There are mentalities that need changing […]. And so, changing wildlife management in Nunavik, the minds of people, the way they understand wildlife management, you also have to educate Inuit communities […] about the need for them to protect the animal populations of their area. But it’ll happen. It’ll take a generation to do it.4

I think the people, have been learning more from the Qallunaat side. Because in the past, the Qallunaat [ … ] they used to go with, I mean really with [ … ] Inuit. Just do everything with them [ … ]. They were so close. Now, when there are more and more Qallunaat coming in [ … ], Inuit are learning that they’re not allowed to do something [ … ] But the Inuit used to be so kind for any person, like, Qallunaat, they used to get friends with them. Now [ … ] knowing each other, they’re not allowed to. Not allowed to go fishing.

These are the statements of two people, each speaking about the implementation of regulations controlling the hunting and fishing of wildlife in Nunavik, the Inuit region of northern Quebec created following the signing of the James Bay and Northern Quebec Agreement (JBNQA) in 1975. The first — a non-Inuit provincial wildlife officer — was tasked with ensuring that the Inuit (and non-Inuit residents) of the region respect the rules established by the state. The second — an Inuk — was observing some impacts of the enforcement of those rules. The first was speaking of the need by the state to change how Inuit understand and manage wildlife, particularly in terms of the requirement that Inuit stop sharing resources with non-Inuit; the second was recognizing that in doing so, the ways in which Inuit and non-Inuit are permitted to interact has changed. These quotes illustrate concepts I wish to explore in this article, and we will be returning to them as I unpack their implications.

I had been doing research on ‘poaching’ in Nunavik, and discovered that integral to understanding its meaning were questions of identity construction, ethnicity, and the social relations resulting from evolving property regimes established as a result of land claims. And behind these lay manifestations of power in both
its restrictive and productive forms (Braidotti, 2013). Since poaching presupposes restrictions imposed by an authority on the killing of animals, one cannot understand what it implies without considering matters of power and the technologies that promote and sustain it. Who determines the categorical order that frames poaching, and how are these orderings imagined, produced, and reproduced? What happens when people take on categorical orderings that are not their own? A closer examination of the quotations above points precisely to these questions, and in a variety of ways, many of the people to whom I spoke during the course of this research struggled with the implications of these unspoken questions.

In considering these questions, some geographers have adopted (post)colonial analyses of ‘nature’, underscoring the ways in which decisions to ‘manage’ nature are shot through with imperial visions of land, resources, and the people who use them (Gregory, 2001; Harris, 2004; Huggins, Huggins, & Jacobs, 2008; Willems-Braun, 1997). However, this article is only tangentially about nature and resource management. It uses these primarily as a means of interrogating how the property regimes codified by land claims affect the normative framings of personhood and citizenship. This article extends the literature on Indigenous subject formation in the context of settler colonialism (Battiste, 2000; Coulthard, 2007; Palmater, 2011; Poster, 2007; Povinelli, 2006; Simpson, 2014), underscoring how property configurations and the social relations on which these are based, conceal looping relations amongst personhood, citizenship and subjectivity that require us to be conscious of the more-than-human world.

Literature on posthumanism provides some insight into these dynamics by underscoring the co-constitutive features of relations between humans and non-humans (Braidotti, 2013; Braun, 2004; Castree et al, 2004; Whatmore, 2002). Although aiming to challenge taken-for-granted binaries dividing humans from non-human, nature from culture, this literature reflects a largely academic conceit rooted in an Occidental vision. In fact, Sundberg (2014) argues that by taking as universal ontological splits between nature and culture, geographic engagements with post-humanism reproduce colonial ways of knowing. It is this dynamic of opaque encounters between Indigenous and non-Indigenous ontological presuppositions that is at the root of my analysis.

That this meeting occurs within the context of modern land claims adds a further complexity to these relations, and requires that we consider the larger legal orders within which the people I encountered were operating. Land claims signal an acknowledgement of the existence of legitimate entities with divergent legal claims to resources. As such, to varying degrees modern land claims reflect a recognition of, and a negotiation between, differing legal orders that exist within a single territory. They are therefore attempts to negotiate relationships in the context of legal pluralism.

Although there is debate as to its meaning (cf. Benda-Beckmann 2002; Tuori 2011; Twining 2010 & 2012), for the purposes of this article I understand legal pluralism to be circumstances in which multiple layers of law exist within a single state or society (Oligiati 2007). These multiple legal frameworks are accorded different sources of legitimacy, and reflect the diverse normative frameworks that can exist within a given state. This is particularly the case in settings where the legal framework of the settler colonial state is coincident with pre-existing legal systems of Indigenous peoples. In such instances questions of land rights and property have been contentious as colonial powers attempt to acquire lands according to legal principles that are not necessarily shared with Indigenous peoples (Strouthes 2007). Legal pluralism does not perfec to imply that ‘state’, or ‘official’, legal systems will take into account what has variously been called ‘non-state’, ‘traditional’, or ‘customary’ legal orders reflecting local traditions and conventions (Benda-Beckmann, 1997; Benda-Beckmann, von Benda-Beckmann, & Spiertz, 1998; Twining 2012). Rather, legal pluralism can be no more than a form of recognition in which the state may acknowledge the existence of non-state legal systems without necessarily giving them legal status. In other instances states may give legal status to non-state legal systems, but the extent to which this is operationalised can vary both in its enforcement, and in the degree to which they become incorporated in official legal orders. In fact the state may attempt to ensure that the principles and rules underpinning its own legal order become dominant, so that people orient their behaviours according to its rules (Twining 2012; Benda-Beckmann et al., 1998). This requires a normative transformation: the changing of people’s mentalities. But what the law says and what people do are not necessarily congruent. When different legal traditions operate within one territory, people may operate according inconsistent normative frameworks. As we shall see, understanding relations amongst the personhood, citizenship, and subject formation in Nunavik requires that we recognize that their performance is affected by the presence of multiple legal frameworks that are at play in the region. In the case of poaching, although the state may wish to reformulate individuals’ understandings of themselves as people in relation to property and resources, those individuals may not necessarily comply. Thus Twining (2012, p. 118) stresses that conditions of “interlegality” can give rise to dynamic and evolving “relations and interactions between legal orders and sets of norms.” As we shall see, such is the case in Nunavik.

Wildlife management regulations defined by the JBNQA must be seen as inextricably entangled with legally codified notions of personhood that are enacted in relation to property. I will examine the ways in which ideas of personhood, as conceptualised by official law, coincide with Indigenous ones in the construction of citizenship, and consider how official and Indigenous notions of personhood combine with property relations in the performance of subjectivities. In Nunavik, this process quite literally entails government at a distance seeking to influence the conduct of individuals who are hunting and fishing, so that they start to behave according to official interpretations framing people and property. Together these determine the rights and obligations regulating access to resources (Ettlinger, 2011; Foucault, 1982, 1986, 2000; cf. Agrawal, 2005; Bakker & Bridge 2008). As we shall see, as governmentalized subjects, the ways in which people and property are being defined and connected are playing out in the negotiation of relations between Inuit and non-Inuit, between Inuit and nonhuman beings, and amongst Inuit. This transformation of government at a distance into intimate government is being contested in ways that are active and passive, conscious and unconscious. In adopting the technologies of the settler colonial state, those who are colonized may change their practices, but they do so as a means of resisting the very impacts of colonial processes.

