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Indigenous citizenship, shared fate, and non-ideal circumstances

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ABSTRACT

This paper discusses the notion of 'citizenship as shared fate' as a potentially inclusive and real-world responsive way of understanding Indigenous citizenship in a non-ideal world. The paper draws on Melissa Williams' work on 'citizenship as shared fate,' and assesses some of the benefits and drawbacks of using this notion to understand citizenship in Indigenous and modern state contexts. In particular, the paper focuses on the challenges that existing non-ideal circumstances – past and enduring injustices and unequal power relations – bring to the understanding of 'citizenship as shared fate', and the normative constraints for realizing such citizenship in our contemporary world. By developing this notion in light of Indigenous claims for justice, the paper proposes three side constraints to the notion of 'citizenship as shared fate,' including its openness to different views of history, the role of history in shaping the future, and acknowledging – and countering – prevailing power relations between Indigenous and non-Indigenous peoples. The paper concludes by looking at some of the implications of the reconceptualized notion of 'citizenship as shared fate' for the shaping of Indigenous/non-Indigenous relations in the Nordic/Sápmi context.

I. Introduction

Citizenship, within Western liberal theory, is often viewed as a specific type of rights-conferring membership within a specific type of political unit (typically, although not exclusively, a sovereign state). Such citizenship-membership can be seen to incorporate three elements: legal status and rights, citizen participation, and shared citizen identity (cf. Leydet 2017).[1] These elements constitute the backbone of the special relation between the citizens and the state, and form a unique bond among a common citizenry.

From an Indigenous perspective, and also the rights of Indigenous peoples outlined in international law (incl. UN 1992; UNDRIP 2007; ILO 1989), traditional Western liberal understandings of citizenship are problematic for a number of reasons. As demonstrated by the history of colonialism, Indigenous peoples have not always been included as equal citizens within the state that came to occupy them, and once they were, the inclusion was mostly done on unjust terms (Turner 2000). Indigenous peoples suffer from a variety of historical, and enduring (Spinner-Halev 2012), injustices that question the presumed

equality of citizenship for Indigenous and non-Indigenous peoples alike. Indigenous peoples' self-understandings of citizenship are often markedly different from Western liberal understandings.[2] This is both in terms of their substance (what citizenship entails and how membership is established (cf. Gover 2017)) and in terms of those political units to which citizenship is attached (Indigenous nations vs. modern states). Typically, though it has not always been the case, Indigenous peoples are simultaneously citizens of modern states (e.g. Norway, Sweden, Finland, Canada, Australia, New Zealand) and Indigenous nations (e.g. the Sápmi, First Nations, Inuit, Métis, and other Indigenous/Aboriginal nations), thus creating a distinctively dual, or multiple,[3] citizenship for Indigenous peoples. Somewhat unsurprisingly, Western liberal theories have struggled to accommodate this dual or multiple character of Indigenous citizenship without reinforcing the inherently hierarchical (and thus, in many senses, colonial) understandings of citizenship.[4] While contemporary liberal political theories[5] commonly recognize the right of Indigenous peoples to self-determination, and thus also to citizenship-membership of Indigenous nations, this membership is often viewed as secondary, or additional, to the citizenship of the modern state.[6] While listening to Indigenous voices and incorporating Indigenous scholarship within the broad canon of political theory has become more common,[7] much literature on citizenship (including Indigenous citizenship) remains grounded in traditional Western liberal theory.[8] Partially, this may be seen as reflecting the unequal power relations within academia, although it may also be due to what has now become known as 'the Kymlickan constraint.'[9] That is, the view that, in a world where many of those with power to decide on Indigenous issues (judges, mainstream politicians, etc.) are non-Indigenous, there is a need to justify Indigenous peoples' rights in a language that those with power understand – i.e. within the dominant Western liberal framework. While this, of course, may reflect an even more widespread power imbalance in society, it also operates as one of the starting points of this paper. Furthermore, while I recognize the need for a liberal justification of Indigenous rights for such practical purposes, I also think that liberal theory – and Western liberal approaches to citizenship – would be all the worse for not being able to incorporate Indigenous citizenship, and its specific characteristics, into its own theoretical framework. This, of course, may not be possible without listening to Indigenous voices and Indigenous scholarship on citizenship. I, therefore, aim to make a modest – albeit no doubt still insufficient – attempt to do this towards the end of this paper.

Having said that, my focus and starting-point in this paper comes from within Western liberal political theory, attempting to reconceptualize citizenship from a potentially exclusive and homogenizing notion of 'citizenship as shared identity' to an alternative notion of 'citizenship as shared fate.' This notion, as developed by Melissa Williams (2003, 2004, 2010),[10] aims to acknowledge the dual or multiple nature of Indigenous citizenship, while being sensitive to the fact that people may have very different, even conflicting, views of what such citizenship entails or how it has come about. In this sense, 'citizenship as shared fate' aims to be responsive to the non-ideal circumstances of the contemporary world. While I argue, along with Williams, that the notion of 'citizenship as shared fate' can respond to at least some of the challenges that a conflictual and contested view of citizenship entails, I also argue that it insufficiently recognizes the non-ideal nature of Indigenous/non-Indigenous relations. Recent literature on Indigenous claims for justice, including its focus on not only rectifying past

injustices, but also the ongoing need to counter persistent forms of colonialism that Indigenous peoples continue to encounter (Alfred 2009; Couthard 2014; Simpson 2017),[11] provides important insights on why this is the case. By developing Williams' account further, I argue that, in order to be genuinely responsive to the non-ideal circumstances – including the past and enduring injustices as well as the existing inequalities of power – certain normative side constraints need to apply. These side constraints – including limits to the legitimate range of disagreement – have important implications for the ways in which Indigenous/non-Indigenous relations are shaped, for example in political decision-making, or in the shared spaces of citizenship education.

