

## Chapter 1

# Genesis

This project examines the relationship between the self-named “indigenous black” community and the Mi’kmaw community of Nova Scotia. My emphasis is on the period from 1960 to 1980 but I allude to the 1950s and subsequent periods, as well as examine the state of the relationships in 2006. I begin with an examination of the idea of indigenous blackness” and the construction of black identity. What are other constructions of black identity? I argue, “indigenous blackness” accomplishes the same erasure of Indigenous peoples as assertions of indigenous whiteness and on that basis it must be challenged. At the heart of claims to indigeneity by descendants of African slaves, United Empire Loyalists and refugees of the War of 1812 is a sense of exclusion from the nation and the absence of their stories from the national story. However, efforts towards inclusion within a racial state, as conceptualized by David Theo Goldberg in *The Racial State*, are unattainable as it is the very nature of such a state to include and exclude at will.

The Nova Scotia Human Rights Commission serves as a site of inquiry. I place human rights legislation and discourse within the province within the context of Canadian rights discourse, with brief glances at conversations and legislation in Ontario. What is the role and meaning of human rights declarations and legislation within the racial state and specifically within Nova Scotia? What conditions necessitated the creation of a commission to “protect” human rights? Whose interests did it serve? Through interviews with members of the Mi’kmaw and the previously identified black community we get a sense of life from their perspectives and the meaning of the legislation in their day-to-day lives and the lives of their communities over time.<sup>1</sup> Legislative records, minutes from Human Rights Committee and Commission meetings and other government sources, as well as newspaper articles and secondary sources, assist in the examination. In using the Human Rights Commission as a site of inquiry this project necessarily asks the questions, what is the condition of the relationship between Mi’kmaw people and the state and what is the relationship between “indigenous Black” Nova Scotians and the state?

In chapter two I explore issues of black identity, its construction and articulation. I pick up on the discussion initiated here in the introduction with W.E.B. Du Bois and Frantz Fanon and move to more recent expressions in Canada by M. Nourbese Philip and others. I interrogate and analyze

the idea of “indigenous blackness” and its meaning in the work of George Elliot Clarke. I conclude that “indigenous blackness” can best be understood in the context of place, and belonging to and within the nation. Chapter three lays out the conditions that may have given rise to a black claim of indigeneity. It also locates black and Mi'kmaw people in a parallel historic and contemporary trajectory. It looks at the black liberation struggle in Nova Scotia and Canada and connects it to the movement in the United States. The human rights legislation, discourse and program in Nova Scotia taken up in chapter four cannot be seen outside of the context of the local, national and international black liberation struggles. What is the meaning and effect of rights legislation in the province? Chapter four concludes that human rights legislation and discourse in the province was and is a failure in dealing with the issues of inequality faced by both groups.

In chapter five we end where we began, seeking to understand the relationship between the two groups. Given that both share a common experience of oppression, are there collaborations, alliances and or moments of collective action? This inquiry leads to an often unspoken and unexamined conclusion far away from the rather erroneous assumptions marking the project's inception.

### **In the Beginning**

In February 1992 I attended a conference at Dalhousie University in Halifax, Nova Scotia, on racism in the education system. The conference was a joint project of the black and Mi'kmaw communities. It focused on the effects of racism on Black Nova Scotian and Mi'kmaw students. Later that week I visited North and East Preston, Cherry Brook and Beechville because when my friend insisted that separate, segregated black communities existed in Canada I was surprised. I was well aware of reserves and thought them to be the only segregated communities within Canada. These experiences led me to think about the similarities between the two communities, and I began to wonder about historical or other contemporary examples of collaboration between them. My interest in the Mi'kmaw and black communities, in particular the community that calls itself “indigenous black,” deepened. I first came across the term in the writings of the Canadian poet, George Elliot Clarke, himself a member of that community. This project is a manifestation of that interest.

### **Reflections on Naming**

As I began to think about the project it became immediately clear to me that I could not write about the relationship between these two groups until I had a better understanding of the idea of “indigenous blackness” in Mi'kma'ki,

part of which is now known as Nova Scotia. I found the very assertion of it to be inescapably disturbing. How does it differ from assertions of “indigenous whiteness”? If not this construction of Black Canadian identity to differentiate and give place to those whose history predates Confederation, then what? What are other constructions of “black” identity? What is black? What is African? What is African Canadian? Am I black, African Canadian, African, Canadian, Jamaican, African-Jamaican-Canadian? Which one comes first?

