

**Peoplehood and the Nation Form:  
Tools for thinking juridically about Métis history**

While the various fields of Canadian law have delved into issues relating to nationhood – most notably but not limited to the Quebec Succession case and some Aboriginal rights jurisprudence – little of this discussion has extended to an analysis of peoplehood, Indigenous or otherwise. An unfortunate side effect of this lack of discussion has been that commentators have tended to use nationhood and peoplehood interchangeably. I will argue today although the two terms are linked, important insights are gained by treating them as analytically separate, especially in the context of Métis peoplehood. Though non-judicial, one strain of theorizing that has resisted the pull of their conflation has been Holmes *et al.*'s (2003) notion of the *peoplehood matrix*, which argues that the idea of nationhood is too encumbered with the freight of modern teleology and the hierarchically centralizing tendencies of modern state building to be useful to understanding our Indigenous histories.

This paper is organized around the idea that, its sophisticated discussion of Indigeneity notwithstanding, an important omission lies at the heart of Holmes *et al.*'s (2003) peoplehood model, with important consequences for how we think, juridically, about the past and more specifically about Métis history: namely, their failure to appreciate the explanatory potential of *pairing* nationhood with peoplehood. Indeed, this paper argues that far from existing in juxtaposition, the two concepts represent mirror images of the social relations Holmes *et al.* (2003) analyze: a lens of “nationhood” may focus on how we imagine ourselves *internally*, while peoplehood allows for the exploration of our *external* relationships. As such, these two concepts gain their fullest explanatory potential when used in tandem. I argue, in fact, that together they possess great potential as a core analytic framework understanding Indigenous histories (as opposed to, for example, the historical lenses encouraged by Canadian jurisprudence).

The stakes of this methodological discussion could not be higher. We live in a country and an era in which so-called “Métis communities” are coming out of the woodwork, making post-colonizing claims to Indigeneity based on the ability of their ancestors to “hide in plain sight” for two centuries and more, or by gathering together scattered references to ‘metis’ in various colonial archival as evidence of a posthumous (yet not posthumous) community. Much of this activity – which I suggest is tantamount to ethnic fraud – is not only tacitly accepted but actively endorsed by Canadian academics, who feel free to level charges of exclusion and even racism at those of us who ask that, at the very least, we take such recognition efforts with a grain of salt. That we think deeply about the logics and the ethics that buoy such otherwise dubious claims. A focus on pre-colonial nationhood and peoplehood brings clarity to a colonial Canada’s “will to recognize” such deeply racialized claims by asking us to think through the historical diplomatic relationships not only between the Métis and the nascent Canadian state but between the Métis and other Indigenous peoples.

Thus, I offer this paper, with its specific focus on the ontological importance of attachment to pre-colonial polities, as a rebuttal and an antidote to the individualized expressions of Indigeneity and Metisness in particular that have come to be expressed in recent years. Self-identification as Métis means little on its own in the absence of family and community attachment. And community attachment means little without links to pre-colonial polities. This is a lesson that has yet to be learned by many Indigenous individuals, Métis and First Nation alike. This paper is thus premised, thus, on two elements: 1) that the idea that Métis self-identification pales in importance to family and community acceptance, and 2) that who claims you *must* have a claim to place – to territory – and to other Indigenous polities that predates the attempted destruction of our polities by the encroaching Canadian and American states.

It is in the context of providing a lens for exploring Métis history that this paper is divided into three parts and a conclusion. Using Holmes *et al.*'s (2003) original formulation of the peoplehood matrix as an exemplar of these broader issues, part one emphasizes its relationship to sovereignty and its weddedness to the distinctiveness of Indigenous sociality. Part two then explores the authors' brief discussion Indigenous nationhood. Expanding upon it (and pointing out a contradiction that sits at the centre of their argument), I demonstrate how Indigenous nationhood can be retheorized in a manner that renders it essential to peoplehood, though not as they have constructed it – here, I position it as a crucial internal manifestation. Finally, part three presents a similarly retheorized account of Holmes *et al.*'s (2003) model, positioning peoplehood as an external manifestation of nationhood (rather than as a necessary alternative to it), with an eye toward emphasizing how and why this can produce more sophisticated jurisprudence and scholarly analyses of our histories.