The paper proceeds as follows. Part II briefly outlines the notion of 'citizenship as shared fate' and identifies three of its distinctive benefits in relation to existing disagreements and differing viewpoints on Indigenous/non-Indigenous relations. In part III, I discuss these benefits in light of Indigenous claims for justice, analyzing the extent to which 'citizenship as shared fate' is, in fact, responsive to the non-ideal circumstances of the contemporary world. In particular, I focus on the potential difficulties 'citizenship as shared fate' has when both historical and present power relations are taken into account. I propose three normative side constraints to overcome these difficulties: (1) the limits on the legitimate range of disagreement on the contents of history, (2) the role of history for future cooperation, and (3) the acknowledgment – and countering – of the prevailing relations of power between Indigenous and non-Indigenous peoples. I end, in part IV, by looking at some of the implications of this new, normatively constrained notion of citizenship as shared fate through an examination of the Nordic/Sápmi context.

II. Citizenship as shared fate

The notion of 'citizenship as shared fate' has been developed as an alternative to the traditional 'shared identity' theories of citizenship and their marginalizing, homogenizing, and assimilationist tendencies. According to Melissa Williams (2003, 2004, 2010), 'citizenship as shared fate' aims to respond to changing circumstances related to our globalized world, where people's political memberships are not exclusively tied to nation-states. 'Citizenship as shared fate' aims to capture both the temporality and plurality of political membership by acknowledging that people are often members of many political communities, with different, and changing, political loyalties. In relation to Indigenous peoples, 'citizenship as shared fate' aims to capture the notion that Indigenous peoples and the state's majority population (herein: national majority) live in complex, historically formed, interdependent relations that unavoidably tie their fates together. As opposed to the shared identity theories of citizenship, the understanding of citizenship in terms of shared fate envisages Indigenous peoples and the national majority as sharing a common bond, as being interconnected by a variety of historical and present circumstances, while keeping their own distinctive identities.

The benefits of understanding citizenship in terms of shared fate – as opposed to shared (thick or thin) identity – relate both to the apparent inclusivity of this notion as well as to its practical and future-looking orientation. Contrary to both 'ethnic-national' and 'civic national/political liberal'[12] notions of citizenship, 'citizenship as shared fate' does not require the citizenry to be of certain ethnicity or to be committed to a certain set of substantive, e.g. religious, values (ethnic nationalism), or to a set of thin, political

values or institutions supposedly governed by these values (political liberalism). Less demandingly, all they need to be committed to is a common realization of their interconnectedness and interdependency, which now ties their fates together (Williams 2003: 229–233, 2004, 103–109). By virtue of this shared fate, the different groups in society (in this case, Indigenous peoples and the national majority) also realize that they need to cooperate, now and in the future, with each other.

From the perspective of Indigenous/non-Indigenous relations, these benefits of 'citizenship as shared fate' can be further categorized into three groups: *'neutrality 1 – non-normative status quo'* benefit; *'neutrality 2a & 2b – no overriding identity & no overriding loyalty'* benefits; and *'3 – plurality of citizenship'* benefit. I discuss each in turn before moving on to part II where I problematize certain normative implications of these benefits in contemporary non-ideal circumstances.

'Neutrality 1 – non-normative status quo'. As a first benefit of understanding citizenship in terms of shared fate (as opposed to shared identity), let us look at the ways in which 'citizenship as shared fate' can be viewed as a primarily descriptive and practical, rather than an inherently normative notion.[13] 'Citizenship as shared fate' aims to capture the idea that Indigenous peoples and the national majority live in complex, historically formed, interdependent relations that tie their fates together. Indigenous peoples and the national majority share common historical, institutional, material, etc. bonds, although they may not necessarily agree upon how these bonds and webs of interconnection have been formed, or how their existing relations and interconnections should be developed further.

There are several potential advantages of a descriptive and practical notion of citizenship when it comes to Indigenous/non-Indigenous relations. First, 'citizenship as shared fate' requires no unified understanding of history – of how the status quo came into being – but a much weaker realization that, in the world that we live in, the fates of the Indigenous peoples and the majority population are intertwined. This is important, as Indigenous peoples and the national majority may still have somewhat different understandings of history, and a requirement for a perfect convergence of these understandings may be too demanding, and thus also a hindrance, rather than a benefit, for the two groups to work together. (I will return to the extent to which some such convergence may nevertheless be required in Section III.) Second, being a primarily descriptive and practical notion, 'citizenship as shared fate' does not rest on any particular understanding of the legitimacy (or illegitimacy) of the current status quo, but allows for different interpretations both of the legitimacy of the current institutional structures, and a level of openness to how these structures should be developed in the future. In an important way, 'citizenship as shared fate' is also a forward-looking notion that emphasizes the need for the Indigenous peoples and the national majority to work together – from the circumstances of the present – as they realize that their fates are intricately connected. While Indigenous peoples and the national majority do not need to completely agree on the circumstances that have led to the present situation, or the legitimacy of the status quo, they nevertheless need to realize that their lives are, in the present circumstances, complexly connected, and that their fates are thus tied together. By coming to this realization, Indigenous peoples and the majority population also realize that they need to cooperate, although the terms of such cooperation are largely left open.

'*Neutrality 2a – no overriding identity*' & '*2b – no overriding loyalty.*' Being primarily practical and descriptive, rather than a normative notion, 'citizenship as shared fate' creates no normative requirements for Indigenous peoples and the national majority to share a common identity, or an overriding loyalty to those institutions they are presently governed by. This has certain advantages, especially from an Indigenous perspective, as they need not prioritize their membership in a modern state (e.g. Norway, Finland) over their membership in an Indigenous nation (e.g. Sápmi). Due to historical circumstances, including high levels of distrust, Indigenous peoples may well have good reasons not to support or fully endorse prevailing state institutions, or to offer their loyalty to the state over their own Indigenous communities. Rather, in accordance with the notion of 'citizenship as shared fate,' Indigenous peoples can also challenge the workings and the legitimacy of prevailing institutional structures, although they cannot deny the fact that, as things stand, these structures have a profound effect on the their lives and the lives of members of the national majority alike.

