



property, belonging and exclusion are explored in relation to notions of civilization and progress.

Overall, then, Brace offers a very interesting account of the complex nature of the notion of property.

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Indigenous Sovereignty and the Democratic Project

Steven Curry

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Indigenous people at the national and international level strongly resist classification as ‘minorities’, emphasizing their uniqueness both culturally and via the issue of ‘consent’. While voluntary immigrant minorities have *chosen* to become citizens of European diaspora nations such as those in the former British Empire, many indigenous people have never willingly ceded their lands or political autonomy. Yet, the distinct moral claims of indigenous peoples are frequently trivialized by liberal ‘recognition’ theorists (see Taylor, 1995; Kymlicka, 1991, 1995, 2000; Kukathas, 1992) when they combine discussion of indigenous peoples with discussion of minorities. Recognition theorists like Taylor and Kymlicka skip over the ‘first step in questioning the sovereignty of the authoritative traditions and institutions they serve to legitimate’ (Tully, 1995, 53, Samson, 1999). By presuming the legitimacy of the liberal settler state’s jurisdiction over indigenous nations, such an approach presupposes exactly what is in question (see Tully, 2000, 55).

In contrast to such approaches, the focus of this important work of political philosophy is a defence of indigenous sovereignty that inherently *challenges* the sovereignty of the settler state. The author argues that ‘backward’ and ‘tribal’ societies have ‘far too much in common with a European model of nationhood for one to be denied the state-building capacity and sovereign dignity imputed to the other. Indigenous communities have proved to be just as adaptive, just as ‘legal’ and ‘political’, just as territorial (and often as ruthless) as any European monarchy’ (p. 79). In essence, the central argument of the book is this: when non-indigenous people of settler states, who stand in relation to indigenous people as an oppressive cultural and political ‘other’, fail to recognize indigenous sovereignty, they are acting contrary to their own ideals.



The book begins by exploring the origins of ‘sovereignty’ in late medieval and early modern Europe. The author shows how the dominant ‘Classical View of Sovereignty’ (p. 29), which claimed for the settler state an absolute and indivisible sovereignty, functioned to dispossess, subjugate and oppress indigenous peoples right up to the present day. However, the idea of sovereignty and its central nation building function was gradually taken up *in opposition* to the Classical, absolutist expression in the context and service of political movements, such as those of indigenous people, *aimed at liberation*. In short, via fine theoretical reflection and analysis, the author persuasively argues that when absolutist varieties of sovereignty are used to deny rights of self-determination to indigenous peoples ‘our own aspiration to liberty is compromised’ (p. 29). The traditions that underlie a liberal political system and the structure of settler state civil society are discussed, in an admirably lucid fashion, in order to show what obligations non-indigenous people living under such systems are under if they are to consistently honour their own ideals.

Unlike the recognition theorists mentioned above, Curry suggests that genuinely recognizing indigenous sovereignty involves more than granting rights to self-government and in that sense will affect non-indigenous people. For Curry (p. 149) non-indigenous citizens have too often acted as if the exercise of their sovereignty precluded indigenous sovereignty and so insulated them from any norms, duties and responsibilities encapsulated in indigenous law. This has to change, he says, for if it does not we will return to the strategies that cause us to deny the sovereign rights of indigenous people, and to practice a culturally imperialist form of exclusivity, both of which continue to radically undermine the normative force of *our* rights and freedoms that so crucially underpin the practice of democracy in liberal states.

Curry’s theoretical orientation and general argument is similar to that of James Tully, who, in my view, is the only other theorist in this field to convincingly deal with the complex issues involved with recognizing indigenous sovereignty. This original book is only slightly let down by the final chapter, which paints a somewhat glorified view of Canadian negotiated settlements between indigenous and non-indigenous people. In particular, regarding the Nunavut agreement, Curry suggests that it is ‘almost an exemplar of indigenous sovereignty’ (p. 166), yet as Samson (2003, p. 53) has shown, the Nunavut Inuit signatories clearly agreed to surrender to Her Majesty The Queen in Right of Canada all their aboriginal claims, rights, title, and interests, if any, in and to lands and waters anywhere within Canada and adjacent offshore areas anywhere within the sovereignty or jurisdiction of Canada. They therefore, extinguished all rights based on their aboriginal title. To be sure, comprehensive land claims, as a process, already assume that native peoples are consenting parties to the sovereignty of the state, as if Canada were the ‘First Nation’.



I would also have expected to see at least a brief discussion of the work of Mohawk scholar Taiaiake Alfred (1999) whose contribution to the debates surrounding indigenous sovereignty should not be ignored. While there are many commonalities in the work of both authors, Alfred suggests that indigenous peoples should attempt to move beyond the very concept of sovereignty, as it is an alien conception of the colonial powers. These points aside, Curry's interesting book fills a significant gap in theoretical understanding and should appeal to anyone interested in political theory and the rights of indigenous people.

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