While there is a full discussion of black identity in the following chapter it is necessary here to help the reader to understand my use of the terms black and white over other less essentialist choices. I begin first with my relationship to the term “black” and other descriptions of identity employed by descendants of African slaves living in Canada, perhaps to expose the bias beneath the surface of my choice. Several years ago a partner who had a particular fondness for New Orleans took me on a “road trip” through the southern United States. As we drove through what we (and perhaps others) had constructed as the belly of the beast in terms of racial identification and epic battles for civil rights, we pondered the question of race and racial identification. We both recalled many incidents in which we were dismissed as “white washed” because we did not heed a particular position that signified our blackness. Preoccupation with the essentialist idea of blackness became from time to time an annoyance for me though I was sure about my position; I had never quite articulated my own feeling about my “blackness” (or lack thereof in the eyes of some). One day my partner asked me if I considered myself black (I think perhaps a challenge to my blackness). I responded by saying, “by expectation.” He asked again and I stated: “I am black by expectation.” Perhaps this assertion was my scorn for unbridled black nationalist fervour, the kind to be found in M. Nourbese Philip’s *Frontiers*, and what I saw as my partner’s nationalist sympathies. On reflection perhaps what would have been a more accurate statement of my relationship to that word as identifier of who I am is, “if you take me to be.”

I spent the first eleven years of my life in Jamaica, where I realize in retrospect my blackness was always contested, though I must qualify that by saying that in Jamaica, I was Jamaican and the term black to describe people of African descent had less meaning there in a context in which most of its inhabitants were of African descent. This is not to say that manifestations of race or perhaps racialism were not present, but that they were manifested differently. It is from this location, Canada, where I understand that the terms used to describe me were in fact challenges. I would be sometimes called red gal, mulatto, mongoose (go figure!) and tun cola (indicating that my colour was perhaps a bit “off”).

In my early experience I identified myself as “Jamaican” rather than

“black.” Within the Canadian context black was either fraught with notions of inferiority or something controlled by others to give or take away based on a predetermined way of being. I have no real commitment to naming myself as black (though I have no particular objection to anyone referring to me or identifying me as black). My lack of commitment to black as a descriptor of myself is of course not a statement of the liberal notion of colour blindness as I recognize that black in this society was and is a signifier of inferiority and a host of deficits. It is also not an attempt to distance, conceal or otherwise remove me from my own understanding of myself as a descendant of African slaves who were brought to the Americas and my connection to that history and that diaspora. I name myself black politically in resistance to racism in all of its manifestations and when the descendants of African slaves are constructed as blight.

In *Odysseys Home*, Clarke writes:

Some African Canadians call themselves *Black* to signal their affiliation with some larger African universe; but others call themselves *African*, choosing to accent their ancestral heritage. Some add the adjective *Canadian*, to express a Canadian identity modified by ‘blackness’.... Still others ask to be classed solely as *Canadian*.... “black” is essentially a politically and *culturally constructed* category...<sup>2</sup>

Clarke goes on to say that the indefinable nature of blackness and a definition of people based on the dubious category of race might give rise to objection to his essays. I share Clarke’s concern with using race as if it were a unified and credible category.

In *Looking White People in the Eye*, Sherene Razack confronts the same or similar issues when she writes:

In working on how histories of oppression regulate what happens in the classrooms and courtrooms, I have concentrated on narratives about culture, race, and gender. This leads me to use a language of colour to describe the politics of domination and subordination. White, as my title indicates, is the colour of domination. Two things need to be said about this language. First, it wraps my arguments in a mantle of race even while, simultaneously, I attempt to theorize how racial subjects come into existence.<sup>3</sup>

Like Razack, I find arguing racial subjectivity through the language of race unsettling. The problems of arguing within race are complex and at times contradictory. I do not manage to resolve the tension and contradictions inherent in speaking through race, nor do I attempt such a task in this project. I call attention to it to alert the reader of my understanding of the

problematic nature of speaking of race as if it were coherent but also to ask for indulgence because I believe the discussion at hand is worthwhile. While I accept the falseness of the construct of race I submit to the necessity of engaging with it to aid (ironically) in the discussion.

