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James B. Waldram

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Résumé de l'article

Les ethnologues de la région subarctique ont rarement considéré les implications des statuts d'Indien légal et de traité dans l'examen des relations inter-ethniques et interpersonnelles. Au moyen du concept d'ethno-statut, l'auteur entend démontrer que l'identité du Natif doit être perçue comme le produit de l'effet réciproque des facteurs culturels et de ceux associés au statut légal/traité. Les identités ethno-statutaire se présentent différemment selon qu'il s'agisse de contextes social, économique ou politique. Les relations inter-ethnique et interpersonnelle, donc, ne sont que partiellement gouvernées par les facteurs culturels et, dans certains contextes, le statut légal des intervenants prédomine. Des exemples de la littérature ethnographique sont présentés pour étoffer cette discussion.

Ethnostatus Distinctions in the Western Canadian Subarctic: Implications for Inter-Ethnic and Interpersonal Relations

James B. Waldram
University of Saskatchewan

Subarctic ethnologists have rarely considered the implications of legal Indian and treaty status in their examinations of inter-ethnic and interpersonal relations. Utilizing the concept of ethnostatus, the author argues that Native identity must be seen as the product of the interplay between both cultural and legal/treaty status factors. Ethnostatus identities present themselves differently in different social, economic and political contexts. Inter-ethnic and interpersonal relations, therefore, are only partially governed by cultural factors, and in certain contexts the legal status of the role players seems to be paramount. Examples from the ethnographic literature are presented to support this argument.

Les ethnologues de la région subarctique ont rarement considéré les implications des statuts d'Indien légal et de traité dans l'examen des relations inter-ethniques et interpersonnelles. Au moyen du concept d'ethno-statut, l'auteur entend démontrer que l'identité du Natif doit être perçue comme le produit de l'effet réciproque des facteurs culturels et de ceux associés au statut légal/traité. Les identités ethno-statutaire se présentent différemment selon qu'il s'agisse de contextes social, économique ou politique. Les relations inter-ethnique et interpersonnelle, donc, ne sont que partiellement gouvernées par les facteurs culturels et, dans certains contextes, le statut légal des intervenants prédomine. Des exemples de la littérature ethnographique sont présentés pour étoffer cette discussion.

The study of inter-ethnic and interpersonal relations in subarctic Native communities owes a great debt to the pioneering work of John Honigmann (1952, 1957, 1962, 1975), whose examination of the nature of relationships between non-Natives and various Native groups in multi-ethnic northern communities inspired a great deal of research. Recent research on inter-ethnic relations in the pre-contact, historic post-contact and contemporary periods has focused on relations between members of different Native cultures (e.g. Barger, 1979; J.G.E. Smith, 1981; Jarvenpa, 1982a, 1982b). Indeed, a special issue of *Arctic Anthropology* (Volume 16, Number 2, 1979) was dedicated to this important area of study. However, it is evident that the study of inter-ethnic and interpersonal social relations has consistently avoided addressing the implications of legal Indian and treaty status. Relations among Native people who are distinguished according to such status would seem to be a logical area of investigation, yet very few studies addressing this issue exist. The purpose of this paper is to explore the manner in which legal status plays a role in the formation, maintenance and expression of individual identity, and the manner in which it governs or influences social, economic and political relationships and interactions. The ethnographic context of this discussion will be the western Canadian subarctic, although the basic principles should be transferable to Native Canadians in other areas.

It is evident from the literature, and from personal communication with various subarctic ethnologists[1], that the distinction between those subarctic Native people with legal "Indian" or treaty status and those without has rarely been a topic of investigation[2]. While in some cases virtually no mention has been made of the existence of a non-status population, in others this population has been lumped together and labeled "Metis", and in an even cruder form, "other Natives". Labelling seems to have caused a great many problems, and we are often faced with such confusing and overlapping terms as "Indian," "status Indian," "registered Indian," "treaty Indian," "non-status Indian," "non-registered Indian," "non-treaty Indian," "Metis," and "Native." These terms have frequently been applied very loosely, without proper attention to the very specific meaning of each. Noel Dyck first brought this to our attention when he wrote the following:

> [Some academics] use terms such as 'Indian' and 'Native' quite interchangeably and without qualification. Since individual authors seldom offer any explanations of why they follow this practice—even though they may note that they do follow it—one is left uncertain about the basis of their disinclination to distinguish between registered Indians and other peoples of aboriginal ancestry in circumstances where such distinctions are appropriate and sometimes even essential. It may be that they are not aware of the significant nature of the legal and—in some parts of the country—social distinctions that exist between registered Indians and other indigenous peoples. On the other hand, it may be that they subscribe to a school of thought which denies that such distinctions are either 'meaningful' or warranted (1980:36).

