Expanding Social Justice: Exploring Connections Between Immigration and Indigeneity

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Abstract Most discussions of group-differentiated disadvantage seek to explain its covert and overt nature through the experiences of dominant groups and their relations to subordinate groups. This is a vertical approach to social injustice. Instead of taking this approach, I take a horizontal approach that seeks to determine whether there are logics that produce disadvantage that are invisible to the vertical understandings of socially constructed group-differentiated disadvantage. To this end, I critically consider the relationships between disadvantaged groups by reflecting on the experiences of Black Canadians and Canadian Aboriginals. Their experiences reveal the underbelly of Canadian multiculturalism and of discourses of membership and belonging. I explore the ways in which these groups have potentially complex and conflicting modes of injustice that elicit potentially conflicting and complex prescriptions. Recognizing this has the potential to facilitate a finer-grained sensitivity to the description and potential amelioration of group-differentiated disadvantage and to problematize discourses of membership and belonging in their instantiation in current Canadian practices, norms, and governing arrangements.

What I call the "standard account" conceptualizes and frames social injustice within a dyadic model of causal connection to explain overt and systemic disadvantage. For instance, to explain overt and invidious racism and overt and systemic racial violence, the standard account analyses the disadvantages that racialized nonwhite groups experience by showing the role that dominant groups play in the creation and reproduction of racial disadvantage. As another example, consider the case of gender: on the standard account, analyses that conceptualize the disadvantages that “women” experience aim to illuminate the character and causal structure of the disadvantage by showing the role that “men” play in the creation and reproduction of women’s inequality.

This is the dominant manner through which we identify the mechanisms that produce identity-specific disadvantage. And these ways of thinking about group-differentiated disadvantage are interesting and important. But this picture, with all its simplicity, can have the effect of erasing particular kinds of disadvantage or of obscuring conceptualizations of particular forms of disadvantage. This can be the case when particular formations of disadvantage are taken to be the primary form of disadvantage for social relations. Critics of the black/white binary, for instance, have

1 I do not mean to imply that an adequate explanatory account of disadvantage consists merely of these methodological and substantive claims. Such an account, for instance, presupposes a social ontology that needs articulation and defence. Such an account might also contain a number of intermediary hypotheses that derive from core hypotheses.
complained that the focus on relations between these two groups ignores or obscures the understanding of the ways in which access to rights, opportunities, and resources are structured by white supremacy for groups not labeled “black” or “white.”

A second problem with the standard account, one exposed by the literature on intersectionality, is that the purity of reflections obtained by the standard account ignores the ways in which disadvantage occurs along multiple dimensions of disadvantage and that particular diagnoses of disadvantage might be under-described. Accordingly, particular remedies of disadvantage might fail owing to the unexplored points of intersection between modes of disadvantage.

A third problem with the standard account is its preoccupation with theorizing disadvantage vertically. The methodological commitment bears fruit, but at a cost; reflections generated by it have the tendency to ignore horizontal modes of disadvantage. That is to say, the standard account ignores or obscures our understandings of the ways in which disadvantages occur between disadvantaged groups. This view has important consequences not just for the ways in which we conceptualize disadvantage in general or for the ways in which we theorize remedies for disadvantage, but also for the ways in which we conceptualize moral responsibility and apology between disadvantaged groups.

Now, thinking horizontally about disadvantage is not a new line of research. Most discussions of the relations between disadvantaged groups focus on intergroup conflict for scarce resources. But these discussions have not made their way into philosophical reflections of group-differentiated disadvantage, nor especially of white supremacy, except as discussions about the privilege that groups receive in virtue of their relation to other groups in hierarchies of disadvantage or as discussions aiding reflections on solidarity or coalition politics. Theorists admit that disadvantaged groups can be oppressed and be oppressive, but such discussions are often framed as add-ons or peripheral, rather than occupying a more central role in our analyses of disadvantage.

So we might ask whether reflections about social justice might benefit from more sustained reflections to get traction on whether current systems of disadvantage are potentially ordered by logics that would otherwise go unnoticed without attempts to foreground collective forms of disadvantage between disadvantaged groups.

There are potentially several benefits of such reflections. First, such


reflections might be of special use in increasingly pluralistic settings such as Canada. That is to say, proponents of multiculturalism and those taking the measure of the ongoing ethnoracial and ethnocultural diversity in liberal states might be especially interested to think about the ways in which intergroup disadvantage problematizes or enhances the theoretical commitments upon which its reflections lie. Second, with greater theoretical sensitivity to structures of disadvantage that create the conditions for the intersections of differing kinds of group-differentiated disadvantage, we would be better able to predict and explain grievances and animosities between groups. This point is underscored by Eric Yamamoto when he claims that in such sites we find

[M]embers of different groups seeking to live together peaceably and work together politically who are stymied by the continuing effects of racial wounds inflicted by one group’s participation in public or private systems subordinating the other.5

And third, for those interested in anti-racism and interested in mapping white supremacy, we would benefit from placing such reflections in the center of our conceptualizations rather than at the margins. Such a project could help understand conceptually and politically, relations between settler groups and Indigenous peoples.

To underscore these latter points, consider recent work by Bonita Lawrence and Enakshi Dua.6 They claim that institutions and practices within settler states privilege new members of the host state to the disadvantage of Indigenous groups.7 That is to say, ongoing colonial practices aimed at the dispossession, expropriation, and suppression of Indigenous interests, experiences, and entitlements are allied by the legal, political, and social accommodation of those seeking ongoing residence and citizenship in a new host state. What is more, they claim that antiracist proponents ought to make the experiences and interests of Indigenous groups “foundational” to one’s antiracism analysis. Failing to do so, they argue, is tantamount to perpetuating the oppression of Indigenous peoples or, in slightly different terms, renders theorists complicit in the “genocide” of Indigenous peoples.

To put some flesh to their worry, they note that Black Canadians8 have sought

rights associated with original occupancy of and in a given territory and that their prior presence and history generate constraints on the moral and legal practices of those seeking to reside, develop, transfer and enjoy the benefits and burdens of social cooperation on those territories. I leave unexplored the scope and strength of such claims; I simply assume them for argument. Also, I primarily use "Aboriginal" to refer specifically to Canada's First Nations groups and I use "Indigenous" to refer to any group falling under the terms of the description just provided. Both terms have contested meanings and usages. I ignore such disagreements for the sake of argument. But in general, my usage of the term "Indigenous" is meant to be free standing to cover any such groups fitting under the description, while my usage of the term "Aboriginal" is meant to denote the particular experiences of Canada's First Nations. Also, when I talk about Indigenous and Aboriginal groups, I will mainly focus on those persons self-identifying as Native or Indian, Inuit, and Metis. This is a simplifying assumption to make the analysis manageable. Also, not every First Nations is capable of self-government, although we do see increasing cooperative agency by various First Nations. Lastly, my use of the notion of Aboriginality ignores for the sake of argument the numerous linguistic, cultural, and historical differences between such groups and any homogeneity that I ascribe to them is political and strategic, not metaphysical.

8 When I talk about Black Canadians I note at least two distinct modes of existence in describing their experiences. I use the term Indigenous Black Canadians to refer to the black persons of African descent whose first appearance in Canada predates the 17th century. When I use the term contemporary Black Canadians I refer to the black persons arriving in Canada most recently within the past thirty to forty

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7 In this paper I will use the terms "Aboriginal" and "Indigenous" to refer to persons who claim to have
reparations for the early black community in Nova Scotia referred to as Africville. To simplify, persons of African descent living in the then-thirteen colonies were told that were they to remain loyal to the crown, they would be compensated by England. Seeking safety from early American revolutionaries, a small number of persons of African descent escaped to Nova Scotia to form a community. These persons never received the land they were promised and where they formed a community, local authorities in time sought to remove them from the land for future development. The land that early Black Canadians called their own was unceded land, belonging to the Eskikwa’ik First Nation.