Nevertheless that act of resistance — the taking on of colonizing practices in order to deflect them — comes at a cost, and can produce unforeseen outcomes. To understand the nature of this dynamic as it relates to constructions of personhood, citizenship, and subjectivities, I draw upon Hacking’s (2007) concept of the looping effect. Hacking uses the term to describe what happens when new classifications of personhood interact with the people so classified. Colonial processes create “colonized identities” (Battiste, 2000, p. xix). Amongst others these identities represent a combination of two interlocked phenomena. The first entails “making up people” (Hacking, 2007). Once these people have been made up, the looping effect comes to define the manner of being a person in new and unforeseen ways. The looping effect is at once an offshoot of, and a
contributor to, governmental dynamics. To varying degrees both Hacking and Foucault provide seemingly inevitable and coherent parcels that underscore how people’s subjectivities are both the product and the object of external institutions that seek to control people, not simply in overt external ways, but so that they come to be conscious of and know themselves as a consequence of these defining mechanisms. They thus become subjects of and subjects to these institutions of power. Yet, the result of this dynamic is far from coherent as dialectical processes produce unforeseen consequences in which effect and counter-effect loop outwards in unanticipated ways. In such conditions, one finds no tidy closures, but rather the on-going, divergent, and contingent dynamics intrinsic to settler colonialism (cf. Benton, 2002 but rather the ongoing, divergent, and contingent dynamics intrinsic to settler colonialism (cf. Benton, 2002 & 2012; Ford, 2013; Povinelli, 2006).

In what follows I consider the links between the configuration of personhood, citizenship, and subjectivities, particularly for Inuit. I then consider how property formations are linked to these configurations. I discuss how these phenomena are played out in understandings of ‘poaching’. Finally I conclude with a discussion about the difficulties attendant on mechanisms that codify formulations of personhood and citizenship.

**Personhood, citizenship, and subjectivities**

Conceptions of personhood frame the ways in which individuals understand the expectations, responsibilities, and obligations that define their self-perceptions and shape their relations with others. As a person, one is a holder of rights and responsibilities that form the basis of citizenship. Notions of personhood and citizenship, in turn, have reflexive impacts upon the development of people’s subjectivities, both internally in their understandings of who they are, and externally in their relations with others (Fig. 1).

Looping relations of personhood, citizenship, and subjectivity are not singular. Nor are they unilinear. Multiple and sometimes conflicting notions of personhood, citizenship, and the subjectivities these give rise to, recur time and again as people frame and reframe themselves and others. The result is a dynamic of relationships that are multiple, evolving, open-ended, emergent, and fractal, as individuals react to inner and outer forces influencing how they make sense of these constructions. Legal definitions, property lines drawn on paper, idle comments, and ideas of belonging, are amongst the many phenomena continuously reshaping these loopings.

What it is to be a person is a social construction founded on understandings determined by institutions that are constituted via norms governing people’s behaviours. These norms provide the rationale for different legal traditions, which tend to operate at separate, though often overlapping, scales. Thus for example, as we shall see, customary or official laws, rely on either implicit or explicit definitions of what it means to be a person who is a member of a collective. And on a continuum between these two legal orders are the composite realities of people living in reaction to them.

**Personhood, citizenship, subjectivity, and Indigenous peoples**

Western jurisprudence conceives of a person as an individual who is a full subject of the law with attendant rights and obligations that determine how s/he participates in the public arena (Poole, 1996). Although not synonymous, in the context of the modern nation-state, founded in the concept of liberal democracy and the promotion of civil society via the contractual relationship of rights, the concept of personhood is folded into that of citizenship. One must first be deemed a person before being deemed a citizen, which, in turn, gives individuals access to specific resources. Since understandings of both personhood and citizenship can shift, so too do the resources to which one has access. Depending on the circumstances, such shifts can be unconscious and implicit or intentional and explicit. Hence women were only allowed to vote once they were legally defined as persons.

In considering the sense-making of both Indigenous and non-Indigenous participants in this research, there is a sometimes uneasy, and often unrecognized, shifting back and forth between fundamental conceptions of personhood and its overlay of citizenship. Moreover in considering questions of who had rights to hunt and fish, people shifted among a variety of understandings of what citizenship entailed. These depended on whether they were evaluating individuals’ rights according to ideals of universal, customary, or differentiated citizenship.

The modern notion of universal citizenship contains three elements: civil, political, and social (Marshall, 2009). Civil citizenship addresses the rights of individuals in the context of a nation, for example, freedom of speech and the right to have access to justice. The development of these rights is associated with a shift in people’s perceptions of themselves from the local scale to that of the nation (Marston & Mitchell, 2004). In this context, people develop perceptions of themselves as members of a larger public realm in which all have equal rights and duties. This requires the concomitant development of state administration to ensure the equality of civil rights. Hence, the bureaucrat I quote at the outset of this article was part of a larger push by the state to ensure that wildlife management regulations be respected by all residents of Nunavik. The development of civil citizenship coincided with the rise of capitalism, whereby individual rights provided the means to release people from feudal relationships, and ultimately permitted
them to work in factories (Marshall, 2009). Civil citizenship is thus linked to the growth of individualism and a market economy in which social relations are contractual rather than communitarian (Marston & Mitchell, 2004).

Political citizenship reflects the rights of individuals to engage in the exercise of political power, for example, as voters or candidates in elections (Marshall, 2009). On the basis of shifting notions of personhood, political citizenship has expanded to include once excluded populations, such as Indigenous peoples.

Finally, social citizenship relates to rights of access to collective services such as healthcare and education. These evolved in response to the inequities that arose following the rise of capitalism (Marshall, 2009).

Together these three components comprise liberal ideals of ‘universal’ citizenship based on rights instituted via the official laws of the state. Yet behind this formulation of citizenship lie normative and normalizing politics that reflect particular socio-cultural contexts.

Western democracies have increasingly promoted the concept of loyal belonging to a unitary nation-state that served as the basis for individual membership in the collective. Unitary citizenship serves both to control people and to bind them to the nation-state through ideas of universal equality of legal rights that are upheld by an impartial judicial system (Jeffrey, McFarlane, & Vassaf, 2012; Scott, 1998 & 2009; Staeheli, Ehrkamp, Leitner & Nagel, 2012). Critics of this formulation of citizenship emphasize that many have been excluded from the ideal of free individuals bound together through equal rights. Ideas of objectivity in the exercise of citizenship are, in actuality, shot full of emotions and regulating principles that reflect the views of those in positions of power (cf. Marston & Mitchell, 2004; Staeheli, 2011). In fact the exercise of these principles give rise to the creation of new people with new subjectivities—based, for example on class, race, or gender—who are prone to engage in identity politics in response to such systems of domination.

Constructions of citizenship are also the product of particular times and places reflecting evolving relations amongst the state, capital, and individuals (Marston & Mitchell, 2004). The Canadian state, for example, only started to concern itself with the need to define the status of Inuit in its polity as it became increasingly implicated in the exploitation of resources located in Inuit territories (cf. Kulchyski & Tester, 2007).

