"WE THE NORTH" AS THE DISPOSSESSION OF INDIGENOUS IDENTITY AND A SLOGAN OF CANADA'S ENDURING COLONIAL LEGACY

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As the only Canadian team in the professional United States' National Basketball Association, the Toronto Raptors adopted the slogan "We the North." The new slogan is designed to invoke historical myths and narratives of what or who Canada is. The slogan emblematically assumes, as a metanarrative, the mythologized national identity of Canada as distinctly "northern," revealing itself to be a reproduction of banal nationalism in Canada in the process. It is, however, more than that: it is the appropriation of an imagined northern Canadian, and specifically Inuit or authentic northern (indigenous) identity. Something as seemingly innocuous and banal as a Canadian sports team's slogan can manifest the enduring colonial legacy of Canada. Banal nationalism in Canada is anything but benign, and in the case of the Raptor's highly appropriative slogan, dispossessive of Inuit identity and an enduring symbol of Canada's colonial legacy. In the process of attempting to encapsulate the imagined Canadian national identity and fashion it into a metanarrative, the slogan appropriates the uniqueness that makes northerners and northern indigenous peoples what they are, northerners, and dispossesses them of facets of their identity.

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There is no such thing as a model or ideal Canadian. What could be more absurd than the concept of an 'all-Canadian' boy or girl? A society which emphasizes uniformity is one which creates intolerance and hate. A society which eulogizes the average citizen is one which breeds mediocrity.

— Pierre Elliott Trudeau[1]

Physical genocide is the mass killing of the members of a targeted group, and *biological genocide* is the destruction of the group's reproductive capacity. *Cultural genocide* is the destruction of those structures and practices that allow the group to continue as a group. States that engage in cultural genocide set out to destroy the political and social institutions of the targeted group. Land is seized, and populations are forcibly transferred and their movement is restricted. Languages are banned. Spiritual leaders are persecuted, spiritual

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1 Pierre Elliott Trudeau, *Conversation with Canadians* (Toronto: University of Toronto Press, 1972) at 33.

> practices are forbidden, and objects of spiritual value are confiscated and destroyed. And, most significantly to the issue at hand, families are disrupted to prevent the transmission of cultural values and identity from one generation to the next.
>
> In its dealing with Aboriginal people, Canada did all these things.
>
> — 2015 Truth and Reconciliation Report[2]

I. INTRODUCTION

It is perhaps unlikely that we should find manifested in something as seemingly trivial and innocuous — even banal — as a professional Canadian sports team's slogan "We the North," Canada's enduring colonial legacy.[3] "We the North," the creation of international advertising agency Sid Lee, for the Toronto Raptors, Canada's only team in the professional United States' National Basketball Association, is an evocative declaration designed, in the context of sports, to invoke the historical myths and narratives of what or who Canada — and the City of Toronto — is.[4] The slogan emblematically assumes, as a metanarrative, the mythologized national identity of Canada as distinctly "northern."[5] In the process, it reveals itself to be another reproduction of banal nationalism in Canada.[6] Transcending the context of mere athletic competition, it is also the assertion of a homogeneous, pan-Canadian identity, a metonym for the metanarrative, developed as the stubborn Barthesian rallying cry against the cultural hegemony of the United States which enduringly preoccupies the Torontonian and southern Ontarian consciousness.[7] Even more so, as the new brand of a familiar Canadian "nationalism," it threatens to displace the prominent place that hockey

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2 Truth and Reconciliation Commission of Canada, *Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada* (Ottawa: TRC,2015), online: <nctr.ca/assets/reports/Final%20Reports/Executive_Summary_English_Web.pdf> at 1 [*TRC Summary*].

3 For a detailed discussion of the violence colonization perpetrated on indigenous peoples in Canada, see Truth and Reconciliation Commission of Canada, *Canada's Residential Schools: The Legacy, The Final Report of the Truth and Reconciliation Commission of Canada*, vol 5 (Montreal & Kingston: McGill-Queens University Press, 2015).

4 Sarah Niedoba, "Meet the Marketer Behind the Raptors' #WeTheNorth Campaign," *Canadian Business Magazine* (13 May 2016), online: <www.canadianbusiness.com/leadership/shannon-hosford-mlse-we-the-north/>.

5 Samantha Arnold, "Constructing an Indigenous Nordicity: The 'New Partnership' and Canada's Northern Agenda" (2012) 13 Intl Studies Perspectives 105 at 106 [Arnold, "Constructing"]:

> [I]t is not surprising that "place" figures prominently in the discourses of Canadian identity, and in this context, the idea that the "place" of Canada is "north," and moreover that this northernness somehow contributes to, or defines, who Canadians are both as individuals and as a nation has been a pervasive and enduring theme in the Canadian self-narrative, permeating art, literature, popular culture, and politics.

See also Renee Hulan, *Northern Experience and the Myths of Canadian Culture* (Montreal & Kingston: McGill-Queens University Press, 2002).

6 See Margot Francis, *Creative Subversions: Whiteness, Indigeneity, and the National Imaginary* (Vancouver: UBC Press, 2011) at 45–48.

7 See William F Pinar, "Nationalism, Anti-Americanism, and Canadian Identity" in Lyn Yates & Madeleine Grumet, eds, *World Yearbook of Education 2011: Curriculum in Today's World: Configuring Knowledge, Identities, Work and Politics* (New York: Routledge, February 2011) 31; Allan Smith, *Canada - An American Nation?: Essays on Continentalism, Identity, and the Canadian Frame of Mind* (Montreal & Kingston: McGill-Queen's University Press, 1994); Garold Lantz & Sandra Loeb, "Country of Origin and Ethnocentrism: An Analysis of Canadian and American Preferences Using Social Identity Theory" (1996) 23:1 Advances in Consumer Research 374.

occupies in that mythology.[8] While the slogan is all of these things, it is, however, collectively, more than that; it is the appropriation of an imagined *northern* Canadian, and specifically Inuit or authentic *northern (indigenous)* identity.[9] By "imagined," I mean that the concept of "north" and "northern-ness" is a colonial construct — perhaps a strange by-product of Westphalian notions of sovereignty.[10] The Toronto Blue Jays' — likewise the only Canadian team in American Major League Baseball — emphasis on the maple leaf in its team apparel as a symbol of "northerness" exemplifies the same kind of banal nationalism as the Raptors' use of the "We the North" slogan — and is appropriative of Anishinaabe identity and culture and recycles the same mythology inhabited by the national flag and anthem.[11] There is, however, something particularly and distinctly unsettling about the slogan "We the North."

Expounding on these issues in this article, I apply Michael Billig's analysis found in his compelling book *Banal Nationalism* to the Raptors' use of this slogan to demonstrate, from a post-colonial perspective,[12] not only its appropriative nature and functioning as a signified Canadian metanarrative, but also its transgression from a form of banal nationalism to a contemporary perpetration of the appropriative violence historically inflicted on indigenous

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8 See Michael A Robidoux, "Imagining a Canadian Identity Through Sport: A Historical Interpretation of Lacrosse and Hockey" (2002) 115:456 J American Folklore 209; see also Steven J Jackson, "Gretzky, Crisis, and Canadian Identity in 1988: Rearticulating the Americanization of Culture Debate" (1994) 11:4 Sociology Sport J 428.

9 I have chosen to use the term "indigenous" instead of "Aboriginal," despite the latter being the constitutional nomenclature. I have also refrained from referring to the possessive active voice: "Canada's Indigenous peoples." James S Anaya, *Indigenous Peoples in International Law*, 2nd ed (New York: Oxford University Press, 2004) at 3:

> Today, the term *indigenous* refers broadly to the living descendants of pre-invasion inhabitants of lands now dominated by others. Indigenous peoples, nations, or communities are culturally distinctive groups that find themselves engulfed by settler societies born of the forces of empire and conquest.

See also Don Marks, "What's in a Name: Indian, Native, Aboriginal or Indigenous?" *CBC News* (2 October 2014), online: <www.cbc.ca/news/canada/manitoba/what-s-in-a-name-indian-native-aboriginal-or-indigenous-1.2784518>:

> The issue here is not so much about a word as it is about reclaiming identity. In a spiritual and cultural sense, names like aboriginal deprive the people of their own identity and force them to adopt a new one.
>
> Identity is defined by language and words. The focus on efforts to reclaim identity has been on what name should be used to refer to the people as a group. But the answer to this remains perplexing.
>
> …
>
> "Indigenous" is being used lately because some see it providing a connection with the land, but it is, after all, another word that stems from a foreign language.

See also Rosemary J Coombe, "The Properties of Culture and the Politics of Possessing Identity: Native Claims in the Cultural Appropriation Controversy" (1993) 6:2 Can JL & Jur 249.

10 See Eva Mackey, "'Death by Landscape': Race, Nature, and Gender in Canadian Nationalist Mythology" (2000) 20:2 Can Woman Studies 125 [Mackey, "Death by Landscape"]; Louis-Edmond Hamelin, *Canadian Nordicity: It's Your North, Too* (Montreal: Harvest House, 1979).

11 See Lana Ray & Paul Nicolas Cormier, "Killing the Weendigo with Maple Syrup: Anishinaabe Pedagogy and Post-Secondary Research" (2012) 35:1 Can J Native Education 163. See also Leanne Betasamosake Simpson, "Land as Pedagogy: Nishnaabeg Intelligence and Rebellious Transformation" (2014) 3:3 Decolonization: Indigeneity, Education & Society 1; Eva Mackey, *The House of Difference: Cultural Politics and National Identity in Canada* (Toronto: University of Toronto Press, 2002) [Mackey, *House of Difference*]; Michael Billig, *Banal Nationalism* (London: SAGE Publications, 2010) ("[a] national anthem is a universal sign of particularity. The conventions of the oeuvre demand that the uniqueness of the nation be celebrated in a universally stylized manner" at 86).