In a similar vein, during the Second World War, suspicion that persons of Japanese descent were a threat to Canadian citizens (read “white” Canadians) lead to the internment, seizure of assets, and the dispossession of the properties of Japanese persons. The Canadian government promised to return the confiscated assets, but failed to do so. It was not until 1988 that the Canadian government officially apologized for its treatment of its Japanese citizens. It also offered monetary compensation to the living victims of internment at the sum of $21,000. But like early Black Canadians, Japanese Canadians suffered injustice on unceded land and claims for reparations and social justice occurred in a context in which Native land was taken and profits generated through the appropriation of that land.9

A further example of the ways in which immigrant and Indigenous interests collide lies in the controversial plan by the Canadian oil multinational Enbridge. Having recently completed environmental review is a project that would create a pipeline delivering bitumen from Alberta to the coast of British Columbia. The pipelines would traverse a number of Indigenous lands. Many Aboriginal groups have rejected such a proposal, claiming that it poses stark risks to their ways of life. Indigenous groups have claimed veto powers over such a plan, but the Federal government has already claimed that such powers do not lie within the recognized powers of Indigenous groups. This project is interesting for two reasons. First, the project is widely claimed by proponents to be a benefit to all Canadians—but it remains unclear, given the history of exclusion of Indigenous persons and the way that they have been forcibly included within the Canadian state, whether they see themselves as “Canadian.” Therefore, it is hard to see themselves as a part of the state-sponsored narrative regarding the pipeline.

Second, the then-minister of the environment, Joe Oliver called those opposing the expansion of pipeline radical “extremists” seeking to derail the Canadian economy.10 His claims are striking not just

9 Eric Yamamoto considers the ways in which Asian American and Native Hawaiian interests have collided. Native Hawaiians have accused Asian Americans of redeploying “oppressive rhetorical, economic, and social institutional structures” whose effect is to deny Native Hawaiians their rights to self-government and self-determination. See Yamamoto, Interracial Justice, 60-78.
10 John Cummings, past leader of the British Columbia provincial conservative party, in a recent article outlining his party’s economic platform prior to the 2013 provincial election, claimed that Aboriginal groups did not a veto right against such a project that seeks to benefit all Canadians. See “Cummings on Prosperity Mine: Natural Resources are owned by all British Columbians, native and non-native alike,” last
because they virtually label any opposition to the pipeline as enemies of the state, hence justifying any measures to ensure the construction of the pipeline, but also, if Indigenous groups are opposed to the pipeline, then they too are enemies of the state. The discourse around the pipeline serves to perpetuate the silencing of Indigenous voices through the construction of a discourse of membership and belonging (“good” Canadians support national economic projects; “bad” Canadians do not!).

My aim is to conceptualize disadvantages between racialized groups so as to facilitate a finer-grained sensitivity to the description and potential amelioration of group-differentiated disadvantage. I consider the ways in which different groups of these kinds might have potentially complex and conflicting modes of injustice that might elicit conflicting and complex prescriptions. To advance this project I borrow from the work of Will Kymlicka, Faguni Sheth, and Nancy Fraser. I use their work to frame and uncover additional challenges to describing and ameliorating injustice.

My secondary aim is to, against the backdrop of this discussion, facilitate the mapping and identification of the contours of white supremacy within Canada. Here I think the experiences of Black Canadians and of Aboriginal groups provide a valuable opportunity for insight into the underbelly of Canadian multiculturalism and of discourses of membership and belonging. I argue that the experiences of these groups allow us to problematize discourses of membership and belonging in their instantiation in current Canadian practices, norms, and governing arrangements.

In part one I offer several clarifications of my project. In part two I consider two avenues through which the experiences of immigrant groups and Indigenous groups intersect. I argue that both avenues have thus far failed to recognize or otherwise adequately consider the experiences of these kinds of groups. I focus my comments here on recent scholarship with the intergroup literature found in Canada and upon recent theoretical work by liberal political theorists such as Will Kymlicka. I attempt to identify the gaps in these projects by borrowing Will Kymlicka’s typology to identify social trajectories of access to resources, rights and opportunities for immigrant groups and Indigenous groups. In part three I consider Faguni Sheth’s attempts to conceptualize disadvantage. I consider her theory and consider how it adds to my initial reflections. In part four, I begin applying these reflections to race in Canada. I briefly sketch some of the key features of the discursive construction of race in Canada and I take the lessons from that discussion and apply them in conceptualizing the interests and experiences of Black Canadians and Indigenous groups. I focus my discussion around the notion of

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11 Of course the state’s involvement in the review process of the project is equally troubling. Commentators noted the ways in which the federal government has acted to silence debate. But also, the federal government’s attempt to expedite review seriously undermined the ability of Indigenous groups to meaningfully participate in discussions of the pipeline. In the least, the federal government’s plan to make final assessment decisions about “major” industrial decisions has the effect of rendering obsolete the claims to sovereignty of Indigenous groups.  
12 The revenues generated by the project might insufficiently promote the economic interests of Indigenous groups as well if taxes delivered to the province or to the federal government are not applied to Indigenous interests (or applied in such a manner that insufficiently compensates them for potential losses that such a project might bring about on Native land).  
13 Will Kymlicka’s views occur across several writings, but the principal pieces include Liberalism, Community, and Culture; Multicultural Citizenship (Oxford: Oxford University Press, 1999) and Finding Our Way: Rethinking Ethnocultural Relations in Canada (Oxford: Oxford University Press, 1998).
citizenship, arguing that this notion usefully captures the ways in which disadvantage is being framed and that the realizations of membership potentially place both groups into conflict.

Clarifications

Let me make a couple of important clarifications of my project. First, my project is not one that can simply be described as a project of identifying ethnic conflict. This way of conceptualizing potential sites of tension is well known, but it actually flattens the domain of inquiry. At least on the left, such discussions have the tendency to frame contestations between racialized nonwhite groups as zero sum enterprises for scarce resources (the divide and conquer strategy). Now, of course actual conflict between groups might often be illuminated by an analysis that seeks to understand them as epiphenomenal on racial animus or as the intended or unintended side effects of larger attempts to control access to rights opportunities and resources. These discussions also have in their favour the ability to disrupt the attempts to perpetuate a narrative of successful integration of certain groups (the so called “good” visible minorities or the “honorary” whites) by showing the mechanisms that perpetuate a colour-coded hierarchy. These discussions identify and explain important sites of conflict, but my interest is to try to put those forms of conflict in a larger theoretical perspective. What are routinely referred to as ethnic tensions often do not conceptualize the collectives within the social ontology I consider here and they often do not foreground the context in which conflicts occur. For instance, we need additional materials to adequately conceptualize the points of intersection in the experiences and aims of Indigenous groups and immigrant groups.

Second, though my focus in this paper concerns the interests and experiences of collectives rather than of individuals, there are a number of assumptions regarding collectives that I do not presuppose. That is to say, I do not make the metaphysical assumption that groups collectively possess an essence; that they collectively intend to seek the ends that I describe; or that members of these collectives are agency. Those on the right deploy a model in which collective agency is wholly under the control of racialized nonwhite groups, ignoring the role of institutional and attitudinal barriers to agency, while the left tends to make the opposite mistake. They overstate the influence of structural conditions of disadvantage in a way that presupposes or implies that racialized nonwhite groups are passive actors. See Yamamoto, *Interracial Justice*, 98-128.
homogenous in their self-understandings. Within such collectives are contested and multiple self-understandings, identities, and narratives. The collective action we see between persons sharing a common ascribed identity may more often than not derive from similar class positions rather than similarities in their self-understandings and motivations about their racial identity. And finally, the social identities in my analysis are strategic in nature; they do not reflect joints at which nature is carved, but rather they are political identities created in and through processes of contestations for power reinforced through the structuring and delivery of instructions and through practices and modes of resistance.

**Race Relations in Canada and Liberal Political Theory**

If we look to conceptualizations in liberal political theory and the literature on Canadian race relations we find the tendencies that I mentioned at the beginning of my paper. Consider the recent literature on race relations in Canada. Much of this literature has focuses on the relations between various ethnoracial and ethnocultural groups in relation to Canadian policies of multiculturalism. These have ostensibly been discussions about whether and how new immigrant groups are accessing mainstream institutions. These discussions ask whether new immigrants are adopting self-understandings as “Canadian” and adopting Canadian norms and values; whether immigrants are forming ethnic ghettos, cleaving to identities and practices of their countries of origin, or otherwise circumventing the social, political, and psychological integration expected and desired of them. Where discussions note the indifference that Indigenous groups might have towards increasing migration, the discussions do no more than offer a cursory discussion of such a fact. Now the numerous discussions about access to mainstream institutions are important as they seek to characterize and in some cases problematize the implementation of ongoing policies of integration. They seek to understand whether and in what ways national self-understandings as liberal and tolerant, or in the case of Canada, as multicultural are being realized in increasing schemes of ethnoracial and ethnocultural pluralism. But I am interested in conceptualizing access to mainstream institutions in the context in which said access is conditioned on Aboriginal experiences and claims. Thus in my view, I do not treat these topics as if they were hermetically sealed as the literature has the tendency to do. I see them as potentially having deep and interesting links.