*Part I: The peoplehood matrix*

The peoplehood matrix, though not used in jurisprudential discussions, draws on the insights of Cherokee scholar Robert K. Thomas's work around group identity. Holmes *et al.* (2003) suggest that their model can serve as a core concept in Indigenous peoples' studies (2003: 12) in that, to a greater degree than other concepts like race, ethnicity or even nationhood, it "reflects a much more accurate picture of the ways in which Native Americans act, react, pass along knowledge, and connect with the ordinary as well as the supernatural worlds" (2003: 15). Situated in these larger aspirations, the authors emphasize four equal and interacting elements: language; sacred history; place/territory; and ceremonial cycles<sup>1</sup>. In addition to the space they spend in explaining the concepts themselves, they stress the importance avoiding analysis of any

one of these elements in isolation – their overall relationship is one of relationality and interpenetration.

For our purposes here (for reasons that are described further, below), we need not spend a lot of time detailing the principles inherent in each of the elements, except to suggest that each is used in a manner so as to differentiate Indigenous peoplehood from “western” modes of thinking, living and relating (to other human beings, to other-than-human beings and to nature), and to differentiate peoplehood from previous concepts used to describe these aspects of Indigeneity. In part three, I will suggest the need for more specificity about the historical eras from which peoplehood principles emanate and why we need to pair peoplehood with nationhood (rather than dismissing it). This also permits a more expansive discussion about what separates the two concepts. For now, however, my focus will be to explore what they suggest is the peoplehood model’s utility to understanding and exploring Indigenous history.

In addition to its utility as an ethnological tool (2003: 15), the authors position the peoplehood matrix in explicit relationship to Indigenous sovereignty and, by obvious extension, as a critique of *non*-Indigenous claims to sovereignty. Exploring the western “evolutionary ladder” of human organization – from band to tribe to chiefdom to state – Holmes *et al.* (2003) demonstrate that the hierarchical thinking of these and related modes of relating to the world has visited devastating impacts on Indigenous collectivities that fail to organize our collective selves according to such modalities. As one example, they trace the colonial deployment of policies used to deny the ownership and rights of Indigenous territories, in particular the juridical diminishment of “Indian treaties” that sets them apart from those between apparently more “legitimate” states (2003: 16).

Finally, the authors argue that the value of the peoplehood matrix stems in part from its ability to account for and reflect Indigenous knowledge and philosophies, in particular our relationality – “between human beings, animals, plants, societies, the cosmos, the spirit world, and the function of other natural, even catastrophic, occurrences” (2003: 18). Indigenous peoplehood, they explain, allows us to sustain such relationships in the face of explicit and implicit attempts by colonial powers to erase them. Seeking to cement its utility, they emphasize the peoplehood matrix’s possible application to various issues pertaining to Indigenous social relations, including literature, policy studies, linguistic studies, political participation, economic activities and land use. Since its inception, the peoplehood matrix has enjoyed a broad use in the critical engagement of Indigenous issues. Its logic has been used to underpin or justify such objects and fields of study as treaties (Contreras 2008); Anishinabeg studies (Pitawanakwat 2013); Indigenous resiliency (Cushman 2011; Holm 2009); rhetorical sovereignty and Indigenous literature more generally (Neuhaus 2011; Stratton and Washburn 2008); and to disassociate western from Indigenous nationalism (Justice 2006; Martin 2012).

In a text I published last year titled “Métis”, I spent some time explaining how legal jurisprudence has tended to bracket discussing the notion of nationhood and peoplehood and further, the importance of understanding them relationally. As noted in the introduction, Canadian jurisprudence as it relates to Métis issues has largely focused on ‘community-as-settlement’ as the object of analysis, while nationhood has played little or no role in Métis-specific case law. In contrast, peoplehood has become an important pillar of international Indigenous jurisprudence, though much of this discussion has focused less on what makes Indigenous peoples, peoples, and more on what makes them Indigenous (see Andersen 2014:

103). Moreover, any discussion of peoplehood seems to use it interchangeably with nationhood, such that (for example), Quebec becomes both “the Quebec nation” and “the Quebec people”.