I use the term “black” in this project as descriptor of people of African descent. I choose this term over all the others noted by Clarke because it is the term used in newspaper articles and many of the sources that support this project. I have made this choice pragmatically and in the name of simplicity. I follow Clarke’s lead and “capitalize *Black* when it modifies nationality or language — as in “Black Canadian.”<sup>4</sup> I do this because my own system was so chaotic I could not keep straight when I capitalized and when I did not — in short, it is again a matter of simplicity. I have also chosen to elide the differences between all those who are of European descent by casting them in the essentialist category of white. I do this with the same motivation as stated above and I capitalize in the same way.

### The Racial State

David Theo Goldberg opens his path-breaking study with these words:

This book is about racial states, as a set of projects and practices, social conditions and institutions, states of being and affairs, rules and principles, statements and imperatives. Inevitably, then, it is about the racist expression of states, state directed racial exclusions, and so about racist states... the state is inherently contradictory and internally fractured, consisting not only of agencies and bureaucracies, legislators and courts, but also norms and principles, individuals and institutions.<sup>5</sup>

I accept enthusiastically Goldberg’s definition of racial states and laud the breadth of his conception and his analysis. In leaving room for the inclusion of individuals within the racial state, Goldberg’s perspective is then able to embrace Mi’kmaq elder Tom Brand’s assertion:

The discrimination was initiated by the Department of Indian Affairs and I always say that those employed under the Indian Act under the Department of Indian Affairs are racist themselves... and they practice racist policies and they should be tried under the Human Rights Commission for violating those principles.

Brand goes on to say that because these employees are working for Indian Affairs “they think they are doing what’s right and they are not.” His position is that the *Indian Act* is racist legislation and those who enforce it are perpetrators of racism and racial violence.

In theorizing the racial state, Goldberg speaks of historicism as a “progressivist commitment concerning itself with... claims of historical immaturity” and naturalism as “the claim of inherent racial inferiority.”<sup>6</sup> These terms are used to mean the same in this project.

Also I make little distinction between the province and the state; I take them to be one. Though they are different in name, jurisdiction and responsibility, the province is part of the state apparatus. Louis Althusser writes: “We can for the moment regard the following institutions as Ideological State Apparatuses... the educational ISA (the system of... private and public ‘Schools’)... the political ISA (the political system, including the different parties.”<sup>7</sup> So, while this lack of distinction may seem to convey ignorance of the function or role of the state and province, I am, in reality, taking a particular philosophical or theoretical stance.

### Theoretical Framework

Razack writes there is a “paradox of liberalism as articulated by David Goldberg: race is irrelevant but all is race.”<sup>8</sup> By using Goldberg’s framework to support her arguments, Razack recognizes the importance of his work in theorizing the state and the place and meaning of race. Similarly, Eva Mackey gives a nod to Goldberg by seeking his assistance to reinforce her own theoretical assertions of liberal tolerance and power.<sup>9</sup> I agree with both these scholars in recognizing not only the importance of Goldberg’s voice in theorizing what he aptly names the racial state but also with the relevance of his work in explaining the Canadian condition. I have found no better lens through which to view the subject at hand, and for this reason Goldberg’s conception and articulation of the racial state serves as the major theoretical foundation underpinning this project. Both Mackey and Razack help to localize and particularize the Canadian racial state.<sup>10</sup> Mackey, for example, helps me to understand that the identification “Canadian Canadians”<sup>11</sup> is at once an act of signaling White Canadians as belonging to the nation (and indeed as indigenous to the nation), while all other Canadians exist outside of that belonging.

