they did their jobs well. Employers' feedback to immigration officials simultaneously challenged public perceptions of women's morality and aptitude.

Writing on behalf of his brother, Dr. Arthur Lemieux, Auguste Lemieux expressed his gratitude to L.M. Fortier for his role in facilitating the migration of the Guadeloupian women. In his letter, Lemieux not only mentioned the women's dress being inappropriate for the weather, but he also noted that "they are not too ugly after

Karen Flynn
University of Illinois, Chicago, USA

all." (Lemieux). While clearly irrelevant as relates to the drudgery of domestic labor, Lemieux's comments about Caribbean women's attractiveness are most likely mediated by his views about Quebecois women as representative of normative femininity.

While none of the other employers commented on domestic women's attractiveness, they drew on gendered and racial stereotypes in their descriptions of them. The employers' perceptions must consider the power dynamics inherent in an already asymmetrical domestic worker/employer dyad. It means recognizing certain spoken and unspoken norms that govern the relationship. Surely, working in the private sphere of the household, domestic workers no doubt recognized their subservient position and enacted their femininity in ways that aligned with the employers' expectations. Two months following their arrival, the immigration branch conducted what Agnes Calliste refers to as "a half-hearted survey of the 96 employers of the Guadeloupian domestic workers" to determine whether they were satisfied with their employees' performance and conduct ("Race" 141). Fifty-five employers responded satisfactorily. With two Guadeloupian domestic workers, one employer, a medical doctor writing under the initials A.A., wrote to Fortier approvingly: "[They] give me entire satisfaction in every respect; they are clean, docile, attentive to their work, and their moral conduct leaves nothing to be desired." He then complained how "there was great difference between the services they give us and that we had from the greater number of whites who have been in my employ during the last 30 years" (A.A.). In addition to being dissatisfied with the service provided by white domestic workers, the employer also noted the exorbitant wages they demanded. He mentioned that the Francophone domestics, in contrast, offered much better service.

In closing, the employer urged the government to consider the importation of "more creoles" as they are a benefit. Particular virtues such as morality, devotion, and cleanliness, used to describe domestic workers, are also expected of wives. They also were expected to perform acceptable feminine behavior that coincided with their wifely and motherly duties. Even then, this particular employer clearly believed that Black women were suited for domestic work and exploited this belief in terms of how Francophone domestic workers were remunerated.

Unlike his mother, who had difficulties with her domestic worker, prompting Dr. E.D. to suggest a trial period, E.D. expressed satisfaction with his own domestic worker. He noted, "she is a good girl, obedient, a worker, sufficiently devoted [...]," adding that "If you have a family and are obliged to keep servants, I should not wish better for you than

you would have one like mine." (E.D.) Dr. E.D.'s mother, Madame E.D., also completed the survey. While her domestic worker could not read or write, which she found unsatisfactory, Madame E.D. maintained, "They are excellent servants, of irreproachable character, persons belonging to a class desirable for this country." (E.D. "Madame") The supposition here is that as long as domestic possessed the requisite qualities and values that employers desired and remained as domestic workers, they were welcome to join the Canadian nation.

Households with children are emotionally demanding and labor-intensive. In these scenarios, domestic workers operate as surrogates who assume the more physical and taxing part of child work with employers, especially mothers upgraded their own status to mother-managers (Rollins). White middle-class mothers are expected to be guardians of the nation's values and are expected to instill them in their children to create upstanding future citizens. Surely, Caribbean domestic workers assisted mothers in this endeavor. While the number of children in G.A.'s household is unclear, it was important to him and surely his wife that their domestic worker had an amicable relationship with their children. G.A. noted his domestic workers were slow but "clean, and careful in cockery [sic] and very fond of children." (G.A.)

There is no question that the employers' views of their domestic workers were paternalistic and motivated by their own self-interest in acquiring cheap labor. Even as the job demanded performing a particular kind of femininity and knowing one's place within a hierarchical relationship, the employers' description of their domestic worker's characteristics stands in stark contrast to immigration officials. Employers saw the domestic workers as a class of acceptable migrants suitable to work in their homes and live in Canada. Described by their employers as "good," "capable," "clean," "devout," and often "religious," domestic workers, albeit commodified and inexpensive, were viewed as "Other" by immigration officials. The scheme was short-lived despite the employers' favorable assessment of the domestic workers and additional demands for Guadeloupian domestic workers. Canadian Immigration halted the migration of additional domestic workers.

During the years 1913–1914, the Quebec government initiated deportation proceedings against some of the women "on the grounds that they come become public charges" (Arat-Koc 74). Unlike the employers, immigration officials' fervent beliefs of Black women as 'undesirable' migrants persisted. Decades later, a similar demand for domestic workers led to a second scheme.

Karen Flynn
University of Illinois, Chicago, USA

THE SECOND DOMESTIC SCHEME

Unlike the first domestic scheme, which was motivated by individual needs, the second domestic scheme was an agreement between the Caribbean and Canadian governments to send English-speaking Caribbean women to Canada. Similarities existed between both schemes.

The decision to allow Caribbean domestic workers to migrate to Canada was far from altruistic; the state's response suggested an investment in the myth that Canada belonged to them (as opposed to Indigenous peoples), giving them the authority to control and decide who entered its borders. Like the first domestic scheme, the state also operated in the interest of middle- and upper-class white Canadians. Long after the first domestic scheme was canceled, the question of Black women's alleged immorality "was still being used to explain the restrictions on Caribbean migration" (Arat-Koc 74).

Several factors led to the recruitment of Caribbean domestic workers. According to Sedef Arat-Koc, "After attempts in Europe to secure domestic workers, and with mounting pressure from the Caribbean governments and Britain, Canada finally entered into a domestic scheme with Jamaica and Barbados" (75). As the Guadeloupian Caribbean domestics discussed earlier, this group was also seen as the last undesirable alternative. However, they also took on the reproductive responsibilities traditionally borne by middle-class white women. As they entered the growing labor force in greater numbers, middle-class white women shifted the burden of their reproductive tasks onto racialized women. As they sought their liberation in the world of paid work, white women could work for remuneration secure in the knowledge that their homes and children were cared for.

The women had to agree to specific stipulations to be eligible for the scheme. They had to be without minor-aged children or the encumbrance of common-law relationships and be between 18 and 40 years old.[4] The women were required to have at least a grade 8 education and pass a medical examination. Prospective applicants were then interviewed by Canadian Immigration officials, who then decided on suitability. Despite passing their medical exam, upon arrival in Canada, the women were "further subjected to gynecological examinations" (Arat-Koc 75). Granted landed status (permanent resident), the women were placed in a home for a year and were free to leave their employer if they did not meet the conditions stipulated in the employment agreement. While the scheme was officially elimi-

4 The reference to the ages of the women were either 21–35 or 18–40.

nated in 1967, the demand for domestic labor remained. The criteria for entry remained in place well into the 1970s, and many Caribbean women continued to enter the country as domestic workers.

The criteria for admission were clearly deliberate and intended to ensure that the women had no dependence or intimate relationships, eliminating the possibility of sponsorship. Erica Lawson argued that "the specificity of the requirements, and in particular, erasure of children and intimate partners, produced [B]lack domestic workers as women not expected to have chidden or to deny them emotional involvement and physical presence in the lives of their own children" (Lawson 143). The supposition was that Caribbean women, even if they did have children, could, out of sheer desperation, leave their families behind at a whim to assume the responsibility of reproductive tasks in the homes of middle-class families.