Bearing in mind the narrowness of Canadian jurisprudence and legal scholarship on the notion of nationhood and/or peoplehood, Holmes *et al*'s intervention represents an important mediation. In essence, what they have done is to create an alternative language of power that sits in direct tension with many of the hierarchical assumptions encoded into the fabric of terms like race and nationhood. More to the point, they argue – convincingly – that Indigenous peoplehood was something well understood by colonial powers, since colonial projects were and remain specifically modeled upon its denial, “attempt[ing] to strip from indigenous groups each of the four aspects of peoplehood through the means of territorial dispossession, assimilation, religious conversion, or outright extermination” (Holmes *et al.* 2003: 17).

Convincing though it is, however, a somewhat puzzling element of their argument is its dismissal of Indigenous *nationhood*. The implicit juxtaposition of these two concepts is especially strange insofar as nationhood has come increasingly to stand as (for example) a core analytical concept in the last two decades of Indigenous Studies' disciplinary growth. In part two I turn in more detail to their critique of nationhood, paying particular attention to a contradiction that stands at the heart of their argument. Exploring this contradiction will afford us an opportunity not only to demonstrate the individual utility of the nation model long made extensive use of by Indigenous scholars in their critiques of settler colonialism, but to demonstrate its potential when paired with a retooled conception of peoplehood.

*Part 2: Indigenous Nationhood – imagining ourselves internally*

Holmes *et al.* (2003)'s critique of nationhood, though brief, hinges on two basic elements: its hierarchical and thus teleological assumptions and its supposed lack of permanency.

Regarding the first, the authors argue that the nation's relationship to western hierarchies – in particular *statehood* – make it difficult to conceive outside of the constitutively powerful influence of such organizational forms: hence the seemingly natural couplet of the “nation-state”. This is not an unreasonable assumption – indeed, much of the core “western” literature inception and growth of the nation form explores its relationship to the growth of modern states (for a flavour of these discussions see Anderson 1991; Gellner 1983; Hobsbawm 1990 and Smith 1986). Additionally, Holmes *et al.* (2003) raise a second objection. Namely, that the nation lacks the *durability* of peoplehood. To wit: “[n]ations—which are primarily viewed as the territorial limits of states that encompass a number of communities—do not necessarily constitute a people nor do they have the permanency of peoplehood” (2003: 17) and immediately following this, that “[n]ations may come and go, but peoples maintain identity even when undergoing profound cultural change” (2003: 17, respectively).

Their firm preference for peoplehood over nationhood notwithstanding, the authors' discussion of the latter concept is remarkably brief. Indeed, they simply present the term with little extended analysis about its meaning(s) or its relationship, if any, to peoplehood. Having said that, the little analysis they *do* undertake reveals an interesting contradiction: that they position nation as both sturdy *and* unstable. On the one hand, the authors emphasize its durability by underscoring its link to statehood (i.e. “nation-states”) while on the other, they point out its instability by stressing the impact of colonialism on Indigenous nationhood. Together, these characteristics render nationhood unsuitable as an anti-colonial concept. Though I think this can be fairly positioned as a weakness in their argument, I want to instead emphasize how this contradiction allows us an opportunity to think more broadly about how their model can be

reconfigured to include nationhood while losing none of the explanatory power they attribute solely to peoplehood (more on this in part three).

First, though, let's shore up their discussion of nationhood. Usually, more sophisticated discussions of nationhood understand nations not as "things" but rather as *processes* (Denis 1997). In the context of the processual dynamic, "nationness" is, in Benedict Anderson's memorable phrase, "imagined as a community, because, regardless of the actual inequality and exploitation that may prevail in each, the nation is always conceived as a deep, horizontal comradeship" (Anderson 1991: 7). We will come back to this notion of "horizontal comradeship" below in our discussion of how nationhood can be linked to kinship, but we may observe, for now, that nationalism discussions usually take for granted the presence of a state – which Indigenous nationhood is then seen to push against. Given the powerful rhetorical link between nationhood and modernity, is it even possible to think about pre-contact and pre-colonial Indigeneity in terms of nationhood? Or am I engaging in the historical revisionism historians loathe, using contemporary terms to try and make sense of historical forms of collectivity. I want to suggest, first, that no necessary link exists between nationhood and modernity and second, that the juridical unwillingness of the courts to talk about Métis history in terms of our nationhood both relies on and reproduces Canada's claims to legitimacy as a liberal nation-state.