Further, where these terms are used locally by Native people themselves, there has been a tendency for ethnologists to assume cultural differences because of the existence of separate terms. Even the contemporary, seminal work on the subarctic, appearing as volume six in the *Handbook of North American Indians* (Helm, 1981), failed to consider the implications of the legal distinction in any coherent fashion, although a few authors did address the issue briefly in their submissions.

From those ethnologists who have grappled with the complex legal and cultural issues affecting social relations in the subarctic, three basic approaches are discernible. The first approach has been to describe the non-status residents as culturally synonymous with their status Indian relatives and friends, and describe both groups as culturally "Indian." In the treaty areas of the western subarctic, the distinction has occasionally been made between "treaty Indians" and "non-treaty Indians" (e.g. Smith, 1975, 1978; Jarvenpa, 1980, 1982b). Such a distinction has served to define to some extent the somewhat different legal position of the two populations, although treaty status is not a legal status in the same sense as status under the *Indian Act.* Making the distinction according to treaty status, while accurate (since Natives lacking Indian status cannot be treaty Indians), may shroud the issue somewhat by failing to clearly distinguish "treaty" rights from those rights flowing from legal Indian status under the *Indian Act.* So, for instance, when Smith (1978:46) discusses the "differential treatment accorded by the federal and provincial governments to treaty and non-treaty Indians" in northern Manitoba, he is likely describing a situation which is primarily the product of the different legal position of segments of a culturally homogeneous population with reference to the *Indian Act,* and not the result of the treaties. Similarly, Jarvenpa (1982b:297) also does not make the distinction between treaty and *Indian Act* rights in his discussion of the Cree and Chipewyan in northern Saskatchewan. In this case, he notes that,

> Differential rewards and expectations of government—imposed policies make the categories "Treaty" and "non-Treaty" increasingly significant dimensions of identity and sources of tension in everyday life.

For the most part, these "government-imposed" policies are a product of the legal status of the client group, and not their status under treaty.

A second approach has been to view subarctic Native people in the context of ethnicity. Sawchuk (1978), for instance, clearly distinguished the "non-status Indians" from the "status Indians" in the legal context in his discussion of the Metis of Manitoba, yet he condemned any attempt to define the Metis in cultural terms as separate from the Indians. For him, being Metis was primarily a product of ethnic self-identification. One is Metis because one identifies oneself as Metis. However, this definition is little better than the circular *Indian Act* definition of "Indian,"[3] and fails to deal with the fact that some non-status Indians have adopted a Metis identity as a result of their incongruous legal position. Nonetheless, Sawchuk (1978:13) anticipates the present analysis when he writes that, for the Metis,

> ... it would be the height of folly to attempt to generate ethnic entities using cultural criteria such as language, territorial contiguity, or any such marker, without a consideration of the *political processes* (or boundary maintenance) which in reality defines the unit [emphasis added].

Sawchuk (1978) also viewed Native (and especially Metis) ethnicity as adaptable and manipulable to the particular socio-political situation. A similar view has been expressed by Watson (1981) in his discussion of ethnicity in Yellowknife. According to Watson (1981:

460), Native ethnic "categories" are "essentially amorphous, proteanly flexible, and inherently prone to manipulation in the course of social transactions." He too eschews the practice of employing cultural criteria to distinguish Native ethnic groups, but offers little in replacement. Largely absent from his analysis is the impact of legal status on the development and manipulation of Native ethnicity.

