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ON THE RELATION BETWEEN NATIONALISM AND DEMOCRACY: THE CASE OF ABORIGINAL RIGHTS

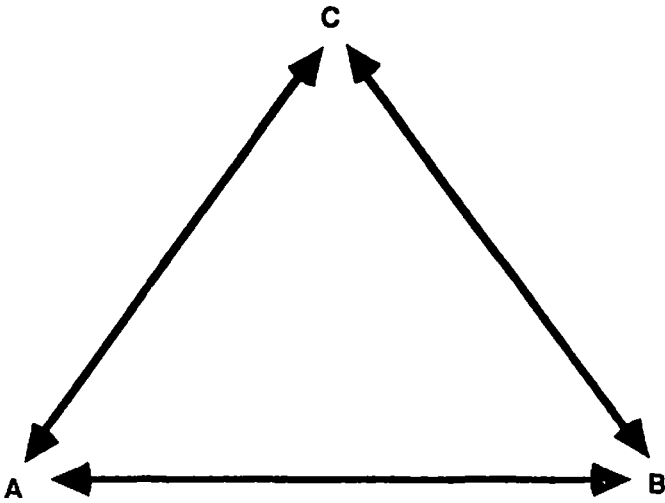
If we take it that Rousseau's work *The Government of Poland* is not just a recommended cure for the particular ills of Poland in the eighteenth century, but also conveys much of Rousseau's general view of the way to apply his theories and values, then it is fair to examine the *Poland* for insight concerning other particular cases. I propose, therefore, to make a reading of the *Poland* in the light of Rousseau's political values in the *Discourses*, looking for anything useful in the case of the aspiration of Canada's aboriginal peoples to self-determination. I have the feeling that were Rousseau present to comment on this situation, he would find it of compelling interest, and would have many penetrating observations to make. As it is, we can merely attempt to infer what these might be.

Most of Rousseau's political writings deal primarily with the relation of citizens to one another, and in this context he may be considered an important modern democratic thinker. The *Poland* deals with the collective relation of a nation to other nations. In other words, it deals with the modern issue of self-determination. I shall argue that democratic relations internally, and self-determining relations externally, are dependent on one another, or at least they are if we share certain Rousseauian insights.

Actually we are dealing with a three-cornered theoretical relationship (Figure 1). It is the relationship of democracy to two distinct aspects of nationalism. The first aspect is the inward-looking sense of a people that they are a unique cultural entity, i.e., that they *are* "a people." The second aspect is the outward-looking sense of distinctiveness from other nations, and the aversion to foreign domination. Nationalism may be thought of as having these two poles. Democracy, the third corner of the three-cornered relationship, is characterized here as equality, in the Rousseauian sense of the autonomy of citizens, or the absence of domination

FIGURE I

DEMOCRACY = EQUALITY



Amour de la patrie :
inward-looking sense of
being a people

Outward-looking sense
of distinctiveness from
other and aversion to
foreign domination

of citizens by *particular* others. The relation of the first, inward-looking aspect of nationalism to democracy is one I have dealt with before. For the present, I will concentrate on the relation of the second, outward-looking, aspect of nationalism to democracy.

There are some important general similarities between the Poland of the eighteenth century, and the aboriginal peoples of Canada at present. This leads us to expect some enlightenment on this matter from reading Rousseau's *Poland*, and, within limits, it is there.

These are both nations of peoples who seem bereft of so many political resources, or levers of power, that their sense of *being* a people seems to be their main political resource. For both, there is no question of military force being used, or much scope for any other kind of coercive tactic. Both are even lacking a fully representative voice to speak for them. Poland lacked this. The aboriginal peoples of Canada have numerous representative voices, but given their relation to the federal government, this comes to the same thing. There is no single well-constituted body of representatives which speaks for *all* aboriginal people in relation to the central government.

Two questions will be considered:

- (a) What does the Poland suggest to us concerning the aspirations to self-determination of aboriginal peoples? and (of equal or greater interest to those who attend meetings of the Rousseau Society),
- (b) What does a consideration of the aboriginal peoples reveal to us about Rousseau, and Rousseau's *Poland*?