Regarding the relationship between nationhood and modernity, various scholars have challenged the idea that historical Indigenous collectivities should be thought of as nations. Mired in the nation=state dyad, these authors have dismissed its analytical relevance and corporeal presence. As I explored in my book "Métis", scholars of pre-state Great Lakes and Plains Indigenous society in particular problematize this idea. They identify nationhood in terms



of clear geographical boundaries and categorical identities, which they then suggest fails to account for the contextual kinds of relations that existed in these geographies and eras. Michael Witgen, for example, argues that far from being a “world of nations”, the Native New World were comprised of “bands, clans, villages and peoples” (2012: 20), tied together by webs of kinship. Witgen instead understands and analyzes these geographies and eras through a lens of peoplehood, repeating a mistake common in Indigenous discussions on these issues. Similarly, St-Onge and Podruchny (2012: 60) argue that nationhood, with its notion of abstracted identities, central authority and clear territorial boundaries, deemphasizes the mobility that lay at the heart of 19<sup>th</sup> century Métis ontologies (also see Andersen 2012; St-Onge and Macdougall 2014).

Offering instead a webbed (and braided) notion of *kinship* that tied people together across time and space, nationhood has either not been discussed at all or discussed only long enough to dismiss it. However, as I argued in the book, there is nothing about the presence of nationness that precludes the presence of kinship, and vice versa. The question, in this context, is to think empirically about the relationship between nationhood and kinship, how does ““nation-ness” become braided with previously existing sets of collective imagining, cross cut by the realities of the geographical and social relations from which they emerge?” In a context more specific to Métis history, perhaps the broader point to take away from this

is that while Métis [or any Indigenous] nationalism doesn’t fit European-based notions, there is no reason to expect that it would. That is to say, if nations are ultimately “imagined communities”, the sinews that would have bound together feelings of Métis “nationness” most fervently in Red River are unlikely to parallel those of Europeans, because the social relations they are embedded in and thus rise out of were not European (Andersen 2012: 124).

By the very nature of their claims, then, Indigenous nationhood – with roots in pre-colonial eras and geographies – belies the teleology that striates settler nation narratives about

their origins and contemporary validity, emphasizing as they do the centuries of symbolic and physical violence that lay at the root of virtually all such claims (i.e. unity, liberty, tolerance, equality etc.). Likewise, settler nations were (and remain) rooted in a relatively narrow fraternity as is apparent in the hearts and minds of those who originally conceived of themselves nationally as it was (and again, remains) in their broad policies toward those to whom such fraternity was not extended. Like other nation-states, for example, Canada and the United States have enacted a wide spectrum of policies to formalize the apparent differences between Indigenous and non-Indigenous individuals and collectivities, rooted deeply in the racist discourses and sentiments that shaped their horizons.

It is in this spirit of unsettling and revelation that Indigenous studies scholars have employed *Indigenous* nationhood to counter the claims of *settler* nationhood. Though debates exist about whether Indigenous nations pre-date modernity/colonialism or whether tribes only became nations with the onset of modernity (see Simpson 2000 and Lyons 2010 for contrasting views on this issue), Indigenous nationhood has come to sit at the hub of a broader set of discourses on the historical and contemporary political legitimacy of Indigenous sociality. For example, Indigenous studies literary scholars have utilized nationalism as a conceptual touchstone for exploring the richness and distinctiveness of tribal/national literary traditions (see Womack 1999 and Weaver *et al.* 2006), while others have positioned it as a marker of autonomy separate from self-government and therefore manifestly *non-western* in its character (see Deloria and Lytle 1984).

The robust debates that characterize the discussion of nationhood in Indigenous studies thus ably demonstrate that it need not exist in tension with the peoplehood matrix as delineated by Holmes *et al.* (2003). It does, however, need to be stripped of its western teleology and

apparently natural links to modern state building in exactly the context that Holmes *et al.* (2003) detail. In this vein, Indigenous Studies scholars as diverse as Alfred (2003), Champagne (2007), Fagan (2004); Justice (2006), Lyons (2010), Simpson (2000), Smith (2008) have demonstrated how Indigenous nationhood can be made to sit in stark contrast to the nationhood tethered to state building. Certainly, positioning Indigeneity *only* in the context of contrast or difference is not without its risks (see Andersen [2009] and Hokowhitu [2009] for a discussion of these issues) but nonetheless, we might see how “imagining ourselves collectively” (to borrow Benedict Anderson’s famous phrasing) in a national form requires none of the teleology, hierarchy or conversely, the fragility with which Holmes *et al.* (2003) weight it.