A third approach has been to distinguish those subarctic Natives with legal Indian status and those without by creating a category of "white-status" persons to contrast with those of "Indian-status." Driben (1986:17), for instance, has noted that in the northern Ojibwa community of Aroland, those who are legally "non-status Indians" are "Indians culturally but legally white." Both Hara (1980) and Acheson (1981), in their use of this concept, have attempted to grapple with the legal status issue in a similar manner, but in so doing have implicitly assumed the cultural synonymy of the non-status Indian and Metis populations by failing to distinguish them. While it is true that in many instances those Natives with legal status and those without are culturally synonymous, as in the case of Aroland, it is also true that throughout the subarctic there are culturally distinct Metis communities and individuals. While the concept of "white-status" Native persons deals adequately with the differential legal status of the status Indian population in contrast to the non-status Indian and Metis populations, it fails to take into consideration cultural similarities and differences as well as self-identification.

It is clear that ethnologists have had some difficulty in dealing with the complex issue of legal Indian and treaty status in their investigations of subarctic Native communities, when they have considered the issue at all.[4] It is my argument that the dynamics of social relations in these communities cannot be adequately understood unless both the varying cultural and legal identities, and the contexts in which they come to the fore, are investigated.

Ethnostatus Distinctions

In order to accurately understand the implications of legal Indian status for subarctic inter-ethnic and interpersonal relations, we must first be convinced that such status distinctions are a legitimate avenue of inquiry. Despite the dearth of literature in this area, it is possible to piece together case material that establishes the broad dimensions of such inquiry. I refer to this broad area as the investigation of "ethnostatus distinctions" (Waldram, 1986).

Ethnostatus distinctions are those distinctions which an individual or population makes concerning themselves, and the significant others in their lives, in which the factors of legal status and cultural affinity play a varying role. Ethnostatus distinctions can also develop as a product of ascription to a particular cultural group or legal category by individuals or agencies external to the community. In the western Canadian subarctic, government legislation and policy implementation at both the federal and provincial levels have probably played the most prominent role in the development and maintenance of such distinctions. The product of these distinctions is the development of separate ethnostatus identities which may shift and surface from time to time in different socio-political contexts or situations. In this sense, the concept of ethnostatus precludes the identification of "ethnic" groups as defined in the anthropological literature.

Barth, in his classic essay on "ethnic groups and boundaries," argued that membership in a particular ethnic group effectively governed all behaviour in virtually every social situation, and further "that it cannot be disregarded and temporarily set aside by other definitions of the situation" (1969:17). As I shall demonstrate, ethnostatus distinctions rarely produce "ethnic groups" in this sense, since, according to my conception, the identities formulated tend to govern behaviour only in certain contexts and can be readily set aside or altered as the situation dictates. Further, it is evident that a concentration on boundaries between ethnic groups, as Barth suggests, would not prove fruitful in understanding ethnostatus distinctions precisely because such boundaries are too amorphic. While ethnostatus distinctions have the potential of forming ethnic groups, the existence of such groups must be demonstrated and cannot be presupposed.

In a similar vein, ethnostatus groups are not the equivalent of "factions," as defined in the literature. Nicholas (1965:27-29) has presented five characteristics which define "factions": they are political groups; they are conflict oriented; they are not corporate groups; members are recruited by a leader; and recruitment occurs according to a variety of criteria, such as religion and kinship. As Nicholas (1966:52) notes, factions are primarily involved in political activity, "the organized conflict over public power." As I shall demonstrate, ethnostatus distinctions by-and-large do not reflect groups organized by a leader to achieve a political goal, and certainly there is no active recruitment. This does not mean that factions cannot develop along ethnostatus lines, especially since legal distinctions and certain cultural variables, such as kinship, would seem to be the substance from which factions could develop. But, once again, this is not necessarily the case and must be empirically demonstrated. Ethnostatus distinctions are truly "distinctions," and they operate in many different spheres. Group formation, even on an informal level, around a political cause is only one possible expression of such distinctions.

In the context of the Native subarctic, it is evident that a number of somewhat different ethnostatus identities may exist, and that an individual's identity is not always fixed. As the concept "ethnostatus" implies, identity can be derived from a combination of cultural and legal factors (unlike "ethnicity," which develops primarily from cultural factors). In the purely cultural sense, we can distinguish two categories: "Indian" and "Metis." In both cases, such a cultural identity has no relationship to legal status. Hence, the cultural category "Indian" may include both those with and without legal Indian status. The "Metis" as a group may also contain non-status Indians who, in search for a more positive identity, have gravitated toward the Metis cultural group. However, while these individuals might declare themselves as "Metis," an objective examination might reveal a cultural pattern more congruent with "Indian." In some contexts, non-status Indians are clearly pariahs, fitting in with neither the Indian nor the Metis cultural groups. Some Metis may also find themselves in a similar situation, since they too frequently suffer from a negative identification: "They are Metis because they are not somebody else" (Sawchuk, 1978:10).