'*3 – Plurality of citizenship.*' The two benefits mentioned above – the non-normative view of the status quo (1), and the lack of requirement for a common identity (2a) or overriding loyalty (2b) – bring us to the third potential benefit of the 'citizenship as shared fate' view, which is the possibility for multiple political spaces, and for multiple citizenships that need not be in opposition to one another. As described by Williams, 'citizenship as shared fate' aims to respond to the concrete circumstances of the globalized world where people are often members of several political communities with changing political identities and loyalties. In the case of Indigenous peoples – and especially in the light of the already existing international recognition of Indigenous self-determination – this reality of multiple political memberships is particularly visible. Indigenous peoples are, in accordance with the international law, citizens of *both* a modern state (e.g. Norway, Finland etc.) *and* an Indigenous nation (e.g. Sápmi), with varying political identities and loyalties, both between Indigenous persons and for any particular person depending on the existing circumstances at any particular time.[14] Contrary to many Western liberal, including ethnic national and political liberal, understandings of citizenship in terms of shared identity and loyalty, 'citizenship as shared fate' does not require Indigenous peoples to fix their political loyalties or give priority to their modern state identities (or to Indigenous identities for that matter) should there be a conflict between the two. In this sense, 'citizenship as shared fate' aims to cater to the dual nature of Indigenous citizenship by allowing it to be non-conflictual and non-hierarchical, as citizenship is no longer understood in terms of overriding (substantive or political) identities or loyalties to the political unit to which the citizenship is attached. The possibility of Indigenous peoples being citizens of both the modern state and an Indigenous nation, without an inherent hierarchy or conflict between the two, is built into the notion of 'citizenship as shared fate,' thus supporting Indigenous peoples opportunities to exercise their citizenship in both Indigenous and non-Indigenous /shared political spaces.

III. Shared fate and non-ideal circumstances

My focus thus far has been on some of the benefits of 'citizenship as shared fate' for envisioning Indigenous citizenship as a specific type of dual or multiple citizenship. As

a descriptive and practical notion, 'citizenship as shared fate' aims to be responsive to real-world circumstances and, based on these circumstances, cater to the future. In this sense, Williams' notion of 'citizenship as shared fate' is responsive to certain non-ideal features of the world – including the Indigenous and non-Indigenous peoples' different, at times even conflicting, understandings of history, and the need to cooperate from the circumstances that the two parties might, or might not, find as legitimate. While such responsiveness, and forward-lookingness, no doubt makes 'citizenship as shared fate' an attractive notion, it may nevertheless be questioned whether 'citizenship as shared fate,' as described by Williams, goes all the way in our non-ideal world – i.e. whether it manages not only to respond and adjust to the real-world circumstances, but also counter some of the non-ideal effects of these circumstances. In this section, I aim to show that, in order to do the work it is supposed to do, 'citizenship as shared fate' needs to be constrained in a number of ways. By discussing potential problems with 'citizenship as shared fate' – in particular, its relation to history, agency, and power – I aim to develop Williams' account further. By utilizing James Tully's work, and by mirroring this to Indigenous claims for justice, I argue for three substantive constraints to the 'citizenship as shared fate' view before (in part IV) discussing some of the practical implications of these side constraints in the Nordic/Sápmi context.

The problem of history and agency. As noted in the previous section, one of the benefits of understanding citizenship in terms of shared fate is its apparent neutrality when it comes to the existing circumstances, and the ways in which the status quo has come into being. 'Citizenship as shared fate' provides no predetermined views of the (il)legitimacy of prevailing social, political, or institutional structures, but instead views these structures as the inevitable starting points from which cooperation between non-Indigenous and Indigenous peoples needs to begin. The advantages of this view are twofold. First, it allows for different interpretations of how the two groups have come to occupy their current positions without sacrificing their willingness to cooperate. Second, it focuses on the ways in which cooperation can be developed in the future – from the situation of today – thus being both forward looking and pragmatic. Regardless of the (il)legitimacy of the current situation, or the ways in which this situation has come about, the existing institutions, social relations, and power hierarchies constitute the *de facto* framework from which cooperation between the two groups – at this very moment – needs to begin.[15]

It may, however, be questioned whether this forward-looking and pragmatic focus of 'citizenship as shared fate' can sufficiently take into account the role of history and human agency in bringing about the current state of affairs. As shown by a number of Indigenous (as well as non-Indigenous) scholars, the history of Indigenous/non-Indigenous relations is a history of domination and active suppression of Indigenous peoples and cultures that continues to shape the relations between the two groups to date. This does not, of course, take away the need to look into the future, and to develop distinctively forward-looking, as well as pragmatic, models for Indigenous/non-Indigenous cooperation, although these models must be adequately responsive to the effects of history and human agency in the forming of these relations. Recent scholarship on distinctively Indigenous forms of activism and resistance (Alfred 2009; Coulthard 2014; Simpson 2011, 2017; Kuokkanen 2019) all share this feature of being distinctively forward-looking, while being also responsive to the effects of the past and to persistent

forms of oppression and structural injustice experienced by Indigenous peoples. Furthermore, as contemporary forms of oppression have become more subtle – being ingrained in the social, economic and political structures of society (Coulthard 2014, 48) – it becomes all the more important to understand how the events of history, including the recent reconciliatory attempts of liberal states, have helped to maintain these forms of oppression and power inequalities. As such, one of the main normative bases for Indigenous claims for justice lies precisely in the effects history and in the variety of historical, as well as enduring, injustices that Indigenous peoples have experienced and continue to experience.[16] Given the specific historical embeddedness of Indigenous claims for justice, as well as the majority population's role as perpetrators, and beneficiaries, of these injustices, there may not be much that can be said in defense of a view that would deliberately aim to sideline or downplay these historical facts.