Fig. 1. The names of the first 25 Barbadian women who migrated to Canada as Domestics in November and December 1955. Courtesy of Carolyn Neblett, 2007.

Karen Flynn
University of Illinois, Chicago, USA

During the first year, Canada allowed 100 women from Jamaica and Barbados to enter the country on a trial basis. Apparently, many of these women were educated and had extensive experience in their home countries but could only enter Canada as domestic workers (Calliste 1989). Perhaps the most notable of these women is the Honorable Jean Augustine, who migrated to Canada from Grenada in 1960. Augustine worked as a domestic worker and eventually earned her permanent resident status. She enrolled in a teacher's college and became a teacher, vice-principal, and principal before pursuing a political career. She became the first Black woman elected to the House of Commons in 1983 (Keung).

Augustine's observations about Toronto warrant commentary. She explains, "The Toronto I came to in 1960 was very different from today—I could walk for hours on end and not see another Black person." She continued, "And there were people who did not feel that Black people had a place in Canadian society" (Keung).[5] Augustine's remarks not only support Mathieu's point earlier regarding the long-term implications of the order-in-council regarding Black migration but also provide a glimpse of the environment that domestics lived and worked in. The introduction of the point system in 1967, which replaced race as the criteria for migration, would subsequently change the face of cities such as Toronto and Montreal. Caribbean migrants remained vulnerable despite a supposedly liberal immigration policy. The well-publicized case of the Jamaican Seven, who entered Canada under the criteria of the second scheme, conveys the sad reality of who belongs to the nation. The ideal family is the one that Caribbean domestics migrated to care for; their children, however, did not belong in Canada.

Having lived in Canada for several years, some domestic workers proceeded to sponsor their children who were still residing in the Caribbean. In 1976, the Canadian government began deportation proceedings against several of these individuals, alleging that they had failed to disclose the fact that they had minor children on their immigration applications (Fudge 119). The rationale seemed to stem from a recession in Canada, which reduced the demand for their labor. While the workers acknowledged withholding information about their children, they did so based on advice from Jamaican Ministry of Labour officials, who told them that the children's status was irrelevant since they were not traveling with them. The women also disclosed that

5 It is important to point out that as a Caribbean migrant, Augustine's advancement in Canadian government and society is exceptional.

the Canadian Manpower and Immigration Representatives were aware of the information regarding their minor children but chose to disregard it due to the demand for their labor. In a booklet published in 1900 titled "Advice to West Indian Women Recruited to Work in Canada as Household Helps," prospective domestics were told, "You should not try to sponsor the immigration of any of your relatives or friends to Canada unless you have been there for at least 18 months." ("Advice to West Indian Women"). Whichever government body was responsible for creating these guidelines, presumably the Jamaican Ministry of Labour, anticipated that women would want to sponsor their relatives at some point. Given these instructions, it makes sense that even though sponsoring their children was not a part of the initial agreement and was prohibited by the Canadian government, some women would attempt to do so. Unsurprisingly, it did not appear that reporters or Immigration Canada investigated the women's claims that representatives of the state in the Caribbean and Canada knew their children. Instead, Immigration Canada sought to deport the women for failing to disclose that they had dependents under the age of 18 (Federal Court of Appeal). Some women then brought their plight to the Canadian public using the slogan "Save the Seven."

Fig. 2. Some of the women from the second domestic scheme: left to right: Laurene Blunt and Esther Reid; the names of the other women are unknown. The second row is Donald Moore, founder of the Negro Citizenship Organization. A Civil Rights Activist, Moore was instrumental in challenging Canada's exclusionary policies against Caribbean migration. Courtesy of Carolyn Neblett, 1956. Neblett is Blunt's niece.

Karen Flynn
University of Illinois, Chicago, USA

The seven women—Elain Peart, Lola Anderson, Carmen Hyde, Rubena Whyte, Elizabeth Lodge, Eliza Cox, and Gloria Lawrence—were the appellants in the case against the Minister of Employment and Immigration. The "Seven" is a larger movement that includes Julia Farquharson, a landed immigrant who became its public face. By bringing their plight to the public, the Jamaican Seven and Farquharson jolted Canadians out of their perpetual denial regarding gendered racism in Canada and, by extension, the immigration system. Often denied agency and presence, the women's activism engendered incredible support and created several organizations and alliances devoted to domestics. Indeed, these women called into question the meaning of citizenship and belonging by underscoring their status as mothers and workers who contributed to Canadian society.

Given how some media outlets called them liars, the tenacity and courage exhibited by the Seven and Farquharson are far from the image and discourses generated about domestic workers, which is significant given that other women were scheduled to be deported but chose not to come forward. Cognizant of how they were situated within the larger political economy of care workers as cheap, expendable labor, coupled with their fragile immigration status, the Seven and Farquharson were willing to "fight back" against the gendered racism enacted by the state. Elaine Peart pointed out, "we were brought here to clean rich folks' homes, and now we are not cleaning rich folk's homes so you want to throw us out because we're black, we can't be held down forever" (Leah and Morgan 23). Gloria Lawrence, one of the seven, asserts, "The immigration holds that fear of deportation over immigrants' heads' to prevent us from demanding better jobs, working conditions, better wages and social conditions" (quoted in Leah and Morgan 23). Lawrence not only recognizes but can name the state's complicity in their oppression by its willingness to deny them these social rights, which essentially are markers of citizenship.

To suspend the deportation, individually, the women took their case to the Canadian Immigration Appeal Board and the Federal Court of Appeal but were unsuccessful. Once the women exhausted their appeals, they contacted the Committee Against Racism (C.A.R.). It was through C.A.R. that the women learned about each other. In expressing the significance of their meeting, Lawrence explained, "I found I wasn't alone. Six other women [. . .]—all of us took a step forward against racist and chauvinist harassment we suffered at the hands of the Immigration Department" (Leah and Morgan 23). In addition to articulating the intersection of race, class, and gender to explain their treatment by the state, Lawrence also elucidated the larger significance of their

struggle. Their fight against Canadian Immigration was a Civil Rights issue. "Believe me, If I had thought that I would be in the lead of one of the most important Civil Rights fights in Canada, I wouldn't have come! But here I am, here we all are, and we plan to stay to win this fight" (Leah and Morgan 23), she states.

Given the failure of the appeals at the federal level, on March 1, 1978, the women, represented by Civil Rights lawyer and activist Charles Roach, filed a complaint with the Canadian Human Rights Commission (CHRC). The CHRC adjudicates discrimination claims with a mandate to ensure an inclusive society where people are free from discrimination based on their different social locations. In presenting their complaints to the CHRC, Roach pointed out that the women believed "that the real reason for their deportation is racial discrimination in that they were Black, and their country of origin is Jamaica" (Lawson 142). The women's fight was both political and personal; they had children and family members in Jamaica who were dependent on them for remittances they sent home. In an interview, Elizabeth Lodge, who worked at a hotel, explained that "My take-home pay is about $180 a week and I've sent about $100 a month for their food, and I keep them in clothes" (Lawson 147). Moreover, given the economic crisis in Jamaica because of structural adjustment policies, Roach emphasized the economic hardship women would face if they returned to Jamaica. Like the domestic workers who came at the beginning of the twentieth century, the Seven responded to a demand for their labor with the goal of making a better life for themselves and their children. Having taken care of White peoples' children, the Seven needed to take care of their own. The activism that ensued directly appealed to the Canadian nation-state to live up to its mythic ideal. Equally important was how the case served as a vehicle for a broader social justice agenda.