Numerous researchers have pointed out that for Indigenous peoples in settler societies the links between the individual and the collective as moderated through ideas of citizenship are multiply complex (cf. Blackburn, 2009; Borrows, 2002 & 2003; Cairns, 2000; Coulthard, 2007; Kobayashi & de Leeuw 2010; Kymlika & Norman, 1994; Palmer, 2011; Postero, 2007; Salmond, 2012; Wilson, 2005). For the purposes of this paper the overarching problem concerning the links between citizenship and Indigenous peoples, relates to a power wielded by the state that is at once individualizing and totalizing, so that people become unable to respond freely to the circumstances that have been created by the state (Foucault, 1982). Ideas of universal citizenship have been promoted by the state as a means of creating and normalizing shared notions of nationhood between Indigenous and Settler populations so as to downplay ethnic differences and experiences of suppression whilst promoting the development of individualized economic actors within the context of a market economy (cf. Jeffrey et al. 2012; Salmont, 2012; Thuen, 2012; Wilson, 2005). Since concepts of race and ethnicity generally “are formed [...] by and in contested historically contingent systems of power” (Postero, 2007, p. 10), notions of citizenship, whilst appearing to provide the means of overcoming such power differentials, serve more to provide new ways of masking and naturalizing them. If the idea of citizenship is problematic because of questions of ethnicity and hidden relations of power, at the root of these questions are different understandings of what it means to be a person on the basis of which citizenship is constructed, enacted, and perpetuated.

In negotiating their relationships with Indigenous peoples British and then Canadian governments developed a mixture of legal concepts of personhood and citizenship that have resulted in complex interactions between Settler and Indigenous populations. These assemblages reflect the evolving interests of Imperial and Indigenous leaders, which altered as control over territory was gained by the former and lost by the latter. Whereas early British imperial relations were governed by nation-to-nation diplomatic connections of alliance and protection, as the colonial settler state entrenched its territorial control and sought legal justification for doing so, its bond with the Indigenous peoples shifted into one of tutelage and trusteeship (cf. Emond, 2004; Ford, 2013; McHugh & Ford, 2013). These changes reflected the growing importance of the nation-state during the nineteenth century, with an associated shift towards increasingly codified legal processes aimed at solidifying state sovereignty and thereby justifying state control over resources. As a result, more fluid forms of legal pluralism that had existed during earlier periods of the colonial project became restricted (Benton, 2002, 2012). Out of these mutating regulatory milieus grew seemingly contradictory formulations of citizenship for Indigenous peoples.

One model of citizenship that has evolved for Indigenous peoples in Canada is the product of nation-to-nation relations established during the period of early imperialism. These were formalised by the Royal Proclamation of 1763, which speaks of having connections with “Nations or Tribes of Indians”. This view has been reaffirmed in the Canadian Charter of Rights and Freedoms (1982) and the Royal Commission on Aboriginal Peoples in 1996. A nation-to-nation approach entails the recognition of legal pluralism. It has resulted in acceptance of different and inherent rights belonging to Indigenous peoples in comparison to Settlers, and has produced a form of ‘differentiated citizenship’ enshrined by official law through the modern claims process. Indigenous peoples have thereby gained particular rights in official law that are different from those of the general population. Various Indigenous peoples have thus secured the power to control—often based on ‘customary’ practices—who is given membership of their polity as citizens with differential rights (cf. Blackburn, 2009; Grammond, 2008; Palmater, 2011).

In contrast, the second conceptual strain of citizenship that has been applied to Indigenous peoples reflects the standard notion of universal citizenship associated with the liberal nation-state wherein, upon achieving the status of personhood, all are equal under the law. In Canada, however, the historical application of this view has been patchy, with the result that Indigenous peoples are “uncertain citizens” relative to the larger polity (Borrows, 2003, p. 4). As the imperial state evolved into a settler one, and as nation-to-nation relations shifted into settler colonial ones, so state jurisprudence constructed some people as more equal than others. Progressively Indigenous peoples were framed as ‘uncivilized’ and judged to lack full qualities of personhood. Accordingly, they were denied the rights of universal citizenship, and were formulated, instead, as wards of the state. The colonial project of ‘civilizing’ Indigenous peoples and of developing their capacities to be active citizens—for example through religious conversion, sedentarisation, and residential schools—has been ongoing.

Given these two forms of citizenship—universal and differentiated—Indigenous peoples in Canada can deem themselves to have a form of dual citizenship. Some Inuit, for example, speak of being “First Canadians, Canadians First” (Nungak, 2011, p. 92). This means that Indigenous peoples can shift back and forth, sometimes
strategically, sometimes unconsciously, between different understandings of citizenship and the notions of personhood on which these are based. But what of customary notions of citizenship? Land claims appear to represent a means of providing a mechanism by which customary forms of citizenship may find expression, but in codifying customary notions of citizenship by means of official law, and thereby creating differentiated forms of citizenship, Indigenous peoples can become entrapped in definitions and processes that structure that law (cf. Grammond, 2008). As a result, not only do they risk becoming temporarily frozen in ‘custom’, but also rigid codifications of custom can actually negate the more fluid framework within which it is conceived and enacted. As Tuori (2013, p. 337) points out, attempts by colonial administrators to record customary law have had untoward effects so that “[p]reviously versatile changeable customary law, where process was more important than the rules, was transformed into a collection of old and immutable rules that no longer adapted to changing conditions. The legal formalism of colonialism reduced living traditions of problem solving to rigid rules adapted to state courts.”

Differential rights were variously instituted both in numbered treaties and in modern land claims agreements, and have served as the source of a particular legal form of personhood that has played out essentially in the same way for all the Indigenous peoples of Canada by linking their special status to particular rights to property and resource use that are different from others in Canada. Through the looping effect the repercussions of differentiated citizenship are complex. To illustrate this point, let us take the case of Nunavik.

The James Bay and Northern Quebec Agreement made up people and legally divided them into two categories: ‘beneficiaries’ and, by implication, ‘non-beneficiaries.’ These classifications have been institutionalized via various practices, including game management. Although supposedly based on ‘custom’, the regulations about beneficiary status and rights of access to wildlife are complex and have evolved over time since the JBNQA was first signed in 1975.

The Agreement identifies differential hunting, fishing, and trapping rights. Subject to conservation, beneficiaries have exclusive trapping rights and priority hunting and fishing rights. Thereafter the hierarchy essentially allocates hunting and fishing rights in this order: non-beneficiary sport hunting and fishing through outfitter camps, sport hunting and fishing by non-beneficiary residents of the territory covered by the JBNQA, sport hunting and fishing by non-beneficiary residents of the province of Quebec, sport hunting and fishing by non-beneficiary residents of another province in Canada. There is thus, a hierarchy of citizenship within the terms of the Agreement. The result is that these state-sanctioned persons have associated rights that determine who has access to what resources. This has implications for how ‘poaching’ is understood by Indigenous and non-Indigenous inhabitants and bureaucrats in the region.