To be fair to most, including Williams and her understanding of 'citizenship as shared fate,' such a critique about ignoring the role of history may, however, be exaggerated. Understanding citizenship in terms of shared fate does not mean that one should (or even could) be ignorant of history, although it does require certain sensitivity towards, and realism about, the fact that, in our non-ideal world, different groups may not always agree on all aspects of history. This is also recognized by James Tully (1995, 2008) in his groundbreaking work on modern constitutionalism and multinational democracy, and in his development of normative constraints for Indigenous/non-Indigenous dialogue. As Tully explicitly recognizes, Indigenous and non-Indigenous understandings of history may differ, although they do, at least for the most part, share an understanding of this history as a one of partnership, a shared life (Tully 2008, 241). Furthermore, while Indigenous and non-Indigenous views of history sometimes diverge, their dialogue and cooperation must, according to Tully, be based on the two groups' mutual recognition as equal, coexisting and self-governing peoples and cultures (Tully 2008, 229–235). It is only via such mutual recognition, and the presumption of equal status, that the two groups can engage in fruitful dialogue and cooperation, and also come closer to understanding each other's viewpoints and the ways in which their mutual relations should move forward.

Similar ideals of mutual recognition and respect are also present in Williams' work, especially in her discussions on common citizenship education (esp. Williams 2003). For Williams, citizenship education operates as one of the cornerstones of Indigenous/non-Indigenous relations, aiming to enable and nurture the two groups' common striving for cooperation, and to unfold the historical connections and webs of interconnection that now bind their fates together. Such education, while acknowledging the two parties' different starting points and views of history, is nevertheless based on the ideal of mutual respect and dialogue through which Indigenous peoples and the national majority aim to understand each other's viewpoints. By virtue of such dialogue, they also come closer to a common (albeit not necessarily perfect) understanding of how their histories have unfolded and how their fates have become intertwined. For Williams, 'citizenship as shared fate' should thus be understood as a process through which the two parties interact, learn from one another and, by virtue of such learning, also develop their ways of cooperating with each other.

While I believe that such characterization of 'citizenship as shared fate' as a real-world sensitive process for cooperation has certain advantages (not least in its reconciliatory

approach to different views of history), it may not, however, go all the way in refuting the initial concerns expressed. Most of all, this includes largely ignoring, or at least marginalizing, the role of history and human agency in Indigenous/non-Indigenous relations. I believe this to be the case in at least two senses.

Firstly, while 'citizenship as shared fate' may thus be seen as nurturing the strive of Indigenous peoples and the majority population towards a common understanding of history, there is nothing in the notion itself that would guide the two parties in terms of how such historical facts should affect their cooperation in the future. Even with a (roughly) common understanding of how history has unfolded – including the acknowledgment of past and enduring injustices – the two parties may still disagree on how these injustices should be addressed and what role (if any) they should play in developing Indigenous/non-Indigenous relations into the future. Recall that, for Williams, 'citizenship as shared fate' is primarily a descriptive and forward-looking notion that provides no predetermined judgments about the legitimacy (or illegitimacy) of the status quo, nor – I should add – of the ways in which the reaching of such status quo (i.e. the effects of the past) should be dealt with in the future. Being thus, the parties can disagree on the ways in which the current state of affairs has come about (i.e. the contents of history), although they can also disagree on the effects that this history should have for their present and future cooperation (i.e. the role of history). And while it may well be true that at least some practical acceptance of the present is needed for the cooperation of the two groups to succeed, there is no doubt that the understandings of the past will – and also should – affect the cooperative arrangements that Indigenous peoples and the national majority come to develop. Notably, many Indigenous claims for justice precisely claimed to rectify past, and enduring, injustices – a task that, in the face of too wide disagreement, may never lift off the ground.

Secondly, and perhaps even more concerning, there is little that the descriptive and practical characterization of 'citizenship as shared fate' may do in order to adequately acknowledge – and counter – the effects of the prevailing power relations between Indigenous and non-Indigenous peoples. As described by a number of scholars, as well as political activists, the history of Indigenous/non-Indigenous relations is a history of domination and power that continues to distort the ways in which relations between the two groups are presently constructed. In many cases, Indigenous peoples have – due to these historical circumstances – become far more dependent on the majority population than the opposite, and the interconnections and mutual dependencies, acknowledged by the 'citizenship as shared fate' view, are heavily power laden and asymmetric.[17] These power relations, I believe, create yet further preconditions that the two parties must accept in order for 'citizenship as shared fate' to perform the task it is supposed to perform, that is, to cater for fruitful, genuinely inclusive and fair cooperation between the two parties without requiring perfect agreement on the terms or the background conditions of such cooperation.

While the notion of 'citizenship as shared fate' may thus allow (and rightly so) for a *certain degree* of disagreement between Indigenous and non-Indigenous understandings of history, it is clear that too much disagreement – e.g. concerning the parties' views on who the perpetrators, victims, beneficiaries, or those disadvantaged are – will make the envisioned cooperation futile. In order to counter these effects, I have already proposed two constraints to the legitimate range of disagreement: one having to do

with the contents of history, another with the two groups' views on the normative weight of history for the future. In the case of Indigenous/non-Indigenous relations, the two groups must thus agree – at the very minimum – on some of the basics on the direction of power via which their relations of interdependence have come into being, as well as on the fact that this history should also have *some* normative weight in the designing of their future cooperation (although the finer details of both the content and role of history may remain contested).