While their case was being heard, the women engaged in a few public forms of activism via a series of marches, some held, though not exclusively, under the slogan, "Save the seven," the name of the defense fund established to assist them in their fight to remain in Canada. Following the complaint to the CHRC on May 1, 200 people marched downtown Toronto on May 8. Moreover, approximately one year later, "the seven" led the May Day March on May 5, which also included Farquharson, who, though not one of the Seven, was also supported by the C.A.R. Like the other women, Farquharson was a landed immigrant, but not a domestic worker. She was the sole support mother of three Canadian-born children. The reason for Farquharson's deportation remains unclear. *The Globe & Mail* article stated that she was "convicted of fraud for cashing a welfare check for a girl-

Karen Flynn
University of Illinois, Chicago, USA

friend in New York" (Ring 4). However, Farquharson claimed she did not realize that cashing the check was illegal. In the article "Immigrant Women Fight Back: The Case of Seven Jamaican Women" by Leah and Morgan, the authors suggest that Farquharson's deportation stemmed from her inability to achieve financial independence, which led her to rely on welfare. They argue that a combination of factors—such as the deportation of her common-law husband, low-paying jobs, and a lack of affordable daycare—forced Farquharson to seek public assistance (23).

Regardless of how the state constructs the Jamaican Seven and Farquharson as Other, the women viewed Canada as home. Secure in this knowledge, they challenged the state to treat them and their children accordingly. Farquharson was determined that her children would grow up in the country where they were born. "I'm not leaving, and my children aren't leaving, they have the rights as any Canadian" (Leah and Morgan 24), she explained. Farquharson took issue with the fact that the government penalized her for what was called at the time "mothers' allowance," noting that it was support for her Canadian-born children and that denying her rights as an immigrant meant denying her children's rights (Leah and Morgan 24).

Immigration Canada's willingness to deport Farquharson's Canadian-born children vexed the Canadian public. The support these women received strengthened their resolve to continue fighting. "I know that I can fight back, and that other people are backing me" (Leah and Morgan 24), Farquharson explained. In many ways, public support legitimizes their humanity. Other groups recognized the significance of the women's plight, as exemplified by their inclusion on May Day in March. In addition to lawyer Charles Roach, the March also included speakers from the Iranian Student Association, the Arab Palestinian Association, the Sikh Community, and the Canadian Party of Labour. As they made their way to the Canadian Immigration Department, Farquharson addressed the group, reminding them it was important "to continue the struggle" (Boyadjian). In speaking truth literally and figuratively to power, the women amassed national support, forging various alliances not specific to the Caribbean community.

As a result of the women's ordeal, several organizations were created, such as the Committee Against the Deportation of Immigrant Women (Silvera 198–201). The organization was founded by Sherona Hall to "advocate for landed status for Jamaican-born domestic workers who were facing deportation." How appropriate were the bywords, "Good enough to work, good enough to stay" (200), which became a rallying cry for the Seven but also for other domes-

tic workers and other immigrants? As Erica Lawson pointed out, "The women's case also symbolized the plight of immigrants struggling to establish themselves in Canada under difficult circumstances, highlighting, in particular, the restrictions imposed on other workers with temporary status" (Lawson 150). International Coalition to End Domestic Exploitation (INTERCEDE) formed in 1979 "coordinated a national campaign" on behalf of the Seven who were also supported by other organizations in Vancouver, Montreal, and Ottawa (Fudge 125). INTERCEDE and allies met some success when after intensive lobbying, "the immigration system was changed in 1980 so that domestic workers were given two-year temporary permits requiring them to live-in before they could apply for landed status." The activism of the Seven and Farquharson benefited not only them in that their deportation was halted but also the larger Canadian society, and it must be viewed as an element of nation-building. As a result of their activism, The Jamaican Seven and Farquharson called on the Canadian nation to live up to its image and ideals.

CONCLUSION

Canada is rarely associated with racist and exclusionary immigration policies due to an emphasis on narratives of African Americans fleeing enslavement and other forms of oppression via the Underground Railroad. Indeed, the slate of stories of media welcoming migrants following the 2016 US election serves to further reinforce the image of Canada as a benevolent and welcoming nation. As a white settler colony, Canada historically encouraged migration from Northern Europe, particularly from Britain, because immigrants from these regions were considered ideal for the nation-building project, which was not the case for Caribbean migrants. However, those who entered Canada in the early and mid-twentieth century, such as the men who worked for DISCO and the women who comprised both domestic schemes, occupied the lowest rung on the occupational ladder. While Caribbean men's gender, due to their labor performed, could qualify them as nation builders, the same cannot be said of the domestic workers. Elite white individuals who see themselves as nation-builders determined the parameters of what activities count as contributing to the nation-building project, who is allowed to participate, and on what grounds. Ultimately, this process determines who belongs to the nation. Thus, there is a need to reimagine those considered nation-building actors as domestic workers. Indeed, these women assumed some of the responsibilities of middle-class white women, the quintessential

Karen Flynn
University of Illinois, Chicago, USA

nation builders responsible for reproducing the nation by inculcating the values and norms of national culture into their children. If there was an acknowledgment of Caribbean domestic role and contribution to white Canadian families, then there would be no need for deportation proceedings against them.

Because nations can and do regress, nation-building activities are critical to maintaining and guaranteeing social and political rights, for example. Thus, the Jamaican seven and Farquharson's activism must also be considered an aspect of nation-building. The women, along with their allies, troubled white Canadians' complacency about institutionalized forms of oppression. Together, they challenged the state's hegemony, intervening in and calling attention to its violent epistemic practices, ultimately leading to remaining in Canada.

At the time of writing, Justin Trudeau's Liberal government has announced plans to reduce the number of migrants allowed into the country for two years, noting that the decision "is temporary—to pause our population growth and let our economy catch up" (Reuters). This announcement contrasts with Trudeau's position during the 2016 US election, which he mentioned at the beginning of this article, where he championed Canadian values of being "welcoming" to outsiders. As the Liberal government works out the plan's logistics, especially in light of the current economic situation, the question of which migrants will be admitted to Canada is difficult to overlook.

Abstract: This paper challenges the myth of Canada as the "Promised Land" for displaced peoples, such as enslaved African Americans who sought refuge via the Underground Railroad. "Drawing on archival and secondary sources, the paper examines the measures taken by Immigration Canada to exclude Caribbean people, arguing that these policies are inextricably connected to the question of who is considered worthy of belonging to and contributing to the nation-building project. While some recognize that Chinese and Sikh immigrant men furnished the physical labor necessary for nation-building by constructing railways and working in the lumber industry, the bodies and the work performed are gendered. This paper seeks to expand the repertoire of actors and the parameters of what counts as nation-building activities by including Caribbean domestic workers. Specifically, the paper examines how these working-class women both inadvertently and directly contributed to Canada's nation-building in two ways: 1) by assuming reproductive tasks on behalf of middle-class white women and their families and 2) through their activism against deportation.