Mainstream liberal political theory yields another source for conceptualizations about potential structural relations between immigrant groups and Indigenous groups. For instance, Will Kymlicka, perhaps the most well known of the theorists of multiculturalism within the liberal tradition, has written extensively about the permissibility and desirability of group-differentiated rights for national groups and immigrant groups.17

Kymlicka has considered the interests of immigrants and Indigenous groups within his writings and he has attempted to describe and ameliorate the disadvantages both kinds of groups face within a liberal egalitarian framework. Kymlicka’s view is also sensitive to the importance of social identity being interested in policies that promote recognition. But Kymlicka is also interested in redressing unjust differential holdings in resources, appealing to luck egalitarian principles. Kymlicka, we might say, attempts to address claims to both recognition and to redistribution.

The collectives I have in mind range over two distinct modes of social groupings within the state corresponding to the various ways in which the liberal state is a multinational state. National groups

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17 See Kymlicka, Liberalism, Finding.
correspond roughly to what we might call nations.\textsuperscript{18,19} They are “more or less institutionally complete” enjoying high degrees of territorial concentration, linguistic particularity, and history.\textsuperscript{20} The collective identities of these groups are institutionally (with high degrees of legal, political, and economic features) and culturally defined expressing a collective interest in flourishing. Examples of these groups include Canadian Anglophone, Francophones, and Aboriginals; the Catalanons and Basques of Spain; and Indigenous Hawaiians in the United States. These groups are entitled to differential citizenship in the form of self-government rights. Such rights secure the full and free ongoing interest in developing the group’s collective identity by recognizing the group’s political autonomy or territorial jurisdiction.\textsuperscript{21} Under the category of self-government rights, Kymlicka includes linguistic rights, political veto powers, and land claims.\textsuperscript{22} National groups are also entitled to special representation rights. These rights seek to address the lack of representation in political decision-making and so they guarantee some number of seats set aside for members of the relevant groups.

Ethnic or immigrant groups, in contrast, are not understood in terms of their institutional complexity but through voluntary immigration.\textsuperscript{23} These are groups seeking integration into mainstream institutions. Such groups are typically interested in learning the dominant social and cultural norms and dominant language(s) within host states because it allows them to better compete for opportunities and resources. To promote their own flourishing and to offset disadvantages to the flourishing of their collective identities culturally defined, these groups seek protection. Kymlicka calls these protections polyethnic rights. This is ostensibly the right to determine the character of the collective identity through culturally defined protections. Kymlicka claims that this right entails public funding for cultural practices and exemptions to known work rules. These rights are meant to promote the integration of immigrants into dominant institutions.\textsuperscript{24}

We might understand the Kymlickian remedies rather broadly. The self-government rights displayed in linguistic rights, political veto powers, and land claims do not exhaust the kinds of claims that national minorities might have in protecting their culturally demarcated identities. The polyethnic rights displayed in claims to public funding for cultural practices and exemptions to known work rules do not exhaust the ways in which immigrant groups might be aided in integrating into mainstream institutions.

Kymlicka’s framework provides a helpful way in which we might consider the relations between modes of disadvantage between immigrant groups and Indigenous groups. We could ask whether polyethnic and self-government rights conflict with one another or mute the emancipatory promise within such powers. Or we could ask whether further powers falling under the description

\textsuperscript{18} Kymlicka himself uses the term ‘culture’ synonymously with the term nation. I do not think I misrepresent his view by using the term “nation” rather than the term “culture.”


\textsuperscript{20} Kymlicka, Multicultural Citizenship, 18.

\textsuperscript{21} Kymlicka, Multicultural Citizenship, 27.

\textsuperscript{22} Kymlicka, Multicultural Citizenship, 109.

\textsuperscript{23} Kymlicka uses the expressions “immigrant groups” and “ethnocultural groups” interchangeably with the expression ethnic group. In Politics he uses the expression “ethnocultural group” commonly. I will use these terms interchangeably as well for ease of exposition.

\textsuperscript{24} Since it is no part of my argument here, I do not consider Kymlicka’s claim that promotion of a group’s culture is normatively important for its members. This is of course the crucial claim for the argument, but its intelligibility and plausibility matter little for this paper. I will simply assume its truth.
of these remedies conflict or undermine their aims.\textsuperscript{25}

But Kymlicka does not consider the questions raised above. That is, Kymlicka does not consider whether the various rights he offers stand in tension with one another. He instead is worried to defend the liberal pedigree that he takes his view to possess. And so Kymlicka argues that the collective powers his view recommends do not disadvantage its vulnerable members; that creating the institutional space for collectives to live out their collective conceptions of the good supports a comprehensive liberalism that does not support particular conceptions of the good; and that the collective powers he offers are supported by egalitarian commitments about distributive justice.\textsuperscript{26} Put another way, Kymlicka is content to ask only whether his view satisfies particular normative commitments. He does not ask whether the view licenses political outcomes for collectives that run cross-current or undermine the conditions under which future potential remedies might be realized.\textsuperscript{27} With the increasing presence of Aboriginals in urban centres, Kymlicka fails to consider whether and in what ways Aboriginals are left vulnerable to displacement or to exclusion from labour markets and how and whether the increasing presence of migrants and the political, legal, and discursive features such access entails produces the conditions in which such phenomena remain invisible. Subsequently we are left wondering if the policies promoting access to mainstream institutions for migrants have potential unintended side effects.

This result is not surprising. In \textit{Finding Our Way} Kymlicka claims that the needs and aspirations of Canada’s immigrant groups differ from those of national groups.\textsuperscript{28} And thus a Kymlickian analysis treats these rights and powers and the modes of collective flourishing of immigrant and national groups they facilitate as if the issues were hermetically sealed from one another.

Kymlicka also fails to consider whether the recognition claims he seeks to satisfy run into conflict with the very redistributive aims his view offers. For instance, Kymlicka fails to consider the various ways in which recognition might be undermined and he ignores the potential ways in which recognizing some forms of group difference have distributive effects on other groups. As an example of the former, Kymlicka says little to characterize the ways in which Indigenous persons might suffer disrespect, misrecognition, or suffer ongoing institutionalized stigma. Policies that promote self-government of a collective suffering under the weight of ongoing institutionalized stigma, might further entrench the disrespect and misrecognition of Indigenous groups. A general terrain of conflict arises in the resources that the Kymlickian model distributes. Conceivably extending rights to national minorities or to immigrant groups inevitably involves taking some resources from one collective (such as seats in national assemblies) and shifting them to another. Surely policies that do so might elicit worries that these kinds of remedies have potential political or moral problems.\textsuperscript{29}

\textsuperscript{25} Kymlicka does consider whether the ways in which he conceptualizes the interests of immigrant groups can be extended to non-immigrant groups such as women, gays/lesbians, and the disabled. He even considers whether the concept of culture can appropriately be extended to understand the experiences of various immigrant groups such as Black Canadians. See Kymlicka, \textit{Finding Our Way}.

\textsuperscript{26} Kymlicka, \textit{Multicultural Citizenship}, 34-107.

\textsuperscript{27} We might say he treats the domain of recognition as if it were flat or neutral to the groups within it seeking policies and institutional arrangements to secure it.

\textsuperscript{28} Kymlicka, \textit{Finding Our Way}, 10.

\textsuperscript{29} Such policies might raise moral concerns if in ranking one set of interests as more important to satisfy than another we are privileging one group’s conception of the good over another’s.

\textsuperscript{30} Kymlicka, \textit{Multicultural Citizenship}, 75-107; \textit{Finding Our Way}, 104-121
Canada, and neither will the Quebecois, and so the challenge is to consider how English-speaking Canadians will change. But these issues do not go far enough into even raising the issues I present.