Although based in official law, these definitions of personhood have become pivotal in the formation of subjectivities and identity politics that have played out in many Indigenous settings in Canada. They have become a means by which people come to define themselves and be defined by others. In Nunavik beneficiary and non-beneficiary status have become a proxy for ethnicity so that beneficiaries are a substitute for Inuit, and non-beneficiaries are all who fall outside this category. But more insidiously, as we shall see, it has also become a device by which some Inuit are developing divisions amongst themselves.

What is occurring in the region, at least for some, is a clash of institutionalized subjectivities, which serve both to individualize and totalize people. This is what the two quotations at the outset of this paper illustrate. In the first, the non-Inuit wildlife manager, was talking about the need for Inuit to take on understandings about themselves that will cause them to behave differently vis-à-vis their perceptions of, and behaviour toward, resources, particularly in terms of who may have access to them. In the second, the Inuk was recognizing some repercussions of having adopted these understandings. Inherent in this clash are differing notions of what it means to be an individual in society or an individual in community (Tonness, 1964). The former relies on liberal universal citizenship sustained by state-defined and enforced rights. These give rise to, and rest upon, the idea of discrete persons contractually bound together through the laws of the state. The language of rights emphasizes the interests of autonomous, egocentric individuals over those of the collective. Rights become more a means for making demands or claims against others than a recognition of responsibilities or obligations to them (Kneen, 2009).

In comparison, Inuit social life is based on extended familial links existing within networks of such links that serve as the basis of community. People are not above all individuals who then build relations with others. Rather, they are born into networks of social relations that are predicated on the fact that individuals are adjudged to understand themselves above all in terms of their links with and commitment to the larger group. The composition of which is flexible and in constant evolution (Briggs, 1970; Damas, 1963; Douglas, 2009; Fienu-Riordan, 2005; Guepemle, 1976; Nuttall, 1992, 2000). Whether it is in their fluid and expansive naming practices (Bennett & Rowley, 2004; Guepemle, 1971; Trott, 2005) or in their emphasis on sharing, particularly food (Bennett & Rowley, 2004; Kishigi, 2000; Oosten, Laugrand, & Rasing, 1999; Wenzel, 1995), Inuit social institutions enmesh and emphasize individual subjectivities within larger collectivities. The autonomous actions of individuals in hunting and gathering societies necessarily function within the context of strong underlying commitments to the larger social group.

In [Western society] we imagine every individual to be an exclusive being, a private subject locked up within the confines of a body, standing against the rest of the world consisting of an aggregate of other such individuals, and competing with them in the public arena for the rewards of success. Far from standing opposed to others, an individual in hunting and gathering societies incorporates them into the very substance of his being. The people around him, the places he knows, the things he makes and uses, are all part and parcel of his own subjective identity. He pursues his interests, but these are interests which both originate with, and seek fulfillment through, the collectivity (Ingold, 1987 pp. 239–40).

In such societies, collective action and decision-making relies on reciprocal solidarity founded in obligations rather than rights. These obligations inhere in, and bind recognized people with, each other and with the land.

Like many Indigenous peoples, for Inuit resource use provides a means of promoting and maintaining social relations based on networks of solidarity and obligation that are informed by moralities governing how resources are conceptualized and used. These relationships are founded in an “expansive” understanding of personhood that extends beyond humans to other components of the environment, such as animals and physical elements (Norton-Smith, 2010). They too have sentiment, volition, memory, and speech, which require humans to engage in moral relations of obligation with these nonhuman persons (cf. Fienu-Riordan, 2005, 2007; Hallowell, 1964). These obligations are based on reciprocal interconnections, on the basis of which, people are
adjoined to share the land and resources with others who develop and respect moral relations with the land and with those inhabiting it. According to Inuit beliefs, animals require Inuit to share them with others (Gombay, 2010). Should they not do so, they risk the animals knowing of such behaviour, and withholding themselves. Indigenous peoples elsewhere echo this perspective. Thus, Borrow (2002, p. 72) writes of “citizenship with the land”. Although Inuit would not frame their understandings of the relations that govern the links amongst persons in terms of ‘citizenship’, if viewed through the analytical lens of official law, for them animals and the land are active participants in the exercise of citizenship. Moreover in their ideal form, citizenship rights to hunt and fish may extend to non-Inuit who recognize and adhere to the morality that governs Inuit relations with the land and with one another.1 Thus the Inuk I quote at the outset of this article spoke of how,

[... ]In the past, they [Qallunaat] used to go with, I mean, really with [...] Inuit. Just do everything with them [...]. They were so close.

Similarly, another, who had expressed misgivings about non-Inuit, who were recent immigrants to Nunavik, and expected to be able to hunt and fish freely without needing the food, and doing so just for fun, made an exception for those who showed a long-term commitment to Inuit and the land. Thus he spoke of a non-Inuk who married an Inuit woman and over the years, spending time on the land with Inuit, gained their respect. “He proved that he was capable of going out on the land in the coldest of weather and be able to come back and learn the routes and the ways of the weather. [...] And that he was capable of surviving and respecting the animals and the fish.” A third Inuk echoed the view that those non-Inuit who demonstrated a commitment to the place and to Inuit regulations governing resource use are incorporated into the normative framework of sharing that is at the heart of Inuit property relations,

Even if the husband or wife are both Qallunaat, once people have been in town for a long time, we start to get to know how they want to live in the town. And if they like to go out hunting regularly, we just make sure that there are certain rules they have to follow, like we do with the Inuit, eh? They have to follow rules. [...] Not leaving your garbage behind. Make sure that your camp that you’ve overnighted is clean when you leave it. And make sure that you bring back all of the animals that you catch. And if you have to throw it, throw it in town into the garbage.

If constructions of personhood define ideas of citizenship, constructions of property developed in Nunavik has rendered this formulation yet more complex. To understand how people’s re- actions to ‘poaching’ are tied to evolving constructions of person- hood, citizenship, and subjectivity, we need to consider property’s role as a defining force in the region.

Property as defining

If we consider that ideas of what constitutes ‘poaching’ rest on constructions of legitimate and illegitimate access to resources, then we must consider how definitions of property and the relations that govern it are created, sustained, and enacted. Property rights define and regulate access to, and withdrawal of, resources. They also determine the management, exclusion, and alienation of resources, whether material or immaterial (Schlager & Ostrom, 1992). Although seemingly designating people’s rights to things, what property rights are really about is the determination of relations between people with respect to things (Singer, 2000). Importantly, the ways in which property is perceived and enacted are the product of particular values reflecting culturally distinct understandings both of people and of the things to which property rights are assigned.

Blomley (2004, p. 99) argues that property is a “vector of power” whereby people gain specific entitlements that are shaped and maintained by the ways in which property is defined. These enti- tlements establish and perpetuate social relations, so that those who benefit from particular property formations have an interest in ensuring that these are preserved. There is thus an inherent politics to the ways that property is created and used. For Indigenous peoples the process of colonization has entailed transformations in the definition of property relations that have challenged both their relationships to things, and their understandings of what determines their relationships with people (cf. Bryan, 2000; Dempsey, Gould, & Sundberg, 2011; Graham, 2011). In the encounter between Indigenous peoples and the colonial state lie questions about who has the power to determine the social and conceptual practices that establish and maintain property.