In the legal sense, two broad ethnostatus categories exist: the status Indians, or those Indians registered as such under the *Indian Act*, and all others of aboriginal ancestry having a "white-status" designation. This latter category would include the legally-defined "non-status Indians," and the culturally-defined "Metis." The inclusion of treaty status compounds the issue further, since not all status Indians are necessarily treaty Indians, and certain rights are afforded to treaty status Indians as a result of the treaty which are not afforded non-treaty status Indians, non-status Indians or Metis. Hence, treaty status would properly form a related component of the legal status category, or perhaps even a third separate category.

As we can see from this discussion, a variety of ethnostatus identities are possible, and can be invoked or imposed at specific times for specific reasons. Figure 1 outlines in summary form these identities. Interactions which cross the identity boundary, as demonstrated in Figure 1, are those which are most likely to result in tension or conflict in certain socio-political contexts, though conflict based on ethnostatus distinctions may occur within each category. In properly understanding these interactions, or the significance of social, economic or political events, the ethnographer should distinguish from amongst these identities those which have come to the fore and are being expressed (either overtly or covertly). While for some interactions, two role players may express themselves as "Indians" in the cultural sense, in other interactions one may clearly define himself as a "status Indian" in contrast to the other's position as a "non-status Indian." Likewise, a "Metis," culturally defined, may find himself at odds with a relative or co-resident because of the latter's treaty status. The following sections of this paper will detail to a greater extent the various dimensions in which each of these ethnostatus identities are most likely to be invoked or imposed.