Keywords: Migration, Canada, Caribbean domestic workers, nation-building, activism, reproductive labor

Bio: Karen Flynn is the Terrance & Karyn Holm Endowed Professor in the Department of Population Health Nursing Science at the University

of Illinois, Chicago, College of Nursing, and Director of the Midwest Nursing History Research Center. Her research sits at the intersection of Black feminist and diaspora studies, health and care work, nursing history, and transnational mobilities, with a focused lens on race, gender, and equity. Her award-winning book, *Moving Beyond Borders: Black Canadian and Caribbean Women in the African Canadian Diaspora* (University of Toronto Press, 2011), is the first comprehensive work to explore the experiences of Black Canadian and Caribbean nurses and the transnational development of the nursing profession. Dr. Flynn is currently working on a second book project, tentatively titled *The Black Pacific: The African Diaspora in East Asia*, which traces the travel itineraries of young Black English as a Foreign Language (EFL) teachers across borders. This forthcoming book will be published by McGill-Queen's University Press.

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Karen Flynn
University of Illinois, Chicago, USA

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Karen Flynn
University of Illinois, Chicago, USA

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AFTERWORD
BORDER THEORY IN PRACTICE NORTH OF THE US-MEXICAN BORDERLANDS–
Further Perspectives on the Canada-US Border

Alejandro Lugo
Department of Anthropology, New Mexico State University, USA
https://orcid.org/0000-0003-2317-9077

PART 1: THE BORDERS OF BORDER THEORY

In one of my definitions of the US-Mexico border as a state-sanctioned international boundary, I stated the following: "The US-Mexico border is, in fact, to millions of people, more than a possibility; it is an incitement to an always unfulfilled locality and residentiality that at once reinforces nation and its privileged subjects" (Lugo, *Fragmented Lives* 123). "Consequently," I also noted, "it also marks as peripherals those 'other peoples,' similar to those 'Other Victorians' in Foucault's *History of Sexuality* (1978), who are believed to belong elsewhere, in some other place of residence: on the other side, *but definitely not in a nonplace*" (italics in original). It is in the context of such interrelated yet relatively peripheralized "others," that we must locate the theoretically and empirically diverse volume, "The 'Other' Border," which focuses on the North American nation-state boundary located 2239 miles/3604 kilometers north of the US-Mexico border: the Canada-US border.

This interdisciplinary volume, which decidedly transcends individual disciplinary borders, captures and documents the social heterogeneity that characterizes the cultural, economic, political, environmental, and historical borderlands at the transnational crossroads of the US-Canada and Canada-US international boundaries. The essays herein further demonstrate that whether one's perspective is framed by a position at the US-Canada or the Canada-US border is of tremendous philosophical, theoretical, and political importance. Tracking the same group of political border radicals, for instance, either from the Canadian side of the border or from the US side of the border, as Hewitt's essay demonstrates, had distinctive political implications

in the late 1960s and early 1970s, whether one followed the activities of the R.C.M.P (the Royal Canadian Mounted Police) or the F.B.I. (Federal Bureau of Investigation), respectively.

This complex border bundle of international, cultural, and historical relations and limits between the United States of America and the Dominion of Canada, which is Canada's formal title, can be constructively approached or approximated through what I call "the borders of border theory"—the parameters of a sociocultural theory that, in turn, can be further unpacked if we ask, like I did back in 1997, the following questions:

> If we wanted to carry out an archaeology of border theory, how would we identify its sources and its targets? Where would we locate its multiple sites of production and consumption, formation and transformation? What are the multiple discourses producing images of borders… at least in the minds of academics? (Lugo, "Reflections on Border Theory" 44)

In my view, we can best answer these questions, as they relate to the "Other" Border—that is, *El Otro Norte* north of "El Norte, USA"—with an exploratory spirit rather than a definitive one. This is an inquisitive challenge similar to the one that informed how I framed my own approximation to border theory concerning the US-Mexico border almost three decades ago, but now with a tweak. The "Other" Border requires us to consider particular sites, sources, targets, and discourses, namely previously marginalized border intellectuals within the academic field of Border Studies (i.e., women and other minorities as well as Canada-US border scholars); the outer limits of the nation-state (i.e., the US-Mexico border region and the US-Canada borderlands); the frontiers of sociocultural and postcolonial theory (i.e., cultural borderlands vis-à-vis cultural patterns); the multiple fronts of struggle in cultural studies, broadly defined (i.e., through Gramsci's war of position); the cutting edge (at the forefront) of theories of difference (i.e., race, class, gender, and sexual orientation); and finally (at) the interdisciplinary crossroads of history, literature, anthropology, sociology, and cultural studies—among other disciplines. Spanning this interdisciplinary crossroads, the essays in this volume critically demonstrate, quite compellingly, that border theory's critiques of society, not unlike in the US-Mexico border case, require rigorous recognition and analysis of multiple discourses, situated knowledges, positioned subjects, and different arenas of contestation in everyday life in the context of a trans-border binational international boundary: the Canada-US border.

Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

WHAT IS THE BORDER DIFFERENCE?

In the field of Border Studies, no matter the area of the world we are studying, none of the following terms is taken for granted: Border, Borderland, Boundary, Border Zones, Frontier, Limits, Parameters, Patterns, Crossroads, and Crossings. So, in the larger North American context of the "Other Border" that concerns us here, what would be the difference between "border" and "borderlands" and between "cultural borderlands" and "cultural patterns"? In 1987, Gloria Anzaldúa differentiated the term "border" from "borderlands" in the following way: "A border is a dividing line, a narrow strip along a steep edge. A borderland is a vague and undetermined place created by the emotional residue of an unnatural boundary. It is in a constant state of transition" (Anzaldúa 3). As I noted in 2008, "if the borderland is vague and undetermined and always transitional, the US-Mexico border, on the other hand, has been constantly static for more than 150 years" (Lugo, *Fragmented Lives* 121–122). As Anzaldúa painfully stated, "*es una herida abierta* [it's an open wound] where the Third World grates against the first and bleeds'" (Anzaldua 3).

The terms "border," "borderlands," "frontier," and also "*frontera*" are not synonymous with each other. Even in Anzaldúa's main title of her book, *Borderlands/La Frontera*, she used the plural in English for "Borderlands" and the singular in Spanish for "La Frontera," precisely to mark and highlight, analytically, a conceptual difference in the multiple ways she approached her US-Mexico border homeland. With respect to the disciplinary use of the term "borderlands," and from a relatively recent cultural anthropology perspective, Renato Rosaldo differentiated the more interdisciplinary phrase "cultural borderlands" from the classic anthropological phrase "cultural patterns"—a term associated with a particular anthropological understanding of the concept of "culture" during the twentieth-century anthropology historical period that covered at least five decades, from the 1920s to the 1960s. In fact, Rosaldo was very precise about the limits and limitations of what he called the "classic vision of unique cultural patterns," which, he explained: "emphasizes shared patterns at the expense of processes of change and internal inconsistencies, conflicts, and contradictions." Rosaldo continues, "By defining culture as a set of cultural meanings, *classic norms of analysis make it difficult to study zones of difference within and between cultures. From the classic perspective, cultural borderlands appear to be annoying exceptions rather than central areas for inquiry*" (Rosaldo 27–28; emphasis added). Rosaldo further clarifies the difference between "cultural patterns" and "cultural

borderlands" in the following passage from the last chapter of his book, *Culture and Truth*, where he underscores the analysis of borderlands vis-à-vis the necessary analysis of particular "border zones":

> The fiction of the uniformly shared culture increasingly seems more tenuous than useful. Although most metropolitan typifications continue to suppress border zones, human cultures are neither necessarily coherent nor always homogeneous. More often than we usually care to think, our everyday lives are crisscrossed by *border zones*, pockets and eruptions of all kinds. Social borders frequently become salient around such lines as sexual orientation, gender, class, race, ethnicity, nationality, age, politics, dress, food, or taste. Along with 'our' supposedly transparent cultural selves, such *borderlands* should be regarded not as analytically empty transitional zones but as sites of creative cultural production that require investigation. (Rosaldo 207–208; emphasis added)

Given this volume's robust analysis and interdisciplinary documentation of the multiple border zones of the US-Canada border and the Canada-US border, this collection of essays is more associated with Rosaldo's concept of "cultural borderlands" than with the colonialist anthropological notion of "cultural patterns." In other words, "The Other Border" exemplifies the opposite, say, of Ruth Benedict's classic *Patterns of Culture*, without denying the historical importance of Boasian cultural analysis. One of the major contributions of this volume to sociocultural border analysis and Border Studies in general is that it produces complex heterogeneous understandings of American culture, Canadian culture, and the Canada-US cultural borderlands—and beyond.