12 Billig, *ibid*. Alpana Roy, "Postcolonial Theory and Law: A Critical Introduction" (2008) 29:2 Adelaide LR 315 ("the ideological effects of colonial laws continue to have contemporary relevance as they continue to be used as an instrument of control in this postcolonial world" at 319). See also James (Sákej) Youngblood Henderson, "Postcolonial Indigenous Legal Consciousness" (2002) 1 Indigenous LJ 1 at 13.

peoples in Canada.[13] Though correspondingly offensive, this appropriation of identity, real or perceived, is to be distinguished — but not divorced — from the cultural caricatures of North American indigeneity that remain extant in other professional sports leagues such as, for example, the Cleveland "Indians" in Major League Baseball, the Washington "Redskins" in the National Football League, or the Chicago "Blackhawks" in the National Hockey League, which are perfidious in their own right.[14] After discussing metanarrative, mythology and identity, and unpacking the slogan's several problems, and its appropriative nature, I suggest that as part of the westernized intellectual property rights regime extant in Canada, Geographical Indications may heuristically lay the foundation for preventative and remedial solutions that this example of cultural and identity appropriation presents. Beyond merely proposing a legal solution, this article is concerned with exposing the appropriation of indigenous identity in Canada as a modern and enduring form of colonial violence that impedes true reconciliation.

II. CANADIAN IDENTITY AND NATIONAL MYTHOLOGY

From the outset, it is practical to note that the teams in the National Basketball Association (NBA) are contained in one league, and the various contests among them are not divided as international competitions, such as they are at the International Olympic Games, for example.[15] Stated another way, the league does not contemplate the season schedule nor does it advertise it as all but one Canadian team competing against a block of American teams. Neither does Major League Baseball (MLB) for that matter. "Canada's Team" in MLB (another self-styled slogan), the Toronto Blue Jays, exhibiting the same kind of banal nationalism that I am writing about in respect of the Raptors, emphasizes the maple leaf — the ultimate symbol of Canada — on its team apparel, and while it too, even from its inception in 1977, assumed a metonymic pan-Canadian nationalism (to the exclusion of the Montreal Expos, another (Quebec-based) Canadian baseball team in the league until 2004, when it moved to Washington DC), it does not, perhaps to the same extent, appropriate something which is distinctly regional or culturally specific to Canada's Inuit (and other northern indigenous) peoples.[16] Nevertheless, both the Toronto Raptors and the Toronto Blue Jays stand as symbolic representations — Barthesian signifiers[17] — of Canada and its national identity — whatever that identity may be.[18] It is both these teams that choose to

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13 I am not a member of any indigenous community in Canada. I do not presume to speak for any indigenous person or community in Canada, and in writing this article, I do not intend to appropriate indigenous voices.

14 See Michael A Robidoux, "The Nonsense of Native American Sport Imagery: Reclaiming a Past That Never Was" 41:2 (2006) Intl Rev for Sociology Sport 201; Kristine A Brown, "Native American Team Names and Mascots: Disparaging and Insensitive or Just a Part of the Game" (2002) 9 Sports Lawyer J 115; Melissa Burkley et al, "Symbols of Pride or Prejudice? Examining the Impact of Native American Sports Mascots on Stereotype Application" (2017) 157:2 J Social Psychology 223.

15 See Alan Tomlinson & Christopher Young, *National Identity and Global Sports Events: Culture, Politics, and Spectacle in the Olympics and the Football World Cup* (Albany: SUNY Press, 2006).

16 An argument can be made that the maple leaf, as a symbol, is appropriative of Anishinaabe culture, given that Anishinaabe law is contained within maples trees and given the aadizokaanan (stories) about maple trees which embody Anishinaabe laws. See Karen Drake, "Finding a Path to Reconciliation: Mandatory Indigenous Law, Anishinaabe Pedagogy, and Academic Freedom" (2017) 95 Can Bar Rev 9; Wendy Djinn Geniusz, *Our Knowledge is Not Primitive: Decolonizing Botanical Anishinaabe Teachings* (Syracuse: Syracuse University Press, 2009).

17 See Roland Barthes, *Elements of Semiology*, translated by Annette Lavers & Colin Smith (New York: Hill and Wang, 1964); Roland Barthes, *Mythologies*, translated by Annette Lavers & Richard Howard (New York: Hill and Wang, 2012).

18 See Michael Bliss, "Privatizing the Mind: The Sundering of Canadian History, the Sundering of Canada" (1991–92) 26:4 J Can Studies 261.

distinguish themselves from the other American teams in their leagues, and as a business enterprise, it is no surprise that the professional sports teams in Canada's largest and wealthiest city are — or at least purport to be — the curators of the country's national identity.[19]

This article, however, is not concerned with "identity politics" in the sense that Canadians or the Raptors are marginalized, disenfranchised, or subaltern groups seeking a voice or a rightful place in Canadian society, although Canadians and Raptors fans may be marginalized by society for other more customary reasons.[20] Rather, in something as seemingly banal as a sports team's slogan, this article is concerned with unravelling the language used to communicate the colonial ideology that is itself embedded within the slogan's articulation of the mythologized Canadian national identity and to illustrate how the slogan functions essentially as a Canadian metanarrative.[21] "Metanarrative," is understood in this article as "a story that is thought to be a comprehensive explanation of historical experience."[22]

"Canada is the only country in the world," Canadian philosopher Marshall McLuhan remarked, "that knows how to live without an identity."[23] Northrop Frye, Canadian literary critic, thought there was a strong tendency to view Canadian identity on the basis of "where" rather than "who."[24] Canadian scholar Linda Hutcheon has argued that Canada lacks a national metanarrative.[25] Despite McLuhan's assertion, there is, I argue, a national mythology which — if McLuhan is correct — at least informs whatever that identity might actually prove to be.[26] It is this mythology that in turn informs a putative Canadian national identity which the Raptors' slogan assumes as its own and postulates as a metanarrative. Contrary to Hutcheon's assertion, one writer has suggested that the most common theme to be found in a Canadian metanarrative, incomplete as it may be, is that of settlement and conquest.[27] Canadians and Canada may very well be aware that the country's history involved colonization, but the results of that colonial violence often are, unfortunately, subsumed into a larger more benign narrative of the nation's identity.[28]

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19 See Barbara Jenkins, "Toronto's Cultural Renaissance" (2005) 30:2 Can J Communication 169.

20 Katherine White & Darren W Dahl, "Are All Out-Groups Created Equal? Consumer Identity and Dissociative Influence" (2007) 34:4 J Consumer Research 525.

21 See Samantha Arnold, "'The Men of the North' Redux: Nanook and Canadian National Unity" (2010) 40:4 American Rev Can Studies 452 [Arnold, "Redux"].

22 Joshua Isaac Kumwenda, "The Postcolonial African Novel as a Metanarrative of the Myth of the Nation-State: The Case of James Ng'ombe's Novels" (2013) 23 Marang: J Language & Literature 115.

23 Charles Foran, "Canada's Identity is an Experiment in the Process of Being Realized," *Globe and Mail* (16 May 2018), online: <https://www.theglobeandmail.com/news/national/canadas-identity-is-an-experiment-in-the-process-of-being-realized/article30505358/>.

24 Arnold, "Constructing," *supra* note 5 at 106.

25 Linda Hutcheon, *Splitting Images: Contemporary Canadian Ironies* (Toronto: Oxford University Press, 1991) at 18–21.

26 Victor Konrad, "Recurrent Symbols of Nationalism in Canada" (1986) 30 Can Geographer 175.

27 Marc Rowley, "The Canadian Historical Metanarrative," *Torontrealis* (blog), online: <https://torontrealis.wordpress.com/essays/the-canadian-historical-metanarrative/>.

28 See Kristin Lozanski, "Memory and the Impossibility of Whiteness in Colonial Canada" (2007) 8:2 Feminist Theory 223.

In 2013, Statistics Canada embarked on a study to determine "what defines the Canadian identity."[29] Surveying Canadians on the subjects of "national symbols, shared values, and pride"[30] in being Canadian and in Canadian achievements, the study revealed little about why the questions were posed the way they were and why the persons surveyed answered the way they did. One might even assume that by relying on perceived national symbols the survey itself is reflective of a postulated national identity or metanarrative.[31] Nevertheless, many of the elements which the survey respondents found to be vital to Canadian identity are the symbols that lie at the heart of Canadian mythological identity: the national anthem ("True North, Strong and Free"), the national flag, hockey, the beaver, and the maple leaf all of which — in addition to being symbols of national identity — are referents to "northern-ness."[32] These symbols of "north" or "northern-ness" have served to cultivate in Canada, what Benedict Anderson referred to in his seminal work as an "imagined community" — the community of a nation whose identity is forged by the perceptions of those who inhabit it.[33]

Applying Billig's thesis, in conjunction with the Andersonian "imagined community," the identification of these symbols are perfect illustrations of what he calls "banal nationalism"; banal because the symbols have become so commonplace, little conscious thought is given to them in daily life.[34] Stated another way, a society becomes so accustomed to these symbols, that they have, in a Barthesian sense, subscribed to a mythology that informs their notions about "what" Canada is and "who" Canadians are. All of these symbols, and symbols like them, beer even,[35] nonetheless, are the genesis for the two strands of a mythologized Canadian identity and which, in turn, form what I argue to be the Raptors' assertion of metanarrative in the use of the "We the North" slogan.[36]

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29 Maire Sinha, "Canadian Identity, 2013" at 4, online: <www.statcan.gc.ca/pub/89-652-x/89-652-x2015005-eng.htm>:

> Over the years, Canada's national identity has continuously changed, being shaped by shifts in the socio-demographic landscape of Canada, historical events and social relationships. It cannot be considered a stagnant construct, but rather one that evolves over time. And while identity, in itself, can be an interesting declaration of who Canadians are and what they stand for, the notion of how Canadians view themselves and others in Canadian society can have implications on their social integration, civic engagement and participation, and connections with others (Canadian Heritage 2013).