Although Europeans had long debated how they could justify their occupation of Indigenous lands (cf. Russell, 2005), ultimately British constructions of property that came to be applied in its various settler colonies were based on the Lockean principle that the ownership of land required that its occupants had demonstrably transformed it through their labour. The British thus felt justified to dispossess Indigenous peoples of the vast majority of lands that they occupied. In Canada, historical treaties and modern land claims generally set aside portions of land for the exclusive use of Indige- nous collectivities whose membership was essentially defined on the basis of race. The vast majority of lands, however, came under the control of the Crown or of private landowners. This has either completely prevented Indigenous peoples from being able to hunt, fish, and trap on private lands, or, in the case of Crown lands, left Indigenous peoples subject to the ultimate authority of the Crown for their access to, and withdrawal of, resources.12 In Nunavik the vast majority of the territory has become Crown lands, open for exploitation by the private sector and the settler colonial state.

For Indigenous peoples treaties and land claims have essentially resulted in the establishment of enclosures founded in the creation of actors who were variously induced to become individualized, racialized, and productive members of the market economy (cf. Bryan, 2000; Dempsey et al. 2011; Kobayashi & Deleuw, 2010; Vasudev, Mcfarlane, & Jaffrey, 2008). Indigenous peoples have been (re)defined through the legally codified property configura- tions of land claims, which have enshrined new forms of person- hood and resulted in the expression of new subjectivities.

If property is best understood as the relations between people with respect to things, and if these relations are being questioned, then we need to consider two questions. First, we must consider on what basis both things and people are supposed to be understood, and second, we have to examine in what ways these definitions delimit the kinds of relationships that are permitted to exist. Again, let us turn to Nunavik.

**The JBNQA: constructing people and property**

The JBNQA institutionalized non-Indigenous values, un- derstandings, and modi operandi. The Agreement coded space and people by formalizing new property regimes linked to the creation of new forms of personhood, each of which became technologies of power. These reserved access to resources to particular
populations, whilst simultaneously sanctioning access to resources by others.

Due to an impending hydroelectric development that had been initiated by the Province of Quebec without prior consultation with, or the consent of, the Cree, Inuit, or Naskapi residents of the region, the Agreement was speedily negotiated. This was required because the state had not gained the legal right through treaty to undertake the project (cf. Canobbio, 2009; Qumaq, 2010). With some exceptions,12 the Indigenous residents of the region felt compelled to sign the Agreement, and thereby adopted a new set of regulatory institutions as defined by the JBNQA. Both Cree and Inuit were party to the Agreement and settled upon roughly similar rights and obligations flowing from it.14 Thus people with rights of access to, and withdrawal of, resources were determined according to a codified and objectified set of rules as laid out in the JBNQA.15 For Inuit these included dividing the land into three categories (Fig. 2).

Subject to conservation, beneficiaries may hunt, fish, and trap unrestrictedly on all of these lands with exclusive rights on Category I and II lands. In each settlement that signed the Agreement, beneficiaries have landholding corporations that are tasked with managing Category I and II lands. Category III are Crown lands where, in addition to beneficiaries, non-beneficiaries may also hunt and fish, so long as they respect state laws, conservation regulations, and objectified set of rules as laid out in the JBNQA.15 For Inuit these included dividing the land into three categories (Fig. 2).

The JBNQA compelled Inuit to adopt the language and behaviours of clearly bounded property, and they have come to use these to be understood by non-Inuit. But in so doing, they have been caught in a spiral of effect and counter-effect that circle around their normative assumptions. In order to regulate resource use by immigrants (Benda-Beckmann et al., 1998), they were called into question by the enforcement of the rules governing these matters as defined by the JBNQA. For both groups the effects of such enforcement have proved contentious.

In Nunavik what is thought to be ‘poaching’ is contested. The notion presumes that individuals are catching game on property that is not theirs and/or in contravention of conservation laws. Although settler state legislation regulating wildlife use had been on the books since the end of the 19th century, development of state wildlife management infrastructure in northern Quebec, along with its attendant application of regulations, started only very partially as of the 1930s (cf. Kulchyski & Tester, 2007; Morantz, 2002). Indigenous inhabitants of the region were essentially non-players in this process. This changed with the JBNQA, which set up co-management boards and stipulated that Indigenous residents be trained to ensure their involvement in the enforcement of wildlife regulations. Despite some spluttering attempts in the 1970s, a concerted and widespread application of this provision, along with the enforcement of regulations governing hunting and fishing were not forthcoming. It has only been since the early 2000s that the regulations governing peoples’ hunting and fishing have been increasingly enforced by the state.13 In the process, both Inuit and non-Inuit have come to feel that their heretofore relatively unrestricted activities were being framed as poaching either by the state or by local individuals.

Thus, some Inuit spoke of having to respect state conservation measures preventing them from hunting beluga (see below). They feared the same regulations would be applied to other marine mammals, such as walrus and polar bears. They spoke of being charged by provincial representatives for wasting fish by leaving their nets in the water for too long, despite the fact that the fish would be consumed by their dog-team. They spoke of being prevented by provincial authorities from going hunting and fishing with non-Inuit, despite their having been wont to do so for many years.

Similarly some non-Inuit spoke of being obliged to buy provincial and community landholding permits to hunt and fish when they had never done so in the past. They spoke of poaching being accorded by some Inuit whilst out hunting and fishing with Inuit friends with whom they had habitually done so in the past. They spoke of having to hire Inuit guides (as required by the JBNQA) when they had never done so in the past. They spoke of being prevented from fishing in Category II waters when they had been able to do so in the past. They spoke of going out alone or accompanied by other non-beneficiaries and of hiding their fishing and hunting equipment.

Both Inuit and non-Inuit were struggling to come to terms with the ways in which, in the equation that defines property as a relationship between people and things, their assumptions were being called into question by the enforcement of the rules governing these matters as defined by the JBNQA. For both groups the effects of such enforcement have proved contentious.

In situations of legal pluralism, where newcomers are schooled in the legal traditions that have governed local property relations, Indigenous peoples often have no recourse but to call strategically upon formal configurations of property, as defined by state laws, in order to regulate resource use by immigrants (Benda-Beckmann et al., 1998). Thus, in contrast to the Inuk I quote at the outset of this article, whose notion of property rights continued to be governed according to Indigenous traditions of sharing, representatives of Inuit organizations to whom I spoke — Makivik, Kuujjuaret’s landholding corporation, and the regional hunters’ association — were opting to draw upon the language and operations of state-defined rights in an attempt to rein in the activities of non-Inuit. They have thus tried to use official law and the differential rights established via the JBNQA to protect what they see as the collective interests of Inuit. But in so doing they have become
Fig. 2. Nunavik land categories.
caught in the state’s need to change people’s mentalities, and have become prone to unexpected dialectical effects.