### Black Identity

Black identity, and in essence black belonging, has been articulated most profoundly by W.E.B. Du Bois and Franz Fanon, and we find representations of their theoretical positions in the works of George Elliot Clarke and M. Nourbese Philip. Du Bois writes:

The Negro is sort of the seventh son, born with a veil, and gifted with second-sight in this American world, a world which yields him

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no true self-consciousness, but only lets him see himself through the revelation of the other world. It is a peculiar sensation, this double-consciousness, this sense of always looking at one's self through the eyes of others.... One ever feels his two-ness, an American, a Negro; two souls, two thoughts, two unreconciled strivings; two warring ideals in one dark body, whose dogged strength alone keeps it from being torn asunder.<sup>12</sup>

In an interview with Maureen Moynagh, Clarke asserts:

Africadia since it isn't in a sense a real physical place it becomes, therefore, very much a mythical notion, an intellectual construct, a soulful notion. And I've defined it as a place where the *free* self can live, a green space where the free self can live.... It's in us and that's my view of Africadia.<sup>13</sup>

Du Bois' double-consciousness is Clarke's Africadia. Clarke reconciles the two strivings to borrow Du Bois in this way:

But it is important that we understand that we have this unique vantage point which does exist within ourselves and which is manifested in different ways at different times in different places with different groupings of people of African descent in this place that on paper we call Nova Scotia. But I don't think we have to accept these standard notions and that it is important to claim the place for ourselves, and rename, reorder, rethink the whole thing.<sup>14</sup>

Clarke rejects seeing himself through the eyes of the other world or rejects the gaze of the other and instead creates and looks to his world — Africadia — thereby seeing himself through his own eyes. He looks into the mirror through his Africadian eyes and Africadia is reflected back at him.

As Du Bois is to Clarke, so Fanon is to Philip. Franz Fanon writes:

What! When it was I who had every reason to hate, to despise, I was rejected? When I should have been begged, implored, I was denied the slightest recognition? I resolved, since it was impossible for me to get away from an *inborn complex*, to assert myself as BLACK MAN. Since the other hesitated to recognize me, there remained only one solution: to make myself known.<sup>15</sup>

And M. Nourbese Philip writes:

Should we African Canadians, therefore, turn in our passports as some have suggested, since we have shown ourselves so ungrate-

ful as to criticize our benefactors? We ought to leave, some urge politely and not so politely — the theme of “nigger go home” is a persistent one. Those who think like this, however, will not see such a simplistic solution. Their worst nightmares have been and will continue to be confirmed. In the words of my only mother tongue, the Caribbean demotic, we ent going nowhere. We here and is right here we staying.<sup>16</sup>

In both Fanon and Philip, we see an assertion of “this is what you’ve created so deal with it.” There is an absolute refusal to disappear in what each perceives as the “other’s” desire to disappear their black selves. In opposition to the other’s desire, Philip follows Fanon to inhabit and create a fully authentic and exclusive BLACK SELF (borrowing Fanon’s emphasis). In Philip’s construction of the BLACK SELF we see such notions as “continuity of style” among other black people:

On a lighter note, one only has to take a walk along Eglinton Avenue<sup>17</sup> here in Toronto to see how we wear clothes differently — just the angle of the hat, perhaps, the slight crawl or sashay — to know that even in something as apparently superficial as dress, the continuities of style run deep.<sup>18</sup>

While there do exist other representations of Black Canadian identity, I choose to privilege Clarke’s and Philip’s. Both ground black identity in a location, the former in Canada and the latter in Africa.<sup>19</sup> While one can suggest, as Clarke does, that black people in Canada have more in common with each other than with those in remote homelands such as the Caribbean, even those remote homelands localize black identity.<sup>20</sup> Another choice for articulating identity is found in the work of Rinaldo Walcott, who conceives black identity in terms of black ethnicities, one of which he then terms “discontinuous diasporic identification.” It refuses to ground itself locally except for the purpose of contesting nation:

I am going to make a case for a Black ethnicity which might be understood through a lens of diasporic desire, identification, and sensibility. It is an ethnicity forged in a moment looking beyond the too rigid boundaries of nations, their narratives and myths of belonging.<sup>21</sup>

Theorizing belonging with an assertion that not only contests nation but the very idea of black belonging to a particular locality, seems to me unworkable. While I agree with Walcott’s stance of making nation a problematic idea and his assertion earlier in the piece that justice is rendered impossible in configurations of the nation state, I disagree with

his implicit conclusion that our attention to diaspora leads to a greater possibility of justice.