30 *Ibid* at 18.

31 Konrad, *supra* note 26.

32 Arnold, "Constructing," *supra* note 5 at 106:

> As an empty signifier, then, the subjective, flexible quality of Canada's nordicity makes it an important political resource because it can be deployed differently in the service of different agendas.… This image of Canadian nordicity links northernness to a particular set of values and commitments, borne in part of the common experiences and challenges associated with being in the north.

33 See Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 1991).

34 Michael Skey, "The National in Everyday Life: A Critical Engagement with Michael Billig's Thesis of Banal Nationalism" (2009) 57:2 Sociological Rev 331.

35 Robert M MacGregor, "I Am Canadian: National Identity in Beer Commercials" (2003) 37:2 J Popular Culture 276.

36 Rachel Brady, "How the Raptors Redefined Their Brand – and Took Toronto by the Throat," *Globe and Mail* (28 October 2014), online: <https://www.theglobeandmail.com/sports/basketball/how-the-raptors-redefined-their-brand-and-took-toronto-by-the-throat/article21360335/>.

The first strand is the antithetical-to-the-American-revolution creation of Canada,[37] and the second is Canada's self-identification as a nation of the "north" or as "northern."[38] With respect to the first, many Canadian scholars have extensively written about Canada's history, formation and relationship to the United States.[39] Those scholars that address it, have often revealed how much of the national identity — if not identity, then consciousness — is imbued with the notion that being Canadian is, if nothing else, not being American.[40] Furthermore, this notion has also been revealed to be one that decidedly emanates from those who occupy Toronto and southern Ontario.[41] In his classic work, *Lament for a Nation*, Canadian philosopher George Grant addressed in the Diefenbaker era what he saw as the decline of Canadian autonomy brought about by the homogenizing powers of American culture and technology, and lamented the future of a uniquely Canadian identity.[42] His was a particular view of Canada, but arguably not one which can be readily identified as reflective of a particular national identity other than "not being American." In fact, the question of what the Canadian identity "is," is one that any scholar would struggle to sufficiently answer, and cannot and need not be fully answered here.[43]

It is sufficient here, however, to accept that while the Canadian national identity is perhaps inchoate and perhaps ultimately indescribable, it relies on various northern-imbued symbols to piece together a mythology which ultimately serves as that part of its identity which can be described; symbols such as the Royal Canadian Mounted Police (and its predecessor the Northwest Territories Mounted Police), the polar bear, the maple leaf, ice, snow, hockey, lacrosse, maple syrup, even indigenous art, among others, all come to define what it means, from the colonizers' perspective, at least in part, if nothing else, to recognize Canadian identity and identify it as such.[44] These symbols become "an important and enduring imaginative resource in the construction of Canadian national identity."[45]

Turning to the second strand, what do these northern-imbued symbols and what does this "northern" mythology refer to? The slogan, as metanarrative, has its own dialectic: it asserts

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37 Northrop Frye, "Northrop Frye on Canada," vol 12 (Toronto: University of Toronto Press, 2003) ("[h]istorically, a Canadian is an American who rejects the Revolution" at 106). See also David VJ Bell, "The Loyalist Tradition in Canada" (1970) 5:2 J Can Studies 22.

38 See Sherrill E Grace, *Canada and the Idea of North* (Montreal & Kingston: McGill-Queen's Press, 2002).

39 See Louis Hartz, *The Founding of New Societies: Studies in the History of the United States, Latin America, South Africa, Canada, and Australia* (New York: Harcourt, Brace & World 1964); James Axtell, *The Invasion Within: The Contest of Cultures in Colonial North America* (New York: Oxford University Press, 1985).

40 Tamara Palmer Seiler, "Riding Broncs and Taming Contradictions: Reflections on the Uses of the Cowboy in the Calgary Stampede" in Maxwell Foran, ed, *Icon, Brand, Myth: The Calgary Stampede* (Edmonton: AU Press, 2008) at 180–81:

> J.L. Granatstein makes the point most forcefully when he asserts that Canadians are the oldest anti-Americans in the world, and that "Canadian anti-Americanism, just as much as the country's French-English duality, has for two centuries been the central buttress of our national identity."

41 John Robert Colombo, *Fascinating Canada: A Book of Questions and Answers* (Toronto: Dundurn, 2011) at 147

42 George Grant, *Lament for a Nation: The Defeat of Canadian Nationalism* (Montreal & Kingston: McGill-Queens University Press, 2005) at 34.

43 See Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995) for an excellent discussion of Canada's self-identification as a multicultural nation.

44 Mackey, "Death by Landscape," *supra* note 10. See also Andrew E Kim, "The Absence of Pan-Canadian Civil Religion: Plurality, Duality, and Conflict in Symbols of Canadian Culture" (1993) 54:3 Sociology Religion 257.

45 Arnold, "Redux," *supra* note 21 at 453.

a northern identity different from that which exists south of the border, but it also asserts that it is a Pan-Canadian identity — it has to, because it cannot be referring to the Northern United States, which has its own identity different from that of the Southern, Midwestern, or Western United States. "The north," is thus a particular Canadian idiom that dualistically refers to Canada itself, and to *northern* Canada, as a distinct geographical region within Canada. Here, the Raptors' slogan subsumes that dualism into a monistic appropriation of that idiom and transmutes it into a metonym for "national identity," as amorphous or quixotic as McLuhan or anyone else might claim the Canadian national identity to be. In other words, as we shall see, the slogan "We the North," is a short-hand way of saying "Canada, Canadians, and the players that make up the Toronto Raptors basketball team are of 'the North.'"[46]

Further, the slogan also implicitly assumes and loudly proclaims the colonial descendants' right to be here, in Canada, in "the North," occupying appropriated land.[47] Without relying on notions of cultural essentialism to make this point, it is evident that it homogenizes all Canadians into one metonym. The slogan therefore appropriates not only from the indigenous peoples who traditionally inhabited (all of Canada or more specifically) *northern* Canada, the Inuit, but also from non-indigenous northerners — those who live in the Yukon Territory, the Northwest Territories, or Nunavut.[48] In this transmutative process, the slogan confuses who in Canada is "northern." That may very well be its purpose, however, as a colonial construct — a construct which fetishizes northern-ness as indigeneity.[49]

If the City of Toronto and its basketball team is "the North," then all of Canada which lies further north, east and west, must also too be "the North" or "northern" — what else could these regions be in standard geographic terms?[50] To illustrate the point more clearly, how then would a professional sports team based say in Yellowknife, Northwest Territories or Dawson City, Yukon Territory sloganize itself? "We the *Real* North" or "We the *Further* North"? At the risk of sounding facetious, could a basketball team in Yellowknife sloganize itself as "We the *Northwest* North"? How would the Innu on the shores of Northern Labrador sloganize their basketball team: "We the Innu of the Northern Shores of Labrador North of the North"? The multiple iterations of slogans that can be imagined and the associated problems ought to be obvious.

Yet another problem exists. Southern Ontarians will often refer to a visit to Algonquin National Park, or some region north of Toronto, as "going up North." Northern Ontarians, for example those living in Thunder Bay, will often refer to themselves as "northerners" as much as those living near the Arctic circle will, yet Winnipeggers or Calgarians might not,

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46 Alex Wong, "Raptors' We the North Campaign Gives Fans a Voice They Can Identify With," *Vice Sports* (20 May 2015), online: <https://sports.vice.com/en_ca/article/qkyg57/raptors-we-the-north-campaign-gives-fans-a-voice-they-can-identify-with>.

47 See Amar Bhatia, "We Are All Here to Stay? Indigeneity, Migration, and 'Decolonizing' the Treaty Right to Be Here" (2013) 13:2 Windsor YB Access Just 39.

48 See Christopher M Fletcher, "Inuit Symbols and Canadian Nationhood in the Imagined North" in Sverrir Jakobsson, ed, *Images of the North: Histories, Identities, Ideas* (Netherlands: Rodopi, 2009).

49 See Jason Dittmer & Soren Larsen, "Aboriginality and the Arctic North in Nationalist Superhero Comics, 1940-2004" (2010) 38 Historical Geography 52; Jessica Shadian, "In Search of an Identity Canada Looks North" (2009) 37:3 American Rev Can Studies 323.