For instance, just as Rowland Robinson's critique of the Canadian settler state unpredictably overlaps with Paul Bowles' and Astrid Fellner's own respective assessments of the colonialist imposition of the Forty-ninth Parallel on Indigenous populations native to the US-Canada border region, as well as with Philip Awashish and Jasmin Habib's political engagement and persistent critique of the Migratory Birds Convention of 1916, the historical and social influence of Caribbean migration and culture makes itself present on the Canadian cultural borderlands, whether regarding Bermuda, Haiti, or Jamaica, specifically in the essays by Robinson, Adina Balint, and Karen Flynn, respectively. The environmental borderlands (in Jane Desmond's and Philip Awashish and Jasmin Habib's essays), the explicit flow of organized politics, including "unlikely alliances" across the Canadian borderlands (in Paul Bowles' essay), as well as the theoretical and philosophical borderlands (in Adina Balint's and Astrid Fellner's essays), provide additional foundational analytical layers to the thickness and complexity

Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

of the Canada-US borderlands. This incredibly rich methodological and interdisciplinary body of work is well complemented by Jane Desmond's own elegant border analysis of human-animal relations, particularly the sale of hunting rights and the sale of the right to kill polar bears in the context not just of Inuit culture and hunting traditions but also in the broader contexts of the transnational global economy and of the impact of climate change on bears and the Inuit community. Along similar human-animal relations lines, Philip Awashish and Jasmin Habib's essay about the political engagement involved in defending the hunting, harvesting, and trapping rights of the Crees of Eeyou Istchee, remind readers of the transcendental contributions a particular border intellectual, such as Mr. Awashish, can make for a more humane transnational borderscape of the Canada-US Indigenous borderlands. Lastly, Jasmin Habib's border analysis of the cultural misrepresentations of Canada in American television simultaneously reminds us of the specific ways Canada can be perceived to be both a threat to US national security after the September 11 attacks (with the harmonization of border practices having a particularly negative effect on racialized bodies, for example) and represented as a site of sanctuary or, in keeping with the imaginary, of escape. The moving and elastic visual borders in Habib's essay resemble the analysis of nomadic subjects and imagery in Adina Balint's creative essay on "mobile borders."

Through the highly elaborate presentation of theoretical, historical, and sociocultural materials, both within each essay and across the collection, "The Other Border" provides an excellent example of Rosaldo's key observations that "human cultures are neither necessarily coherent nor always homogeneous" and that cultural borderlands, by being crisscrossed by border zones of all kinds, are not "analytically empty transitional zones but […] sites of creative cultural production that require investigation" (Rosaldo 207–208).

BORDER INSPECTIONS: THE BORDER AND ITS LIMITS

According to Alejandro Morales, "We live in a time and space in which borders, both literal and figurative, exist everywhere […] *A border maps limits; it keeps people in and out of an area; it marks the ending of a safe zone and the beginning of an unsafe zone*" (Morales 23; emphasis added). If a border maps and imposes limits, border theory reminds academics that our understanding of knowledge production and consumption also has its own limits. As I noted elsewhere ("Reflections on Border Theory"), border theory helps us: 1) to better recognize

"the political and epistemological limits under which we teach, write, do research and theorize" and 2) to more effectively "contribute to the exploration of these limits, as long as this exploration is recognized to be[…] a product of the codification" (Lugo 1997, 46) of what Foucault aptly phrased the "multiplicity of force relations […] which by virtue of their inequalities, constantly engender states of power" (93). It is due to the inescapable inequalities inherent in social life's "multiplicity of force relations" that we cannot ignore the border inspections that ultimately give *raison d'etre* to border crossings either across intra-national borders or across international boundaries: past, present, and future--whether they are locally, regionally, or globally constituted.

In my 2008 chapter, "Border Inspections: Inspecting the Working-Class Life of Maquiladora Workers on the US-Mexico Border," I specifically called for "a new analytical tool, 'border inspections', that must be added to the current metaphor of border crossings," (Lugo, *Fragmented Lives* 117), while noting that "most border crossings are more often than not accompanied by 'inspection stations' that inspect, monitor, and surveil what goes in and out in the name of class, gender, race, and nation" (*Fragmented Lives* 115). In the same chapter, I noted an additional distinction between the notion of "border crossings" and the notion of "border inspections": "the main difference between the analytical phrases 'border crossings' and 'border inspections' is that the latter leads to the analysis of the depth and breadth of the many 'inspection stations' deployed throughout the social, political, economic, and cultural borders and borderlands characterizing human social life at the turn of the twenty-first century" (148). Ultimately, I argued, "border crossings […] cannot be properly understood without an analysis of the border inspections that constitute them" (150).

Throughout this volume's essays, though to different degrees in each essay, the border inspections constituting border crossings manifest themselves as a profound mark in the lives of the people inhabiting the Canada-US borderlands. At the international level of nation-state inspections, the essays by Jasmin Habib and by Philip Awashish and Jasmin Habib empirically document the many ways Canada as a nation-state is itself inspected, criticized, romanticized, and directly challenged by its American counterpart (indeed, it was not until 1999 that a 1979 amended protocol to the 1916 Migratory Birds Convention Act went into force after two decades of US resistance to the Canadian-initiated changes). Although Canada is often represented in the American mass media as "La Terre Paternal," "The Promise Land," "The Escape Country," and the "Magical Land of the North" (Habib's essay,) Canada (not unlike Mexico) is also often perceived

Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

as dangerous to American national security. On the other hand, Canada, especially in the late 1960s and early 1970s at the height of the Civil Rights Movement period, similarly perceived the United States as a security threat to Canada. Most recently, Canada felt the US was an ideological and political threat to its political well-being during the 2022 "Freedom Convoy" movement of Canadian truckers—many of whom managed to block the Detroit-Windsor border crossing into Canada and some of whom were influenced by the white supremacy, xenophobia, and anti-vaccine ideology of American Trumpian politics (see brief photo essay, below).[1]

Border inspections are also manifested in ethnographic and historically specific settings in several other essays. The essay by Karen Flynn on Jamaican domestic workers in Canada powerfully documents the multiple ways minoritized individuals are surveilled by different kinds of border inspectors—whether by the city police, middle and upper-class bosses, supervisors, immigration officers, or other border officials. Even in the changing contexts of Diaspora (Robinson), Mobile Borders (Balint), Bordertextures (Fellner), and Border Flows (Bowles), the Forty-ninth Parallel, the Medicine Line, and the Oil Pipeline, as well as the socio-political lines on both sides of the "Other Border," most of the border crossings at the crossroads within and across modern societies are densely (even if not always physically visible) populated by multiple border inspectors as well as by the multiplicity of inequalities they represent and enforce.