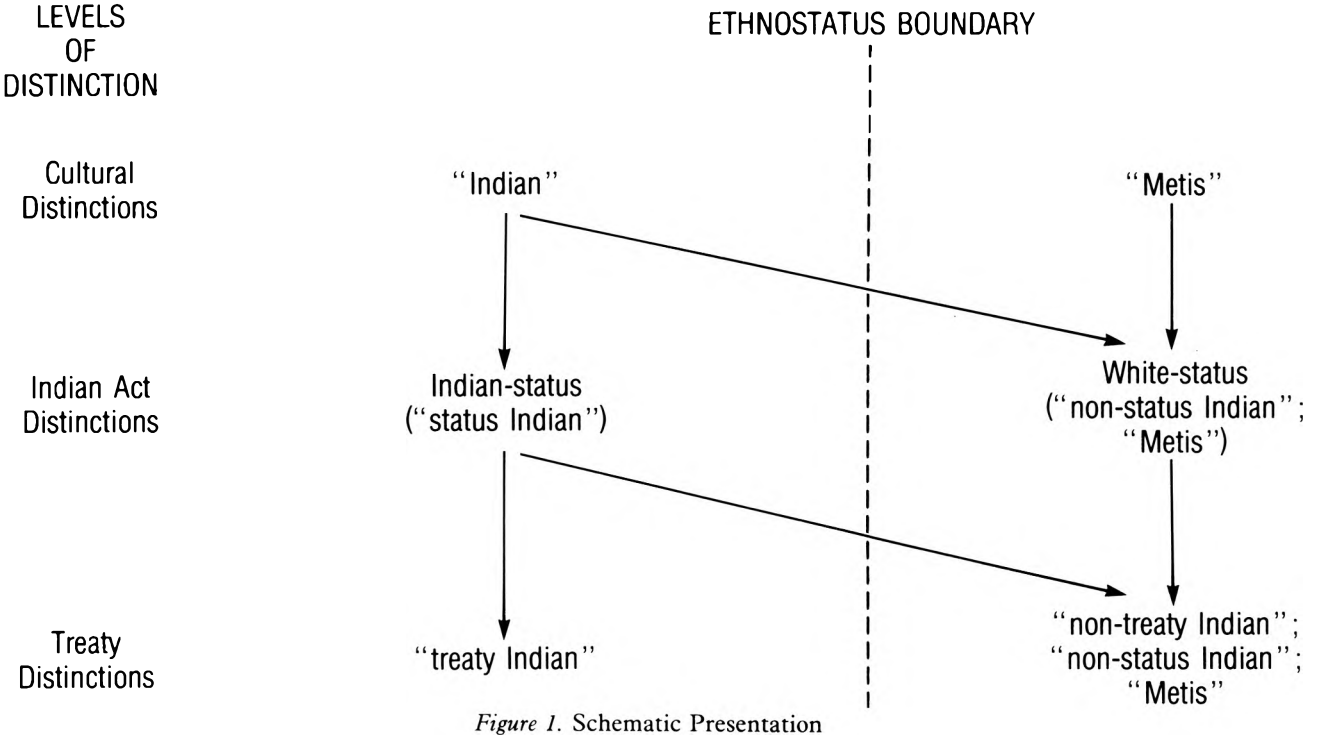

Figure 1. Schematic Presentation of Ethnostatus Distinctions

Some Dimensions of Ethnostatus Distinctions

Cultural Distinctions

This dimension stresses two broad cultural categories: "Indian," and "Metis." It is argued that in certain spheres of community life, cultural considerations are the most important in the formulation of ethnostatus identity and the governing of social interaction. Further, it is apparent that these considerations are mostly internal: that is, they have developed from the people themselves, usually demonstrate cultural continuity with the past, and have not been greatly affected by external considerations (particularly the legal definition of "Indian," the treaties, and federal and provincial government policies and programs). Also, it must be noted that the historic cultural differences between the Indian and the Metis cultural groups have diminished to the extent that, in some communities, virtually no cultural distinction can be made between the two (despite the persistence of the label "Metis").

In cultural terms, ethnologists and other writers have frequently found it difficult to distinguish between those Indians with status and the other Native residents of their communities. This seems particularly true of the Cree and Ojibwa areas in northwestern Ontario (Sieciechowicz, 1984; Molohan, 1984), and among the Dene in the Northwest Territories (Asch, 1984). Driben, in his discussion of Aroland in northwestern Ontario, noted that those Indians lacking legal Indian status nonetheless "[thought] of themselves as Indians" (1986:8), are "Indians culturally" (1986:17), and are viewed as such by those residents of the community who are status Indians. According to Asch (1984), the Natives of Wrigley and Fort Good Hope in the Northwest Territories "regard themselves as Dene rather than Metis/Status/non-Status, etc." Hara (1980:20) elaborated on this point for the Hare Indians in her description of the process of "native categorization" whereby individuals are culturally identified:

> ... if an individual is born of Indian parents, he is "dene" regardless of his legal status. If an individual is born of a mo' la [white] father and dene mother, and if he leads a hunting and gathering life, he is designated as dene.

In the subarctic regions of the provinces, a similar situation prevails. Frequently, the only way in which those Indians with legal status and all other Indians and Metis can be distinguished is by their location in the community: treaty status Indians, having been granted reserves, are usually resident there, with most others occupying fringe or adjacent areas (although exceptions are common) (Kew, 1962:16; Card et al, 1963:187; Jarvenpa, 1980:61). For non-reserve communities where there have been no government-sponsored housing projects, distinct status and non-status areas are rarely evident.

In some subarctic Native communities, it is also the case that the cultural distinctions between those calling themselves "Metis" and "Indian" are difficult to determine. Over the years many non-status Indians have abandoned this negative identity for a more positive "Metis" identity, yet they have retained for the most part their Indian cultural characteristics. J.G.E. Smith (1981:267), for instance, notes of the "Metis" who live among the Cree in northern Manitoba, that "many are linguistically, culturally, and genealogically identical" to the status Indians. The converse can also be true, as demonstrated by Kew (1962:16), who argued that the small treaty status Indian population at Cumberland House, Saskatchewan, was "socially and culturally part of the larger Metis group."

We can define some areas in which cultural considerations are predominant in the ordering of social relations within subarctic Native communities. These areas would include: kinship, marriage, friendships and economic partnerships.