While such constraints on the acceptable range of disagreement may already do much of the work needed for the 'citizenship as shared fate' to respond to some of the non-ideal circumstances, they are not sufficient. As Williams argues, the two groups' commitment to cooperate is based on their common realization that their lives are interconnected and that they are, in numerous ways, dependent on one another. Importantly, however, this point of realization and interdependency – the status quo – is far from an ideal, neutral starting point for Indigenous/non-Indigenous cooperation. On the contrary, it is heavily power laden and asymmetric, both in the sense of Indigenous peoples typically being more dependent on the national majority than the other way around, and in the sense in which the two groups' voices are being heard and given weight in the process of cooperation.

James Tully's work may again illustrate some of the problems (as well as possible solutions) ingrained in such power-asymmetries. As Tully notes, there is no ideal starting point for Indigenous/non-Indigenous cooperation; no ideal speech situation for Indigenous/non-Indigenous dialogue to take place (Tully 2008, 240–241). Rather, the situation from which the two groups 'begin to discuss their ways of cooperation in the future [...] is shot through with relations of inequality, force and fraud, broken promises, failed accords, degrading stereotypes, misrecognition, paternalism, enmity and distrust' (Tully 2008, 240). This does not, of course, take away some of the elements of peace, goodwill, or friendship that Indigenous peoples and the majority population may also have come to experience, although it does highlight the fact that, despite a mutual commitment to cooperate, this cooperation does not happen on equal terms. On the contrary, existing power relations and asymmetries of dependency create a situation in which the dominant group (national majority) is far more likely to get its views heard and interests furthered. At worst, the existing power relations may reduce 'citizenship as shared fate' into a one-sided exercise of power, where one group is able to dictate and enforce its understanding of history under the guise of mutual cooperation.

Neither Tully nor Williams are, of course, ignorant of existing power relations, and they also point to some ways in which power imbalances could be addressed. Tully's broader normative commitments to viewing the two groups as equal, coexisting and, self-governing peoples (Tully 2008, 229–235) already provides some principled constraints to the ways in which the two groups should, normatively speaking, relate to one another. Recognizing each other as equals does not, however, mean that the background structures within which such recognition takes place could not be unequal in many other ways.[18] Thus, it is not enough that Indigenous peoples and the national majority commit to viewing each other as equals, listening and learning from one another. They must also recognize that, as things stand, their relations are *de facto* relations of asymmetrical power and dependency. Furthermore, they must also recognize the possible implications of these power imbalances and find ways to avoid (or at least mediate) the ensuing

implications. This may happen, for example, by developing avenues for Indigenous voices and viewpoints in public institutions, or by prioritizing Indigenous perspectives, or reserving the decision power of certain institutions solely to Indigenous agents (see also Williams 2004; Tully 2008, 212–215). While I will come back to more concrete examples of such measures in Section IV, for the purposes of my current conceptual analysis of 'citizenship as shared fate,' the following applies. In order to be genuinely inclusive and responsive to non-ideal circumstances – including past and present power relations – there must be constraints, not only on the legitimate range of disagreement concerning the contents and role of history, but also on the two parties' understanding of their present situation. That is, their commitment to cooperation on equal and mutually respectful terms must be complemented by an acknowledgment that their current positions are not equal, and that their cooperation is thus tainted by the existing inequalities of power. Without such acknowledgment, 'citizenship as shared fate' is in danger of turning into another tool of oppression while maintaining its commitment to equality in Indigenous/non-Indigenous relations.

IV Some practical implications

I wish to end this paper by looking at some of the implications that 'citizenship as shared fate,' and the three normative side constraints developed in the previous section, may have when applied to contemporary, non-ideal circumstances. Some of these implications, it should be noted, are also discussed by Williams and Tully, although, in contrast to their focus on the Northern American (esp. Canadian) context, I wish to address the issue in the Nordic/Sápmi context. Being often viewed as one of the relative success stories of Indigenous/non-Indigenous relations, I aim to show how the notion of 'citizenship as shared fate' can already be seen as partially operational in the Nordic/Sápmi context, and how the new, normatively constrained notion of 'citizenship as shared fate' could be used to improve Indigenous/non-Indigenous relations further.

Before embarking on such a task, a few words about the relatively unique situation of the Indigenous Sámi are in order. The Sámi are Indigenous peoples whose traditional lands (the Sápmi Nation) extend across the northern territories of Norway, Sweden, Finland, and Russia (Kola Peninsula). Traditional modes of living, such as reindeer herding, are common among the Sámi communities, although many Sámi have also opted for less traditional professions and live alongside their fellow (Norwegian, Swedish, Finnish[19]) countrymen in towns and villages both within and outside traditional Sámi territories.[20] What makes the Sámi – and Sámi citizenship – relatively unique is the way in which it transcends the borders of both modern states (Norway, Sweden, Finland, Russia) as well as of state unions (e.g. the Sámi of Finland and Sweden are also citizens of the European Union, while the Sámi of Norway and Russia are not).[21] The institutional structures protecting the rights of the Sámi in each state vary somewhat. While the three Nordic countries have all relatively well functioning Sámi parliaments, these operate under the independent legal frameworks of each state. The four states are also in different stages when it comes to their commitment to the international legal frameworks for Indigenous rights protection. As it stands, Norway remains the only country that has signed ILO169, and the three Nordic countries (but not Russia) have given their explicit support to the principles of the UNDRIP. The Draft Nordic Sámi Convention (2005) also

regulates the Indigenous/non-Indigenous relations of the Sámi in the Nordic countries, with an exclusion of the Sámi in Russia.