THE IMPORTANCE OF INTERDISCIPLINARITY IN BORDER STUDIES AND BEYOND

The interdisciplinary literature on the US-Mexico border (or the Mexican-US border) and the interdisciplinary literature on the Canada-US border (or the US-Canada border), as this volume has shown, have demonstrated that a sociocultural theory of borderlands, which is itself a border theory of culture and society (see Lugo, "Of Borders, Bridges, Walls, and Other Relations"), challenges and invites academics to recognize the vitally important crossroads of interdisciplinarity, where ambassadors officially representing different disciplines (and there-

1 During the Spring of 2025, when this essay was being finalized, President Trump, immediately upon his re-election, continuously threatened Canada by arguing that the United States of America should annex Canada as its 51st state. On May 27, 2025, King Charles visited Ottawa to honor Canada's sovereignty and to reassure Canadians and the Trump administration that Canada is a free and independent nation-state.

fore serving as border academic inspectors) will be no longer needed and through which walls and barbed wires between and across disciplines and across world regions are persistently critiqued.

Once this challenge and invitation are accepted, border theory itself, as well as its practice—through its critique of knowledge production, consumption, and distribution—can help us to simultaneously transcend and effectively situate and unpack the privileges of culture, capitalism, the nation-state, and the academy at the critical crossroads of our search for social justice for the new generations, but only if it is imagined historically and in the larger and dispersed contexts of the nation-state, history, nature, community sustainability, and of power.

PART 2: FREEDOM CONVOY TO THE PROMISED LAND: A BRIEF PHOTO ESSAY OF TRUCKERS' RESISTANCE ON THE US-CANADA BORDER

With the transgressive spirit of practicing interdisciplinary border crossings, I would like to end this Afterword with a brief photo essay of the Canadian truckers' protest, "Freedom Convoy," which caught the world's attention because it temporarily occupied the streets surrounding the main buildings of Canada's federal government in Ottawa, the country's capital, and because it paralyzed, for a few weeks, a number of the international border crossings between the United States and Canada from January to February of 2022.

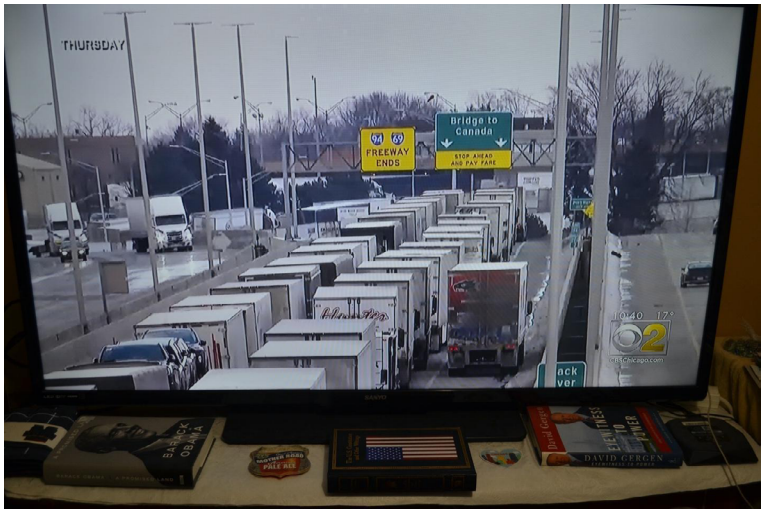
These photographs are part of a much larger ongoing series titled "T.V. Portraits/T.V. Landscapes." I have taken these photographs from the intimacy of my own home television room while working from home during the COVID-19 pandemic—from 2020 to the present.[2]

2 I began taking this "T.V. photography" when I found myself quarantining in Beijing in 2009 when the H1N1 virus hit while I was attending a conference in China. At that time, all international participants were forced by the Chinese government to quarantine for a few days in our hotel rooms! Since I had my personal camera with me, I could only take photos of Chinese television in my hotel room until we were allowed to go out. Let us "fast forward" to early 2020, when COVID-19 arrived. When the COVID-19 pandemic forced us to stay home more than ten years later, I started emphasizing TV photographs again, as I did back in Beijing.

Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

"FREEDOM CONVOY" PHOTO ESSAY FROM LUGO'S TELEVISION ROOM: OTHER BORDER I, OTHER BORDER II, OTHER BORDER III, AND OTHER BORDER IV (COPYRIGHT 2022 ALEJANDRO LUGO):

Other Border I: Resisting Prime Minister Trudeau's Vaccine Mandates, Canadian Truckers Occupy Ottawa's Government District (*The Last Word*, MSNBC)



Other Border II: As a result of Canadian Truckers Border Blockades, the International Border Crossing to Canada Becomes Paralyzed and Congested on the US Side (CBS Mornings Plus)

Other Border III: Canadian Police are Ordered to Contain Canadian Truckers and Their Allies in Windsor, Ontario (PBS Newshour)

Other Border IV: Trudeau's Administration Orders Clearing of Truckers Blockades and Occupations (PBS Newshour).

The photographs in the "Freedom Convoy" subseries manifest a particular analytical border zone where both my private gaze inside my house and the public media representation of the world beyond home unevenly come together to capture a temporary, though highly consequential, working-class conservative movement against the Cana-

Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

dian state. The visual transnational border zone—mapped out through this photo essay—is a specific product of the resistance of commercial truck drivers against the imposition of additional *border inspections* for truckers entering Canada from the United States; specifically, the requirement on the part of the Trudeau administration that truck drivers show proof of vaccination against COVID-19 before entering Canadian territory. In the context of today's Trumpian politics, the "Freedom Convoy" was one of those unexpected historical moments when the Canadian government perceived, though somewhat silently and diplomatically, that the United States might pose a security threat to Canada.

Lastly, and of profound relevance to the possible sides one can take as we engage the "Other" Border, are the American side and the US-Canadian angle of the photo essay. After all, all the photographs have in common that all television networks reporting on the "Freedom Convoy"–through my television cable services–are US-based: PBS, MSNBC, CNN, CBS, and ABC. Additionally, all of the photographs visibly show, on my home television table, Barack Obama's memoir of his first years in the White House, *A Promised Land*, which is a title that provides a borderland bridge between the mutual mythical aspirations of both the Dominion of Canada and the United States of America.

Abstract: This Afterword underscores the collective interdisciplinarity of Canada-US Border Studies as evidenced in the preceding essays, particularly as they decidedly transcend the borders of individual disciplines. In the process, the essay maps out how the empirical and theoretical richness of such collective interdisciplinarity in the study of the US-Canada border effectively captures and documents the social heterogeneity characterizing the cultural, economic, political, environmental, and historical borderlands found at the transnational crossroads of the US-Canada and Canada-US international boundaries. The theoretical and empirical analysis of this productive interdisciplinarity in the field of border studies more broadly is presented from the theoretical perspective of border theory as it emerged via the US-Mexico border and through a brief photo essay of the Freedom Convoy of 2022.