On the whole, the growing enforcement of wildlife regulations was the result of lobbying by representatives of Inuit organizations who were perturbed by non-beneficiaries’ hunting and fishing, and therefore wanted the government to enforce the regulations controlling these activities by non-beneficiaries. As I discuss below, their reasons for doing so were multifaceted. Some felt exasperated by what they perceived to be a double standard in the imposition of regulations on Inuit as compared to non-Inuit. This was compounded by a growing sense amongst some of the Inuit to whom I spoke of alienation and resentment towards non-Inuit, whose population was increasingly large and transitory in the wake of the signing of the JBNQA. Moreover, many non-Inuit in Nunavik occupy well-paid positions. Some Inuit to whom I spoke resented non-Inuit hunters and fisher, whom they perceived to be at an advantage in comparison to Inuit. First, non-Inuit did not need the food they gained from their activities; and second, in comparison to many Inuit who struggle to afford to do so, non-Inuit are generally readily able to pay for the equipment and fuel necessary to go out on the land. Such disaffection, in combination with the enforcement of regulations, has resulted in a series of double binds and re秩序ings in (self)relations.

**Regulatory double binds**

One reason some Inuit called for the government to enforce regulations concerning non-beneficiary hunting and fishing was linked to the fact that the state had recently, and for the first time, charged Inuit with what essentially amounted to poaching beluga whales. Although under the terms of differentiated citizenship defined by the JBNQA, beneficiaries are given unlimited rights to hunt, fish, and trap in Nunavik, these rights are subject to conservation. Thus, due to concerns about population numbers, the state imposed increasingly restrictive measures on Inuit, which required them to hunt belugas in proscribed areas at proscribed times and subject to a quota. In 2005 and 2006, because they went over the quota’s limits, the Federal government charged some Inuit with violations under the Fisheries Act\(^7\) (cf. George, 2007; Kishigami, 2005; Tyrrell, 2008). Many Inuit questioned the state’s legitimacy in doing so.

Given their resentment of having state wildlife management rules applied to them, and given that they saw non-Inuit in some instances disregarding those state rules by hunting and fishing when and where they were not legally allowed to do so according to official regulations, some Inuit were beginning to call upon the state to control non-beneficiaries. But Inuit have been caught in a double bind whereby their call for the application of state laws to challenge injustices lends legitimacy to wider socio-spatial practices established by those laws. At the same time, they are drawn more deeply into the injustices those laws created in the first place. As Povinelli (1998, p. 591) argues, the aim of law is “the resubordination of ... [ ... ] Aboriginal society vis-à-vis European law and society”. Thus, in calling for stricter enforcement of the state-established regulations, and in restricting the rights of non-beneficiaries to hunt and fish, some non-beneficiaries are responding accordingly, using the legal context in which those regulations are framed. In the process, universal, customary, and differentiated forms of citizenship collide.

Some of the non-Inuit to whom I spoke understood their access to resources as fundamentally grounded in the notion of the rights of universal citizenship. They struggled with the implications of the differentiated citizenship rights established in Nunavik. As one non-beneficiary who had recently moved to Nunavik said when talking about the fact that certain areas in Nunavik are set aside for hunting and fishing by beneficiaries, “So, to be honest, sometimes I think, ‘I’m still on Québécois soil, on Canadian land.’ It seems to me that I don’t have all my rights.”\(^18\) As universal citizens, it is unacceptable that some receive preferential treatment. Such a view reflects a strong belief in Quebec that all citizens should be equal in the eyes of the state (Scott & Webber, 2001).

Another non-Inuk did not accept such treatment. Instead, in response to his belief that Inuit were attempting to use state regulations to curtail his hunting and fishing, he used the laws associated with universal citizenship to define his hunting and fishing rights officially. Since Puivirtut, where this person lived, had refused to sign the JBNQA and adopt the property regimes of Euro-Canadians, it does not have Category I, II, and III lands. Consequently, this non-beneficiary successfully used the property rights defined by the JBNQA to lobby the provincial government and gain rights to fish on lands, which, in other settlements, would likely be subject to exclusive Inuit use. As this person put it, “[I]f I have to respect the regulations for hunting and fishing, well then so do they [Inuit].”\(^18\)

Through the reconfiguration of property and personhood that is being enacted under the rubric of wildlife management in Nunavik, people are gaining rights and losing them. They are drawing upon these rights to reconfiguire their relations with one another in such a way that, at one level, lines of division, be they ethnic or communal, become more sharply drawn, whilst at another these are countered by practices of universal and differentiated citizenship. And through the looping effect, their relations with, and understandings of, both others and themselves are altering.

**Regulating (Self) relations**

The enforcement of state wildlife regulations that determine who may and may not hunt and fish has been accentuating divisions between Inuit and non-Inuit in such a way that the new forms of personhood created as a result of the JBNQA, in combination with the looping effect issuing from these creations, appear to cause disruptions to people’s conceptions of the rules that determine personhood and the rights that ensue therefrom.

As discussed earlier, Inuit have a tradition of according customary forms of citizenship to those who have assimilated the moral relations on which this status is based. The implementation of wildlife management laws have entrenched divisions between Inuit and non-Inuit, on the basis of new forms of personhood, new conceptions of citizenship, and new spatial formations governing access rights to resources. Whereas in the past Inuit and non-Inuit built social relations through hunting and fishing together, state regulators are beginning to implement rules, defined by the JBNQA, that assert that non-beneficiaries are not permitted to hunt or fish without a licence outside of prescribed seasons and stipulated locations. Various Inuit and non-Inuit research participants commented that this has set a wedge between beneficiaries and non-beneficiaries so that they are excluded from the networks of sociability that develop in spending time on the land together. Part of what the Inuk I quote at the outset regretted was that the enforcement of state laws prevents her from respecting the rules guiding her customary citizenship, which had permitted her to go hunting and fishing with those non-Inuit with whom she had developed close social relations. She was forced by official law to deny her customary conceptions of personhood. Still more insidiously, as she went on to discuss, Inuit are starting to “learn” from Qallunait to apply to one another new definitions of personhood as defined by the JBNQA and enforced by the state. Society and community, rights and obligations are thus colliding.

Some non-beneficiaries said that the enforcement of wildlife regulations restricting their activities reflected nothing other than “racism”. In their view Inuit were using the hunting and fishing regulations to exclude non-Inuit on ethnic grounds from hunting and fishing, as had been their wont. Such exclusion certainly stems
from differentiated rights of citizenship. Yet given that various Inuit observed that the growing number of transient non-Inuit were in a different ontological category from those who had long been there, such exclusion might also reflect the fact that, lacking close bonds with Inuit, they had not necessarily acquired customary rights to hunt and fish that might have accrued to them as members of the community. Instead, they were free-riders whose hunting and fishing threatened the relations between people and things that govern Indigenous configurations of property.

Although some non-Inuit to whom I spoke understood that their hunting and fishing were significantly different from those of Inuit, they regretted that the imposition of regulations based on beneficiary and non-beneficiary status was dividing them; it was preventing them from spending time on the land with Inuit. This was particularly difficult for those who had been in Nunavik for many years and had developed close relationships with some Inuit. As one person put it, life in Nunavik was becoming increasingly “categorized, sectorized and anonymous”. Some Inuit, too, regretted the changes in relations between them and non-Inuit that were occurring as a result of the enforcement of wildlife regulations. So the Inuk I quote at the start of this article was disturbed by the fact that the enforced divisions in land and amongst peoples meant that the two populations are not “allowed” to know one another.