50 I acknowledge that critics of this assertion may argue that "north" is merely a function of the fact that directions are relational and necessarily cover an area rather than a pinpoint; that is unless one is literally standing on the north pole, there is always something that is more north than any given location.

even though those cities' inhabitants live further north than Thunder Bayers or Torontonians. If everything that lies north of the forty-ninth parallel is "northern," then by what right do the Raptors — and by extension, the City of Toronto — have to claim that geography as their own? And what then is the putative or geographic identity of those who live outside of Toronto, in Canada's northern-most reaches and elsewhere? Ultimately, it appears that there are within Canada itself, competing views and latent ambiguities as to who properly constitutes a "northerner" or what "the north" is.[51] Arnold writes: "representations of Canadian nordicity as an essential feature of our identity tell us virtually nothing about the north, while revealing a great deal about a society in which most people will never go there except in our collective imagination."[52]

My assertion, nonetheless, is that the Raptors' slogan declaring Toronto's NBA basketball team and its fans as "We the North," is emblematic of banal nationalism, and not only dispossess authentic northerners of their indigeneity and geographic identity, the Inuit, it more importantly dispossesses Inuit and other northern indigenous peoples of the opportunity to claim any identity of authentic "northern-ness" (if not northern identity itself) and as inhabitants of all the lands that constitute Canada in the same way that Inuit and other indigenous peoples were historically dispossessed of lands to create the nation of Canada — the promulgation of this slogan merely repeats the cultural violence of land appropriation.[53] Where all the land has now been appropriated, it is now time for the colonial presence to appropriate ideas, cultures, and identities.[54]

III. UNDERSTANDING BANAL NATIONALISM AND NATIONAL IDENTITY

Undertaking a study of nationalism is a complex endeavour, fraught with difficulties, and is not properly my aim here, as I am neither a psychologist, sociologist, nor anthropologist.[55] Nevertheless, thus far in this article the word "nationalism" has been limited in its use. Instead "national identity" has been used. There is a difference. "Nationalism," according to Billig, is often seen as something which exists on the margins of society — as the lifeblood of right- or left-wing radicals, or movements like that of the Parti or Bloc Quebecois, the Irish Republican Army, or the Tamil Tigers, as examples — and not as something which can be said to inform ordinary and everyday life in Canada.[56] Nationalism

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51 Arnold, "Constructing," *supra* note 5 at 106 [citations omitted]:

> However, it is important to appreciate that most Canadians have an ambivalent, ambiguous relationship with the north-as-place. We know very little about the north, and very few of us will ever go there. Nor is it even clear where "there" is — is it the Canadian Shield? The provincial norths? The High Arctic? Is it north of the 49th parallel? The 60th? And yet, this ambiguity does little to diminish the power that it has over our collective imagination for, as Daniel Francis has written, "[t]o a Canadian, North is an idea, not a location; a myth, a promise, a destiny". In an important way, then, the unifying power of the north lies precisely in its free-floating quality as an empty signifier to which different meanings and agendas can be attached.

52 Arnold, "Redux," *supra* note 21 at 460.

53 Rosemary J Coombe, *The Cultural Life of Intellectual Properties: Authorship, Appropriation, and the Law* (Durham: Duke University Press, 1998) at 232.

54 Deborah J Halbert, *Resisting Intellectual Property* (London, New York: Routledge, 2005).

55 Billig, *supra* note 11 at 38.

56 *Ibid* at 5:

> [T]here is something misleading about this accepted use of the word "nationalism". It always seems to locate nationalism on the periphery. Separatists are often to be found in the outer regions of states; the extremists lurk on the margins of political life in established democracies, usually shunned by the sensible politicians of the centre. The guerrilla figures, seeking to establish their

constructed this way is seen as the product of extremists, who employ violent means to achieve irrational ends, or, who are viewed in foreign contexts as heroic freedom-fighters struggling to overthrow despotic regimes and to secure freedom and peace for oppressed peoples.[57] "We," in Billig's thought, thus generally view nationalism as something that belongs to "others" or "them," and not to "us." For ourselves, "we" tend to prefer referring to our nationalism as "patriotism,"[58] and by so doing "we" deemphasize the object to which "our" loyalty and national identity is being shown: the nation-sate.[59] A familiar sort of Saidian Orientalism emerges in that process.[60] In any event, nationalist rhetoric, even banal nationalist rhetoric, nevertheless relies upon familiar images and clichés for its potency.[61] "We the North," though it operates passively as ostensibly merely a sports team's slogan and is a form of "banal nationalism," is precisely a semantic example of this rhetoric — a metonym — which is meant to exemplify and amplify Canadian "patriotism" or national identity. In its own words, the ad agency Sid Lee proclaims: "Sid Lee partnered with the Toronto Raptors to unite people around a mindset and pride of place. We The North isn't a campaign, but an example of how an identity-shaping truth can spark a brand crusade."[62]

It is unsurprising that Billig places semantics and the intonation of language and communication at the heart of his theory of banal nationalism. First, as discussed earlier, he defines banal nationalism as an endemic condition in which the ideological habits of established western nations are reproduced by daily "flagging" of national symbols in everyday life.[63] "Flagging," refers to routine displays of the country's national symbols. Examples of banal *Canadian* nationalism might include: the national flag flying on various

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> new homelands, operate in conditions where existing structures of state have collapsed, typically at a distance from the established centres of the West. From the perspective of Paris, London or Washington, places such as Moldova, Bosnia and Ukraine are peripherally placed on the edge of Europe. All these factors combine to make nationalism not merely an exotic force, but a peripheral one. In consequence, those in established nations — at the centre of things — are led to see nationalism as the property of others, not of "us".

57 *Ibid* at 16–18.

58 *Ibid* at 56:

> The language is psychological, yet there is no direct psychological evidence to distinguish the rational state of patriotism from the irrational force of nationalism…. The evidence lies in the social events themselves: mass movements of nationalism are deemed irrational. The analysis, with its dire warnings, soothingly reassures. So much can be forgotten, as "we" recall "their" nationalism with horror. The wars waged by US troops; the bombings in Vietnam and Iraq; the bombast of successive US presidents; and the endless display of the revered flag: all these are removed from the problems of over-heated nationalism. If required, they can be transmuted into the warm glow of patriotism, the healthy necessity rather than the dangerous surplus.

59 *Ibid* at 16:

> It is always possible to insist that the term "nationalism" should be restricted to the beliefs of "others". When talking of "our" beliefs, one might prefer other different words such as "patriotism", "loyalty", or "societal identification". Such terms banish the word "nation", and with it the spectre of nationalism, at least in regard to "our" attachments and identities. The problem is that such terms overlook the object to which the "loyalty" or "identification" is being shown: the nation-state. The present approach does not restrict the term "nationalism" to the ideology of "others", for, as will be suggested, such a restriction carries ideological implications. Instead, nationalism is broadened as a concept to cover the ways that established nation-states are routinely reproduced. This frequently involves a "banal" nationalism, in contrast with the overt, articulated and often fiercely expressed nationalism of those who battle to form new nations.

60 Edward Said, *Orientalism: Western Concepts of the Orient* (New York: Pantheon, 1978).

61 Billig, *supra* note 11 at 5–6.

62 Sid Lee, "Toronto Raptors #WeTheNorth," online <https://sidlee.com/stories/2014/4/toronto-raptors>.

63 Billig, *supra* note 11 at 6:

> [B]anal nationalism is introduced to cover the ideological habits which enable the established nations of the West to be reproduced. It is argued that these habits are not removed from everyday life, as some observers have supposed. Daily, the nation is indicated, or "flagged", in the lives of its citizenry. Nationalism, far from being an intermittent mood in established nations, is the endemic condition.

masts at government buildings, universities, or hockey arenas around the country; displayed portraits of the Queen, beavers, moose, loons and polar bears on the currency; weather reports from around the country; or, the singing of national anthems at various sporting and cultural events,[64] and here, the slogan "We the North." The symbols which Canadians identified in the Statistics Canada study discussed earlier are too. In totality, these symbols remind citizens of Canada's existence as a *nation*; moreover, it reminds them of the notion of Canada as a *northern* nation.

According to Billig, banal nationalism is also different than conventional nationalism because it operates by subtly, rather than blatantly, reminding citizens of the country's existence and its identity. Conceptually, banal nationalism provides the background, continuity, and discourse that is so easily recognized by Canadians that they need not even be conscious of the reminding or the "flagging" of the nation's existence and identity.[65] That discourse embodies the habits of social and political life, thinking and ways of using language to speak about the nation and identity in a particular way.[66] Put differently, banal nationalism, much like the Andersonian concept of "imagined communities," is the internalization by the citizenry of nationalistic symbols that the country relies upon for its identity and informs the way they perceive the nation and their identity within it. Banal nationalism then is simultaneously obvious and obscure.[67] Thus, *all* Canadians may consider themselves "northern" without giving too much thought to what this actually means. Banal, however, is not to be taken as synonymous with benign.[68]

Clarification is also required on how the word "identity" has been used here. While some Canadians struggle for personal or intra-national identity and to have such identity recognized by the others or the state, for others, as least as the discussion pertains to national identity, reified national identity exists as though it were some tangible phenomena sitting in wait but readily within reach when needed — like the owner of a smartphone who answers

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64 Matthew Hayday, "Fireworks, Folk-Dancing, and Fostering a National Identity: The Politics of Canada Day" (2010) 91:2 Can Historical Rev 287.

65 Billig, *supra* note 11 at 8:

> The central thesis of the present book is that, in the established nations, there is a continual "flagging", or reminding, of nationhood. The established nations are those states that have confidence in their own continuity, and that, particularly, are part of what is conventionally described as "the West". The political leaders of such nations — whether France, the USA, the United Kingdom or New Zealand — are not typically termed "nationalists". However, as will be suggested, nationhood provides a continual background for their political discourses, for cultural products, and even for the structuring of newspapers. In so many little ways, the citizenry are daily reminded of their national place in a world of nations. However, this reminding is so familiar, so continual, that it is not consciously registered as reminding. The metonymic image of banal nationalism is not a flag which is being consciously waved with fervent passion; it is the flag hanging unnoticed on the public building.