Keywords: border theory and practice, border inspections, cultural borderlands, interdisciplinarity, Canada-US Border, US-Canada Border, Freedom Convoy, Canadian Truckers

Bio: Alejandro Lugo (Stanford PhD, Wisconsin MA, NMSU BA) is a cultural anthropologist who was born in Ciudad Juárez, Chihuahua, Mexico, and was raised on both sides of the Juárez-El Paso (Texas)-Las Cruces (New Mexico) border region. Lugo is the 2024 recipient of the American Anthropological Association's "Anthropology in Media Award" for his opinion letters in the *New York Times*, the *Chicago Tribune*, the *Chicago Sun-Times*, the *Washington Post*,

and the *Los Angeles Times*. Lugo is the author of multiple scholarly articles and book chapters on border theory and border culture and co-editor (with Bill Maurer) of the feminist anthropology volume *Gender Matters: Rereading Michelle Rosaldo* (University of Michigan Press) as well as author of the award-winning book, *Fragmented Lives, Assembled Parts: Culture, Capitalism, and Conquest at the US-Mexico Border* (University of Texas Press), which won the Southwest Book Award and the ALLA Book Award. His ethnographic and artistic photographs have been published as photo essays in the *South Atlantic Quarterly* (2006), *Religion and Society: Advances in Research* (2015), and the *Review of International American Studies* (2018). He has taught anthropology at Bryn Mawr College, the University of Texas at El Paso, and Arizona State University, where he served as Director of the School of Transborder Studies, as well as at the University of Illinois at Urbana-Champaign, where he taught for 20 years. Currently, Lugo holds a Faculty Affiliate position back at his undergraduate alma mater, New Mexico State University, where he was awarded the College of Arts and Sciences "2019 Star of Arts and Sciences."

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Alejandro Lugo
Department of Anthropology,
New Mexico State University, USA

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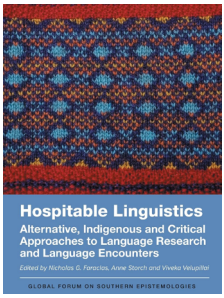
HOSPITABLE LINGUISTICS: ALTERNATIVE, INDIGENOUS AND CRITICAL APPROACHES TO LANGUAGE RESEARCH AND LANGUAGE ENCOUNTERS edited by Nicholas G. Faraclas, Anna Storch, and Viveka Velupillai

(A Book Review)



Monika Grotek
Institute of Linguistics
University of Silesia in Katowice, Poland
https://orcid.org/0000-0002-6846-2784

In an era when academic disciplines are increasingly called upon to reckon with the legacies of colonial extraction, epistemic violence, and methodological inertia, *Hospitable Linguistics* arrives not as a correction but as a reorientation.[1] It does not offer a mere supplement to established linguistic paradigms; it opens a wholly different terrain—one where language is not a system to be decoded but a relation to be honored, where the method is not a means of control but an ethic of vulnerability, and where the "speaker" is not a data point but a sovereign presence. Across twenty-four chapters (including the afterword) authored by a remarkable range of scholars, activists, artists, and community members, this volume insists on a foundational shift: from the structural, cognitive, or pragmatic traditions of "hardcore" linguistics toward a sociologically,

1 Yuri Lotman's concept of the *semiosphere*—introduced in his later work and most fully elaborated in *Universe of the Mind*—provides a compelling theoretical parallel to the notion of *hospitable linguistics*. The semiosphere is defined not as a mere collection of semiotic systems, but as the enabling environment for all signification: a heterogeneous, dynamic space marked by internal boundaries, dialogic tension, and the interplay of untranslatable codes. Like hospitable linguistics, Lotman's model foregrounds openness, polyphony, and the capacity of culture to absorb and generate new meaning through encounter. Both frameworks reject monologic normativity, instead envisioning language as a site of cultural transformation. For a complete discussion, see Yuri Lotman, *Universe of the Mind: A Semiotic Theory of Culture*, translated by Ann Shukman, introduction by Umberto Eco, Indiana University Press, 1990.

affectively, and culturally situated practice that listens otherwise, witnesses otherwise, and thinks otherwise.

To characterize this book as "interdisciplinary" would be to undersell its ambition. What it undertakes is disciplinary displacement. While traditional sociolinguistics has long been attentive to variation, power, and social embeddedness, *Hospitable Linguistics* ventures beyond even these frameworks. It does not merely study language in society; it studies language as a society—as gesture, silence, inscription, textile, music, and migration. More importantly, it invites epistemologies that do not originate in the academy: Indigenous, diasporic, feminist, spiritual, and oral traditions enter not as colorful supplements but as foundational ways of knowing.

At the heart of this intervention is the concept of hospitability—a term that diverges both from the administrative multiculturalism of academic institutions and the philosophical paradoxes of Derridean "hostipitality." In this volume, hospitability is not a metaphor. It is a method, a stance, a risk. It names the practice of welcoming silenced knowledges, refusing mastery, and remaining accountable to the people, lands, and stories that make language possible in the first place (Derrida).

The volume is organized into four thematic parts: *Language as a Gift*, *Language and Sharing*, *Language, Resisting and Undoing Enclosures*, and *Language and Reassuming Sovereignty*. This structure mirrors the arc of decolonial praxis itself—from reframing epistemic foundations to enacting relational ethics, resisting colonial violence, and finally reclaiming agency and future-making. However, the book resists linearity. It is not a march from premise to conclusion, but a constellation of situated knowledges, each chapter a sovereign voice in polyphonic dialogue, adopting various forms—from academic essays (many illustrated with photos) to conversation transcripts, stories, letters, poems, and songs—disrupting the genre of the scholarly monograph and embodying the ethos of hospitability.

The book's conception of hospitable linguistics resonates strongly with decolonial theory and hemispheric American studies. Like Walter Mignolo's call for "epistemic delinking" from Western knowledge hierarchies, *Hospitable Linguistics* seeks to pluralize linguistic inquiry (Mignolo). The volume foregrounds voices from the Global South and historically marginalized communities, in effect enacting the "pluriversality" of knowledge that decolonial scholars advocate. For example, the editors explicitly align with Southern epistemologies by publishing the book as the fourth volume of the *Global Forum on Southern Epistemologies* series and inviting contributions rooted in Africa, Asia, and Indigenous diasporas. They note how chapters will address

Monika Grotek
Institute of Linguistics
University of Silesia in Katowice, Poland

"the agency and power of refugees and migrants" (e.g., Ghanaian labor migrants, Romani diasporas in the Americas), "Indigenous people's (in)hospitable responses to strangers" (e.g., Herero speakers refusing to participate in certain research), and "hospitable language" in art and rituals (e.g., inscriptions by enslaved African Americans, or Shetland knitting). This wide lens is consistent with hemispheric American studies' emphasis on transnational connections. Ian Hancock's contribution to the volume, entitled "Trans-Atlantic Shipment of Romanies ('Gypsies') to the Americas" (Ch. 5), explicitly traces the colonial-era silencing across continents. At the same time, Melinda Maxwell-Gibb's account of "Pluri-living in the 'In' Hospitable Deep South of the US" (Ch. 12) examines language and identity in an African-American context. Likewise, the chapter authored by Nalini Natarajan, "Women: The Hospitable 'Race' Who Were 'Already There'" (Ch. 17), touches on the entwined histories of Indigenous and colonial communities in the Caribbean (Puerto Rico) and South Asia.