There is a significant difference between the situation of Poland in the eighteenth century and the situation of Canada's aboriginal peoples, yet surprisingly this difference only serves to heighten one of Rousseau's fundamental insights. Poland in the eighteenth century was apparently in a state of anarchy and chaos. Aboriginal peoples in Canada are just the opposite. There is a massive and complicated body of legislation applying exclusively to them — The

Indian Act. This Act has its complement in a huge and expensive bureaucracy. The effective power of this legislation and administration to control absolutely the lives of aboriginal peoples is beyond question. In the hundred years or so since this Act has been in place, there have been numerous revisions, in many cases based on weighty studies and long hearings, ostensibly on the subject of Indian welfare. Yet the aboriginal peoples of Canada are far from well governed. They and their communities are endlessly plagued with poverty and economic dependence, and poor mental and physical health. It is a political issue whether or not all this government effort and expense has been misguided and/or malicious. However, what is not in doubt is that despite effective control of this population, the execution of the Indian Act is monumentally inefficient, even in terms of its own objectives.

"Is it an easy matter to make better laws?" Yes, writes Rousseau in the *Poland*, "So be it." In conceding, or perhaps I should say, in claiming that there is usually no difficulty in devising, from a purely intellectual point of view, better laws for a nation, Rousseau at once sets himself apart from the vast army of political philosophers, whose ranks continually increase, who devote themselves exclusively to questions of abstract value, meaning, and logic. Indeed, it is hard to find a political philosopher who does not feel himself quite capable of suggesting improvements to the laws, and even the economics, of his country. Very likely those who have applied themselves to the study of the Indian Act, or Indian welfare, on behalf of the government of Canada, were not all stupid or malicious. Let us suppose that at least some of them were sincerely concerned about Indian welfare.

Rousseau goes on at once to say in the above-quoted passage, "What is impossible is to make laws that the passions of men will not corrupt." Then he prescribes his famous remedy for the impossible problem. Not only must the law persuade the rational faculty of people, but also the order of the society must win their hearts. Thus Poland, though never lacking in intellectual brilliance and moral and political fervour for the Polish nation, was in chaos because it

was fragmented. How can one be law-abiding and loyal to a mass of conflicting parts?

A primary political problem for aboriginal peoples, on the other hand, is the belief of the dominant, non-aboriginal majority, that, if they ever had an effective and distinctive social order (which is in itself widely doubted), they have certainly lost the capacity for it by now. Yet to a Rousseauian, their history is virtually in itself a proof otherwise. For at least a hundred years in all parts of Canada, and for much longer in some parts of the country, the effective power of Canada to govern aboriginal peoples has not been in question. Not only that, the Indian Act is total legislation. It has been called a "monolithic institution," like a prison, since literally every aspect of Indian life which could be legislated upon is dealt with from within the parameters of this particular legislation. Yet it has had little or no impact on the minds and hearts of aboriginal people, except negatively to create despair. Aboriginal peoples obviously display the aversion and spontaneous emotional resistance to foreign domination that according to Rousseau is characteristic of "true" nations of people. A "true" nation, for Rousseau, comes into being for historical reasons beyond human control, and cannot be *created* by taking appropriate steps. Those that exist can only be preserved or destroyed, and they are profoundly resistant to destruction, much as they can be made to suffer.

The tenacity of a people's awareness of themselves as a people, or a nation, is evidence for Rousseau's view that it is a primary (perhaps *the* primary) political reality. Examining the implications of it being *the* primary political reality illuminates several features of the *Poland* which are otherwise puzzling and seemingly in contradiction with the values he espouses elsewhere.

There is another feature of the *Poland* which is not what one might expect from a thinker with a reputation as a revolutionary critic. It is the degree of pragmatic accommodation between value and theory on the one hand, and a given historical reality on the other hand. It is not without reason that pragmatism in politics usually connotes conservatism, and it is apparent conservatism that is the paramount

puzzling feature of the *Poland*. Pragmatism tends to hob-nob with "reasonableness." However, as Rousseau himself has so brilliantly illustrated, the modern social order has its own inexorable individualist logic which persons must follow if they are to prosper in that context. What is "pragmatic" and "reasonable" is always relative to the context. In a sense, genuine revolutions can only be made by the foolish and unreasonable who through a species of faith in action attempt to transform their foolish visions into sensible reality by destroying one context and replacing it with another.

Sadly, however, these visions often fail or they are realized only in a very distorted form. Rousseau may offer one way of understanding this.

In any case, if it is our goal to understand Rousseau and to fathom potential applications of his thought, the fact must be faced that despite his democratic visions, Rousseau has drawn the line at revolution in this sense.