66 *Ibid* [citations omitted]:

> National identity embraces all these forgotten reminders. Consequently, an identity is to be found in the embodied habits of social life. Such habits include those of thinking and using language. To have a national identity is to possess ways of talking about nationhood. As a number of critical social psychologists have been emphasizing, the social psychological study of identity should involve the detailed study of discourse. Having a national identity also involves being situated physically, legally, socially, as well as emotionally: typically, it means being situated within a homeland, which itself is situated within the world of nations. And, only if people believe that they have national identities, will such homelands, and the world of national homelands, be reproduced.

67 *Ibid* at 14.

68 *Ibid* at 6–7.

the call when dialled upon.[69] To celebrate and identity oneself as "a Canadian," is an action committed when the context seemingly demands it, for example, when Canada wins the gold medal in hockey at the Olympics or when the Raptors defeat an American team in the NBA playoffs, but not necessarily when going about in ordinary every day life; for example, when buying groceries, taking out the trash, or reading the news about another murder in one's community.[70] The flag is admired and revered when it flies high on Canada Day, but though clearly visible may barely be given a moment's notice when filling up the tank at the gas station or hurriedly checking out materials at the local library.[71] There is thus a necessary and corollary or ordinary context in which national identity is asserted. Further, in the context of sports, banal nationalism acts as a proxy for ideology in times of war.[72] But identity is not, as might be assumed, a reified psychological state; rather, it is a "short-hand description for ways of talking about the self and community."[73] And therein lies the power of the "We the North" slogan: it neatly summarizes the entirety of what is perceived by Canadians to be Canadian identity and deftly serves it up as a national metanarrative.

It ought to be obvious, however, that nationalism cannot exist without nations and, more specifically, nation-states.[74] Similarly, there can be no "national identity," real, perceived, or otherwise without the nation-state: Canadian (national) identity is rooted in what it means to be "Canadian," "of Canada," or "of the Canadian nation." Without the Westphalian (notion of the) nation-state, Canada as "north of the border" cannot be conceptualized or conceived, except for by reliance on the equator and hemispheric notions, perhaps.[75] Thus, ideologies of nationalism typically presume the existence and legitimacy of the nation-state and have as their core tenet the belief of nation-state as the naturally organized or occurring political unit.[76]

Importantly, Billig also tells us there are two related meanings to the phrase "the nation." The first refers to the nation-state, as described above, as a sovereign political entity, and the second refers to the people living within the nation.[77] Through the invention of customs and tradition, national identities are created as if they are natural, even eternal, features of human

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69 *Ibid* at 7–8:

> Identity, in common talk, is something which people have or search for. One might think that people today go about their daily lives, carrying with them a piece of psychological machinery called "a national identity". Like a mobile telephone, this piece of psychological equipment lies quiet for most of the time. Then, the crisis occurs; the president calls; bells ring; the citizens answer; and the patriotic identity is connected.

70 I acknowledge that some persons will go into Canadian-owned stores, and only buy Canadian-made products. This is precisely the action of an ardent nationalist.

71 See Hayday, *supra* note 64.

72 Billig, *supra* note 11 at 122–25, 149–53.

73 *Ibid* at 60 [citations omitted]:

> There seems to be something psychological about an "identity", but theories of psychology are often unable to explain what this psychological element is. There does not seem to be a particular psychological state, which can be identified as an "identity". That being so, an investigation of national identity should aim to disperse the concept of "identity" into different elements. An "identity" is not a thing; it is a short-hand description for ways of talking about the self and community. Ways of talking, or ideological discourses, do not develop in social vacuums, but they are related to forms of life. In this respect, "identity", if it is to be understood as a form of talking, is also to be understood as a form of life. The saluted and unsaluted flags are not stimuli that evoke "identity-reactions"; they belong to the forms of life which constitute what could be called national identities.

74 *Ibid* at 19.

75 See Will Kymlicka, "Being Canadian" (2003) 38:3 Government & Opposition 357.

76 Billig, *supra* note 11 at 19–20.

77 *Ibid* at 24.

existence antedating the nation-state or nationalism.[78] The national identity is thus forged on the traditions created by and inhabited as "natural" in the metanarrative that comprises the nation-state's origins and historical continuity. The Supreme Court of Canada decision in the *Reference re Secession of Quebec*, for example, propounds the natural existence of Canada, enunciating that federalism, democracy, constitutionalism, and the Rule of Law, and the protection of minorities are the underlying principles — or traditions — by which it exists as a sovereign nation-state and which prevent its political fragmentation.[79] The question in this context, however, is not so much what are these underlying principles to which the Supreme Court refers, but where are they derived from?[80] The answer must be based in some notion of Canada's "natural" or historical identity.[81]

Further on this point, however, when referring to the nation as its inhabitants, we should not, in the words of former Prime Minister Pierre Trudeau — seen at the beginning of this article — assume there is such thing as a "model" or "uniform" Canadian, nor would it be desirable to aspire to create one.[82] Canada is undeniably a multicultural country, possessing a history fraught with colonial violence.[83] But, while Canadians often assert that their country's identity is multicultural, they rarely, if ever, question Canada's existence — not its legitimacy — as a nation-state despite the enduring legacies of its colonial violence. But this is precisely the point. The quest to establish a national identity is "a battle for hegemony, by which a part claims to speak for the whole nation and to represent the national essence."[84] Leaving aside the assertion of a multicultural identity, it is precisely the hegemonic nature and homogenizing power of the northern-imbued national symbols that root the nation's mythology and supply it with at least, a "northern" identity, upon which to base everything else that later may follow.

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78 *Ibid* at 26 [citations omitted]:

> Through the invention of traditions, national identities were being created as if they were "natural", even eternal, features of human existence. As Gellner argues, nationalism presents "itself as the affirmation of each and every 'nationality', and these alleged entities are supposed just to be there, like Mount Everest, since long ago, antedating the age of nationalism."

79 [1998] 2 SCR 217 [*Secession Reference*].

80 *Ibid* at para 49:

> What are those underlying principles? Our Constitution is primarily a written one, the product of 131 years of evolution. Behind the written word is an historical lineage stretching back through the ages, which aids in the consideration of the underlying constitutional principles. These principles inform and sustain the constitutional text: they are the vital unstated assumptions upon which the text is based. The following discussion addresses the four foundational constitutional principles that are most germane for resolution of this Reference: federalism, democracy, constitutionalism and the rule of law, and respect for minority rights. These defining principles function in symbiosis. No single principle can be defined in isolation from the others, nor does any one principle trump or exclude the operation of any other.

81 *Ibid*. See also Jean-Francis Gaudreault-DesBiens, "The Quebec Secession Reference and the Judicial Arbitration of Conflicting Narratives About Law, Democracy, and Identity" (1999) 23:4 Vermont L Rev 793; H Wade MacLauchlan "Accounting for Democracy and the Rule of Law in the Quebec Secession Reference" (1997) 76:1–2 Can Bar Rev 155; Patrick J Monahan, "The Public Policy Role of the Supreme Court of Canada in the Secession Reference" (1999) 11 NJCL 65.

82 Trudeau, *supra* note 1 at 33:

> Uniformity is neither desirable nor possible in a country the size of Canada. We should not even be able to agree upon the kind of Canadian to choose as a model, let alone persuade most people to emulate it. There are surely few policies potentially more disastrous for Canada than to tell all Canadians that they must be alike. There is no such thing as a model or ideal Canadian. What could be more absurd than the concept of an "all-Canadian" boy or girl? A society which emphasizes uniformity is one which creates intolerance and hate. A society which eulogizes the average citizen is one which breeds mediocrity. What the world should be seeking, and what in Canada we must continue to cherish, are not concepts of uniformity but human values: compassion, love and understanding.

83 Again, see the work of Will Kymlicka, *supra* note 43 on the subject of multiculturalism in Canada.

84 Billig, *supra* note 11 at 27.

Not only is the use of language to discuss these concepts important, so too is the way in which language is understood and used by the nation's inhabitants — by Canadians. In the same battle for hegemonic identity which enables the nation to be created, exists the battle to define the nation's use of language.[85] Although Canada may be a "northern" nation, the Canadian metanarrative includes histories of both French and English colonization and accordingly propounds the view of Canada as a bilingual nation, with both English and French serving as Canada's two official languages and both forming part of the national identity.[86] To see further evidence of this hegemonic power, however, we should not be surprised to witness that the Raptors' slogan, for example, is not "Nous le Nord" or "Inuttigut." The slogan's choice of language conveys as much meaning as do the words themselves. "We the North" is a decidedly *Anglo*-Canadian formation of the metanarrative, designed to invoke a particular vision of Canada — a vision based not only on mythologizing Canada as "northern," but also as historically Anglophone. Thus, while I do not suggest that the Raptors' slogan exemplifies "traditional nationalism," I do suggest that it is and exemplifies banal nationalism. Stated very simply, when "We the North" is heard or seen, it allows the hearer or viewer to understand the Canadian mythology in the shorthand way that banal nationalism makes possible: as a powerful metanarrative.

IV. THE DEICTICS OF THE SLOGAN AND CANADIAN NATIONAL IDENTITY

The deictics of the "We the North" slogan are the exegesis of the metanarrative embedded and asserted within it. Stated another way, each word in the slogan conveys a specific facet about the putative Canadian identity which it transmutes into a narrative, and in totality forms the unique deixis of that metanarrative. Put differently yet again, each word in the slogan functions as a Barthesian signifier for the "something" else that it signifies. "We," for example, is meant to be synonymous with the people who inhabit Canada. This use of "we" communicates that "we," Canadians — *all* Canadians or at least certain Canadians without distinction of any kind — are to be seen, first, as "Canadians," and second, as different from Americans: "We" are the North, Canada, while "they," Americans, are not Canadian and therefore not "northern."[87] "We" is the signifier, and the totality of the signified is the nation as its inhabitants. Samantha Arnold persuasively writes: "not only does northern-ness thus operate as basis for unity, it also draws an important line of distinction between Canada and

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85 *Ibid* at 32 [citation omitted]:

> More is at stake in drawing the boundary of a language than linguistics. The battle for hegemony, which accompanies the creation of states, is reflected in the power to define language, or … the power "to make meaning stick."