Another way to flush out my charge against Kymlicka is to consider recent work by Nancy Fraser. Fraser has argued that policies affirming group identity have the potential to generate a backlash by dominant groups toward minority groups. This is so because dominant groups might perceive that accommodations for minority groups are made in virtue of justifications that are contradictory to merit-based methods of distributing resources and opportunities. Subsequently such groups might be seen as recipients of unwarranted favour by the state. What is more, if my earlier comments about the understandings of national identity and the ways in which it excludes Indigenous interests and experiences are correct, then affirmative policies that value ethnic identity have the effect not only of insulating Canadian national identity from critiques that Canadian national identity is underwritten by white supremacy, but also they might have the effect of entrenching denials of Indigenous claims to sovereignty. At best, claims to Indigenous sovereignty can only be “satisfied” by policies that are affirmative in nature, having effects on surface allocations of rights and benefits that leave in tact the deep structures that produce indigenous disadvantage. On Kymlicka’s analysis, advancing the interests of immigrant groups seems at best to allow for only surface allocations within the economic sphere and the status domain, leaving in tact the deep structures that sustain them. As I have argued, Kymlicka fails to consider any of these issues leaving us wondering how his view could satisfy the aims of social justice that he claims that it does.

What we lack in Kymlicka’s view is a discussion of the ways in which we should understand collectives of persons integrating into mainstream institutions and how such collectives are understood vis-à-vis collectives seeking self-government. Such questions arise once we look more closely at the ways in which Indigenous groups and (visible) immigrant minorities in Canada experience disadvantages in racialized socio-economic, symbolic, and representational domains.

To elaborate, configurations of rights, opportunities, and resources in the political economy display the ways in which immigrants and Aboriginals fare. Immigrants are often racialized in that they disproportionately occupy menial and low-paying jobs with little status and power in those positions, high rates of unemployment, and high rates of poverty. The kinds of employment racialized immigrants obtain reflect the ways in which particular sites of employment and the bodies inhabiting them are racialized sites of exploitation; members of dominant groups expect to see, as the norm, members of racialized immigrant groups in deferential and subordinate positions.

The differential outcomes of immigrant groups overlap with the structural conditions of Aboriginal groups. This is exemplified in Canada. Recent studies have noted the growing number of urban Aboriginals in Canadian cities and this presents new opportunities to consider the ways in which access to resources and opportunities are structured by racial antipathy. But as I said, the Kymlickian analyses leave intact these deep structures. Where he does talk of race, he deflates the existence of racism in Canada, leaving the impression that white supremacy is a thing of the past in Canada. The side effect of such a

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32 Fraser, Justice Interruptus, 24-25.
33 Fraser, p. 24.
discussion is that it leaves his conception of multiculturalism inhospitable to the tasks of antiracist theorists.  

In my comments on Kymlicka I have outlined two avenues of discussion that are of importance for conceptualizing the potential sources of conflict between Indigenous groups and immigrants. One source lies at the level of normative justification. And here the issue is whether norms such as social justice, whatever its interpretation, are adequate to remedy the different problems facing these immigrant groups and Indigenous groups. The second issue is whether particular policies that attempt to address particular disadvantages have political consequences that pit collectives into conflict. We might even identify a third feature that is unique to the experiences of immigrants and Indigenous groups and this concerns the notion of membership. As Kymlicka and others have noted in discussing the experience of Indigenous groups in Canada, many members of Indigenous groups and collectives of first nations do not seek to adopt a Canadian identity. In contrast, immigrant groups typically want to become Canadian.

A Conceptualization of Inter-Group Disadvantage

In her Toward a Political Philosophy of Race, Falguni Sheth seeks to add to our understanding of disadvantage with an analysis that attempts to explain the ways in which vulnerability to or being a victim of disadvantage is not solely causally tied to the behaviours of dominant groups. Sheth’s aim is to identify the logic of the mechanisms of disadvantage that, according to her, are integral to liberal polities. And in her view, "race" is a category that is deployed in liberal states to mark certain groups for unequal treatment in ways that are consistent with and perhaps even required by liberal commitments to moral and legal equality.

The basic social ontology of her view is group-based, tripartite, and relational. The main categories of actors in liberal states are Insider, Outsider, and Pariah groups. On her view, these groups stand in opposition relative to one another. Not every collective is a pariah group and not every non-dominant group is an outsider group. As the dominant group, insider groups seek to maintain disproportionate control of the polity and its resources. The competition occurs primarily (but not exclusively) in the status domain, but has distributive effects. This is achieved mainly through the creation of and subsequent exploitation of, outsider groups. Of no surprise, given that the position as an outsider group is inimical to the flourishing and in some cases, survival of the collective, collectives will have an interest and disposition to avoid falling into such a state. Thus collectives may be placed in a position by which they compete to remain free from falling into such a state, which as I consider below, explains the role of pariah groups in

35 For a more extensive discussion and critique of the problems with Kymlickian multiculturalism and with the ways in which can be amenable to the interest of antiracist thinkers see my "Invisibility, Multiculturalism, and Black Canadians," Constellations, Volume 21, Issue 4, 2014.

36 Falguni Sheth, Toward a Political Philosophy of Race, (New York: SUNY Press, 2009).
her theory.

Insider groups are often marked by specific demographic properties, but those features do not necessarily individuate insider groups because the demographic features might change over time. But insider groups are denoted by symbolic markers that remain unchanged over time. Such groups are marked by political and legal equality in which members are entitled to the benefits of the association. What is more, Sheth claims that their cultural status is often articulated and cemented through the deployment of certain discursive labels that constitute the group’s collective identity, such as “Good American” or “Devout Christian.”

Outsider groups stand in dialectical relation to insider groups. Such groups are usually legally and politically disenfranchised; subject to disrespect and misrecognition; and excluded from most forms of productive social cooperation. Paradigmatically, such groups suffer under the weight of systems of disadvantage resembling Jim Crow or Apartheid.

Sheth deploys Hannah Arendt’s conceptualization of a pariah group to illuminate positions straddling full exclusion and full privilege, a process she calls border maintenance. Pariah groups are subject to or otherwise vulnerable to political and legal disenfranchisement. Such groups are perpetually at the cusp of being fully disadvantaged or of experiencing the full weight of exclusion that outsider groups are disposed to experience. To avoid being subject to the conditions of full exclusion suffered by outsider groups, Sheth claims that pariah groups are driven to cooperate with insider groups to identify collectives to occupy the status of being an insider group. The actions of the pariah group are neither wholly voluntary nor wholly involuntary. They have an interest in avoiding exclusion, but they do not actively seek to perpetuate

the disadvantage of potential outsider groups. The successful attempts of pariah groups to avoid the full weight of exclusion have the unintended side effect of creating or perpetuating exclusion and disadvantage for other groups. These are positions that might be held by collectives over time in response to their being accepted, rejected or to their resistance to their status.

Much of the productive work that pariah groups perform relative to outsider groups does not lie in their discreet actions per se, but in the discursive interpretation and implementation by insider groups of the actions of pariah groups. That is, the social meaning of the experience and actions of Pariah groups are co-opted and deployed to mediate the relationships between insider and outsider groups. This happens in three ways: Border groups aid the processes by which insider groups are delineated from outsider groups. The experiences of pariah groups are discursively deployed to demarcate the boundaries between insider groups and outsider groups. That is, the discursive construction and deployment of the experiences of pariah groups serves to demarcate insiders and outsiders within the status domain. Second, border groups serve as the historical memory of the political community. In this capacity their experiences and interests are deployed to deflect and conceal the ways in which an insider group might be implicated in the disadvantages and exclusion that outsider groups suffer. And third, the experiences of border groups serves as a moral conscience. That is, the experiences and actions of insider groups serve the purpose of licensing the exclusion and disadvantaging of outsider groups. The first function serves to mark the status order by marking the distinction between insider and outsiders in ways that correspond to “us” and “them”; the second serves to conceal the causal mechanisms

38 Sheth, Toward a Political Philosophy, 132.

39 Sheth claims that pariah groups cooperate with and passively allow themselves to be deployed for insider groups. Sheth, Toward, 135.

40 Sheth, Toward, 136.
through which certain groups are victims of disadvantage; while the third serves to create the justificatory conditions through which new groups can be the victims of disadvantage.