Perhaps another way to think about this is to understand that the interconnected components of the peoplehood matrix central to Indigenous *peoplehood* – language, history, ceremony and territory – could easily be positioned as central and thus integral elements of Indigenous *nationhood* (indeed one might reasonably suggest that they work far better as markers of nationhood than they do peoplehood). Thus, when Holmes *et al.* (2003: 12) suggest that “in the final analysis, the factors of peoplehood make up a complete system that accounts for particular social, cultural, political, economic, and ecological behaviors exhibited by groups of people indigenous to particular territories”, they are offering an ontology oppositional to what they term “Western evolutionary conception[s]” (2003: 15) – but this does not mean that it sits in necessary contrast to *Indigenous* nationhood, especially as it has been deployed to stand in equally explicit critique of white national attachment to a modern state.

Does this mean, then, that “nations” and “people” are interchangeable, that peoplehood is simply old wine in new bottles? The answer to this question is neither simple nor straightforward – like most things, much depends on context. One way to think about these issues, however, is to

ask an additional – and at first glance, parenthetical – question: if we believe in the analytical utility of the peoplehood matrix, *when* or *what era(s)* do we look to in discovering principles from which our contemporary imaginings of peoplehood and nationhood can be derived? As it turns out, for reasons that will become apparent, exploring the question about the historical power of Indigenous peoplehood also reveals its distinctiveness from but relation to nationhood. In the interests of improving our understanding of both concepts, the chapter's third and final section will explore them in more detail.

*Part 3: Peoplehood – turning the lens outward*

This third and final part is concerned with exploring how the peoplehood matrix can be retooled in a manner that positions its central tenets in terms of its *external* context, and why this is important for thinking about Métis history juridically. Certainly, part of the attractiveness of Holmes *et al.*'s (2003) Indigenous peoplehood<sup>2</sup> matrix is that, in contrast to much of the historiographical labour on Indigenous collectivities, the authors spend little time justifying their use of peoplehood. Indeed, for all their complex discussion of the factors that comprise their model, the authors spend oddly little time exploring why these factors collectively comprise an Indigenous *peoplehood* in particular, as opposed to any number of other markers of collective consciousness, nationhood included. This lack of precision also goes some of the way to understanding why the principle elements of their matrix might seem so familiar to students of Indigenous nationhood.

Now, like all attempts to build a novel analytical framework, the matrix authors' argument is inherently schematic. Yet we can derive from their analysis threads for thinking about the idea of Indigenous peoplehood in a more extended and complex manner, particularly by undertaking a close reading of how they tether it to sovereignty. To recap briefly, the authors'

concern with the inefficacy of the nation model stems from its presumed attachments to modern state building and with it, the impact of colonialism onto our peoplehood, both at once emphasizing durability and instability (a logic which seems to permeate earlier discussions on nationhood in the Great Lakes and northern plains, above). Since historical Indigenous collectivities were defined as “other-than-states” (i.e. tribes), their treaties were not/could not be treated the same as those with other, apparently more legitimate collectivities (like those with other “western” nation-states). Instead, they argue that the foundations of colonialism are bolted to a framework entirely dependent on our presumed (political? cultural?) *difference*.

In this context, peoplehood (in opposition to race, ethnicity or nationhood) is said to possess an endogamous ability to persevere in the teeth of colonialism. In their empirical context, they detail the durability of Cherokee peoplehood despite the high rate of intermarriage, cultural modification and “the rise and fall of the Cherokee Nation during the nineteenth and early twentieth centuries” (2003: 17). Indeed, Holmes *et al.* (2003) argue that peoplehood possesses its own *inherent* sovereignty, predating and thus perhaps serving as a basis for nationalism. More importantly for our discussion here, the authors suggest that peoplehood “serves to explain and define codes of conduct, civility, behavior within a given environment, *and relationships between people*” (2003: 17, my emphasis).