86 *Ibid* at 29:

> As the ideology of nationalism has spread across the globe, so it has shaped contemporary common sense. Notions, which seem to us so solidly banal, turn out to be ideological constructions of nationalism. They are "invented permanencies", which have been created historically in the age of modernity, but which feel as if they have always existed. This is one reason why it is so difficult to offer explanations for nationalism. Concepts, which an analyst might use to describe the causal factors, may themselves be historical constructs of nationalism. A prime example is the idea of languages. As was mentioned earlier, many analysts have claimed that language is a prime determinant of nationalist identity: those speaking the same language are liable to claim a sense of national bond. Also, as was mentioned in the previous section, the creation of a national hegemony often involves a hegemony of language. It would not be difficult to construct a model of nationalism around the importance of speaking the same or different languages.

87 Bruce Kidd, "How Do We Find Our Own Voices in the 'New World Order'? A Commentary on Americanization" (1991) 8:2 Sociology Sport J 178.

the United States."[88] To digress for a moment, in a bitter twist of reversal, during the 2016 NBA Playoffs, CBS, when conducting a poll as to who would win the NBA championship, listed the Golden State Warriors, Oklahoma City Thunder, Cleveland Cavaliers, and "Other" as options. Torontonians and Canadians assumed that "Other" meant the Toronto Raptors. This apparent slight drew the ire of Toronto Mayor John Tory who sent a letter to Sean McManus, the Chairman of CBS, in which he caustically wrote:

> The poll offered a choice between Cleveland, Golden State, Oklahoma City, and "other." We have to assume that "other" is Toronto, proud home of the Raptors and 2.8 million residents, including many CBS Sports viewers.
>
> We're not the slightest bit offended. In fact, we're accustomed to being underestimated. Just a few days ago LeBron James said he was looking forward to playing the [Miami] Heat — a team that is now golfing. Dwayne Wade thought he could take practice shots during our national anthem. Well we showed him how we feel about that.
>
> In Toronto, North America's 4th largest city, it's actually quite exciting for us to have our Raptors in the Conference finals — a first for a Canadian team. Especially since basketball was invented by a Canadian. You're welcome![89]

CBS Sports would later apologize for the apparent slight, "claiming the poll was created prior to the conclusion of the Raptors' series with the Miami Heat."[90] Toronto lost in four games straight to Cleveland and did not win the NBA Championship. Furthermore, there is only one Canadian team in the NBA, although many years ago, and only for a short while, there were two: Toronto and Vancouver.[91] The letter, therefore, perhaps ought to have read "a first for *the* Canadian team."

On that note, returning to the main analysis, "the" within the slogan is also a deictic within this unique deixis; "the" declares that there is only one north, and "we," Canada, are it: *the* north. There is no room nor need in the slogan to distinguish between the Canadian north, or any "north," or even the different ways in which "north" is understood by Canadians or other nationalities. It is akin to the Dallas Cowboys of the NFL being "America's team"[92] — the use of singular implies that America has only one team, and the Dallas Cowboys are it. There can, therefore, be no other team which is America's.[93] Returning to the Raptors, "we" are told that we, Canadians, are *the* north — also singular. There cannot be any other "north." In a Barthesian sense, then, "the" lays claims to and eviscerates all possible incarnations of northern-ness, because the slogan proclaims that "we" are the monolithic it: *the* north. To

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88 Arnold, "Redux," *supra* note 21 at 456.

89 Patrick Britton, "Mayor of Toronto Pens Letter to CBS Following Poll Mishap," *The Score* (17 May 2016), online: <https://www.thescore.com/nba/news/1028626-mayor-of-toronto-pens-letter-to-cbs-following-poll-mishap>.

90 *Ibid*.

91 The Vancouver became the Memphis Grizzlies in 2001: see Filip Boen et al, "When Your Team is Not Really Your Team Anymore: Identification with a Merged Basketball Club" (2008) 20:2 J Applied Sport Psychology 165.

92 Randal C Picker, "Organizing Competition and Cooperation After *American Needle*" (2010) CPI Antitrust J No 523 at 3, online: <https://ssrn.com/abstract=1629879>.

93 See Leah R Vance Berge & N Trujillo, "The Rhetoric of Winning and Losing: The American Dream and America's Team" in Lawrence A Wenner, ed, *Media, Sports, and Society* (California: SAGE, 1989).

illustrate the potency of this analysis, witness the words of Jeremiah McNama, a senior writer in 2013 at Sid Lee, who was part of the team that developed the slogan: "We knew we wanted to play around the idea of being an outsider.… It just had a vibe to it, like 'we the people' in *the* constitution."[94] First, "We the People" appears in the American constitution, not the Canadian. But when McNama's words about invoking "the constitution" are read by a Canadian, the intended referent is the Canadian constitution.

Similarly, "North" itself is a deictic in the slogan which does not demand any sort of distinction among what "north" or "northern" may be among other nations or peoples, or even within Canada. It assumes all "northern-ness" into the deictic "North," and loudly proclaims that there is only one "north," and we are it: "We the North." In this sense, it also reveals the colonial fetishization of indigeneity: "North" is an imagined social space as much as it is a geographic place.[95] Amusingly, the Portland Trailblazers, the NBA team representing the City of Portland, Oregon, in the United States, took to Twitter in 2014 with the hashtag "#WeTheNorthToo" to illustrate that Portland sits 45.52 at degrees latitude while Toronto sits at 43.70 degrees.[96]

Nevertheless, all at once, when the Barthesian notions of signifier and signified are revealed in this deixis, the slogan makes sense to Canadians — and the other associated symbols associated with northern-ness — because it banally communicates the national mythology of what it means to be Canadian: "northern." A Raptors fan may choose to wear a t-shirt or a hat with the slogan and not give much thought to what exactly it is communicating, except that it is something Canadian. One need not look further than an October 2014 article published in *The Globe and Mail*, one of Canada's largest daily newspapers, for evidence of this assertion. Tom Koukodimos, executive creative director at Sid Lee, the agency which created the slogan, was quoted as saying:

> We were asked to redefine a brand, but also the city and place we're born and raised in, so it was close to home for us.…What we kept talking about was an unapologetic Canadian story. We're always trying to define ourselves as Canadians, and we said "Enough of that, let's just demonstrate what we feel. Let's create something we look at and all nod our heads to."[97]

Vice President of Marketing & Communications for Maple Leaf Sports Entertainment, the company which owns the Raptors, Shannon Hosford would add in another article:

> The thing that I love about We The North is that it's authentic, it's about who we are as Canadians. We spun all the negative things about where we come from into a positive; it might be cold but we are the north and we're proud of it. I think a lot of people gravitated towards the spin because it resonated with them.[98]

The deictics of the exegesis have profound consequences, however.

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94 Sourov De, "3 Things We Can Learn From the Raptor's Social Media Success" (19 May 2016), online: <www.stryvemarketing.com/blog/3-things-we-can-learn-from-the-raptors-social-media-success/> [emphasis added].

95 See Dittmer & Larsen, *supra* note 49.

96 "We the North, the Raptors Slogan, Mocked by the Portland Trail Blazers," *CBC News* (31 December 2014), online: <www.cbc.ca/news/canada/toronto/we-the-north-the-raptors-slogan-mocked-by-the-portland-trail-blazers-1.2887500>.

97 See Brady, *supra* note 36.

98 See Niedoba, *supra* note 4.

V. THE APPROPRIATION OF NORTHERN INDIGENOUS IDENTITY

The value of my analysis offered in this article manifests in the realization that the Raptors' slogan is, on several levels, appropriative of Inuit identity. While I readily concede that the slogan is appropriative of all Canadians who live in the areas that are notionally considered "the north," such as Northwest Territories, Yukon Territory, and Nunavut, I prefer to focus on the appropriative effects on *indigenous* northern identity.[99] Such appropriation is, however, problematized because to say that the "identity" of any one group of indigenous peoples has been appropriated, or let alone is frozen in time and capable of singular appropriation, has an antithetically homogenizing effect on the rich diversity, depth of culture, sophistication of language, and social organization that permeate all of indigenous peoples in Canada. Further, in this discussion, I have made conscious attempts to avoid establishing or perpetuating a gaze that dichotomizes Canada's indigenous peoples as "other."[100] Furthermore, great emphasis needs to be placed on the fact that I do not purport to speak for any indigenous peoples or communities in Canada, nor do I paternalistically advocate for a more benign or sympathetic or any form of cultural nationalism.[101] My larger point is that Canada is built on stolen land and so too is its identity.

For the purposes of this article, it is most appropriate to refer to those indigenous peoples who traditionally inhabit Canada's north: the Inuit of Canada's circumpolar region.[102] The Inuit, and their predecessors, have occupied these regions for thousands of years, and as a nomadic population, inhabited all regions of the far north from Alaska to Greenland to Siberia.[103] If there is any group of people on earth who are properly "northern," it is the Inuit. Most appropriation of indigenous identity by the colonial presence begins with appropriation from Inuit.[104] The constructs of appropriation end up being "idealized images that bear no necessary connection to the people actually living in the north."[105]

Despite my assertions, there is a modest amount of literature on what makes Canadian identity specifically "northern", but that which exists reveals that much of what informs — if it does not define — Canadian identity is predicated on appropriating indigenous culture to construct that national identity.[106] As Pupchek writes, "throughout its history as a country, the Canadian identity has relied on an extended program of identifications in which

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99 See Fletcher, *supra* note 48.