Being one Indigenous peoples[22] whose traditional territories transcend modern state borders and whose individual members are thus citizens of different (modern) states, the Sámi provide an interesting test case for how 'citizenship as shared fate' could be used to understand, and to develop Indigenous/non-Indigenous relations further. Much of what follows will be based on Else Grete Broderstad's work on the political spaces of the Indigenous (esp. Norwegian) Sámi, and the ways in which Williams' notion of 'citizenship as shared fate' can be used to conceptualize these spaces within the Norwegian/Sámi context. By developing Broderstad's work further, I aim to show how the three normative constraints discussed in the previous section alter the model of Indigenous/non-Indigenous cooperation, both in terms of how this cooperation is described, and how it should, normatively speaking, be constructed.

In her work on Indigenous/non-Indigenous political spaces, Broderstad (2008, 2014) utilizes Williams' notion of 'citizenship as shared fate' in order to build a model through which different political spaces of Indigenous/non-Indigenous engagement can be understood. According to Broderstad, it is useful to think of relations between Indigenous and non-Indigenous peoples by analyzing their involvement and interaction within the two existing systems of political governance: Indigenous autonomy and self-governance (as practiced e.g. by the Sámi parliament), and the broader political system of the state as a whole (Broderstad 2014, 72). Within, and across, these two systems of political governance, Broderstad further identifies three partially separate, partially over-lapping spaces of political[23] interaction: Indigenous, non-Indigenous, and (in the inter-sections of the two) shared space of political interaction. Building on Williams' work, the three spaces can also be viewed as correlating to the different groups' citizenship identities, where the exclusive Indigenous (Sámi) and non-Indigenous (Norwegian, Finnish etc.) identities operate on each side of the shared space of political interaction, and interact, in the middle, to form a shared understanding of citizenship in accordance with Williams' notion of 'citizenship as shared fate.'

From a normative point of view, Broderstad's model (like that of Williams) comes with several benefits. The two groups (in Broderstad's case, the Indigenous Sámi and the non-Indigenous Norwegian majority) can both keep their distinctive identities, although their cooperation is characterized, and constrained, by their understanding of each other as partners. The common, shared spaces of interaction are, far from distinctively Indigenous or non-Indigenous spaces of political engagement, described as shared spaces of political cooperation within which the two groups interact, at least ideally, on equal terms.

From a descriptive point of view, however, this threefold model of Indigenous/non-Indigenous interaction may not be entirely accurate. The history of the Sámi struggles for justice, including the gradual, yet imperfect, recognition of Sámi rights to land and self-determination, and the institutionalization of consultation processes between the Sámi parliament and the State (Broderstad 2014: 74–77, see also Oskal 2001) tells a story of both success, but also of a genuine struggle through which the Sámi continue to make their voices heard in the broader, primarily non-Indigenous frameworks of the State. Given these historical facts, as well as the three normative side constraints discussed in the previous section, the shared spaces of interaction may not be viewed as equal, but

continue to be characterized by unequal relations of power. This, it should be noted, is the case even with the Nordic Sámi who, in relation to other Indigenous peoples, is often viewed as one of the success stories of Indigenous/non-Indigenous relations. While in the three Nordic countries, the Indigenous Sámi can be seen to hold substantive power within Indigenous political spaces (e.g. spaces falling under the governance of the respective Sámi parliaments), as well as be able to have their voices heard in the non-Indigenous/shared spaces of interaction (e.g. national parliaments), the construction of these spaces nevertheless remains hierarchical and power laden. In order to see this, one only needs to look at the ways in which the Sámi Parliaments have been established. Rather than constituting a joined higher organ of decision-making across the Sápmi Nation,[24] they continue to work relatively independently of one another, within the jurisdictions of their 'host'-countries. The legal frameworks that protect the rights of the Sámi in the three countries are also different, depending on each country's willingness to subscribe to the internationally recognized frameworks for Indigenous rights protection (the case of ILO169 providing perhaps the most obvious example in this regard).

It may, however, be argued that Broderstad's model (along with that of Williams) aims to provide a normative framework for Indigenous/non-Indigenous cooperation that, while being sensitive to existing non-ideal circumstances, tries to provide normative guidance on how such cooperation *should* happen in practice. While I have nothing against such an interpretation, I have tried to show that, in order to be genuinely responsive to the non-ideal circumstances associated with the contemporary world, certain side constraints to the ways in which the Indigenous/non-Indigenous relations are developed must be in place. That is, the parties to the shared political spaces need to agree on certain basics concerning their historical interaction, as well as recognize that, far from being an ideal speech situation, their cooperation is power laden and asymmetric. I believe that this acknowledgment of power asymmetries also has important implications to the ways in which Broderstad's spaces of political interaction should be understood and developed further.

At the descriptive level, it should be noted that the three spaces of political interaction are not equal, but continue to be framed by the non-Indigenous models of institutional design that are biased in favor of the non-Indigenous majority. This is the case especially in relation to the common, shared space of political cooperation that continues to be characterized by unequal power relations and asymmetrical relations of dependence. It is, however, also the case in relation to the existing Indigenous political spaces that have, as I have tried to argue, also been developed with existing non-Indigenous frameworks (e.g. modern states and their distinctive legal structures) in mind. Far from constituting three relatively equal spaces of political interaction, the three spaces are (and continue to be, at least for the foreseeable future) heavily biased and structurally designed to protect the interests of the national majority at the expense of the interests and viewpoints of the Indigenous peoples.