In terms of kinship and marriage, it is evident that any possible legal distinction among residents of subarctic communities plays little or no role. As J.G.E. Smith (1981) described above, frequently the genealogies of all Native residents are indistinguishable, a fact which has also been noted by Sieciechowicz (1984), Molohan (1984), and Driben (1986) for Cree and Ojibwa communities in northwestern Ontario, and Brightman (1984) and Waldram (1986) for Cree communities in northern Manitoba. Further, in the selection of marriage partners, legal status considerations seem not to be an issue.[5] Hence, kinship and marriage, operating along essentially Indian cultural lines, presently serve the important function of cross-cutting legal boundaries and thus integrating the two broad legal categories found in the communities. Friendships also cross-cut legal status boundaries, further promoting community integration.

Kinship obligations remain the primary factor in the ordering of social relations in subarctic communities, and hence carry over into other spheres of activity. For instance, individuals involved in various hunting, fishing and trapping activities usually form "partnerships" with their relatives, regardless of legal status. This is most significant in treaty areas since certain of these activities, such as hunting, may at times of the year be illegal for the "white-status" member of the partnership. Yet, these units persist.

Legal Distinctions

This dimension stresses two legal categories: "status Indian," which is precisely defined under the *Indian Act,* and a more general category of "white-status" individuals encompassing non-status Indians and Metis. In certain spheres of community life, legal

considerations become dominant, frequently submerging cultural considerations. In other words, while two individuals may be both "Indian" in the cultural sense, in other spheres they may be separated into "Indian-status" and "white-status" categories. The development and maintenance of these categories constitutes a largely external process: they are the product of British and Canadian colonial policies, the enactment of federal and provincial legislation, and agreements between the two levels of government concerning jurisdiction over such areas as natural resources, health care, social services, education, and taxation. In many cases, these legal considerations have been superimposed upon culturally homogeneous populations, resulting in a process of "ethnic dichotomization" (Sawchuk, 1978:43). The new, arbitrary legal identities frequently become internalized and begin to manifest themselves as if they were cultural identities. The Native population is administratively separated for purposes of federal and provincial government program implementation, and such separation occasionally leads to the actual physical relocation and separation of some residents. The legal distinction between Indian-status and white-status individuals and populations is most easily discernible within the context of government-Native interaction, and the inequities that develop are frequently sources of tension and conflict in subarctic Native communities.

One of the most visible indicators of the legal status of subarctic people is the condition of communities and houses and the location of residences. While it is true that only status Indians may legally reside on a reserve, and others with band permission, it is a fact that many white-status Natives often also reside unopposed on reserves, and further that some status Indians can be found living on lands adjacent to the reserves. In these cases, cultural considerations as described previously have been invoked, particularly traditional kinship and post-marital residence patterns. However, as the impact of the development of separate identities based on legal status spreads, hostility often develops. Hence, Sawchuk (1978:43) writes that,

> Indians have the right to close the reserve to any non-status person, and there are many cases of Metis who have grown up on a reserve being forced to move off.

Beyond these cases, housing often demarcates the legal status of the resident since, as in most other programs, housing for the status Indians is the responsibility of the federal government, while housing for the white-status Natives is the responsibility of the provincial governments. Jarvenpa (1980:61) highlighted these issues clearly in his description of a Chipewyan community in northern Saskatchewan:

> An offshoot of the recent house building boom has been the division of Patuanak into distinct Treaty and non-Treaty Indian settlements. Because the federal housing money was earmarked for registered band members on reserve land, the non-Treaty or Metis families have had the burden of paying for and constructing their own houses ... Formerly, Treaty and non-Treaty Indians lived side-by-side in the log cabin villages at Dipper Lake, Primeau Lake and Knee Lake, and there has never been any reason for these groups to segregate themselves spatially in bush camps while moving about the country hunting and trapping. The spatial segregation of otherwise closely related peoples must be attributed largely to the legal technicalities bound up with the possession of reserve land granted by treaty. The fact that such possession derives from the purely arbitrary legal circumstances extending back to the signing of the treaty is generally appreciated by the people: it is illustrated by the fact that several non-Treaty Indian families recently lived on reserve land in Patuanak with little noticeable resentment by band members.

Differences in housing conditions, and the quality of housing programs, for Indian-status and white-status individuals do not go unnoticed, and frequently contribute to feelings of unfairness by the disadvantaged group (Sawchuk, 1978; D.M. Smith, 1981; Waldram, 1986).