If the challenge is to make laws that the passions of men will not corrupt, and we are not talking about revolution for the colonized people, certain questions arise. Whose laws are we dealing with? And what context of law-making? Whose "passions" are at issue? The answer is that both contexts must be dealt with — that of the colonizer, and that of the colonized. I don't know if it is proper to say that *chez* Rousseau, this must be done with vision tailored by realism, or if it is with realism tailored by vision! Maybe the remainder of my remarks will suggest which is primary, if either.

In the *Discourse on the Origin of Inequality*, Rousseau argues that the conqueror or master must inevitably be miserable in his own way along with the conquered or dominated. This contrasts with the mainstream view in political theory, crystallized by Hobbes, that domination of others is an expansion of power to get what one wants, since one has at one's disposal not only one's own powers, but also some powers of others. But Rousseau argues that domination is really a form of dependence. In the first place, desires increase when one is enabled to employ the powers of many, until the new desires appear as necessities. The one

with power then has needs which he or she cannot fulfill without the cooperation of the other, whether coerced or not. This has both practical and moral costs. Rousseau points out that human beings, or for that matter all animals, can never be conquered once and for all unless they are dead. The moment opportunity arises, they will free themselves, unless they believe that their particular interest is better served by remaining where they are. The dominant one, therefore, must continually use part of his power to retain control, and both sides become calculating and devious in their separate ways. Something similar is true of nations, and Rousseau observes in *Political Economy* that there are usually no peoples so miserable as those of conquering nations.

However, those arguments, while they may be morally persuasive, seem to have little clout when aimed at the powerful. What Rousseau is arguing against is the inequality and loss of autonomy which results when each individual acts out of particular self-interest. But particular self-interest is always a matter of the calculation of costs and benefits. It is not difficult to imagine that the powerful usually feel that the benefit to them of power over others is greater than the cost. This is exacerbated at the nation level by the fact that these decisions are characteristically made by the elite that benefits, and not by the people, who by and large pay the practical costs.

Now, if we suppose that Rousseau is right that whether or not a people feel themselves to be "a people" is the primary political reality, there appear to be some considerations that would affect even a powerful elite. For one thing, it would tend to raise the estimate of the cost of domination, possibly lessening enthusiasm for it. For another, it affects the way in which the political reality of these groups is handled, even if its domination appears to be already a *fait accompli*, as is the case with aboriginal peoples. The Indian Act in Canada had as its goal the eventual *assimilation* of Canada's aboriginal people. This was a mixture of large parts of economic expedience and a few small parts of genuine reform liberalism. Obviously, assimilation eliminates the whole question of aboriginal rights to land and resources, or any other type of special

status. From a moral point of view, nevertheless, it could be argued that assimilation is better than segregation and control, even with the same element of economic expedience. However, whether it was or not, it failed utterly. The clash between the goal of assimilation, and the tenacity of the desire to retain one's culture, goes a long way to explain the evolution of this baroque bureaucracy — ever working at cross-purposes with its supposed clientele, perpetually creating little more than misery, at ever-growing expense.

Rousseau says very little about this type of conflict of interest in the *Poland*, although what he says about the emancipation of the serfs alludes to the moral position I have described. He states that the Polish nobles will be deluding themselves if they think they can be happy and free while keeping their own brothers in bondage. Aboriginal peoples in Canada suffer elements of both class and national oppression, which suggests that from a Rousseauian point of view Canada as a whole would be better off if they had as much collective autonomy as possible. This primarily removes national oppression, but by removing control and paternalism leaves them the option, at least, of solving their economic difficulties by their own initiatives.

In thinking about these matters, one of the things that is further confirmed about Rousseau is his tendency to address an elite. We may presume that he does this because he feels that they are in a position to take action. Yet Rousseau, of all people, should have realized that these are the very people for whom the particular self-interest is strongest. We should suppose, therefore, that the powerful elite in Canada who benefit most from colonization will be deaf to these moral arguments, and drop them from further consideration.

Who, then, can be expected to respond? Primarily those who have the most to gain by change — the aboriginal people themselves. The other is the sort of social sector to which Rousseau himself belonged — well-off enough to have time and energy to consider and sometimes act upon the larger moral and political questions, but not so well off as to have more to lose than to gain by doing this.

What does the *Poland* suggest to aboriginal people? A large part of the relevance of Rousseau's *Poland* here comes from the fact that the problem it addresses is the preservation of national identity in a situation where the nation in question very likely will not have full control of a state apparatus. This is certainly the case for aboriginal people, so the question for them is what aspects of life should they most seek to bring under their control?