100 See Said, *supra* note 60.

101 See *supra* note 9.

102 Ellen Bielawski, "Inuit Indigenous Knowledge and Science in the Arctic" in David L Peterson & Darryll R Johnson, eds, *Human Ecology and Climate Change: People and Resources in the Far North* (Washington DC: Taylor & Francis, 1995) 220.

103 Agnar Helgason et al, "mtDNA Variation in Inuit populations of Greenland and Canada: Migration History and Population Structure" (2006) 130:1 American J Physical Anthropology 123.

104 See Nelson HH Graburn, "Authentic Inuit Art Creation and Exclusion in the Canadian North" (2004) 9:2 J Material Culture 141.

105 Arnold, "Redux," *supra* note 21 at 458.

106 See Mackey, "House of Difference," *supra* note 11.

indigenous peoples are important elements."[107] Returning to the Andersonian concept of "imagined communities" she also suggests that it

> helps explain one reason the cultures of the indigenous peoples of Canada could serve as discursive resources in the construction of New World centers; one way the New World French and English could imagine their division from Europe and synthesize new nations was to identify with the indigenous inhabitants of New World territories and appropriate at least elements of their cultures.[108]

Pupchek's work illustrates that the Canadian Government had, in a process that began in the late 1940s and early 1950s, made a conscious effort to appropriate Inuit art and fashion it for the purposes of the Canadian identity project. For example, beginning in 1958 the Canadian Government's Department of Indian Affairs, now styled as the Department of Indigenous and Northern Affairs, had a program of developing Inuit art among Inuit and controlling those works which would ultimately reach the art markets because it wished to fashion a particular identity about Canada (and less so, its indigenous peoples).[109] The art that reached the markets was that which conformed to the ideal that the Canadian Government was fashioning or curating.[110] In the process, the government's programs not only dispossessed those artists of their works, but of their voices, and the opportunity to create an identity for Inuit not mediated or arrogated for the purposes of folding that artistic and cultural expression into colonial national aims and ideals.[111] Even more abhorrent, and this is ultimately the point, indigenous peoples in Canada were forced to assimilate into those colonial aims and ideals, culminating in the genocide that was the Residential School system.[112]

As another example, for the 2010 Vancouver Olympics, the traditional Inuit sculpture of the Inuksuk was used as the Olympic Games' logo — or more appropriately, appropriated — because the VANOC organizing committee thought that it was "something … connected to every Canadian, wherever they live in the country."[113] A trade-mark was even taken on the logo, and legislation passed, preventing the Inuksuk's use in other contexts.[114] The Inuksuk, which has autochthonous meanings for the Inuit, was once again arrogated in

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107 Leanne Stuart Pupchek, "True North: Inuit Art and the Canadian Imagination" (2001) 31:1–2 American Rev Can Studies 191 at 193.

108 *Ibid*.

109 See Valda Blundell "'Take Home Canada': Representation of Aboriginal Peoples as Tourist Souvenirs" in Stephen H Riggins, ed, *The Socialness of Things: Essays on the Socio-Semiotics of Language* (Berlin: Mouton de Gruyter, 1994) 251. See also Pupchek, *supra* note 107.

110 Pupchek, *ibid*.

111 Arnold, "Constructing," *supra* note 5 at 117:

> The small market that had emerged in Inuit art after 1948 was given a significant boost when the federal government began to provide support to its development, and by Expo 67, with the habit of gifting foreign dignitaries with Inuit art well established, the cultural appropriation of Inuit art as representing the pure essence of the northern Canadian nation was firmly underway. Thus, the choice of the inuksuk as a symbol of the 2010 Olympic Games can be understood as the culmination of a long-standing practice of appropriating an ahistorical and imaginary image of "the Inuit" as exemplars of the purest form of Canada's northern identity in the narrative of self-representation in Canada.

112 See Final Report of the Truth and Reconciliation Commission of Canada, *Canada's Residential Schools: Inuit and Northern Experience*, vol 2 (Montreal & Kingston: McGill-Queens University Press, 2015); David B MacDonald & Graham Hudson, "The Genocide Question and Indian Residential Schools in Canada" (2012) 45:2 Can J Political Science 427.

113 Jane Armstrong, "The Friend Nobody Likes," *The Globe and Mail* (27 April 2005), online: <https://www.theglobeandmail.com/news/national/the-friend-nobody-likes/article20421434/>.

114 *Olympic and Paralympic Marks Act*, SC 2007, c 25.

service of symbolically speaking for a modern colonial visualization of the nation's identity.[115] Writing of this appropriation Arnold writes, the Inuksuk is "claimed as representing 'us,' *all* of us [Canadians]."[116] What, it must be asked, inherently connects every Canadian, regardless where they live in the country, to the Inuksuk? Could the same be said for the cattle steered in Alberta or the cod fished off the coast of Newfoundland? The larger point, as Arnold points out scholars such as Eva Mackey and Leanne Pupchek have made, is that the Canada nationalist project has a history of appropriating from indigenous cultures in order to cultivate a national identity.[117] "In many contexts," Pupchek writes, "Inuit imagery has become a synecdoche, symbolic part-for-the-whole, of Canadian identity. While the synecdoche may seem problematic in the twenty-first century, not to mention inauthentic, the acceptance of Inuit art as a marker of Canadian identity remains popular and unquestioned."[118] Appropriation from indigenous peoples, specifically Inuit, is, then, it seems, as much a part of the metanarrative as anything else.

These are not the only examples of indigenous identity appropriation in Canada, but they serve here as appropriate analogies to illustrate the Raptors' slogan's vital problem. Where the Inuksuk is a cultural creation which has autochthonous meaning and identity for Inuit, and was appropriated by the colonizing presence to fashion symbols of national identity for the entirety of the nation-state in service of its national identity project, that very identity of Inuit as — the *beingness* of — "northern" is appropriated by an advertising agency to create a slogan for a basketball team. In other words, the right to claim "northern-ness" — either inside or outside the Westphalian system — ought to lie with no one but Inuit, but an assertion to such an identity which Inuit can make has been subsumed, if not obliterated, by a commercial enterprise sloganizing itself as being representative of *the* north.[119] The slogan is no less an explicit erasure of the lived experiences of Inuit as any other past example of appropriation.[120]

Some critics of my thesis might say the slogan simply wants to speak to Canadians to give them something to be proud of, and to distinguish them as the only Canadian team in a league containing 29 other, American, teams.[121] But these critics can be silenced by pointing out that the very process by which the slogan operates, and the Canadian vision of identity, takes away the cultural ownership of — it dispossesses — northern-ness from the Inuit and

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115 See Nelson Graburn, "Inuksuk: Icon of the Inuit of Nunavut" (2004) 28:1 J Inuit Studies 69.

116 Arnold, "Redux," *supra* note 21 at 453 [emphasis in original].

117 *Ibid* at 457.

118 Pupchek, *supra* note 107 at 191.

119 See Chidi Oguamanam, "Indigenous Peoples and International Law: The Making of a Regime" (2004) 30:1 Queen's LJ 348.

120 Arnold, "Redux," *supra* note 21 at 459.

121 Wong, *supra* note 46:

> The Raptors fan base has an inferiority complex, fostered through two decades of watching a mostly inept franchise in a city where none of the major professional sports teams have accomplished anything since the early 1990s. The Raptors have one playoff series win in franchise history, and one of their banners at the Air Canada Centre celebrates the fact they had an inaugural season. If the fan base feels inferior, or slighted, or disrespected, it's because the team has not done anything sustainable to warrant attention. We The North was not going to change any of those things overnight, but it helped galvanize the fan base, giving it a way to define its attitude and connect through a slogan. When the Raptors made their first playoff appearance in six seasons, thousands of fans arrived outside of the arena to cheer. Even though Toronto lost in the first round to the Brooklyn Nets, the overall experience captured the city. The team and its brand had something to build on.

"true" Canadian northerners.[122] If it does not, then it forces them to accept the slogan whether they chose to or not. It makes it impossible for Inuit, in an another context, to publically and legally declare themselves "the north," because Maple Leaf Sports and Entertainment Inc., the company which owns the Raptors, has a trade-mark in the slogan.[123] Further, the question of whether the average person in somewhat of a hurry would likely be confused to a similar trade-mark invoking "northern-ness," would be difficult to answer; in a basic sense, it could be answered by saying that, yes, this average person might be confused by the similar mark because it relies on the same evocations as the Raptors' slogan.[124]

So, while Maple Leaf Sports and Entertainment Ltd. would have Raptors fans, and perhaps all Canadians, adopt the "We the North" slogan as metonym for some putative metanarrative it has fashioned, I conclude that the slogan transgresses from a form of banal nationalism to a contemporary perpetration of the colonial violence historically inflicted on Canada's Inuit and other northern indigenous peoples. It takes away identity in the same way that land was taken away. If the Canadian Truth and Reconciliation Committee's 2016 report is to be actioned upon earnestly, then the historical violence of colonialism, and its modern iterations, are to be recognized as a part of the Canadian metanarrative as much as the existential struggle to establish a national identity is. The dispossession of indigenous identity — in addition to forced assimilation — is, therefore, precisely what makes the commercial slogan "We the North" particularly and distinctly unsettling: it perpetuates the vision of Canada espoused by the colonizers. To cite Arnold again, the slogan operates as an idealized image that bears no "necessary connection to the people actually living in the north."[125] Despite the slogan's problems I have identified, the Raptors were given an award for the slogan and a tremendous amount of money has been made in the promulgation of the slogan.[126] That issue, however, is reserved for discussion another day.