But these struggles go deeper, as the looming effect causes people to apply these newly made up notions of personhood to themselves. As Foucault (1982 & 2000) underscores, the exercise of governmentalized power is productive of systems of relations; it guides people’s conduct and orders its possible outcomes. So, for example, non-beneficiaries who, due to their close relations with Inuit, accompanied them in hunting and fishing without observing state regulations, said they were the object of jealousy by non-beneficiaries who felt that a double standard was at play and had therefore reported their activities to the authorities.

Similarly, a couple of Inuit discussed a local Inuk wildlife officer who had said (incorrectly) that Inuit who married non-Inuit would lose their beneficiary status and no longer be allowed to hunt or fish freely. Others spoke of divisions appearing amongst Inuit so that some Inuit had adopted the vision of exclusive property as defined by the JBNQA and now viewed the land categories they had identified through the claims process as ‘belonging’ to them. As a consequence, they were accusing other Inuit of what amounts to ‘poaching’, saying that they had no right to come and hunt or fish in their territory.20 Such territorial relations are fundamentally new and go counter to the ways that Inuit have perceived themselves and the expansive rights of customary citizenship that guided their property relations prior to the introduction of the JBNQA.

The codified laws of the state are thus defining understandings of personhood and the relations that ensue. But perhaps the most subtle transformation in personhood that state wildlife management regulations are instilling in the minds of Inuit – part of the mentalities that need changing – relates to the animals they hunt and fish. For Inuit, the animals they kill are powerful nonhuman persons who offer themselves to those who treat them appropriately. Thus, for example, one of the research participants mentioned, “the old people used to say, ‘Don’t ever fight for any animal! Don’t fight for the food that god gave us’”. If Inuit regard these as disrespect, the animals can withhold themselves for many years (cf. Fienup-Riordan, 2001; Oosten et al. 1999). In recognition of this offering Inuit must share that gift with others. Animals are thus active moral agents in the exercise of customary citizenship. In contrast state regulations frame those animals as neutral economic goods. These moral foundations of Inuit hunting and fishing are not deeply understood by most non-Inuit. In enforcing state management regimes, regulators oblige Inuit to change their mentalities. So the wildlife manager I quote at the outset of this article was referring to the fact that Inuit should learn to stop sharing the land and its resources with non-Inuit, and stop giving meat to their non-beneficiary friends. But for Inuit success in hunting and fishing requires them to share what they receive with others. Ethnicity should play no role in this process. In contrast, the JBNQA, guided by Western-style notions of conservation, and limited concepts of personhood, preclude Inuit from giving country foods to non-beneficiaries. Thus, as the wildlife officer I quote at the outset said, Inuit must be “educate[d] about issues of protection” and learn to distinguish a person according to the laws of the state rather than those of custom.

Conclusion

Through land claims people, property, and resources are refashioned, and tensions thus ensue. In their aftermath, depending on the circumstances, some individuals may function according to long-held traditions that define their relations with the land, whilst others may start to function according to new rules. In settler colonial contexts, not only does one find situations of legal pluralism, but also, depending on the conceptual scale at which individuals are operating, local norms defining personhood and citizenship can conflict with official ones. Thus, individuals may variably or simultaneously be deemed as citizens, with one set of rules backed by state laws, as members of local collectivities, with other rights and obligations determined according to custom, or as “strangers” lacking in any rights (Benda-Beckmann, 1997). Moreover, these sets of rights and responsibilities may be further complicated by the allocation of specific and separate differential rights granted to Indigenous peoples. In their interactions with one another, Indigenous and Settler populations mix these disparate ontological forms together in ways that defy the precise definitions so prevalent in the framings of official law.

In the context of settler societies, as we consider multiple constructions of citizenship and the subjectivities that become their expression, we need to think about ideas of personhood that are at the root of these constructions. Is personhood defined and performed according to official or customary law? Does official law allow for expansive understandings of personhood or is it limited to particular sets of human beings? Does the idea of citizenship serve to construct relations with resources that frame them as amoral, neutral economic goods, or is it built on, and reinforcing, a notion of the land and animals as foundational to the morality that binds people together? As this article has demonstrated, the answers to these questions are not clear cut. People’s responses evolve and shift according to circumstances.

As the state has moved north and started to enforce wildlife regulations based on the rule of formal law, the process has entailed the reworking of the moral codes that have simultaneously defined what people are and how they should relate to one another. This results in struggles of co-existence between a model of personhood founded in the gift and based on obligations to the collective, and a model of personhood associated with individual rights and the market economy.

In taking on new forms of personhood, whether voluntarily or not, Inuit must confront a variety of unexpected dialectical effects. Thus, in calling for the imposition of rules in order to resist other rules, Inuit leaders are ultimately enmeshing themselves more deeply in those rules in unanticipated ways. The rules’ very framings fundamentally preclude that it might be otherwise. Although the JBNQA may have given Inuit some authority to ensure that state regulations must be respected, they are confronting the fact that authority comes with strings attached. At the same time, although subject to governmental dynamics, some Inuit simply ignore state laws, whilst others, not having given in wholesale to
the direct or indirect rule of the state, are struggling instead to use
the state to try to beat non-Inuit at their own game. Yet, “[… ]
the vast majority of citizens who are subject to contemporary gov-
ernmentality opt for forms of resistance that are also forms of
complicity”1 (Lanoue, 2007, p. 293). It is this dialectic of resistance
and complicity that forms the basis of on-going colonial relations in
Nunavik. In situations of legal pluralism and interlegality, where
there are dynamic and evolving relations and interactions between
legal norms, people may call upon customary or official laws stra-
getically. Thus at times Inuit are persons as defined by the JBNQA,
and at others they are persons according to their own traditions.

Within the context of the official law that frames the actions of
the state, personhood, and therefore universal citizenship, is
conferred only on humans. But according to customary law that has
guided Inuit behaviours, which is based on expansive notions of
personhood, animals and other elements of the environment can
be actively involved in the exercise of citizenship. Into the mix the
JBNQA throws the position of differentiated citizenship in the form
of beneficiary status. But the relationship between these three
classes of citizenship — universal, customary, and differentiated — is
convoluted. And how this plays out in the performance of sub-
jectivities adds yet another level of complexity.

Identity creation is multifaceted. We do not stay static. We are
constantly reshaping ourselves according to circumstances. There is
a politics to identity construction that people respond to strategically
rather than ontologically. Identity is performed provisionally, and is
“always internally fractured and externally multiple” (Bondi, 2004, p.
95). So who we are is not so much about fact as it is about perception,
and this perception is always situated. When the state intervenes
and starts to make up people, and institutionalizes that construction,
than people can get trapped, so that perception become encased in
stable and essentializing ‘facts’: official law stipulates that you are or
are not a beneficiary and then all sorts of results ensue.