I also argue against Walcott's statement: "At stake here is a kind of belonging which requires that we understand the political beyond the narrow confines of immigrant sociologic construed through the politics of enterism and admittance."<sup>22</sup> While Walcott argues against the idea of black belonging to the nation, he also suggests that we pay less attention to the confines of the immigrant. I argue instead, rather than limiting the immigrant and paying less attention to "enterism and admittance," that we do the opposite. If we were to include all those who are not indigenous to the Americas, and for our purposes Canada, as immigrant and pay more attention to when and how they entered and were admitted, we might create the possibility of not only seeing beyond the confines of a racial hierarchy of belonging and racialized belonging but also of making more visible the Indigenous peoples of this land.<sup>23</sup> As long as our conversations are black in relation to white or other in relation to white we conceal and close ourselves off to the possibility of the very idea of justice that Walcott entertains. For, after all, how is justice possible if we are unable to see (beyond a perfunctory glance) from whose land we speak, whether we claim belonging to nation or not?

Clarke and Walcott in articulating their idea of belonging to the nation have been engaged in what I refer to as a brawl.<sup>24</sup> Each dismisses the other's articulation of blackness and black identity as inadequate. The exchange is rancorous and an entry point into reasoned conversation is difficult to imagine if one chooses to enter at all. What seems apparent in reading and rereading these exchanges is that above all they are about who is black or blacker. Walcott, I believe, strips Clarke deftly of his blackness or claim to blackness: "In this regard Clarke lacks a diasporic sensibility: his love is not so much for black people as it is for nation."<sup>25</sup> In essence he calls him a race traitor, for what does it mean to be black and not love black people? In this duel, Clarke's mixed race status does not help and without question makes what Walcott assumes his lack of love for black people understandable given "who" he is. In Jamaica, it might be said in this way: "likkle red skin bwoy 'bout im black." It is an ordering of blackness, a rendering of who and what is authentically black — what African American thinker Harold Cruse refers to as "a pecking order of blackness — I am more black and more pure than thou — in which case the enemy ceases to be whiteness but other less black breeds."<sup>26</sup>

Daniel McNeil writes:

Black Liverpoolians of mixed racial origins do not have a long established Baptist church to call their own but have actively challenged Caribbean immigrants who seek to exclude them from re-

spectable venues. For example, when “dark-skinned” professionals like Frederick Reese... used light skin and racially mixed features to signify a lack of culture rather than cultural capital,... Liverpool blacks dismissed his “West Indian slave mentality.”<sup>27</sup>

In the vernacular of a hierarchy of blackness, Canada and Britain (represented here as Liverpool) are not, in the Caribbean sensibility, authentic sites of blackness. It follows then, that in these places there are no authentic black people outside of the immigrants from the Caribbean, who brought consciousness and political activism while those mixed raced others remained in their “house slave” paradise, or as Jamaican-born long time Nova Scotian resident Gus Wedderburn puts it, “wallowed in their poverty.”<sup>28</sup> As demonstrated by the different locations where the conversations take place, this ordering of blackness is not specific to Canada; it also positions Clarke’s and Walcott’s “debate” within an international context.<sup>29</sup> This debate complicates and runs counter to those impulses that would call for a cohesive or uniform Black Canadian, diasporic or nationalist existence. It makes clear that even when speaking about a group of African descended peoples in a particular location, one elides differences and dismisses the nuances inherent in individual positions.

In *Black Skin, White Masks*, Franz Fanon writes:

It is obvious... that the quest for disalienation by a doctor of medicine born in Guadeloupe can be understood only by recognizing motivations basically different from those of the Negro laborer building the port facilities in Abidjan. In the first case, the alienation is almost of an intellectual character. Insofar as he conceives of European culture as a means of stripping himself of his race, he becomes alienated. In the second case, it is a question of a victim of a system based on the exploitation of a given race by another; on the contempt in which a given branch of humanity is held by a form of civilization that pretends to superiority.<sup>30</sup>

Through his example of what might lead two black people to the same point of alienation Fanon points out the importance of individual differences such as class in the conversation about black identity. My project does not take into account these differences, nor does it give any analysis of class and gender issues. In doing so it mirrors the interest in race as is demonstrated in human rights legislation and conversations in the province at the inception of the Human Rights Commission and throughout much of the 1960s and 1970s. Discussions of black and Mi'kmaw people in the province were overwhelmingly conversations about race and racial inequality.