VI. A HEURISTIC LEGAL SOLUTION: GEOGRAPHIC INDICATIONS

As mentioned in the Introduction of this article, within the colonial westernized intellectual property rights regime extant in Canada — which is problematic in its own right in respect of protecting traditional knowledge and which is a regime which is mostly anathema to indigenous peoples in Canada, and largely inapposite to deal with indigenous

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122 Arnold, "Constructing," *supra* note 5 at 118:

> Undeniably, Canada's indigenized nordicity has been constructed in terms that gloss over the very real and enduring struggles of the Inuit to secure recognition of their rights as sovereign peoples within Canada. And there is no question that the idealized image of "the Inuit" that informs this discourse stands as a homogenizing move, and one that removes the Inuit from the history of the present. In this sense, this element of the Canadian self-narrative is no more "real" than the idea that Canada's history is characterized by peaceful interactions between "Mounties" and "Indians," that Canada is an unproblematically "open" and "tolerant" society, or that Canada has been and remains the pre-eminent international peacekeeper and honest broker. Like these ideas, the linkage of Canadian nordicity with indigeneity is not a truth-claim but a powerful discourse that makes sense to Canadians because it seems to fit with the image that Canadians already have of themselves.

123 "We the North," Maple Leaf Sports Entertainment Partnership, United States, 4842586 (27 October 2015) Registered; "We the North," Maple Leaf Sports Entertainment Partnership, United States, TMA950712 (28 September 2016) Registered.

124 *Mattel Inc v 3894207 Canada Inc*, 2006 SCC 22 at para 56.

125 Arnold, "Redux," *supra* note 21 at 458.

126 Bonnie Schiedel, "#WETHENORTH How the Raptors' Signature Campaign Got People Talking About Toronto" *ADRENALIN*, online: <https://adrenalinmag.ca/articles/we-the-north>.

knowledge governance — Geographic Indications (GI) may heuristically provide a legal framework by which to approach preventative, even remedial, solutions to the cultural or identity appropriation problems the "We the North" slogan represents.[127] As word of caution, I wish again to emphasize that it is not my aim to reify as intellectual property indigeneity, cultural expression, cultural appropriation, or any other phenomena that is essential or autochthonous to indigenous peoples and communities in Canada. I must acknowledge, however, that the solution proposed below is reflective of the possessive individualism which permeates the Canadian intellectual property rights regime.[128]

GIs are

> a sign used on products that have a specific geographical origin and possess qualities or a reputation that are due to that origin [and which] must identify a product as originating in a given place. In addition, the qualities, characteristics or reputation of the product should be essentially due to the place of origin. Since the qualities depend on the geographical place of production, there is a clear link between the product and its original place of production.[129]

A notable Canadian example of GIs in the context of this article was the then Department of Indian Affairs' "Igloo tag" program, which involved government distributing tags to various Inuit artists and dealers to affix to Inuit art in order to identify it as authentically Inuit.[130] This example itself, however, is not suggestive of how GIs might be used to protect Canada's indigenous peoples against further identity and cultural appropriation.

Rather, although imperfect, given that GIs "enable those who have the right to use the indication to prevent its use by a third party whose *product* does not conform to the applicable standards,"[131] and despite the fact that identity is not in a legal sense, a "product," perhaps a clearing house or database, operated under joint government and indigenous regulation, could be created which inventoried the various facets of indigenous identity *as defined by indigenous peoples themselves*, which would force would-be appropriators to seek consent to use that particular facet, or to license its use from the indigenous group claiming

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127 Halbert, *supra* note 54 at 156:

> The specific claims regarding intellectual property rights by Indigenous groups do not at any time suggest that Indigenous knowledge should be protected by the legal regimes of patents, copyrights, trademarks, or trade secrets. Intellectual property … is used to describe the creative work now being produced, medical and technological knowledge, but also artifacts and cultural property that have been taken from Indigenous groups. In other words, the concern of Indigenous groups drafting these international … [instruments] is not that they are provided with a legal regime that will protect their traditional knowledge in order to ensure that they can maximize their own profit from it (the concern of western individuals who seek copyright and patent protection). Instead, Indigenous groups use the language of intellectual property rights to resist the commercialization of their knowledge and culture, and assert control over what can be considered their property.

See also Rebecca Bratspies, "The New Discovery Doctrine: Some Thoughts on Property Rights and Traditional Knowledge" (2007) 31:2 Am Indian L Rev 315 at 335.

128 Rosemary J Coombe, "The Properties of Culture and the Politics of Possessing Identity: Native Claims in the Cultural Appropriation Controversy" (1993) 6:2 Can JL & Jur 249.

129 World Intellectual Property Organization, "Geographical Indications: What is a Geographical Indication?" online: <www.wipo.int/geo_indications/en/>. See also Teshager W Dagne, "The Identity of Geographical Indications and Their Relation to Traditional Knowledge in Intellectual Property Law" (2014) 15 WIPO J 137; Teshager Dagne, "Law and Policy on Intellectual Property, Traditional Knowledge and Development: Legally Protecting Creativity and Collective Rights in Traditional Knowledge Based Agricultural Products Through Geographical Indications" (2010) 11 Estey Centre J Intl L & Trade Policy 68.

130 See Blundell, *supra* note 109.

131 WIPO, *supra* note 129.

the pseudo or "real" GI. Similar databases have been created to deal with the similar problem of bio-prospecting in other indigenous communities.[132] I acknowledge, again, that Canada's intellectual property rights regime is mostly, if not wholly, anathema or inapposite to indigenous peoples in Canada.

Further, Article 31 of the *United Nations Declaration on the Rights of Indigenous Peoples*, a Declaration which Canada grudgingly endorsed in 2010, also lays the groundwork for this possible solution. It provides that:

> Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts … [and] have the right to maintain, control, protect and develop their *intellectual property* over such cultural heritage, traditional knowledge, and traditional cultural expressions.[133]

Canadian law protects identity in other forms, perhaps not collectively or culturally, but it does protect it.[134] There is, therefore, after all the land has been appropriated, and in the process of reconciliation attempts made to repent and atone for the violence committed in doing so, no reason why such an effort, if even only unsuccessfully, can not be undertaken. The suggestion is admittedly heuristic, but again, if the Canadian Truth and Reconciliation Committee's 2016 report and its calls to action are to be actioned upon earnestly, and true reconciliation is to occur, the continuing appropriation of indigenous land, culture, and identity must be stopped, even when manifested in something as banal as a sports team's slogan.[135]

VII. CONCLUSION

I hope that the exposition in this article has, from a post-colonial perspective, illustrated how something so seemingly innocuous and banal as a Canadian sports team's slogan manifests the enduring colonial legacy of Canada. I wish it to be clear that I have not provided a definition of what national identity is, nor have I defined what the Canadian national identity is. Neither have I homogenized nor attempted to homogenize indigenous peoples in Canada. I have not spoken for anyone except myself. Rather, it was my aim to expose how banal nationalism in Canada is anything but benign and, in the case of the Raptors' highly appropriative slogan, dispossessive of Inuit identity and an enduring symbol of Canada's colonial legacy. Neither have I argued that Canada ought to have intra-national distinctions among southern and northern, western, and eastern Canadians. As is well documented, Canada is in addition to being perceived as "northern," also largely defined by

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132 See Seemantani Sharma, "Traditional Knowledge Digital Library: 'A Silver Bullet' in the War against Biopiracy?" (2017) 17:2 John Marshall Rev Intellectual Property L 214.

133 *United Nations Declaration on the Rights of Indigenous Peoples*, GA Res 61/295, UNGAOR, 61st Sess, Sup No 53, UN Doc A/61/295 (2007), online: <www.un.org/ esa/socdev/unpfii/documents/DRIPS_en.pdf> [emphasis added].

134 *An Act to amend the Canadian Human Rights Act and the Criminal Code*, SC 2017, c 13.

135 *TRC Summary*, *supra* note 2 ("[i]t is time to abandon the colonial policies of the past, to address the legacy of the schools, and to engage in a process of reconciliation with the Aboriginal people of Canada" at 133).

its regionalism.[136] What I have attempted to show is that the metonym which the Raptors have developed, not only aims to encapsulate the imagined Canadian national identity and to fashion it into a metanarrative, it does, in fact, appropriate the very uniqueness that makes northerners and northern indigenous peoples what they are: northerners. It dispossesses them of that identity, or at least that facet of their identity, and is something that none of us should not be forced to endure if the Canadian identity project is to be properly completed and true reconciliation with Aboriginal Peoples in Canada is to crystallize.[137]

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136 See David Alexander, "New Notions of Happiness: Nationalism, Regionalism and Atlantic Canada" (1980) 15:2 J Can Studies 29; David VJ Bell, *The Roots of Disunity: A Study of Canadian Political Culture* (Toronto: Oxford University Press, 1992); Frances Frisken & Donald F Norris, "Regionalism Reconsidered" (2001) 23:5 J Urban Affairs 467.

137 *TRC Summary*, *supra* note 2 at 21–22:

> All Canadian children and youth deserve to know Canada's honest history, including what happened in the residential schools, and to appreciate the rich history and knowledge of Indigenous nations who continue to make such a strong contribution to Canada, including our very name and collective identity as a country. For Canadians from all walks of life, reconciliation offers a new way of living together.

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