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[See table of contents](#)

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Article abstract

With its clever examination of the effects of large corporations, logos, and unfair labour practices upon the lives of urban Native people, Marvin Francis’s City Treaty can be read as a streetwise anti-globalization manifesto for the indigenous world. Francis uses postmodern irony and verbal excess to show how the lives of contemporary Aboriginal people are implicated in complex patterns of symbol, contract, and stereotype that work to keep them in marginal positions. The author’s exploration of what might be called ‘post-corporate’ indigeneity is most readily contextualized in terms of recent currents in visual art, but is also part of a growing trend in Aboriginal literature, as evidenced by recent works by Thomas King and Jeannette Armstrong.

“How Come These Guns are so Tall”: Anti-corporate Resistance in Marvin Francis’s *City Treaty*

WARREN CARIOU

I^N *DECOLONIZING METHODOLOGIES*, Maori theorist Linda Tuhiwai Smith writes,

Globalization and conceptions of a new world order represent different sorts of challenges for indigenous peoples. While being on the margins of the world has had dire consequences, being incorporated within the world’s marketplace has different implications and in turn requires the mounting of new forms of resistance (24).

While Smith does not go on to examine this problem in detail, she sets it out here as a challenge for scholars of indigenous literatures to examine their chosen bodies of work with an eye toward a different set of paradigms than the ones we have been accustomed to looking for. That is, we should be attuned not only to the various aesthetics of decolonization in Aboriginal literatures, but also to the aesthetics of *Deco-colonization*, to borrow a term from Steven Flusty’s book of that title. This is important because, as the burgeoning field of globalization studies has already shown, there are varieties of institutionalized oppression that are only tangentially connected to the operations of our nation-states, and the most common victims of such oppression are the indigenous people of the world. For example, in the global history of the oil industry, dozens of indigenous cultures — including the Ogoni in Nigeria, the Huoarani and Quechua in the Amazon, the Osage in the American Southwest, and the Lubicon in Alberta — have faced invasion, murder, environmental devastation and cultural trauma because they happen to be in the way of corporate interests.¹ Furthermore, the global commodification of Native cultures themselves has become an increasingly complex and vexing problem, one that legal scholars such as Michael F. Brown, Marie Battiste and Sa’ke’j Henderson have all addressed in recent books about indigenous

cultural ownership.² I believe it is incumbent upon literary scholars to examine how such questions and conditions are relevant to the study of Aboriginal literatures.

These issues certainly inform the aesthetics of Marvin Francis's long poem, *City Treaty*. With its clever examination of the effects of large corporations, logos, and unfair labour practices upon the lives of urban Native people, *City Treaty* can be read as a streetwise anti-globalization manifesto for the indigenous world. Francis uses postmodern irony and verbal excess to show how the lives of contemporary Aboriginal people are implicated in complex patterns of symbol, contract and stereotype which work to keep them in marginal positions. Treaties are of course one kind of contract which has placed Native people literally in the margins of Canadian society, and *City Treaty* announces its intention of disrupting the effects of these treaties when readers are introduced to the narrator, Joe TB, who explains that his name means "you know, tb, treaty buster" (3). However, the book is also fundamentally about economic relationships in a colonized and corporatized world, and how Native people have been disadvantaged in these relationships for centuries. Francis links the very idea of treaties with the issue of economic necessity, writing in the untitled opening poem, "We began the treaty project / we needed money" (5). Here he references the historical fact that North American Aboriginal nations which signed treaties with European settlers usually did so under some form of economic duress, often because they had lost access to food and other resources due to settler encroachment. Thus, Francis asks us to view the treaties as economic contracts negotiated in a context of unequal power; in this book he looks at many other kinds of related contracts, from the "skid row tricks" (14) arranged between johns and prostitutes to the deals brokered by fur traders and art dealers from the seventeenth century to the present day. For Francis, these deals are no different from the treaties, since they are agreements by which Aboriginal heritage and/or labour are converted into capital and then re-sold by non-Native speculators in a global marketplace.

Francis marshals his aesthetic of resistance in *City Treaty* primarily through wordplay, by looking carefully at the language of treaties, contracts, and corporate branding, and then submitting this language to a defamiliarizing distortion that teases out its hidden or unconscious meanings. "The words / hide the meaning" (54) he writes in one poem, indicating that one of his primary targets is the language of obfuscation, whether

it is used by governments or corporations or individuals. One example he gives of such language is the business-speak phrase, “level playing field” (54) which he reveals to be an absurd distortion when it is applied to the economic situation of Native people. His point throughout the book is precisely that Native people have never been provided with a level playing field in the valuation of their work, their heritage or their land.