The book's editors frame the individual authors' contributions as part of a broader decolonial epistemology. In the introduction, they cite the decolonial imperative to challenge Western "hegemonic" knowledge: the book "sets out a different form of linguistics" that takes responsibility for colonial legacies. This mirrors Ramón Grosfoguel's critique of "epistemic racism/sexism" in Western universities, which hierarchizes European knowledge while erasing subaltern worldviews (Grosfoguel). Indeed, by treating language as a gift of human connection rather than an abstract system to be dissected, the volume rejects Saussurean and Chomskyan binaries as inherently colonizing and instead honors local, embodied practice. This is explicitly shown in Arpad Szakolczai's essay "The Decline of Hospitality and the Rise of Linguistic Imperialism" (Ch. 3), which links linguistic prescriptivism to colonial expansion, and in Charleston Thomas's contribution "The Art and Role of Listening and Verbal Gestures in Tobagonian: Returning to the Oral/Aural," (Ch. 8), which privileges sound and community performance of Tobagonian gesture over written analysis. In this sense, the volume resonates with Gloria Anzaldúa's vision of linguistic borderlands: just as Anzaldúa celebrated code-switching and hybridity as survival strategies on the US-Mexico frontier, these authors celebrate linguistic hospitality as a site of resistance to colonial "domestication" of language (Anzaldúa).

Equally, the volume engages with Indigenous studies and critical heritage frameworks. Several chapters foreground Indigenous methodologies of refusal and consent—e.g., Renathe Meroro-Tjikundi and Hoffmann's essay "(Not) Speaking to a German Africanist in Namibia in 1954:

On Refusal and Hospitality as Responses to Linguistic Research" (Ch. 6) on Herero speakers choosing what to share—echoing Linda Tuhiwai Smith's call for research *with* rather than *on* Indigenous peoples (Smith). The contributors to the volume often act as "guests" or interlocutors rather than authorities. For instance, Andrea Hollington's text "The Fieldworker as a Human Being" (Ch. 14) models the humility of participant observation rather than extractive fieldwork. The focus on material and performative forms of language—from church pew inscriptions to knitting patterns—aligns with critical heritage perspectives that view culture as lived practice, not frozen in monuments (Harrison). For example, in her essay "The Pew Inscriptions at First African Baptist Church in Savannah, Georgia" (Ch. 7), Fiona Mc Laughlin presents her study of West African names carved on the pews of a Savannah church, which shows how enslaved people inscribed their languages into American-built heritage. In turn, in the contribution entitled "Shetland Stories in Knitting" (Ch. 13), Alison Rendall examines the acts of knitting as a living, communicative act of storytelling—material, patterned, gendered, and deeply relational. Such examples underscore that linguistic heritage is co-constructed by communities under subjugation—a theme consonant with scholarship on intangible heritage as contested and recuperative.

Living up to the high standards of diversity and inclusivity boldly set by the leading notion of hospitality, the volume—with its broad thematic scope, global references, and variety of presentations and discursive forms—can be criticized for treating the central concept of hospitable linguistics quite loosely and metaphorically, as such approaches to language that are opposite to the neo-colonial ones in Northern/Western academia. The volume could have been more explicitly engaged with hospitality literature—for instance, Derrida's analyses of conditional/unconditional hospitality are alluded to in the introduction but not fully theorized (Derrida). Besides, some contributions lean more on narrative than analysis, which, though stylistically engaging, might frustrate readers seeking concrete theoretical or methodological guidance. Also, focusing on hospitality risks glossing over conflicts: one might ask, for instance, what happens to dissent or refusal when hospitality becomes a virtue. A few chapters do address refusal (e.g., the Herero case in Namibia), but the normative emphasis on generosity may underplay ongoing power imbalances in language encounters. Finally, the *RIAS* readers, interested in American cultural hemispheric studies, can only find a rather implicit reference to their academic focus; despite engaging the Americas historically, few chapters grapple directly with Latin American or US linguistic debates (one exception is Maxwell-Gibb's

Monika Grotek
Institute of Linguistics
University of Silesia in Katowice, Poland

US Deep South case). There is relatively little on Spanish, Portuguese, or Indigenous American languages, and no exploration of US–Latin interactions except via the Romani and African diaspora threads.

In conclusion, hospitability, as theorized and enacted in *Hospitable Linguistics*, resists codification. It is at once epistemic (inviting knowledges that have been silenced or discounted by dominant systems), relational (grounded in accountability, humility, and co-presence), affective (attuned to grief, joy, trauma, shame, and intimacy), temporal (refusing urgency in favor of slow listening and delayed understanding), and political (confronting the colonial underpinnings of language work in institutions and public spaces). This hospitability is not benign. It demands that scholars and language users risk transformation. It means accepting opacity, resisting categorization, and engaging not with a language "object" but with a living, situated subjectivity. For scholars in linguistics, the challenge is methodological: how might one reconceive data collection, fieldwork, or even transcription through hospitable paradigms? For sociologists, the challenge is relational: how does language instantiate—and sometimes interrupt—social reproduction and epistemic enclosure? For cultural theorists, the book invites new engagements with embodiment, multimodality, and symbolic inheritance. Moreover, for Americanists—*RIAS* readers—*Hospitable Linguistics* provides essential tools for undoing hemispheric erasures, reframing indigeneity and migration not as thematic but as epistemological grounds, and reimagining the very concept of "America" through voices and languages long held outside its myth.

Abstract: As the author of this review argues, *Hospitable Linguistics* represents a radical epistemological and methodological reimagining of language research, foregrounding relational, affective, and decolonial approaches in place of traditional structuralist and extractivist paradigms. The volume reconceptualizes language not as a system to be decoded but as a site of encounter, care, and epistemic risk. Central to its ethos is the notion of "hospitability," which the editors reframe beyond the Derridean paradox into a lived ethics of recognition, vulnerability, and co-presence—especially in contexts marked by colonial violence and epistemic erasure. Through contributions ranging from Indigenous language revitalization and Afro-Caribbean verbal gesture to sonic border-crossings, knitting as a form of storytelling, and refusal as a mode of speech, the collection expands the field's boundaries both conceptually and methodologically. The volume prioritizes co-authorship, embodied listening, and non-verbal semiotics as acts of linguistic sovereignty, challenging institutional norms and calling for reparative and relational modes of scholarship. Eschewing synthesis in favor of polyphonic resonance, the book enacts the very hospitality it theorizes. As such, it is not merely a compendium of alternative methods but a manifesto for transforming the ethical foundations of linguistics. This analysis evaluates the volume's structure, key innovations,

and intellectual stakes, proposing that *Hospitable Linguistics* is indispensable for scholars committed to decolonial, plural, and justice-oriented research in language and culture.

Keywords: decolonial linguistics, hospitality, Indigenous methodologies, linguistic methodology, book review

Bio: Monika Grotek, PhD in linguistics, is an assistant professor in the Department of Humanities at the University of Silesia in Katowice, Poland. On the one hand, her research interests include applied linguistics and sociolinguistics, as well as EFL teaching to adults. On the other hand, exploring the linguistic image of the world through English in cross-cultural contexts, she does not refrain from projects involving comparative cultural and literary studies. As Deputy Director of the Institute of English in the years 2016–19, she has expanded the curriculum to include "Introduction to andragogy with elements of applied linguistics" and supported the development of modules that would combine processes of learning and acquiring a foreign language with sociolinguistic aspects of cross-cultural contact.

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