Inequities in the delivery of social assistance have also been the cause of much grievance and tension. D.M. Smith (1981:692), writing about Fort Resolution in the Northwest Territories, noted that the "treaty" Indians received more social assistance, and that, "This form of governmental discrimination has exacerbated bitter feelings on the part of some members of both groups toward the other group." J.G.E. Smith's (1978:48) observation among the Chipewyan of northern Manitoba corroborates this view, and he notes that, "The nontreaty Indians were fully aware of their differential treatment, which was both resented and a matter of pride in their independence."

Education provides a context in which more overt hostility has been known to erupt between ethnostatus groups. This is especially true with the recent trend toward local control of schools. Prior to this process, both Indian-status and white-status children usually attended the same school with little controversy. As local political bodies developed, the control of educational programs became an important part of their increasing self-determination. While the schools were under federal or provincial jurisdiction, parents were essentially content. But when the schools came under the jurisdiction of members of one or the other of the ethnostatus categories, this attitude changed.

Hence, in some subarctic communities, such as Cross Lake and Easterville in Manitoba, separate schools were eventually constructed at the behest of estranged parents who resented the control of the opposing ethnostatus category over the education of their children (Waldram, 1980, 1986).

Community economics is another area in which differential treatment by federal and provincial governments, and the application of somewhat different laws to Indian-status and white-status individuals, fosters an inequitable situation, some tension and occasionally overt conflict. Government sponsored economic development or make-work projects are invariably targeted to the particular group for whom the initiating government is responsible. For instance, Hara (1980:8) noted that among the Hare Indians, "... if there is a construction project administered by the Indian Affairs Branch, the 'Treaty Indians' are given priority for the job over the 'Non-Treaty Indians.'" Bone et al (1973:76) noted a similar situation among the Chipewyan of northern Saskatchewan in the context of federal logging projects. The corollary is also true where provincial governments target the white-status residents in their programs.

Those status Indians who are under treaty generally have the right to hunt and fish for food at any time of the year, in contrast to all others who must adhere to a myriad of federal and provincial regulations. This often creates problems since, in most subarctic communities, economic units are formed along kinship lines. Hence, invariably an economic unit (often referred to as a "partnership") will be involved in some activity that is illegal for one or more members of that unit. This fact rarely prevents the continuation of these units, but occasionally arrests and convictions ensue. The likely impact of the differential legal position of these units *vis-a-vis* hunting and fishing is largely contingent upon the actions of the local conservation officers. For instance, Jarvenpa (1980:62) has noted that the "non-Treaty" Chipewyan of Patuanak, Saskatchewan, were treated throughout the 1970s as "treaty Indians" for purposes of the enforcement of hunting regulations. He also notes that, "This lumping is atypical. In most areas the Metis are subject to white game laws" (1980:177). In recent years, even the situation of these "non-Treaty" Chipewyan has changed as the Saskatchewan government has attempted to enforce greater control in all areas of resource utilization.

A related problem pertains to the tensions that frequently develop within communities where some members have an unequal access to the wildlife resources compared to other members. Explanations for poor hunting or an apparent decline in animal populations may be explained by the white-status residents as the product of over-hunting by the treaty status Indians (Waldram, 1986).

Other economic problems have arisen from time to time which relate to the issue of differing legal status. For instance, businesses established on reserves are immune from taxation, and hence may provide some perceived advantage to Indian-status entrepreneurs over their white-status, non-reserve counterparts. Band councils also have much more control over the economics of reserve territory, and can legally bar the reserve to rival businesses, such as white-status taxi services (Sawchuk, 1978:43).

At the individual level, provinces such as Saskatchewan exempt status Indians from provincial sales tax, while all white-status individuals must contribute. Significant differences in disposable income can result (Reid, 1984:336-337). Further, in small communities where members of both the Indian-status and white-status categories cohabit, such a system seems patently unfair.

Probably the sphere of community life with the greatest potential for conflict between Indian-status and white-status groups is that of politics, broadly defined. Since politics is, in essence, the mechanism whereby relatively scarce resources are allocated, it has the potential of affecting most other areas of community life. As I have demonstrated elsewhere (Waldram, 1980), the development of ethnostatus distinctions in one particular Manitoba Native community resulted in political conflict which manifested itself in other areas such as economics, education, and law enforcement. Clearly, the potential for conflict in other spheres is self-evident.