Whenever words perform an obfuscatory function like this, Francis suggests, the best response is a perverse misreading which can expose the hidden intentions behind that language. One spectacular example of this interpretive strategy is his reading of an actual treaty text in his poem “Treaty Lines” (8). He first quotes an excerpt of the treaty — “1677 – *virginia – violent intrusions of divers English forcing the Indians to kill the Cattle and hogs*” (8) — and then follows this with a gloss on the treaty text:

the english dive into land they need
Steal Country Usually Because All is ours

the bubbles explode upward come up for
heirs. (8)

In this case Francis unveils a hidden meaning of the treaty text through an oblique reading of it, taking the arcane word “divers” (ie., “diverse”) to mean “SCUBA divers” instead, and imagining these English divers to be plunging not into water but into land. He also suggests an alternate meaning for the acronym SCUBA, a meaning that spells out the colonial and corporate implications of this peculiar kind of land-diving, which can be contrasted with the earthdiving described in several traditional Aboriginal creation stories, in which a muskrat or an otter dives down to the bottom of the water and brings back a clod of earth or a pebble, which becomes the foundation of the world. This English land-diving, on the other hand, is about theft rather than creation. It is also reminiscent of the drilling activities of the oil industry, an industry in which Francis himself worked as a labourer, and which has recently begun drilling operations in and around Francis’s home community, the Heart Lake First Nation in Alberta.³ The bubbles that “explode upward” could be natural gas flares, which have caused widespread environmental and health concerns in Alberta. These bubbles could also represent greenhouse gases being released into the atmosphere, to become a troublesome legacy for our air as well as for our heirs.

This theme of corporate exploitation and trickery is not a new development in the history of Native-settler relations in Canada, as Francis points out. After all, in the Canadian North-West, as well as in many other global contact zones, the first major colonial presence was corporate, not governmental. The North-West Territories was literally owned by fur-trading companies before it was sold to the fledgling government of Canada in 1868-70. In his references to the fur trade in *City Treaty*, Francis indicates that the contemporary phenomenon of Native people being displaced and disadvantaged by transnational corporations is nearly as old as the settlers' arrival in North America.

The poem "THIS GUN IS THIS TALL," for example, examines the strangeness and the grim appropriateness of the fur traders' practice of measuring furs against the height of a musket. The poem is itself a visual pun, with the title spelled out in a large font from the top to the bottom of the left-hand side of the page, representing the gun, and the words of the Native trappers secured in a bundle on the other side of the page to indicate that they represent the accumulated furs. The "gun" remains a good fifth of a page taller than the "furs." The trappers ask, "How come these guns are so tall" (55), bringing up the point that corporate buyers and employers — the people with the guns — are always the ones who set the standards of value in situations like this. If these Native trappers are being "incorporated within the world's economy," in Linda Smith's terms (24), then it is clear that such integration is occurring under disadvantaged conditions for them. All the trappers can do here is voice a series of questions about the economics and politics of this trade situation. These questions include the following: "What fur ... do we have to pile these so high ... when we apprentice for ten thousand years so you can get your beaver hat"; "why do you think this is your territory henry?"; and "will your fashion always feed my kids" (55). These questions are all about the justice, the legitimacy and the sustainability of this trading relation, with the latter question being a nod toward the contemporary politics of the fur industry, in which anti-fur publicity campaigns have had a negative impact on traditional ways of life. The overwhelming impression we get of this trade relationship is that it is utterly asymmetrical. The trappers' words of complaint remain bundled up, and the only response to them is the implacable musket-shape of the title, spelling out the words "THIS GUN IS THIS TALL," representing the colonial fetish for measurement but also inevitably signaling a threat that this particular kind of deal-mak-

ing has been and will continue to be cemented by force of arms.

In another poem, “mcPemmican™” Francis ironically refigures pemmican, the food staple and cornerstone of the fur trade and the buffalo hunt, by labeling it as a trademarked, branded consumer item. Furthermore, a footnote says that “™” means not trademark but “treaty manuscript” (6), which suggests that a claim of private corporate ownership is consonant with (or even identical to) the claim of a government treaty. And in this poem, the function of treaties — like trademarks — seems to be the maintenance of a particular economic relationship, one in which already impoverished people are required to give up even more to the institutions that so severely limit their options. Francis writes, “let the poor in take their money take their health / sound familiar” (6). That phrase “sound familiar” signals the parallels between corporate and governmental versions of paternalism. Fast food chains are shown to be natural extensions of welfare policies and the systemic marginalization of urban Native people; those with little money often have no choice but to eat at McDonald’s.