While Fanon illustrates the need for an analysis of a situation or two

different reactions to a situation in the works mentioned above, there are times when he too speaks broadly of the black man or the native to make a cohesive whole out of individual parts. This does not, however, render his insights on the development of black identity and an articulation of such identity any less profound or critical to employ in works in which questions of black identity are raised.

### Beyond Theory and Identity

Given that the members of the black community that calls itself indigenous place their ancestors in Mi'kmaw territory pre-Confederation, it is necessary to include the works of writers who provide a historical understanding of black settlement in Canada and specifically Nova Scotia. These writers include Robin Winks, James Walker and Colin A. Thompson, among others. We learn from James Walker, in *The Black Loyalists*, that:

Black Loyalists were isolated from the rest of Nova Scotian society. They were settled, most of them, in segregated communities, they suffered from cruelty and injustice at the hands of officials who treated them differently in allocating lands and provisions, and even before the law.<sup>31</sup>

In this, we are able to understand the origins of segregated black communities such as North Preston, Beechville, Cherry Brook and others. The historical material also gives us information on the nature of the relationship between the state and Black Nova Scotians. We can see, for example, that the state (represented by the law and its officials) was complicit in the “cruelty and injustice” suffered by Black Nova Scotians. It also provides information on what historical issues might have been carried forward that impact the contemporary relationship between the two groups. One such issue might be how the Mi'kmaw people understood and understand Black Nova Scotian claims to their land. Even though it was promised to blacks, whites did not rightfully own the land. It was therefore not theirs to promise. Much of the information gleaned from these writers is most useful to this project for their descriptions of the conditions of life and for providing a context for contemporary relationships and for the issues under exploration. The same can be said about the works of Charles Saunders, who offers his book *Black and Bluenose* as documentation of the contemporary situation for Black Nova Scotians.<sup>32</sup>

Both contemporary and historical works at times portray Black Nova Scotians as either lacking in initiative and ambition or being poor unfortunate creatures who have never received their fair share of either land, recognition or respect. Sometimes these attributes are claimed even where evidence in the

same work contradicts them. For example, Walker writes: "Instead, the same 'slave mentality' was perpetrated and reinforced by their experiences in Nova Scotia. They continued to feel dependent on whites, in the economic sphere, neither encouraged nor capable to strike out on their own."<sup>33</sup> Though the decision of Black Loyalists to fight on the side of the British brought them to Nova Scotia, Walker is unable to see this as striking out on their own. In his book he demonstrates, in fact, how capable they were of assessing the reality of their situation for, after many months of waiting for land grants, they took action on their own behalf:

When Brindley Town Black Loyalists were removed a second time from their farm lots in July 1785, Thomas Peters despaired of ever having his land promises fulfilled in Nova Scotia. He had been a sergeant in the Black Pioneers and had assumed a leadership position among Digby-area blacks, organizing their first petition for lands in August 1784 and taking charge of the distribution of provisions later that year.<sup>34</sup>

Organizing a petition for land within a year of their arrival and organizing a system of distributing needed supplies<sup>35</sup> to their community hardly seems like the act of incapable people. It is necessary to read much of this literature with caution and with very clear questions of what can be extrapolated to paint as accurate a picture as possible.

The work of historian Harvey Amani Whitfield is an important addition to the literature. It examines the settlement and life of the Black Refugees from 1815 to 1860 in Nova Scotia and New England. It is important in its erasure of the border, in dealing with the Refugees as one group and also in recognizing the fluidity of the group's movement between the borders. Though I'm sure not intended by Whitfield, the removal of borders can also be an important tool when writing the history of settlement in Indigenous territories. Arbitrary boundaries imposed by settlers often disturb the traditional territories of First Nations. Whitfield however writes about land and settlement in Nova Scotia in the same way as generations of historians before him. Mi'kmaw people are largely absent. Whitfield goes further in erasing their presence by imposing "indigenous African Nova Scotians" onto their territory:

In Halifax, the Refugees integrated with indigenous African Nova Scotians in the black district of Dutchtown in the near northern suburbs. This community with roots in the eighteenth century, benefited from the influx of Refugees to the Urban area.... The first indigenous black lawyer in Halifax did not finish his degree until 1898.<sup>36</sup>