This does not, of course, mean that the Indigenous involvement in the shared spaces of political interaction could not be developed further, or that such involvement could not also be pursued to strengthen Indigenous self-determination within distinctively Indigenous political spaces. Broderstad (2008, 2014; see also Murphy 2008) makes a strong case for Indigenous involvement also within broader state institutions. More interestingly, however, acknowledging past and present power relations may have

important implications when it comes to the normative design of Indigenous/non-Indigenous relations – i.e. the ways in which spaces of political cooperation, from the premises of today, *should* be constructed. Provided that Indigenous/non-Indigenous relations continue to be heavily tainted by unequal relations of power and dependency, a need to intervene in the status quo remains. Developing Broderstad's model of the three spaces of political interaction further, the descriptive model should now be understood as having a heavy bias for the benefit of the national majority and non-Indigenous institutional design. In order to counter this, however, it may not be enough to resort to a model where the different political spaces are viewed as equal, but to amend this normative model with substantive weight given to Indigenous perspectives. Notably, the acknowledgment of unequal power provides strong incentives to support distinctive and exclusive Indigenous political spaces as these are necessary for retaining and supporting Indigenous cultures and identities. There is, however, no equivalent case for supporting distinctively non-Indigenous political spaces as these are already prevalent and ingrained in the structural frameworks of present-day society. The new model of Indigenous/non-Indigenous cooperation would thus seem to include only two political spaces: Indigenous and shared, instead of the three spaces envisioned by Broderstad.

Returning to the concrete case of the Nordic (and especially Norwegian) Sámi, it is already possible to find developments that seem to support the idea of two – Indigenous and shared – political spaces, excluding predominantly non-Indigenous political space. It is nowadays recognized that Indigenous Sámi languages, cultures, and inheritances are an integral part of the history and heritage of Norway, and should thus also be addressed in, e.g. Norwegian educational institutions. This is also recognized in the new Norwegian core curriculum that states: 'Sámi cultural heritage is part of Norway's cultural heritage. Our shared cultural heritage has developed throughout history and must be carried forward by present and future generations' (Regjeringen 2017, 7). Indigenous Sámi culture is viewed as an inherent part of Norway's heritage, and any discussion of Norwegian culture that fails to include Indigenous Sámi culture ignores an important element of this heritage. While there is no doubt much work that remains, both at the level of educational design and at the level of grassroot action in schools and other educational institutions (cf. Sollid and Olsen 2019), such principled commitment to understanding, and teaching, shared history notably acknowledges the need to think of broader public spaces, including educational institutions, as distinctively shared spaces of Indigenous/non-Indigenous cooperation.

Even more importantly, as has been noted, one of the specific features of Indigenous citizenship is its dual (or multiple) character, as also demonstrated by the Nordic/Norwegian Sámi contexts. The Indigenous Sámi are, undoubtedly, citizens of the Sápmi Nation, although they are also citizens, and full members, of the Norwegian (or Swedish, or Finnish) state. As a result, the broader spaces of political interaction at the state level become necessarily shared spaces of interaction as the Sámi are, by virtue of their citizenship in the modern state, entitled to exercise their agency also at this level. While understanding citizenship in terms of shared fate may thus allow the two groups (non-Indigenous Norwegians and Norwegian Sámi) to construct their relations from their own starting points, with a certain range of acceptable disagreement, acknowledging the status quo provides certain constraints to the ways in which these relations are formulated. Firstly, as I have argued, intervening in existing power relations justifies the

need for exclusively Indigenous spaces of political engagement, such as the Sámi Parliaments in Nordic countries or, should the Indigenous Sámi so decide, an even further development of Indigenous institutions transcending modern state borders. Secondly, while the notion of 'citizenship as shared fate' may allow, and be based on, the presumption of the two groups as occupying different starting points and views of their future cooperation, this may not allow for the development of distinctively non-Indigenous political spaces, on par with the development of Indigenous spaces. To the contrary, the dual nature of Indigenous citizenship must also ensure that the broader political spaces, institutional structures, educational institutions, etc., are, by default, shared spaces of cooperation that strive to include Indigenous voices and viewpoints and, in due course, help alleviate the existing relations of power between non-Indigenous and Indigenous peoples.

V. Conclusion

In this paper, I have discussed Melissa Williams' notion of 'citizenship as shared fate' as a potentially inclusive and real-world responsive way of understanding Indigenous citizenship in a non-ideal world. I analyzed this notion in the light of Indigenous claims for justice and argued that, in order to do the work it sets out to do, 'citizenship as shared fate' needs to be variously constrained. I proposed three normative side constraints: 1) limits on the acceptable range of disagreement concerning the two groups' views of history, 2) acknowledgment of the normative role of history for future cooperation, and 3) acknowledgment of existing power-relations between Indigenous and non-Indigenous peoples. Taking these three normative side-constraints into account, I discussed some of the practical implications of 'citizenship as shared fate' as it might apply to the Nordic/Sápmi context. Most notably, the acknowledgment of existing power relations can be seen to alter both the descriptive models of Indigenous/non-Indigenous relations (as inherently biased) and the normative models for mediating these biases. Instead of viewing Indigenous/non-Indigenous cooperation as incorporating three spaces of political interaction, 'citizenship as shared fate,' and the three normative side constraints, provide justification for the support of distinctively – and exclusively – Indigenous political spaces, while viewing the broader public arenas as inherently shared spaces of Indigenous/non-Indigenous cooperation.

Notes

1. On the possible incongruences between citizenship status and citizenship rights, see Joppke (2007).
2. On the challenges of creating dialogue between the two, see, e.g. Thomsons and Mayer 2013.
3. I say multiple, as in some cases, Indigenous peoples are citizens of more than two political units, as is the case of the Sámi of Finland and Sweden, for instance, who are not only citizens of the Sápmi nation and their respective modern state (Finland or Sweden), but also citizens of the European Union. Notably, the Sámi of Norway (or Russia) are not citizens of the European Union. I will discuss the case of the Indigenous Sámi in the Nordic context in more detail in part IV.
4. While the western liberal understandings of citizenship may well allow for Indigenous peoples to be (also) citizens of their Indigenous nations, this citizenship is often seen as

inherently secondary to the citizenship of the modern state that operates as the broader regulatory framework within which Indigenous citizenship may be manifested. This is also the case with contemporary international law (incl. UNDRIP – UN General Assembly 2007). For reflections on the state-centricity of UNDRIP, see, e.g. Allen and Xanthaki 2011.