However, in this poem Native people are not only the consumers of this unhealthy and expensive corporatized “mcPemmican”; they are also the original producers of pemmican itself. So essentially in this poem, Native people are being sold a branded version of their own culture. We can see this in the instructions for mcPemmican packaging, which focus on stereotypical Native design: “you must package this in / bright colours just like beads” (6). We can also see it in the advertisement for the restaurant’s daily special: “special this day / mcPemmican™ / cash those icons in” (6). The last line of this advertisement seems to be aimed directly at Native people: “cash those icons in” means trade on your Nativeness, give it over to the corporation which will then make a profit selling it to everyone, including selling it back to you. This once again points out the inequality of this trading relationship, the un-level playing field that exists when Native people deal with corporate representations of themselves. When these Native people do “cash those icons in” as the advertisement invites, the icons are quickly re-packaged and even re-created in order to sell them into a global market, which goes wild for the newly reformulated cultural product: “they line up for blocks dying to clog mind arteries... / they line to see the real ?to buy the grey owl burger / to touch the other” (7; arrow symbol in original). The sudden commercial popularity of this new version of Nativeness is a stinging commentary on the construction of authenticity

in a capitalist system. Buyers want “to touch the other” but only to do so in a rigidly controlled corporatized space, one in which this “other” has been tamed and made effectively into something not “other” or “real” at all. This fake ethnicization at once markets a particular culture and erases its cultural sovereignty, its uniqueness, so that it becomes utterly uniform and reproducible, like McDonald’s French fries. In Francis’s conception, this cultural marketplace devours aboriginal authenticity, while at the same time constructing popular notions of it.

Steven Flusty recounts a real-life example of corporate colonization through symbols which is eerily similar to the scenario imagined by Francis in “mcPemmican™”. Flusty tells the story of the Western Mayan peoples of Mexico’s Chiapas region, who have expressed their support for the Zapatista resistance by adapting their traditional wood-carvings and ceramic art to create figurines of Zapatista rebels — known as *munecas Zapatistas* — which are intended to be sold to tourists (*De-coca-colonization*, 169-196). This clever tactic ensures that the message of the Zapatista revolution—which targets both corporate rapacity and governmental corruption in Southern Mexico — ends up being disseminated to the wealthy visitors to the region, who with their deep pocketbooks have a great deal of power to effect political change in Chiapas. However, as Flusty shows, in the late Nineties, this tactic was co-opted by an American-based corporation, Taco Bell, which produced its own version of the *munecas Zapatistas* by creating thousands of figurines of its trademark Taco Bell Dog that were dressed in a beret and renamed the “*Che-huahua*” (188). This advertising campaign for “The Revolutionary Taco” (188) not only sold an enormous number of tacos, but it also effectively neutralized much of the political effect of the *munecas Zapatistas* among American tourists to Chiapas.

Given this dismaying example, it would seem that even the most savvy and political indigenous icons that are sold into a tourist marketplace are ripe for corporate symbolic takeovers. We live in a world in which dream-catchers and totem pole figurines are mass-produced in Asia for sale in Canadian tourist shops, a world of Atlanta Braves and Jeep Grand Cherokees and Mohawk gas stations. In the current legal climate, Disney Corporation is allowed and even expected to be aggressively proprietary about its motley cast of cartoon characters — including Pocahontas — whereas the Winnebago people and the Mohawk people and the all the other indigenous nations that have been adopted as mascots or brands have little recourse against the corporations that bear their names and

trade on their identities. A question for Native people in such a situation is: how do they combat this relentless commercialization and distortion of their culture? How can they be authentically Mohawk or Cherokee or Winnebago in a cultural milieu which renders those signifiers into objects of consumption?