Rather than focusing on how such institutionalized identities
get created, however, we should think about when they are created
and why they are invoked (Chun, 2009). In the work I have been
doing in Nunavik, part of what is occurring, at least for Inuit, is that
the when and the why of identity-invocation is shifting and hybrid
as people adjust to processes of colonization and the contestations
of power that accompany them. As Inuit take on beneficiary status
as a means of protecting themselves from those forces of coloni-
ization, they are also falling prey to them. And through the looping
effect, their resistance becomes a twisted form of complicity. When
the state stepped in so that it might have access to northern re-
sources, Inuit became people with rights defined by official law.
Beneficiary status became a technology of rule by which people
could both govern others and be governed. When Inuit adopted a
perception of themselves as differentiated citizens, notions of re-
sponsibility and obligation that had previously shaped the social
relations regulating their access to, and use of, resources were
recast and changed. Differentiated citizenship is not a proxy for
customary citizenship.

From the perspective of many Indigenous peoples personhood is
a relational ontological construction that shifts as circumstances
demand rather than an absolute and monolithic one of the kind
built into the fabric of universal, or even differentiated citizenship
as defined by modern land claims (Dorais, 2005; Salmond, 2012). In
a sense, the construction of differentiated citizenship reflects an
acknowledgement on the part of the Canadian state that Indige-
nous peoples should be granted a different status in the context of a
settler society. Bondi (2002, 2006) argues that ideas of differ-
entiated citizenship should not simply become a means by which
Indigenous peoples can exercise parallel practices that embody and
define Indigenous ideas of personhood and membership in the
collectivity. Instead, colonial states and citizens should learn from,
and incorporate these practices into their own praxis (cf. Loukacheva,
2007). But to be effective, such an act would require that formal law becomes less “dogmatic” and rigid (Harhoff, 1991, p.
65), and adopts, instead, a practice that reflects a largely Indigenous
approach to personhood and citizenship wherein membership is
expansive and dynamic. Ultimately Inuit notions of personhood
and citizenship are subject more to obligations than rights and
reflect a primary commitment to the collective. Under their tradi-
tions personhood and citizenship can extend to the land, the ani-
mals, and those who adhere to the morality governing human
relations with these elements, whatever their provenance.

There are dangers, however, in equating Indigenous notions of
personhood with the language of citizenship, because the moral
frameworks and the social relations that govern them are essen-
tially incommensurable. Relationships of universal or even differ-
entiated citizenship as embodied by the JBNQA are debatably a
starting point for addressing some of the injustices experienced by
Indigenous peoples in settler societies, but they are not sufficient,
because the very basis of clearly defined formal legal principles on
which they are founded countermand the flexibility and expansive
understandings of personhood built into Inuit legal traditions. Each
is the product of, and produces, fundamentally different normative
principles of personhood. Some (Painter & Philo, 1995; Staeheli,
2011) stress the need to recognize and allow space for informal
performances of citizenship. This research underscores the con-
tradictions that arise as a result of codifying notions of personhood
and citizenship where there are power differentials and a lack of
understanding of the socio-cultural framework on which these are
based. Thus, although the JBNQA allows for differentiated citizenship
as a means of enabling the continuance of customary practices,
in the application of wildlife regulations the normative principles
upon which this citizenship is based become twisted to fit the
framework of rules as defined by official law. So notions of
expansive personhood that establish relations of citizenship with
the land become framed instead according to the individualizing
principle of rights. Perhaps the mentalities that need changing are
those that are inclined to pin down, systematize, and render rigid
what it means to be a person.

Conflict of interest

There is no conflict of interest.

Acknowledgements

My thanks to Kirsten Anker, Robin Campbell, Anne Douglas, and
three anonymous reviewers.

Endnotes

1 This is the administrative region of the Inuit portion of northern Québec (see Fig.
2).
2 My translation from the French: Il y a des mentalités à changer [… ]. Et puis
modifier la protection de la faune au Nunavik, l’esprit des gens, leur attention à la
protection de la faune, il faut sensibiliser les communautés Inuit aussi [… ] à
bien pour eux autres de protéger la population animale dans le coin. Mais ça va se
faire. Ça va prendre une génération pour faire ça.
3 This is the Inuittit word for non-Inuit.
4 I have done community-based research in Nunavik since the mid-1990s. The
interviews for this research were conducted in Kuujjuaq and Puvirnituq between
2006 and 2008, and involved 12 Inuit and 17 non-Inuit. They included hunters and
fishers, representatives from four levels of government (municipal, regional, pro-
vincial, and federal), representatives of Inuit organizations (Makivik, Kuujjuaq’s
landholding corporation, and the regional hunters’ association), owners of outfit-
ting camps, and members of co-management boards. Non-Inuit research partici-
pants included federal and provincial bureaucrats (based in the Nord-du-Québec
region and in southern Québec) as well as people (working in health and in edu-
cation) who had lived in the region from two to more than thirty years.
aussi des formes de complicité et la pensée c'est que je n'ai pas tous mes droits.

[33x245]References

13 Salluit, Puvirnituq, and Ivujivik initially did not sign the Agreement, although

11 I stress that this is an ideal form. During the course of this research I was certainly

10 It is beyond the scope of this paper to explore this de

8 For information of the differential hunting and

6 For First Nations this was primarily done via the Indian Act.

5 Increasingly people speak of normative pluralism, from which legal orders arise (Twinning 2010 & 2012; Tuori 2013). According to Tuori (2013, p. 339) “State legal pluralism and normative pluralism differ primarily in terms of the involvement of state structures, in which the first sees the state legal system as a universal system and the non-state normative orders having validity only through the acceptance of the state system, and the second gives precedence to the local, viewing the state structures as interferences.”

4 For First Nations this was primarily done via the Indian Act.

3 For more details on beneficiary enrolment see Section 3 of the JBNQA & Complementary Agreement 18. See also Grammond (2008).

2 For information of the differential hunting and fishing rights of beneficiaries and non-beneficiaries see the JBNQA, Sections 24.3, 24.5, 24.6, and 24.8. For Cree case studies see Morantz (2002) and Scott and Webber (2001).

1 According to Sections 24.8.2 and 24.8.5 of the JBNQA, Indigenous communities determined a period in which non-beneficiaries must live in their settlements before being given residency status. These rules may vary from one settlement to the next.

It is beyond the scope of this paper to explore this definition in more detail, but since the JBNQA was first formulated, the rules defining beneficiary status in Nunavik have evolved with time to become increasingly restrictive so as to exclude non-Inuit. See Grammond (2008) for more discussion.

1 I stress that this is an ideal form. During the course of this research I was certainly told of cases of non-Inuit being made to feel unwelcome by Inuit. Similarly Inuit

2 told of cases of non-Inuit being made to feel unwelcome by Inuit.

3 Government representatives to whom I spoke stressed that they were required to

4 the state (in the form of the Minister) has the ultimate right of veto.

5 It is beyond the scope of this paper to explore this de

6 For First Nations this was primarily done via the Indian Act.

7 References


Bonnich, B. (2009). Geopolitique d’une ambition Inuite: le Québec face à son destin nordique. Quebec, Qc, Canada: Septentrion.


Douglas, A. S. (2000). “It’s like they have two parents”: consequences of inconsis-

Emond, A. (2004). Mutations de la définition in more detail, but

1400. Cambridge, UK; New York, USA: Cambridge University Press.

1341. Cambridge, UK; New York, USA: Cambridge University Press.

1900. Cambridge, UK; New York, USA: Cambridge University Press.

119.