

Their pre-contact societies are a cultural memory of forgotten peoples whose progeny have reinvented and revised their traditions in the reaction to the modern political context reminiscent of *The Invention of Traditions* (Hobsbawm and Ranger 1983). Inseparably tied to their environment, the decline in the supply of wild game changed cultural traditions irreversibly, particularly in North America. In the post-contact era, Aboriginals had no exit option from the newly formed states because the land – along with the elements of their culture defined by the land – was ceded to colonial settlers. This culminated in depopulation, forced relocation and assimilatory tactics. All of these factors gravely weakened the Aboriginals' capacity of Aboriginals to achieve mutual recognition, respect and dignity from the imposed political states within which they were and remain subjects.

Comment [A1]: Excellent reference given the content of this section.

The Aboriginal and Aborigine political elite face a dilemma. Having no alternative outside the hegemonic order that Tully and others scholars describe. They must posit to place their claims, along three options emerge. As Kymlicka asserts they can “(a)...accept integration into the majority culture...; (b)...seek rights and powers of self-government needed to maintain their own societal culture...; (c)...they can accept permanent marginalization.” (Kymlicka 2000):28) Since their conception of their ethno-cultural past requires some level of segregation from mainstream society and the Aboriginals adhere to a belief in the essential value of reclaiming their land and culture, they must necessarily shift from option (a) assimilation and option (c) marginalization to option (b) self-government.

Comment [IS2]: I disagree with the use of Kymlicka's rubric. He is a liberal multiculturalist but cannot escape the conformity imposition of nation-states. You seem to take him as the only perspective on this issue. You could look at Political Theory work by Paul Kelly for example.

Comment [A3]: They have only three options? Is this according to Kymlicka?

Operating in the nation-state requires playing by the nation-state's rules. It then becomes a question of how claims might be forwarded to maximize Aboriginal political and legal recognition associated with option (b) self-government. The particularisms of their respective states (i.e. Canada and Australia) determine the manner in which Aboriginals and Aborigines advance their claims for special status.

Comment [A4]: This is a curious suggestion which has been the central thread of your paper. It is appropriate to expand this here, but if you choose to wait later, you will have to reiterate this point again.

B: The Causal Mechanism for Divergent Relationship in Canada and Australia

There are three major forces which converge to produce the political and legal space that gives Aboriginal Canadians an advantages over Australian Aborigines. First, there is the ideology of nationalism itself, which has particular traction in the Canadian state. ~~Second, the structural realities of the Canadian state provide the political space for such conceptual appeals.~~ Third, the Aboriginal, federal and academic elite in Canada tacitly converge to justify the internal and external political recognition and rights that Aboriginal Canadians as First Nations demand. These three major forces are not present in the Australian case and, therefore, the Aborigine are significantly more marginalized and without much political recognition.

Comment [IS5]: Good use of a political science term. This paper shows a high degree of methodological maturity. However, I have yet to be convinced regarding your central argument.

Comment [A6]: Is the second factor not a rephrasing of the first factor?

Comment [A7]: At what cost/benefit do these states make such claims? Making concessions to Aboriginals cannot be without some cost/benefit.

1: The Utility of Nationalism

Legal Jurisprudence Option

The barrier to using the discourse of nationalism by Aborigines lies in the strength of Australian nationalism. Emerging in the 1890s, Australian nationalism is characterized by masculine mateship, individualism (not group rights) and the mantra.....

Comment [IS8]: So, nationalism is a tool to be used? What about a natural identity markers? You are applying an agential view here. That is, there are people who have chosen their ethnicity? Or perhaps you are saying that people USE their ethnicity where it is useful, and underplay it where it is not useful? Is this what are you saying, please clarify the title: Utility of Nationalism.