African-Americans are the paradigm example of a pariah group functioning as a border population. African-Americans have had a history of being the objects of racial hatred via slavery and Jim Crow. But the civil rights movement and the subsequent formal inclusion into mainstream institutions marks a point in which African-Americans perhaps are no longer outsiders. For instance, the status order appears to be modified or appears to be in the process of undergoing revision so that being labeled “black” does not imply that one is unfit for participation in schemes of productive social cooperation. What is more, Sheth claims that their being thought of as being included within mainstream institutions is perpetuated through the placement of African-Americans within discursive constructions of patriotism. In this way, the political imaginary is influenced in such a way that African-Americans can be thought of as insiders. But the discursive construction could format the status order in ways that invisibilize the material and deliberative outcomes of African-Americans. That is to say, the discourse of patriotism can construct belonging in ways that silence and deflect critique of the mechanisms that constitute belonging. Those who publicly argue that the attribution of formal legal, social, and political rights obtained via the civil rights movement have failed to ameliorate the vulnerability and the actual disadvantage suffered by African-Americans are seen as rapacious or ungrateful. And African-Americans who succeed are expected to participate in the discursive construction of achievement through personal effort and responsibility and ostensibly of a discursive construction of the fully meritocratic and just state.

The presence of the new threat posed by persons labeled “Arab” or “Muslim” provides additional evidence that African-Americans may no longer occupy the status as a pure outsider group. Their experiences are deployed to facilitate ordering the status domain in such a way so as to format and prepare new collectives to be identified as outsiders. Put another way, African-American experiences can be used to perpetuate the racialization of new collectives. So the partial inclusion of African-Americans into the polity serves to signal a proper commitment to liberal principles, but more importantly, to create the justificatory environment by which to exclude new groups.

Sheth’s analysis adds further resources to my project. But before deploying her views, I mention several weaknesses. First, Sheth claims that African-Americans no longer stand as an outsider group; they now occupy the status as a pariah group. Such a claim looks plausible when considering the gains that African-Americans achieved during the civil rights era and the following period, culminating in the presidency of Barack Obama. But African-Americans suffer poor outcomes relative to Caucasians in well-known indices of well-being. What is more, the high levels of African-Americans in prison, the increasing numbers of African-Americans left suffering severe economic vulnerability at the conclusion of the global financial crash of 2007, and the numerous recent incidences of deadly force by law enforcement used against unarmed African-Americans leave one thinking that African-Americans remain outsiders within US institutions and outside the discursive and symbolic construction of belonging. Now, there is perhaps a deeper worry and that is that Sheth fails to provide criteria through which her categories are applied. If we had criteria we could determine the aptness of the application of the categories. Perhaps one way to circumvent this concern is to distinguish with the category groups noting that some groups are pure outsider groups while others have a position that qua outsider group, is impure.
Second, Sheth’s view lacks an awareness and articulation of the ways in which gender and class intersect and influence race. For instance, the success of various African-Americans such as Oprah Winfrey and Barack Obama express the ways in which class positions can offset racial disadvantage. Similar things can be said about gender as well—namely that one’s gender may reflect the ways in which the worst forms of disadvantage can be blocked in one’s attempts to secure basic needs and provisions. Or, one’s gender can heighten racial disadvantage, rendering one closer to the borders of full exclusion. If these claims are true, as I think they are, then the social categories offered by Sheth are mediated by further axes of disadvantage such as class and gender.

Third, while nothing in Sheth’s view suggests that outsider status is exclusive in occupation, we should note the logical possibility of there being multiple outsider groups. Admitting such a possibility does not foreclose the insight of her project, namely that disadvantaged groups can play a role in furthering the disadvantage of already disadvantaged groups.

And finally, I do not borrow the full spectrum of the social ontology presupposed by the theory. That is to say, I do not borrow all of the substantive commitments upon which Sheth’s view relies. Sheth’s view claims that liberal states are endemically positioned to create and to exploit group-differentiated difference and that disadvantaged groups are endemically positioned to compete for survival being caused or otherwise strongly influenced by the telos of more powerful groups. I have my doubts that this claim is true. But fortunately, whether or not Liberalism or liberal polities are driven by the logics she offers is not germane to my project.

Such a view is also at odds with the Kymlickian social ontology that I do borrow. If Sheth’s view is correct, then it implies that the Kymlickian view is mistaken unless it posits that the telos of national groups is to exploit immigrant groups and that the telos of national groups is to exploit subordinate national groups. Kymlicka would not endorse such a view and certainly nothing in his view implies such a claim. Of course, the Kymlickian view sees the flourishing and survival of national groups in such a way that they may come into conflict with immigrant groups or with other national groups within a territorially contiguous border, but the conflict seems contingent rather than necessary. And since the intelligibility and plausibility of my view does not require me to endorse the stronger thesis offered by Sheth, I will simply adopt the weaker claim that such relations between collectives are in fact contingent rather than necessary and I will be silent on the question of the role and purchase of liberal political theory or the functioning of liberal polities.  

**Mapping Canadian Racial Formation: Initial Reflections**

To begin to see what traction her view offers we might begin by thinking about how her view might facilitate a mapping of current racial formation within Canada. This involves, first conceptualizing the positions of collectives in her theory and second conceptualizing the discursive relations between the groups in her theory. I take up this latter project in the next section. Sheth’s view might describe the experiences and interests of various immigrant groups if we could identify a collective in the capacity of the borderline-population or pariah group. Perhaps Black Canadians occupy the

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41 To prevent misinterpretation here, I do not contest the claim that within liberal polities, we can find group differentiated difference, exclusion, and disadvantage. I simply do not have a view on whether liberal principles themselves play the major role in the explanation of disadvantage that one finds in Sheth’s view. And my analysis does not require such a commitment. I assume that exclusion and disadvantage occur *in spite* of liberal commitments, not necessarily or obviously *because* of them.
position as a pariah or outsider group.\textsuperscript{42} There is evidence for the positioning of Black Canadians in either position. Critical race and anticolonial scholarship has identified antiblack racism in Canadian legal and political practices and institutions.\textsuperscript{43} This body of scholarship connects past events in Canadian history such as chattel slavery, “soft” Jim Crow policies of legal and social discrimination, and policies of exile in the case of Africville with the current inequalities in opportunity and advantage that Black Canadians experience relative to White Canadians in indices of wellbeing such as wealth,\textsuperscript{44} housing tenure,\textsuperscript{45} education,\textsuperscript{46} and outcomes in the systems of control.\textsuperscript{47}

This research has at least three areas of focus. The first avenue seeks to uncover the historic dimensions of antiblack racism to understand the ways in which past injustices format contemporary disadvantages. Some of the specific formations of disadvantages visited upon persons of African descent are enduring, being caused by and prefigured by prior forms of antiblack racism in Canada and our explanations of disadvantage would be more plausible by tracing and exposing their historic antecedents. Thus, African Canadian scholars claim that Canada had slavery and argue that the significance of race and racism are ongoing features that structure Canadian practices, institutions, and subjectivities.

For instance, Barrington Walker argues that Canadian criminal law in Ontario

\textsuperscript{42} This claim is likely controversial. As I note above, persons of African descent have been present in Canada since the 17th century. Much of the growth in the number of persons of African descent in Canada occurred during the past forty years, during the period in which Canada is said to have liberalized its immigration policies. See Thomas Boswell and Brian Ray, “Contemporary Profiles of Black Immigrants in the United States and Canada” In Eds. Carlos Teixeira et al, Immigrant Geographies of North American Cities, Oxford University Press, 2012.


\textsuperscript{45} Harald Bauer, Johanna Waters, Sin Yih Teo, Impacts of Immigration on British Columbia: Population, Labour Markets, Housing Markets and International Linkages, Research on Immigration and


regularly deployed and relied upon racial stereotypes and images in court cases involving black men. He also notes sentencing disparities as well and that the legal rules and the practices that generated them not only relied upon antiblack racism but were sites through which the Canadian nation could be constructed. Similarly, Sarah-Jane Mathieu shows how the development and discursive significance of Canadian National rail to the young Canadian nation state, required and exploited the labor of Black Canadians while excluding them from the discursive and political construction of a rising Canadian state.

A second avenue includes excavating, identifying, and constructing narratives of resistance to virulent racism.

Here recent work by Afua Cooper on the resistance efforts of Marie-Joseph Angelique, a former slave who set fire to her slaver’s home when her requests for freedom were rebuffed. The fire subsequently engulfed all of Old Montreal. Her work addresses an absence of foregrounding the importance of race in Canadian historiography and it challenges the myth of Canadian gentility by bringing to light the brutal torture and murder that were visited upon Marie-Joseph. Cooper’s work provides an important alternative reading of Canadian history and to Canadian understandings of the institution of slavery in Canada.

