

Is Canada worth saving? Toward the Canadian nation-without-a-state

WHO ARE WE?

Is Canada worth saving? Is it worthwhile to continue to put work into these institutions? Or is there something else we should be doing? I will give you my take on the state of the nation and the contradictions it conceals, but more than anything I leave it to you to think through. Is Canada worth saving?

For my part, I approach Canada not as a physical place, but as a product of policies organized around a national identity, and concurrent *mode of life*, rooted in an economy of exploitation and dispossession. Put in other words, Canada is an idea enforced by law. In what follows, I analyze the idea of the nation in terms of its relation to *land*, *self*, and *others* in order to critique a presumption of settler supremacy that consciously, and unconsciously, structures the implementation of legislation, our criteria for citizenship, and our inconsistent defence of human rights by concealing the constitutive violence of the state. I will close by considering an alternative way to relate: the *nation-without-a-state*.

HOW DO WE RELATE TO LAND?

Canada is an idea that demands an immense number of resources. At present, Canada contains approximately 0.5 percent of the world's population, yet our "greenhouse gas emissions currently represent about 1.6% of the global total" (Boothe & Boudreault, 2016, p. 3)—300 percent more than our share in proportion to the global population. Alongside what gets counted as domestic pollution, we facilitate a far larger network of resource extraction by hosting the headquarters of more than 50 percent of the world's mining corporations, enticed by our lack of regulation (Global Affairs Canada, 2021). This should not surprise us; we have been a resource colony from the start.

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On a legal level, land in Canada is claimed in two general ways: as the private property of an institution or individual, or as the public property of a municipality, province, or the federal government. Under the English tradition of common law, however, all land ownership is ultimately tenancy on land owned by the Crown. The Crown's claim to the land is linked to the legal legacy of *Romanus Pontifex*, a papal bull that prescribed conditions for the enslavability and dispossession of non-Christians, in part through the presumption of *terra nullius* (Pope Nicholas V, 1455). The state's presumption of supremacy was on full display when the Supreme Court of Canada recognized the existence of Aboriginal title in *Tsilhqot'in Nation v. British Columbia* (2014), and thus ruled that "*terra nullius* . . . never applied in Canada" (para. 69), while also arguing that Aboriginal title could be superseded by the state as long as there was "a compelling and substantial objective" to do so—effectively undermining the rights just recognized (para. 77). The court could not confront the legal fiction of *terra nullius* as the sovereignty of the Crown, and the state violence that sustains it, as the source of the court's own authority.

This presumption of supremacy is at the root of not only our destructive relation to land, but also the callous disregard shown to the lives of those who have been dispossessed.

HOW DO WE RELATE TO OURSELVES AND OTHERS?

Canadian nationalism is often mobilized, like *terra nullius*, to disavow the state's perpetuation of genocide and abuse of human rights. In an analysis of Canadian consciousness, Nandita Sharma discusses the ways in which nationalist notions of belonging structure the legal system to facilitate a categorical denial of rights to migrant workers. Studying debates in the House of Commons from 1969 to 1973, Sharma (2001) traces the discursive and legislative construction of the "tolerant Canadian citizen" in opposition to the "migrant worker" or "non-immigrant" to whom the rights of citizenship were categorically denied (pp. 427–428). Akin to the papal bull's prescription of enslavability, this legal construction enabled the creation of a secondary labour market within the domestic market, composed of indentured workers contractually coerced into exploitative jobs that Canadian citizens do not do because they are legally allowed to refuse them. I want to stress that the terms indentured slavery and genocide are the colonial state of capital—this cannot be forgotten.

These exploitative conditions were disavowed by a discourse that positioned migrant workers as inherently different from "tolerant" citizens. This rhetoric foreclosed the possibility of critique by painting Canada as an inherently just place, and those who contradicted this view as inherently "intolerant." Sharma's work clearly maps the nation-state to the psyche, noting that "nationalist practices aimed at protecting our borders mobilize a view of the Self as insider and the Other as foreigner or outsider," which "consequently helps to naturalize the nation-state system" (Sharma, 2001, p. 418). It is hoped that by intervening into the construction of self and other, an alternative

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idea of Canada can be articulated, and an ethical way of life established.

WHAT CAN BE DONE?

For Frantz Fanon, the only way to treat a colonial condition is through a real confrontation with the violent systems of economic exploitation that drive it. This requires breaking attachment with unconscious structures that forestall such an encounter. In *Wretched of the Earth* (1965), Fanon provides a powerful evocation of the struggle for national liberation as a vector for decolonization, and the emergence of a new humanism. National consciousness is here not a pre-ordained form of identification, but rather a counterformation of the collective unconscious that inspires separation from colonial ways of being by rupturing them with a *tabula rasa* of self-determination. This is the kind of nation that the *nation-without-a-state* is intended to invoke.

For settlers, decolonization means letting go of the land. As Glen Coulthard once expressed, “land is a relationship” (Walia, 2015). Letting go means changing how we relate to land, which means changing how we relate to others. It also requires a real ceding of territory for the cultivation of alternative structures. The task of analysis, in this case, is to intervene through the gap at the heart of identity, and to trouble the categories of the state in order to excavate the presumption of supremacy from our national consciousness. I argue we can learn how to do this by taking heed of *grounded normativity*: the place-based practices of Indigenous nations, rooted in an ethos of reciprocity.

In *As We Have Always Done*, Leanne Betasamosake Simpson stresses the international character of grounded normativity, describing the nationality of the Nishnaabeg Anishinaabe as “a long *kobade*, cycling through time. It is a web of connections to each other, to the plant nations, the animal nations, the rivers and lakes, the cosmos, and our neighbouring indigenous nations” (Simpson, 2017, p. 9). Instead of denoting a kind

of blood-and-soil racial purity, nations are “neuropathways” (p. 20) that help people live with themselves and the international web of connections that structure the world.

The Canadian *nation-without-a-state* is an alternative articulation of national consciousness that relates to land, self, and others not through the presumption of supremacy, but the practice of reciprocity. It is a call for settlers to contribute to the creation of a genuinely international polity by cultivating ethical relations with the nations we share the land with, and by impeding the imposition of the police lines and borders of states that seek to divide us. This is not a call for settlers to co-opt Indigenous traditions, but to develop respectful modes of being together. The settler contribution cannot be a mobilization for the Canadian nation and its territory. In this sense there is nothing Canadian about the nation-without-a-state beyond the state it seeks to refuse. It is an anti-nationalism enacted by nationals in a movement to let go of supremacist identifications by affirming our ethical commitments to each other through solidarity with the critical work being done by queer, black, and Indigenous activists. In this way, it is hoped that Canadian identity can be reconstituted as one way of life among many, living in reciprocity with the land and those who share it.

CHANGE IS REQUIRED

A great deal more bodies will be put in motion as the climate crisis worsens, and billions are displaced. We need to have systems that enable us to live together. I think the ethos of respect for consent expressed in grounded normativity and practised by nations across the continent provides such a framework. To ensure that we have a place left to save at all, we have to change how we relate to the land and each other, and this requires a change in how we understand ourselves.

So, is Canada worth saving? It is up to you. In my view, it depends on what is meant by Canada. The Canada that pre-

sumes its own supremacy and enforces it through the settler-state practices of exploitation and dispossession is worthy of nothing but contempt and critique. But are there people here who are worth saving from the state? Absolutely. 🍁

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