In general, the Indian-status residents of subarctic Native communities, through the actions of the federal government, have a much longer tradition of political organization than the white-status Natives. Band councils to represent the Indian-status people have been around for many years, while the development of political bodies to represent all other Natives is much more recent. As Jarvenpa (1984:pers. comm.) indicates for Patuanak, "Non-status families have felt somewhat subordinate to the status community for many years, because their own political council is a relatively recent development." While political bodies which have incorporated both Indian-status and white-status individuals have been attempted, they frequently have met with great opposition from government. Driben (1986) has described the problems experienced by the Aroland Indian Association, a body which sought to represent all members of the Aroland community. Such representation was denied them by the federal government, with then-Minister of Indian Affairs and Northern Development Jean Chrétien dismis-

sing the white-status residents as "non-Indian" (Driben, 1986:117). A division subsequently began to appear between the Indian-status and white-status members of the Association.

The case of the non-reserve Native community of Brochet, Manitoba, provides an excellent example of the local level dynamics of ethnostatus distinctions in the political context. In the 1960s, the "non-treaty Cree" formed a separate local government to address their specific concerns. However, according to Smith (1975:185), "The non-treaty council has no basis for legal recognition by the provincial government, and its activities have consequently been limited." Subsequently, in 1968, a local government was established by the Manitoba government to represent the interests of the "Chipewyan, treaty Cree, non-treaty Cree and Euro-Canadians" of the community (Smith, 1975:185). However, a variety of tensions, including the "differential treatment of those with treaty status," paralyzed the organization. Finally, in 1976, the Chipewyan left Brochet to form their own settlement at Lac Brochet. Smith (1978:47) described the reasons for the move:

> The shift to the new settlement is unanimously attributed to "the trouble"—the problems arising from alcohol and interethnic hostility, particularly that of the nontreaty Cree (Metis) who are coming onto the reserve proper.

Conclusion

In much of the western subarctic, social relations are presently governed by two broad factors: cultural affinity and legal status. While cultural considerations play a predominant role in many areas of community life, specifically those that reflect a cultural continuity with the past, in other areas, broadly political in orientation, legal status plays a significant role. Hence, the ordering and expression of social relations can be seen to be a product of both cultural and legal factors. The concept of ethnostatus distinctions accommodates this fact, and argues for a careful examination of social relations in order to distinguish the impact of these cultural and legal factors[6]. Only through such analyses will the true nature of social relations in modern western subarctic Native communities be known.

NOTES

1. In the course of the research for this paper, the author contacted and received comments from the following: Michael Asch; Robert Brightman; Paul Driben; June Helm; Robert Jarvenpa; Kathryn T. Molohan; Robin Ridington; Henry S. Sharp; Krystyna Z. Sieciechowicz; Richard Slobodin; James G.E. Smith; and David H. Turner. Their contributions were greatly appreciated. The views expressed in this paper are solely those of the author, and do not necessarily reflect the views of these individuals.

2. For purposes of this paper, the term "Native" is used to describe all people of aboriginal descent regardless of legal status.

3. According to the *Indian Act,* " 'Indian' means a person who pursuant to this Act is registered as an Indian or is entitled to be registered as an Indian." *Indian Act,* R.S.C. 1985, c.I-6, Section 2(1).

4. To the best of my knowledge, the only ethnographer to grapple directly with the ethnostatus issue has been Paul Driben (1986). No other such case studies are evident.

5. The author has not uncovered any cases in which legal status was an important factor in selecting marriage partners. It is quite likely that such cases do exist, especially in light of the potential benefits to be gained or lost through marriage prior to the 1985 amendments to the Indian Act. I would argue, however, that at this point the available evidence suggests that legal status was not a predominant concern, and was subordinate to other factors.

6. In the spring of 1985, the *Indian Act* was amended in an attempt to end discrimination against Indian women, who previously lost Indian status when they married a "white-status" person. While these amendments ensured that such women will no longer lose their status, and have resulted in the reacquisition of Indian status by many women, men and children, these facts do not alter the significance of fmy argument in this paper. There remains an undefined number of "non-status Indians" and Metis in the Subarctic, and indeed throughout Canada.

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