And finally a third involves deconstructing existing dominant ideas and concepts with the aim of reconstructing or recovering new concepts that would produce understandings of the polity that would truly be inclusive for persons of African descent in Canada.

This latter claim is exemplified in the work of thinkers such as George Elliott Clarke, Malinda Smith, and Cecil Foster. They have drawn connections between Canadian national identity and the making of a political imaginary that constructs Canada as democratic and free of virulent racism and the ways such understandings elide considerations of historic and

48 Barrington Walker, Race on Trial: Black Defendants in Ontario's Criminal Courts, 1858-1958, University of Toronto Press, 2010; For a discussion of the legal history of racial discrimination during the twentieth century and the experiences of Black Canadians, see Constance Backhouse, Colour-Coded: A Legal History of Racism in Canada, 1900-1950, University of Toronto Press, 2007.
49 Jennifer Nelson offers a similar account of the character and effect of public policy in the demolition of Africville. The reasons justifying its demolition reflect the ways in which Nova Scotia elites discursively constructed blacks as an underclass needing intervention by governing authorities. The culturally demarcated deficiencies attributed to blacks, Nelson argues, reveal the ways in which white subjectivities were being constructed against the failure of Africville blacks to display British attitudes and behaviours. See Jennifer Nelson, Razing Africville: A Geography of Racism, University of Toronto Press, 2009.
53 Carol Aylward, Canadian Critical Race Theory, Fernwood Press, 1999. Canadian critical race scholars argue that Canadian legal discourse and practice have excluded the presence and significance of race and racism to the history and function of Canada's legal system. They argue, for instance, that such legal concepts as the reasonable man standard function to elide racial differences and to conceal racial animus. Critical race thinkers working in the law also engage in reconstruction projects seeking to determine the ways in which alternative understandings of legal rules and practice influence the welfare of disadvantaged groups. See also Esmeralda Thornhill, So Seldom for Us, So Often Against Us: Blacks and Law in Canada, Journal of Black Studies, 38:3, 2008, 321-337.
contemporary racism. A construction of Canada as free of the kind of virulent racism found in the US and "multicultural" reduces racial animus to isolated individuals and denies the structural role that race plays in organizing institutions. Such constructions also invisibilize past histories of race and racial animus so that, in effect, there never was racism in Canada—but that if there is now, it exists in trace amounts.

Now making the claim that Black Canadians function as a pariah group or an outsider group does not imply that their location and status in the Canadian imaginary is similar to that played by African Americans in the US imaginary. One might think that if African Americans are a pariah group or outsider group that the description of their position provides an explanatory framework for Black Canadians. If one did so, then they would be lead to conclude that Black Canadians are not an outsider group. One might then argue that the historical memory of slavery and its aftermath do not serve as stark reminders of virulent past racial animus sitting in the background of the national narrative for Canada as it does in the US. The Canadian national identity and political imaginary discursively rooted in multiculturalism reflect a self-image in which virulent racism does not exist. Thus where claims to racist treatment and behaviour are made publicly, the responses in media outlets, blogospheres, and other popular discursive domains range from denial to surprise to deflation.

What is more, slavery and subsequent antiblack racism are not standard features of primary or secondary curricula in education; political philosophers deflate or ignore the institution of slavery in discussions of Canadian history and politics; political elites and governing authorities do not see slavery or Canadian Jim Crow as important historical marks in the Canadian self-understanding in the way that Americans see slavery; and the narrative of Canada as “multicultural” is deployed to signal the end of past racial animus (which never really existed, but perhaps only in minor trace amounts towards Indigenous persons).

But our reflections about Canadian racial formation would be better served by considering the conceptual and explanatory limits of appealing to African American experiences. There is much we can learn in mapping Canadian racial formations through reflections on the material and discursive ways in which socially constructed social hierarchy is produced in the US, but such accounts can be problematic if we expect instantiations of theory to have the same character and texture in different state settings. And of course, part of the aim of my project here is to provide a mapping of Canadian racial formation that illuminates

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55 Perhaps we might even add that the recent pivot toward Asia and South Asia (i.e. China, India, and the Philippines) in immigration practices and geopolitical politics occupies the Canadian imaginary to the exclusion of the experiences of Black Canadians.

56 Of course there is a more general problem of denial on the part of political theorists in Canada about the importance of race. Matters are worse for philosophers. But even if we grant the denial of issues of race by philosophers and political scientists in Canada and we grant some level of deliberate willful ignorance by elites, politicians, and policy makers, my thesis would still likely be correct.

57 Of course, one might easily claim that chattel slavery and antiblack animus play the lesser role in the Canadian imaginary because of the cultivated social practices and social institutions whose aim is to produce ignorance on the part of those who benefit from systems of exclusion and racial disadvantage. See Charles Mills, *The Racial Contract*, Cornell Press, 1997.
the specific character of Canadian racial formation.

Turning to a group that more aptly fits the description of an outsider group in Canada, I argue that Indigenous persons occupy such a position. This is not difficult to see: The Indian Act, the history and aftermath of the residential school system, the White Paper, the Oka Crisis, and ongoing debates about the experiences of Canada’s First Nations seems to preoccupy and format the Canadian political imaginary.\footnote{Ongoing struggles with Quebec also occupy the political imaginary, more so than my comments admit.} The resistance efforts of Canadian First Nations to label Canada’s past racist practices towards them under the UN definition of genocide and the ongoing worries and discussions of Aboriginal wellbeing on and off reserve serve as primary sites of discussion and attention by policy makers, political parties, and governing elites relative to discussions of the past and present structural disadvantage affecting Black Canadians. Or, at least this seems to me to be the case at this particular moment in history.\footnote{Of course it is logically possible that each of these groups could occupy the relevant status during different periods and each could occupy the status at the same time. For the sake of simplicity, I will assume that the status of pariah group is exclusive.} The next question is to consider the potential ways in which the experiences and interests of Indigenous groups interact with the experiences and interests of immigrant groups.

Finally, I mention in passing, Sheth’s view might have additional theoretical efficacy when considering the experiences in Canada of persons labeled or otherwise self-identifying as “Arab” or “Muslim.” A fuller description and discussion of this claim is beyond the scope of this paper, but recent post 9-11 racial discrimination, racial profiling, and the discursive construction of such persons as “threats” and as unassimilatable within the Canadian political imaginary by political elites at the federal\footnote{Canadian Prime Minister Stephen Harper called "Islamicism" a threat to Canadian values. See "CBC" last viewed June 6, 2012. http://www.cbc.ca/news/canada/story/2011/09/06/harper-911-terrorism-islamic-interview.html} and provincial levels\footnote{A recent ‘newcomers’ guide for migrants in Quebec bids them to avoid smelly foods, eschew female genital mutilations and to eschew gender inequality.} provide ample reasons for understanding their experiences and status as racialized outsiders.\footnote{For recent discussion of the challenges and success of Arabs and Muslims entering mainstream institutions in Canada see: Abdolmohammad Kazemipur, The Muslim Question in Canada: A Story of Segmented Integration, UBC Press, 2014 and Sherene Razack, Casting Out: The Eviction of Muslims from Western Law and Politics, University of Toronto Press, 2008.}

**Mapping Canadian Racial Formation: Applying the Model**

I have thus far offered an account of disadvantage that explains a way in which non-privileged groups play an important role in the exclusion of particular groups. I consider such a view in part to potentially explain some of the covert mechanisms of exclusion found in liberal states that the standard account ignores or renders invisible. The next question is to consider the potential ways in which the experiences and interests of Indigenous groups interact with the experiences and interests of immigrant groups.

To begin, we can posit at least two kinds of relations corresponding roughly to Sheth’s notions of border guards and outsider groups. In the first we assume that the pariah group seeks for its ongoing survival and flourishing, self-government rights. And assume as well that the outsider category is understood in terms of a collective seeking its flourishing and survival through admission into the mainstream institutions of the dominant insider group. If, on Sheth’s view, the pariah group plays an important role in the racialization of the outsider group, then this view requires us to ask how a collective seeking and being denied self-government might be deployed in the racialization of a group seeking access to mainstream institutions. And here we might understand...
the racialization in terms of the negative discursive construction of the collective within the status domain; exploitation and marginalization within economic production; and exclusion from deliberative arrangements. As a pariah group, we can assume that the national group is only partially included within the polity and this could mean limited participation in schemes of economic production being subject to exclusion in creating and generating new markets, entering established markets, and exploitation in hiring and promotion when present and participating in markets.