One answer to these questions is that indigenous artists and creators can use the principles of branding itself to disrupt and ironize the meaning of corporate logos. One example of such intervention is a 2002 traveling art show mounted by the Aboriginal Sketch Club, an art collective based in Winnipeg, which targeted the use of Native names and icons in sports franchises. These artists produced a series of jerseys for fictional sports teams such as the Cleveland Honkies, the North American Stealers, and the Atlanta White Devils. The ensuing controversy over these jerseys and over the general issue of Aboriginal corporate logos revealed how tenaciously people attach themselves to their chosen corporate icons, and how politically blind such allegiance can be.⁵ Marvin Francis was not a member of the Aboriginal Sketch Club, but he was a supporter of their work and on several occasions he handed out reproductions of their sports logos to students at the University of Manitoba campus. The influence of their agitprop aesthetic of guerilla re-branding is visible in “mcPemmican™,” especially where Francis echoes the quintessential McDonald’s cashier’s sales pitch and infuses it with a very different message:

How about a
mcTreaty™

Would you like some lies with that?” (6)

Here the treaty is represented as a disposable branded consumer item, one that may be purchased now, but that will lose its value immediately after the transaction takes place. Francis suggests that for Native people, treaties have never had the value that they were purported to have, because the most powerful parties — colonial governments and corporations — have re-interpreted them or ignored them at their whim, converting them into lies.

Another Canadian Aboriginal artist whose work shares elements with Marvin Francis’s resistance aesthetic is Vancouver’s Brian Jungen, whose 1999-2005 series of sculptural works, *Prototype for a New Understanding*, consists of Nike Air Jordan running shoes cut up and re-assembled into forms that bear an uncanny resemblance to West Coast ceremonial masks,

thus referencing Jungen's Dunne-Za heritage.⁵ Jungen's work goes well beyond clever culture-jamming of the kind seen in the Vancouver-based *Adbusters* magazine. These masks are haunting creations, exuding an aura of formal beauty and traditional design principles, while at the same time presenting us with the unmistakable fact that they are composed of branded consumer items. It is precisely the combination of the mass-produced branded item with the hand-crafted indigenous artifact that makes these works unique and memorable. In several of the pieces, Jungen places the Nike "Air Jordan" logo in the eyes of the masks, as if to suggest that wearing these masks would enable (or doom) the wearer to look out at the world through the lens of the corporation. But at the same time, in a sense Jungen tribalizes Nike itself, making the corporation into a vehicle for new indigenous cultural expression. By taking this corporate product and distorting it into something that is recognizably 'traditional' yet also new and strange, Jungen invites us to imagine ways in which indigenous cultures can adapt to the new realities of contemporary life in a corporatized and globalized world. This cultural adaptation may be the 'new understanding' that he gestures toward in the title of the series.

Marvin Francis makes a similar gesture in *City Treaty* through his use of a sidekick clown figure who shadows our narrator, Joe TB, throughout the book. Though this clown appears on every second or third page of *City Treaty*, he is something of a mystery, because Francis refuses to tell us exactly who or what he is. In "mcPemmican™," the narrator says "so you have to explain who is this clown / but I won't" (7). Much later in the book, the question of the clown's identity is again posed: "who is the clown / who is the clown / who is the clown" (61). Readers are left to speculate about this, since no straightforward answer is given in the text. The clown may be an Aboriginal trickster figure like Coyote or Nana-bush or the sacred clowns of the Hopi tradition. He could instead be a Shakespearean motley fool, given the many references to Shakespeare in poems such as "BNA Actor" and "native tempest". But on the other hand, when one considers this book's obsession with corporate culture and with McDonald's Corporation in particular, it seems possible that the clown is also a version of that omnipresent poster-boy of corporate globalization, Ronald McDonald.

This identification is never certain, of course, but by leaving the clown's identity a mystery, Francis destabilizes its symbolic register and allows us to think, if only briefly, about a strange cross-cultural possibil-

ity: Ronald McDonald as a sacred clown of globalized capitalism, a figure of fun who illustrates — as many Aboriginal tricksters do — the follies and the negative consequences of poor choices and corrupt structures in our society. In *City Treaty*, the clown stalks the narrator, never letting him escape, though he tries to do so at first and eventually gives up: “it was no use,” he says, “you cannot shake a clown / that mask sees all” (5). In the same way, we might not be able to escape the shadowing presence of corporate branding, but by bringing it inside the symbolic spaces of Native culture, Francis suggests that corporate culture can be transformed enough that it can provide a space for critique and perhaps even for the expression of a new kind of contemporary indigeneity. Joe TB suggests that it would be better if he could get rid of the clown, but since he cannot, the next best thing to do is to bust the economic treaties of global capital by re-contextualizing the clown into different cultural matrices, thereby changing its meaning.