Some things are quite clear and uncontroversial, at least in this context. They should seek control of education, and of all institutionalized aspects of spirituality, and use them to nourish their distinctiveness. Rousseau emphasizes that distinct customs need not be justified. What is important is that they are distinctive, for this is what knits the people together and helps them to overcome particular self-interest in favour of the common good. In the context of Canadian politics, we should note that Rousseau is no multi-culturalist. It is not toleration of various cultures that he believes in. In fact the aversion to foreigners of a close-knit culture is something he believes is necessary to encourage individuals to identify their interests as much as possible with the fate of their own nation. There should be customs, or rituals honorific of aboriginal heroes and leaders. Rousseau observes that there should be no polemic against the oppressors at these events. These things signify, not antagonism to other cultures, but indifference. Indifference suggests profound psychological self-sufficiency, whereas antagonism suggests the mutual dependence of inequality and conflict of interest.

The strongest medicine Rousseau prescribes is remarkably relevant to aboriginal peoples, if highly controversial. To the people of Poland Rousseau says that they should make themselves self-sufficient for their needs by living off the land, and doing away with the use of money as much as possible, except for sales of produce at the collective level. Whether or not this is remotely possible from a practical point of view is a question that I cannot deal with here. However, theoretically, one can see how powerful this would be as a means of retaining both economic independence and cultural unity. When individual aboriginal people are

articulated into the market economy of Euro-Canadian society *as individuals*, distribution of wealth can no longer be controlled by the traditional collective means. More than that, the individualist values of the market economy are subversive of the values of sharing. Because of the nature of individualism, it tends to subvert communal values where there is a conflict.

In addition, for Rousseau individualism and inequality go together, and for national cohesion the tendency (if not the reality) should be toward internal equality, or at least the absence of domination of some members by particular other members.

Internal relations of personal autonomy are very much analogous to self-determining relations of nations of peoples. Nations are not remotely materially equal. What is argued for is non-interference and non-exploitation. What is materially crucial is not prosperity but self-sufficiency. I have a strong feeling that were Rousseau commenting on this situation he would insist that aboriginal peoples cannot preserve themselves and be self-determining, if they aspire to the same type of material goods and services as the rest of Canada. This aspiration leads to endless involvement with the economic forms of the market. In addition, as Rousseau perceived a hundred years before Marx, the modern market and individualist society is a tremendous force for the obliteration of diverse cultures.

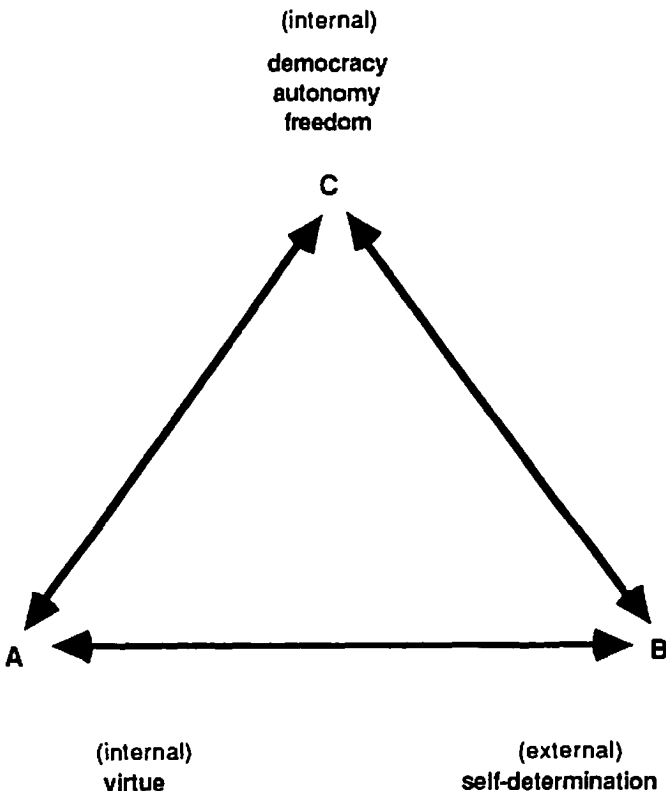
What we have, then, is an interlocking system of mutually reinforcing normative relations. At A, *amour de la patrie* helps the people raise their sights and behaviour to aim at the common good. This is *virtue* (Figure II). This awareness of the common good will not occur if there is great conflict of interest among the people, which occurs as a result of inequality and the domination of some by others. Virtue, therefore, supports democracy in the sense of the *autonomy* or *freedom* of citizens, and this in turn fosters their love of the nation. *Amour de la patrie* and virtue are the basis for the aversion to foreign domination, which is the motive for *self-determination*. At B, the degree of self-determination directly affects both internal virtue and internal autonomy. If we care, therefore, for democracy, the improvement of self-

determination among nations should be an important part of our concern.