Second, we can assume partial non-recognition in systems of representation and everyday life, moderate levels of disrespect, and moderate levels of disvalue towards culturally demarcated collective practices. And third, we can assume limited representation within schemes of democratic deliberation or within the construction of public reason. In Fraser’s language the partial admission into mainstream institutions is affirmative in nature, not transformative. Self-government is transformative in nature. When groups have it, they can influence the status, deliberative, and socioeconomic domains. Transformative policies for Indigenous groups are subsequently tantamount to challenging dominant understandings of the collective identity of insider groups.

If the category of outsider group is understood as an immigrant group, then we can hypothesize that its aims involve entrance into mainstream institutions. This could include positive valuation in systems of interpretation, representation and respect; participation in economic markets in terms of fair access to existing employment and labour markets on par with other groups; and participation in schemes of democratic decision making to participate on par with other groups in the construction of public reason.

If racialization involves a steady process of material deprivation of disadvantaged groups because of their ascribed racial or cultural properties, then the experiences of Indigenous groups are deployed to deny immigrant groups policies that would be transformative in nature. They might also be deployed to deny policies that are affirmative as well. By hypothesis, immigrant groups seek policies that are affirmative in nature since they seek access to mainstream institutions. Do they also seek transformative policies as well or rather would transformative policies bring about social justice for such groups? One would like to think that a deep restructuring of the relations of production or the relations of recognition would provide fair access to mainstream institutions or fair access to the social basis of self-respect. Even if this is so, as a regrettable necessity, immigrant groups might seek affirmative policies. They might also reject transformative policies if such policies imply redistribution of holdings they already possess or if it requires destabilizing their own sense of collective identity or if it requires redrawing the role and influence in public reason they might already enjoy.

The experience of Indigenous groups can be understood in such a way to exclude transformative policies that would promote self-determination. The celebrating of their inclusion and the current status of their legal inclusion can be deployed in the discursive construction of belonging for immigrant groups. For instance, the Enbridge pipeline project; Bill C-27, the First Nations Financial Transparency Act; and Omnibus Bill C-45 provide ready-made examples of the ways in which Indigenous experiences can be used to construct

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63 This includes limited control over the development and maintenance of ongoing institutions suited to promote the flourishing and survival of the collective in ways that are appropriate to its aims of self-determination and self-governance. This might include restrictions or barriers in the preservation and development of linguistic capacity, knowledge capacity, or governing capacity in the forms of securing funding via the creation of taxation schemes and the establishment of a legal system to promulgate, articulate, and order such institutional features.
belonging for migrants.\textsuperscript{64}

The Enbridge pipeline project is a major project that would send unrefined crude oil, bitumen, to the coast of British Columbia. Shipping the oil to foreign markets will likely increase the number of oil tankers traversing the coastline. Many First Nations groups along the pipeline route and in the areas in which the oil will be processed and shipped abroad have been vocal opponents of the project, claiming that oil companies and provincial spill response plans are inadequate to protect them, the lands over which they claim title, and the waterways they use to enjoy fishing rights. Aboriginal groups claim that consultation schemes by oil firms, federal, and provincial authorities have been inadequate. They also claim that consultation fails to sufficiently recognize their rights and interests and argue that Aboriginals are entitled to veto privileges over the project. Federal authorities repeatedly deny that consent is required for the moral and legal approval of the pipeline and that consultation is sufficient. The actions of the federal government to label opponents of the pipeline radical enemies seeking to undermine the interests of Canadians serves to illuminate and construct the terms of belonging for immigrant groups.

Bill C-27 requires Aboriginal groups to post audited financial statements of the salaries and expenditures of Band Chiefs and counselors. Bill C-27, with its emphasis on accountability and fiscal stewardship, disciplines Aboriginal aspirations of political sovereignty. This bill was repeatedly rejected and delayed by the Assembly of First Nations and by opposition parties until its passage under a conservative majority government in 2012.\textsuperscript{65} The legislation allows the federal government to project an image of fiscal prudence and competence while discursively constructing Aboriginal competence for inclusion into schemes of productive social cooperation as perpetually impeded by the inability of Aboriginal governance to subordinate private wills to the public good. The secondary effect is to perpetuate the discursive construction of Aboriginals as perpetual free riders of the productive activity of tax-paying members.

Finally, among the various provisions in the bill, Omnibus Bill C-45 reduces the number of environmental assessments, limits the conditions requiring them to major projects, offloads environmental assessments to the provincial level authorities where provincial oversight capacity exists, reduces protection of marine life protected by the federal government to commercial fisheries, and reduces the regulatory burden on pipeline development by exempting pipelines from the Navigable Waters Act. That is to say, by lowering and removing federal oversight and control over lands that are of interest to Aboriginal cultural or economic practices, the federal government produces an ordering whose main point of inclusion for Aboriginal groups is through acquiescence to extractive forms of development.

These events and policy changes format the conditions of belonging for migrants in two ways. First, they enforce and reproduce the legal and political power of the federal government to bring about certain ends. Second, the federal

\footnotesize{\textsuperscript{64} Other recent events might include the discovery that the federal government has not been collecting unemployment data for on-reserve Aboriginals. The government claims that doing so is costly. Among the uses of the data to inform policy making and governing, the unemployment data are used by employers to justify participation in the temporary foreign worker program. Low employment rates justify claims to using foreign labour; high unemployment rates trigger reviews to explain the high levels of unemployment for Canadian workers. Subsequently, if firms can hire foreign labour over aboriginal labour then the government’s inaction has the effect of producing worker displacement. The government can subsequently produce an environment in which there is ongoing need for migrant labour while using that labour to keep Aboriginals out of schemes of social cooperation.}

\footnotesize{\textsuperscript{65} The bill went into effect in 2014.}
government secures the terrain of public reason by narrowing the discussion to national economic interests. The terms of belonging for immigrant groups are constructed along the lines of acquiescence to such projects and policies as marks of belonging. “Real” Canadians endorse such projects; its enemies do not! Thus, “real” or “good” Canadians do not oppose these projects and those opposed to such a projects might be rightly disciplined. Discipline for Aboriginal groups amounts to silencing them, but discipline for immigrants groups raises further issues, such as denials of access to public benefits or worse, denials of residence for family members, or at the extreme, denials of citizenship rights for immigrants.

The above-mentioned examples illustrate the ways in which the status domain might be formatted in certain ways yielding particular political effects. But these projects perpetuate current arrangements in the market economy. The discussions about the pipeline and lessening environmental standards represent ongoing ways in which resources and opportunities are distributed. The discussion of the project conveys to immigrants that they might seek to benefit from such extractive policies and that the federal government might lead or remove obstacles from participation in global markets. Bill C-27 conveys to migrants that the federal government is concerned to ensure that the value of their contributions as taxpayers will not be lost and that resources and opportunities are distributed by merit instead of one that treats others differently. Bill C-27 has the further discursive effect of flattening understandings of ‘multiculturalism’ and limiting respect for difference to banal and private instantiations rather than to public institutions and practices. For migrants this means that they ought not expect differential treatment in the economy and that they can expect sameness of treatment of all persons. Thus Bill C-27 should leave migrants questioning why Aboriginal groups seek special behaviour and they should endorse a legal and political order that reproduces an economic and political ordering inspired by the very liberal ideals to which migrants pledge allegiance as a condition for citizenship.

The Enbridge project and Bill C-45 signal to immigrant groups that affirmative policies are in their interest and that the federal government is willing to exert its power to normalize ongoing relations of economic production. This latter point is a part of an ongoing project within white supremacy to normalize exploitive relations. The exploitation of Aboriginal land and resources are rendered invisible, but what is more, the general extractive character of productive behaviour remains normalized within the experiences and opportunities of immigrant groups. If this is correct, then even modest attempts to change access to mainstream institutions so as to include immigrant groups might be looked upon with suspicion unless the costs of such policies are born solely by immigrants. That is, language instruction for migrants, accommodation norms in the workplace and employment equity policies are all viewed with suspicion to the extent that they are perceived to give undeserved advantages to immigrants. So the discursive effects of such a project mark the status domain by delineating insiders and outsiders, creating the conditions of support for those holding power by providing the justificatory conditions of discipline to those not in agreement with the current structuring of the economic relations, and by concealing the ways in which current national economic arrangements promote the economic exploitation of Aboriginal groups.