5. These range from the more theoretically oriented accounts for Indigenous rights justification (see e.g. Nine 2012; Moore 2016; Stiltz 2019), to more empirically situated explorations to the present workings of Indigenous self-determination within international law and politics, as well as within individual liberal democratic states (cf. Kymlicka 2013; Woons 2014; Lightfoot 2016; Kuokkanen 2019).

6. The notions of Citizen-plus (cf. Cairns 2000) and Citizen-minus (Mercer 2003) may help illustrate the ways in which Indigeneity (and Indigenous citizenship) has often been interpreted as an additional layer to modern state citizenship, with differentiated effects to the citizenship rights of Indigenous peoples.

7. For some prominent Indigenous scholarship on citizenship that takes an often critical approach to predominantly liberal frameworks, see e.g. Alfred (2009); Coulthard (2014); Hester (2001); Simpson (2011, 2017); Turner (2000, 2006).

8. Examples range from the common canon of political theory that often situates itself (both supportively and critically) in relation to the Kymlickan multiculturalism -inspired theories of Indigenous rights (for notable collections see e.g. Ivison, Patton, and Sanders 2000; Connolly 2016) to legal theoretical analyses of Indigenous rights in international treaties and documents (e.g. Allen and Xanthaki 2011; Richardson, Imai, and McNeil 2009), including also many Indigenous scholars who situate their work within the liberal framework (e.g. Broderstad 2008, 2014). I will return to Broderstad's analysis of the shared political spaces of Indigenous/non-Indigenous cooperation in Section IV.

9. Kymlicka (1989): 154; For critical discussion, see Turner (2006): 58, 118.

10. My discussion here rests predominantly on Williams' work; for alternative formulations, see, e.g. Ben-Porath (2011); Merry (2012).

11. In this article, I use the term 'Indigenous claims for justice' as an umbrella term that includes a variety of both theoretical, as well as more practical, approaches to Indigenous claims to, e.g. land, resources and self-determination, as well as Indigenous resurgence more generally, in different contexts. While Indigenous claims for justice and, in particular, the proposed means to achieve such justice are context dependent (cf. Lenzerini 2009), some of the main normative bases for such claims in historical, as well as enduring, injustices remains relatively constant.

12. Williams uses the term 'civic national' as the counterpart to 'ethnic national' understandings of citizenship, and debates the Rawlsian political liberal understanding of citizenship as a prominent example of such a view (Rawls 1996). From here on, I will thus use the two terms – civic national and political liberal – interchangeably, although I recognize that other forms of civic nationalism than the Rawlsian political liberal notions also exist.

13. This is not to say that understanding citizenship in terms of shared fate would not have certain normative implications (it certainly does and I will come back to these later). For the time being, my focus is on the potential benefits of viewing 'citizenship as shared fate' in descriptive and pragmatic terms.

14. These variations may be partially explained by dual citizenships as also opening opportunities for strategic citizenship, but also by the effects of one's surroundings, historical policies of assimilation, as well as on the current conceptualizations of what it means to be Indigenous *and* a member of the broader modern state. On reflections on the case of the Norwegian Sámi, see e.g. Semb (2012); Selle, Semb, and Strømsnes (2013).

15. This is not to suggest that the non-Indigenous and Indigenous peoples of any given state would not have cooperated or worked with one another previously, but simply that the prevailing situation operates, inevitably, as the situation upon which cooperation – at any given moment – must be built upon.

16. On the relevance of historical injustices for Indigenous claims for justice, including the possible conditions for superseding such injustices, see Waldron (1992); Patton (2005);

Sanderson (2011); Føllesdal (2013); Waligore (2016); On international and comparative legal perspectives, see Lenzerini (2009); Richardson, Imai, and McNeil (2009).

17. On the implications of such power relations with respect to the ways in which dialogue between different groups is constructed, see, e.g. James (2013).

18. A distinction between moral equality and, e.g. economic inequality may help to underscore this point. Even if all members of different groups – including (although not restricted to) Indigenous peoples and the national majority – would be considered as morally equal, their points of entry into society may still be characterized as incorporating various economic and other inequalities reflected by, e.g. an unequal distribution of resources. See also Williams (2000): 60.

19. I will restrict my discussion to the Nordic Sámi, excluding the Sámi of Russia, as the institutional structures of the three Nordic countries can be seen as relatively similar, while the inclusion and treatment of the Indigenous Sámi in Russia has fallen substantively behind. This difference is also reflected in the Draft Nordic Sámi Convention (2005) that provides guidelines for Indigenous/non-Indigenous relations in the three Nordic countries, but excludes the Sámi of Russia.

20. For example, in Norway, one of the largest singular concentrations of the Sámi is in the capital Oslo, although the northern areas of Troms and Finnmark continue to rate as places with the highest proportional number of Sámi. (Sønstebø 2018)

21. I have discussed some problems associated with protecting such 'cross-border groups' elsewhere (Vitikainen 2019); For a historical overview of the division of the Sámi across four states, see Lantto (2010).

22. This interpretation of the Sámi as one people follows that of the Draft Nordic Sámi Convention 2005.

23. While Broderstad focuses primarily on the spaces of political interaction, the model can also be used to analyze, and incorporate, other spaces of e.g. social, cultural and economic interaction, as well as ways in which the collective identities (of both Sámi and non-Sámi) are formed.

24. My intention here is not to provide any normative judgment of whether Indigenous decision making should, or should not, be constructed in this way, but simply to point to the ways in which modern state-centric structures operate in the background of current institutions involving Indigenous decision-making processes.

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