We may draw from this conceptual cartography two analytical traces helpful to a repositioning of peoplehood. The first is their insistence that it existed *prior* to colonialism/cultural modification/profound cultural change. The second is that it is observable in its ability to regulate relationships between people. They likely meant this latter element in terms of the governing of individual members of a single people, but it can also be thought of in a broader sense to emphasize a central tenet of peoplehood: its ability to *enter into formal relationships*

*other than force* with other similarly minded peoples. Thinking relationally (as the authors encourage us to do), Holmes et al. (2003) go on to detail the use of peoplehood as a litmus test for understanding historical and contemporary Indigenous relationships with nation-states (in their case, the United States). In other words, drawing on principles in existence prior to the impact of “full blown” colonialism, they demonstrate how we regulated our relationships in complex, formal ways with those-who-were-not-us. Let me explain this in more detail.

Much of my own empirical work is concerned with examining how concepts like nationhood and peoplehood are (mis)used by historians and ethohistorians in their analysis of historical Indigenous sociality. I have made the argument in various contexts (see Andersen 2014, 2011) that peoplehood serves as a valuable analytical framework for exploring historical Métis sociality because it requires that specific attention be paid to the relations of power that existed during that era, rather than the categories of analysis that make sense today. Thinking in terms of these historical relations of power, peoplehood is thus distinctive from all other categories of collectivity for its ability to produce and have what respected what legal scholar Jeremy Webber (1995) has termed *intersocietal norms*, or customs which “enabled the parties to establish stable expectations regarding each other’s conduct and provided grounding for criticizing the conduct...when it departed from the norms” (1995: 628–29).

In this sense, a people is a normative order in all the aspects detailed by Holmes *et al.* (2003) in that it holds the ability – like communities, kinship groups or even families – to produce *internal* norms. But more importantly – and this is what I suggest sets it apart from other forms of sociality – a people also possesses the singular ability to compel a competing people or peoples to coproduce *intersocietal* norms that reflect neither people’s internal norms but reflect their formal *relationality*<sup>3</sup>. An extended example of the creation and use of intersocietal norms

can be explored in Richard White's (1991) analysis of Upper Great Lakes tribal landscape in the early post-contact era. Likewise, the solemnity of the various treaty making processes – whatever their subsequent (dis)avowal – also lends itself to thinking in terms of intersocietal norms between peoples.

In the specific context of Métis history, then, peoplehood becomes an important lens for understanding what tenets of history we would explore to figure out what made the Métis a people and how it differentiates us from more recent – and more dubious – claims to Métis identity that contain little of the relationality or intersocietal norm building of something like, for example, the Manitoba Act, 1870 or the oral treaties with Dakota in the 1850s. Peoplehood becomes crucial, in other words, to looking for what Chartrand and Giokas (2002) referred to as the “positive core” of Métis collectivity. Thus, Chartrand and Giokas argue, a peoplehood-based discussion must begin with by identifying collectives with a history of formal Crown-Indigenous relations (2002: 272) and, for that matter, in formal Indigenous-Indigenous relations as well (Andersen 2014: 106-7).

Like nationhood then, peoplehood represents a powerful *claim* to political legitimacy. Unlike nationhood, however, peoplehood claims are not made with respect to members of the nation, but rather, in the context of those of other peoples. Peoplehood is thus the *external manifestation* of (our) nationhood, not its replacement. Hence – and here again I disagree with Holmes *et al.* (2003) – while a people rarely exists without a nation, nations (or at least, nationalism) can certainly exist without an accompanying peoplehood. More specific to a colonial context, they can also exist in the face of diminished settler recognition of it. Among the most deliberate projects of colonial powers includes their concerted effort to diminish our Indigenous peoplehood by dismantling and attempting to dismiss the intersocietal norms that

governed previous interactions between us. Holmes *et al.* (2003) ably detail the ways in which the very tethering of the settler nation with modern statehood formalized its contempt for Indigenous peoplehood through a dismissal of treaties (for those who were able to enter into them) or their subsequent diminishment in juridical discourse, but also through a widespread marginalization of the peoplehood-based interactions that prior interaction.

Does this mean then, contrary to Holmes *et al.*'s (2003) claims, that contemporary Indigenous collectivities – nations or otherwise – are not also peoples? It does not, but it does mean that the strength of our peoplehood (at least vis-à-vis settler nation-states) has undeniably been diminished (Cornassel [2003] details the number of definitions of Indigenous peoples that include this specific impact of colonialism as a key feature). However, let me quickly register two caveats to this observation, which in the interests of space, I will only sketch here. First, whether or not our contemporary peoplehood matches its historical power, we may nevertheless draw on cognate historical eras<sup>4</sup> to form normative principles for our contemporary nationhood and peoplehood discussions. Not because our pre-colonial identities are more “authentic” than today’s but because we were at the height of our power in controlling our own destinies in a manner we are not today.