The degree of self-determination has this affect on internal autonomy and virtue, because to the extent that self-determination is lacking, the people necessarily become individualists in relation to the outside world. Their real, objective interests are not fully connected to the interests of their nation, but are partly dependent on their fate as individuals in relation to the dominating society. They easily develop particular interests that may conflict with the common good of their nation.

This set of relationships as a whole *can* be in a very delicate balance, vulnerable to damage by external pressure.

FIGURE II



If this complex of relations has any truth to it, it affects *all* relations of powerful nations to the colonized or otherwise oppressed nations, and not just the more obviously imperialistic. As I have mentioned, imperialistic nation-states are not morally monolithic. These tend to be the states which are highly divided and conflictual internally. One sector is that which I separated out earlier, in which Rousseau himself may be presumed to be found. In the present, this sector of the more powerful nations is inclined to take what it feels is a benevolent interest in the internal affairs of other, less powerful nations. This may be called "reform intervention," rather than imperialism.

Intervention on behalf of the rights of women is an important recent phenomenon, and one which has become a serious issue for the aboriginal people of Canada. In fact, I consider this by far the most serious and challenging example of reform intervention.

The emancipation of women is a democratic issue, and so is the movement for self-determination for aboriginal people. This means that if our concern is for democracy, it is a matter of deciding which sort of action will be most conducive to it in the long run.

Looking at the set of relations under discussion, it appears that from Rousseau's point of view, some forms of intervention are more damaging than others. Nations can survive a fair degree of lack of self-determination. The *Poland* is addressed to this very situation.

In considering the relative importance of autonomy of citizens and virtue, it immediately becomes evident why Rousseau appears so conservative in the *Poland*. It has to be because he considers *amour de la patrie* and associated virtue to be the most crucial thing for the preservation of a nation. This stands a chance of leading to democracy and self-determination, whereas the latter ideals become hollow rhetoric among individualists who have no affective pull to seek the common good of a particular nation. They become, *chez Rousseau*, purely rational ideals, which, in applying universally to everybody really apply effectively to nobody. Rapid, revolutionary change holds the danger of destroying the emotional cement which makes the nation "a people."

What could more effectively undermine the spirit of general *amour de la patrie* than outside intervention on behalf of the rights of women? This creates a reference point for individual status, external to the nation, for half the population. This is not to say that the domination of women should be condoned as an idea, in favour of national unity. Ideas of emancipation know no borders, not even among self-determining nations. We can rest assured that the women's movement, which is now worldwide, will continue everywhere. But an important aspect of self-determination is the freedom to struggle for change internally, without distorting influence from the outside. The present activity of the Canadian government, for example, on behalf of the rights of Indian women, is highly hypocritical, given the short shrift so far given to aboriginal rights in general. This front of concern for the human rights of Indian women may be the most effective assimilationist policy yet. It is hypocritical on another front as well. Since The Indian Act is so monolithic, and the economic impact on the rest of Canada so slight, it is relatively easy to make the law pertaining to Indians sexually egalitarian. The federal government has shown far less enthusiasm for the equal rights of Euro-Canadian women, which they no doubt perceive as actually affecting their interests. Like autonomous individuals, self-determining nations should take care of their own shortcomings first. There is evidence, in fact, that sexual inequality among many aboriginal peoples in Canada, especially in its present form, is largely *the creation* of Euro-Canadian intervention. This was not all accomplished by a powerful elite either. Much, if not most, of this sort of profound social meddling was done, in a different historical period, by the very sector of well-meaning people to whom I presently address my remarks. That is, the sector which presently would support equal aboriginal rights for Indian women over the objections of some aboriginal communities is the same sort of sector that until quite recently intervened, primarily as missionaries, to place aboriginal women in a role more nearly resembling that of their Euro-Canadian sisters.

The point is that it is only in hindsight that we tend to see the cultural limitations of our own perception of what is right. In hindsight we can see that benevolent intervention has virtually always been only another aspect of imperialism.

Rousseau had his own ethnic limitations which are evident in the *Poland*. For example, the everlasting evaluation of individuals by the collective, and the fondness for heavy ritual, would not at all suit most aboriginal cultures. However, particular enthusiasms are not damaging, if his more fundamental point is remembered — that if our concern is for freedom, benign indifference is in all cases preferable to intervention.

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