In a sense, this adaptation and re-contextualization is analogous to what Aboriginal artists have been doing since the first arrival of Europeans in North America: integrating manufactured trade goods such as beads, mirrors, and metal objects into their traditional artistic practice, creating artworks that reflect the new realities of constantly evolving Native cultures. The difference is that Marvin Francis and Brian Jungen and the Aboriginal Sketch Club are explicitly working with *concepts* as well as with material culture. In doing so they raise crucial questions about intellectual property, cultural ownership, and the politics of racialized identity in a branded world.

Francis’s exploration of what might be called ‘post-corporate’ indigeneity is most readily contextualized in terms of recent currents in visual art, but it is also part of a growing trend in Aboriginal literature. Perhaps fittingly, the writers who examine corporate representations of Native people tend to focus on characters who are themselves artists. For example, the main character in Jeannette Armstrong’s *Whispering in Shadows* is an artist as well as an anti-globalization activist. In addition, the Native artist characters found throughout Thomas King’s work — especially in *Truth and Bright Water* — often work on projects which critique capitalism as well as colonialism. Munro Swimmer, King’s self-declared “Famous Indian Artist” in *Truth and Bright Water*, combats the commodification of Native culture by staging public art interventions and by initiating a give-away of his art collection and other belongings at the end of the novel. It seems

likely that King, Armstrong, and other Aboriginal writers will continue to explore this theme, and that Native writers of the younger generation will take this decolonizing project in new directions.

Marvin Francis properly belongs to that younger generation of Aboriginal writers, and it is particularly devastating that we have lost him so soon. Marvin's passing was a shock to so many people, and his absence from our communities will be keenly felt for a long time. Nonetheless, his work will remain as an inspiration and a challenge to all of us, and to those who will come after. In his poem "Treaty Map," Marvin writes, "this land is owned by your children never by you" (67). It is some consolation to believe that the same can be said of poetry.

AUTHOR'S NOTE

The first version of this paper was written and delivered during what would prove to be the final months of Marvin Francis's life. I want to acknowledge here the enormous contribution that Marvin made to the arts community of Winnipeg and the academic community at the University of Manitoba, where he was pursuing a PhD in English under my supervision. Marvin was as much teacher as student in our conversations, and his academic work was as challenging and unique as his poems and his artworks. He was very humble about all of his writing, but I hope that he would be pleased — or at least amused — that I have written the first academic article on *City Treaty*. I am certain that it will not be the last, and that his reputation as an innovator in Aboriginal literature and art will continue to grow.

NOTES

¹ The actions of Shell Oil in Ogoni territory are well documented, and have been examined in books such as Ken Saro-Wiwa's *Genocide in Nigeria: The Ogoni Tragedy* and Abdul Rasheed Na'allah's edited collection *Ogoni's Agony: Ken Saro-Wiwa and the Crisis in Nigeria*. Clashes between oil companies and Huorani people in the Amazon basin are described in Joe Kane's *Savages*. Rampant fraud, deception and murder perpetrated upon Oklahoma's Osage people during an oil rush in the early Twentieth Century are examined in Linda Hogan's novel *Mean Spirit* and Dennis McAuliffe's nonfiction study *Bloodlands: A True Story of Oil, Greed and Murder on the Osage Reservation*. The Lubicon people's struggles against the Canadian oil industry are documented in John Goddard's *Last Stand of the Lubicon Cree*.

² Brown's study is entitled *Who Owns Native Culture?* Battiste and Henderson collaborate on *Protecting Indigenous Knowledge and Heritage: A Global Challenge*.

³ Oil company activity might be characterized as government-sponsored theft of Aboriginal property because the majority of treaties in Alberta do not attach subsurface mineral rights to the Treaty land entitlements. Land title in these cases is purported to extend only a few meters below the surface, and thus, oil companies can extract petroleum from that land without paying the Native communities for it. On the other hand, in *all* of the land that First Nations ceded to the Crown in the treaties, the Canadian government is understood to be the owner of subsurface mineral rights. This double standard is a good example of the distinctly un-level

playing field that Aboriginal nations face when it comes to claiming ownership of resources.

⁴Some public responses to this art show, as well as reproductions of the jersey logos, can be seen on the Winnipeg Independent Media Centre website: <http://winnipeg.indymedia.org/item.php?9F>

⁵Jungen's work has been exhibited in several national and international shows, and is the subject of numerous exhibition catalogues and one critical monograph, Daina Augaitis' *Brian Jungen* (Vancouver: Douglas & McIntyre, 2005).

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