If the remarks I have just made are correct about the effects of belonging for immigrant groups, then its interests stand in tension with the interest and flourishing of indigenous groups. And thus efforts by migrants to resist the terms of inclusion implied by the experiences of indigenous groups can have vital and important consequences for migrants. This should give
immigrant groups pause in demanding fuller access to mainstream institutions, opting instead to bring about critical conceptions of belonging. The attempts to throw off the yoke of outsider status and become fully "Canadian" require serious reflection and potentially different and risky strategies in political mobilizations to alter current orderings of membership and belonging.

Let me now consider the reverse of this picture as the second of the scenarios to consider. Here the outsider group is a national group and the pariah group an immigrant group. We simply reverse the features of the picture I described above. National groups are faced with low levels of participation in economic and democratic domains and subject to disrespect in the status order being constructed as unfit for schemes of social cooperation. Where an immigrant group is a pariah group, such a group enjoys limited access to mainstream institutions. In some individual cases participation levels in the market are on par with other groups. But in the aggregate, participation levels are far below other groups not falling under the description of a pariah group. Such a group might enjoy moderate levels of access to employment markets, though their participation is subject to positions that are subject to exploitation and are otherwise generally powerless in Iris Young’s sense. To facilitate the appearance of inclusion of the pariah group into mainstream institutions, insider groups might endorse employment equity programs, modify common workplace rules, or support the funding for linguistic competency in one or more of the national host languages. But these policies do not fully address the ways in which the workplace is marked and structured by race.

In the status domain, such persons are constructed as insiders, though subject to disrespect and misrecognition in everyday life interactions and within the status order. As casual insiders, such groups may be recipients of policies and programs to improve their standing in the status order. Such groups might be recipients of mainstream policies of multiculturalism that attempt to validate culturally demarcated collective traits and practices in school curricula and through subsidy for culturally specific schemes of cultural exchange such as ethnic festivals, magazines, and radio programs.

How do immigrant groups facilitate or perpetuate the racialization of national groups? Since it is reasonable to assume that a national group was previously racialized, the task is to map the ways in which racializations takes new forms in response to the ways in which the national group as an outsider group might have responded and resisted to older mechanisms or patterns of racialization.

And to gain traction here, let us assume that the ongoing racialization of the national group prevents it from realizing its aims of self-government and self-determination. Such policies involve, as I mentioned above, political and economic control of a given territory so as to legally constrain the political and legal power of dominant national groups. Political and legal sovereignty over a given territory allow a national group to create the institutions needed to survive and flourish by protecting its linguistic, epistemic, and culturally demarcated traits and practices. As I said above, clearly this kind of power would be transformative for such collectives. The national group would have the political and legal powers to secure its own economic

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67 Some forms of migration are relatively new; the recent arrivals of Arab and Muslims seem to be a case in point. But other forms of migration are not. This is the case concerning persons of African descent, and persons of Asian including the Indian subcontinent, descent. These migrants have long migration narratives characterized by periods of exclusion.
schemes and it could influence its position in the status order through the construction of its own image within the status domain. Also, its powers within collective decision-making would ensure the conditions under which it could influence potential decisions that would be important in securing its interests.

Such a status would be rejected by the dominant national group. Such powers have the potential to destabilize not only national understandings of the “nation,” but also the economic powers of the national group could limit the ability of the dominant insider group to fully exploit the natural resources within national borders. It is in the interest, then, of the insider group to keep the outsider group in a state in which the above institutional features do not come to fruition. Subsequently the outsider group is subject to policies, practices, and institutional arrangements that can only, at best, keep the national group from experiencing the full weight of exclusion and disadvantage.

If the remarks I have just made are correct about the effects of sovereignty of the national group, then its interest stands in tension with the interest and flourishing of immigrant groups. Such groups, whether as pariah groups or not, seek access to mainstream institutions; they seek recognition within the status domain and inclusion in the political imaginary and narrative as a member of the polity. And insofar as inclusion into mainstream institutions involves inclusion into deliberative, symbolic, and economic domains, the interests of immigrant groups stands structurally in conflict with the flourishing and well being of Aboriginals. If the national group does not seek or require sovereignty in the sense I have articulated above, then the conflict between such groups is less stark than it appears. Perhaps, upon further reflection and analysis, it fails to materialize. But I leave such a case aside given my aim is to deploy this view in the context of Canadian practices and institutions.

Here, to make matters more concrete, we can ask how the experiences of an immigrant group, in this case, Black Canadians, might be discursively deployed to perpetuate the racialization of Indigenous groups. Here we might consider the attempts of governing authorities to redress the wrongs that occurred at Africville and how they might be deployed to perpetuate the racialization of Indigenous groups. The effect might depend on the kind of remedy offered. For instance, appropriating unceded land potentially diminishes the opportunities of Indigenous groups to reap the benefits of exercising sovereignty. Such benefits might be socioeconomic, but they might also be symbolic. But perhaps the more important effect that such an arrangement might have is in the discursive construction and expropriation of the remedy by the insider group. This might happen in three ways. First, the remedy might be used in the marking of the boundaries between insiders and outsiders. That is, recognizing and apologizing for past wrongs signals the removal of barriers to inclusion for formerly excluded groups. For Indigenous groups this marks inclusion signaling the grounds of inclusion to Indigenous groups, namely that their inclusion occurs only within the context of policies that affirm current structural relations of power that constitute one’s position in the status domain. Second, the remedy might be discursively deployed to conceal the extent of the wrongs having been perpetrated on particular groups. That is, the act of apologizing to Black Canadians might be deployed to display the conditions of redress for wrongdoing. For Indigenous groups this might imply that redress for the past and current wrongs that they suffer will not be met by policies that are transformative in nature, so the institutional boundaries of redress are demarcated. And third, the apology might be discursively deployed to justify perpetuating ongoing practices of exclusion if they fall outside the range of wrongs thought to be redressed. Here the discursive deployment of the
remedy renders invisible a class of wrongs Indigenous groups suffer or renders invisible the causal mechanisms that brought them about. So here as well, the discursive deployment of the remedy might signal the appropriate range of wrongs that can be redressed leaving under consideration only wrongs committed long ago. At best, then, the message to Indigenous groups is to convey to them that the current economic order is not responsible for the conditions of exclusion that they suffer (and of course, ipso facto, such a deployment facilitates the justification of the ordering of the current economic order!).

Now, I take the apology for wrongdoing in Africville to be a good thing. It attempts to respond to historical wrongs that Black Canadians have experienced, though of course, it leaves in tact a racial ordering of the economic production. But my point has been to try to provide an account of the ways in which it might also be deployed in ways not within the control of, nor intended by, Black Canadians.

Another potential example arises when considering the presence of visible minorities in authoritative positions of the criminal justice system. The current head of the Vancouver Police department and the most recent British Columbia Crown provincial Attorney are visible minorities. Their positions within mainstream institutions might be appropriated to discursively construct an image of the delivery of the criminal justice system as colorblind and free of racial animus. Such an environment could undermine the effect of claims that systemic racism is rampant within the British Columbia criminal justice system and directed at Indigenous persons. And thus, if this is so, the missing six hundred Aboriginal women may not be seen as the product of differential treatment and exclusion or racial animus, but of crime.

Conclusion

I have provided an account of the conditions in which the interests of Indigenous groups and immigrant groups might intersect and I have provided an account of the ways in which their positions in ongoing distributions of power structured by white supremacy might perpetuate the racialization of each respective kind of collective. This account seeks to add to our understanding of disadvantage by considering potential avenues not considered by the standard account. I have simplified the migration narrative of immigrant groups. But clearly different immigrant groups have different positions in Canada's racial hierarchy. A focus on Chinese migrants should have interesting differences from a focus on persons labeled or otherwise identifying as "Muslim" or "Arab." Future reflections can map the terrain of these differences and draw out potential responsibilities and duties immigrants might have toward Aboriginal persons and vice versa. Future reflections might also identify points of resistance and potential points of redress for ongoing disadvantages that occur under distributions of rights, opportunities, and resources structured by white supremacy.