Second, contemporary settler nation-states’ failure to act honourably according to the intersocietal norms embedded in historical eras of formal diplomacy (whether through treaties or other instruments) does not mean that, as Indigenous peoples, we should not continue to act in a manner that honours them, in our interactions with one other and the state. Indeed, while settler nation-states continually fail to recognize and meaningfully act on their responsibilities to Indigenous peoples, we have continued to show respect for intersocietal norms, and a growing literature has demonstrated the manner in which Indigenous peoples have continued to relate to



colonial powers in peoplehood-based modalities, even following the full impact of colonialism in the twenty-first century.

These points become all the more important when we think again about the tendency of individuals to make claims to Indigeneity – particularly Métis Indigeneity – absent attachment to a community linked to the Métis people. These new found claims range from people in the Gaspé peninsula making claims to Métis presence for more than two thousand years, to the newly formed Métis Federation of Canada, making treaties willy-nilly with various other newly-formed “Métis” organizations, to celebrated novelist Joseph Boyden receiving an Indspire Award – as a Métis person – for his commitment to the Arts, despite the fact that he has self-identified as Indigenous more than a dozen different ways since the critical reception of his first novel *Three Day Road*. These kinds of claims are possible – are *only* possible – in a colonial nation-state like Canada that fails to respect the peoplehood of Indigenous polities.

*Concluding thoughts – peoplehood and the nation: analytical allies*

The point of this paper was to explore, critique and extend the fruitful insights of the *peoplehood matrix* produced by Holmes *et al.* (2003) and to demonstrate its particular utility for thinking juridically about Métis history. This model is particularly useful for its disavowal of western political principles whose legitimacy is tied to the teleological and hierarchical ontologies of modern nation-states and it has much to teach us about how to think about our histories in a dignified manner. Likewise, the broad correspondences between Indigenous ontologies and epistemologies and the largely similar experiences of colonialism enhance its explanatory potential. However, we have also attempted to unpack Holmes *et al.*'s (2003) puzzling and unnecessary dismissal of nationhood, arguing instead that far from requiring us to dismiss it, peoplehood represents its external manifestation. Toward that end, we situated the

analytical relationship between nationhood and peoplehood as two sides of the same coin – nationhood concerns itself with imagining itself internally while peoplehood is useful for exploring external relationships with other peoples.

If we take seriously the principles governing our historical peoplehood at the zenith of its power, they can and should continue to serve as an appropriate touchstone for working through debates about our contemporary collective Indigenous – our Métis – selves, rather than simply reaching into the past and borrowing whichever historical resources are deemed most contemporarily expedient, or simply making claims to self-identification as they seem to fit or as the will to possess strikes us. I can think of no other context within which someone could claim to be Indigenous where they would not be asked who their family or community was. Indeed, the premise of the argument that undergirds this paper is based on a deceptively simple maxim: who I, or you, or anyone claims to be is far less important than who claims us. Self-identifying claims in the absence of connection to a living, breathing community with pre-colonial roots amounts to little more than white possessiveness (what we might, in less charitable moments, refer to as ethnic fraud).

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Endnotes

<sup>1</sup> Though Corntassel (2003) offers an important extension on this original model – summarizing and integrating much of the previous bodies of literature on nationalism, Indigeneity and peoplehood and adding precision to the relationship between Indigeneity and nationhood, it does not affect the overall tenor of the peoplehood matrix, and as such does it affect this chapter’s argument.

<sup>2</sup> My discussion of Indigenous peoplehood focuses mainly on the peoplehood part rather than what specifically makes us Indigenous. That is, when do Indigenous collectivities rise to the level of a people? For a broad discussion of the “Indigenous” in Indigenous peoplehood, see Anaya (1996) and Corntassel (2003).

<sup>3</sup> Additionally, this seems to me more precise than Anaya’s understanding of peoplehood, which stresses *internal* distinctiveness and attachment to ancestral communities (Anaya 1996: 3) rather than *relational* distinctiveness.

<sup>4</sup> To draw from historical principles, however, is obviously not to be limited by it or them.

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