

The Sources of Solidarity:
Negotiating the Horizons of Indigenous-State Relations between
Moderate and Radical Views

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ABSTRACT

The following thesis is concerned with articulating the ways to reconcile moderate and radical views of Indigenous-state relations and finding compatible sources of solidaristic support between those endeavours. Moderate top-down statism (the moderate view) is represented by Charles Taylor and Dale Turner, and it holds that relations between Indigenous peoples and the state be maintained and fostered through careful dialogue. The state acts as the main top-down thoroughfare which policy and social change concerning Indigenous peoples happen. Radical bottom-up anti-capitalist solidarity (the radical view) is represented by Glen Coulthard, Eve Tuck, and K. Wayne Yang. It maintains that continued state relations only perpetuate the colonial and capitalist relationship between Indigenous peoples and the state, so it is necessary for Indigenous peoples to turn away from the state in an act of self-recognition, affirmation, and Indigenous resurgence, causing social change and solidarity to happen from the bottom up. Yet the radical view holds that the sources of solidarity for decolonization are incommensurable with frameworks of social justice, severely limiting legitimate forms of solidarity towards decolonial ends. Pablo Gilabert's dignitarian approach and its concepts of solidaristic empowerment and the basis of dignity will be used to attempt to reconcile the moderate and radical views, both of which can be framed under dignitarian concerns. The argumentative conclusions of this thesis are (1) a pluralistic notion of solidarity is needed, (2) notions of justice which aim to expand the general population's imagination can come from varied sources to (3) make the challenging demands of decolonization more receptive and (4) indicate what "social justice" can become. This happens along a temporal arc of social transformation and a Gadamerian fusion of horizons, expanding the imagination and the sources of solidaristic support.

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INTRODUCTION

A Question of Moderate and Radical Approaches to Indigenous Justice and State Relations

In an increasingly multicultural world, the notion of recognition has gained salience as a deeply important political concept. Charles Taylor understands recognition as a dialogical concept which constitutes one's identity in relation to one's significant others, community, and culture. When one does not receive due recognition (that is, when one is not recognized for who they are in their cultural identity or are misrecognized and given a false or distorted view of oneself) it can be deeply injurious and harmful to individuals and peoples, especially within pluralistic democratic societies. This is why in "The Politics of Recognition," Taylor describes recognition as "a vital human need" (1992, p. 26).

Talk of "multiculturalism" and "pluralism," however, might be problematic in the context of Indigenous relations in Canada. This may pose an issue specifically due to the *sui generis* status that Indigenous peoples have in Canada, and to subsume Indigenous peoples within the rhetoric of multiculturalism, pluralism, and the liberal democratic system might actually obfuscate the recognition that Indigenous peoples of Canada require. Dale Turner contends in *This Is Not a Peace Pipe* that close yet cautious relations between the Canadian state and Indigenous peoples need to be maintained so that the state and the institutions subsumed under it can and ought to be informed by Indigenous perspectives. In an important sense, Turner's project aligns with Taylor's via articulating the steps which would make the recognition of Indigenous perspectives, practices, and beliefs coherent to the Canadian political and legal order through careful dialogue. In stark contrast to Turner and Taylor, Glen Coulthard fundamentally questions Taylor's politics of recognition and

Turner's approach in *Red Skin, White Masks*. Specifically, Coulthard argues that the Canadian politics of recognition maintains the colonial relationship between the Canadian government and Indigenous peoples in that, in seeking political recognition through the Canadian government, Indigenous identity is subordinate to the rules, regulations, and articulations of the state in terms of their ownership and relation to land, natural resources, and the Canadian economy. What Coulthard calls for is a politics of self-recognition, self-affirmation, and self-empowerment which turns away from the Canadian state in seeking recognition. Coulthard's position is complemented by Eve Tuck and K. Wayne Yang's arguments in "Decolonization Is Not a Metaphor" where they put forward that the requirements of decolonization also require a "turning away" from social justice frameworks, such as human and civil rights, socialism, and egalitarianism, because these frameworks repeat the colonial relationship between state and Indigenous peoples and, as such, are incommensurable with the goals of decolonialism.

The question of inquiry I wish to pose involves which of these two approaches, which we can frame roughly as the *moderate top-down statism* of Turner and Taylor and the *radical bottom-up anti-capitalist solidarity* in Coulthard and Tuck and Yang's case, is the correct one, or whether there is any degree of compatibility between them. I will argue that not only is there a degree of compatibility between the two camps, but they also complement each other in important ways.¹

Appealing to the moderate or radical views alone will not be fruitful in showing to what degree they are compatible and complementary to one another as both approaches on their own are *prima facie* incompatible with one another. Instead, I will draw from Pablo

¹ For the sake of concision, I may at times refer to these views as the moderate view and the radical view.

Gilbert's dignitarian approach which he develops in *Human Dignity and Human Rights*. Briefly, I will use his concepts of the basis of dignity and solidaristic empowerment to show that the moderate top-down statist approach and the radical bottom-up anti-capitalist approach can both be framed under dignitarian concerns. Despite this, the dignitarian approach, which utilizes broader frameworks of social justice such as human and civil rights, socialism, and egalitarianism, pushes against Tuck and Yang's understanding of Indigenous justice and decolonization as incommensurable with social justice frameworks. As a second layer to the overall argument, I put forward that it is a mistake to foreclose the various sources of solidarity which can contribute both to particular aims of decolonization and to the expansion of the general population's imagination of what the at-times nebulous term "justice" entails.

In Chapter 1, I will outline the moderate view represented by Taylor's recognition project and Turner's approach to Indigenous justice. In Chapter 2, I will outline Coulthard's position and explain how Tuck and Yang's argument complements Coulthard's in many ways, thus representing the radical view. Particular focus will be on arguments which distance Indigenous peoples from state involvement within a liberal democracy. In Chapter 3, I will present Gilbert's dignitarian approach and try and explain how its conceptual resources can (1) show the compatibility and complementarity between both views and (2) show that Tuck and Yang's contribution to the radical view might be too narrow in scope in certain regards, that other frameworks of social justice as a means of gaining solidarity might help contribute to solving issues concerning Indigenous justice understood along a temporal arc.

CHAPTER 1

Taylor and Turner's Moderate Top-Down Statism

The purpose of this chapter is to draw parallels between Charles Taylor's recognition project and Dale Turner's approach to Indigenous justice. I will argue that Turner's characterization of Indigenous relations with the Canadian state and legal order diagnoses a lack of recognition in Taylor's sense, and that Turner's call for a rearticulated dialogical relationship between Indigenous peoples and the Canadian state expresses a similar approach to Taylor's politics of recognition. Together, they comprise moderate top-down statism. First, a detailed account of Taylor's politics of recognition will be given to clarify certain core issues in his project before turning to Turner's concerns.

1.1 Recognition, dialogue, and the monological ideal

In "The Politics of Recognition," Charles Taylor outlines the issue concerning recognition, which designates a person's identity and self-understanding in their capacity of being a human being (1992, p. 25). The term "recognition" understood in the context of one's identity is not something that is (fully) self-contained within the individual, that is, something a person discovers and sees on their own in a process of self-reflection and epiphany. Even though Taylor *does* place importance in the modern identity of discovering who someone is through inward reflection alongside the modern notion of "authenticity" which he attributes to Herder (p. 30 – 1), it is not the emphasis in Taylor's recognition project. Recognition is a relational concept which strongly implicates the role of others in identity formation:

our identity is partly shaped by recognition or its absence, often by the *misrecognition* of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Nonrecognition or misrecognition can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being. (p. 25)

Taylor provides a number of examples to illustrate misrecognition: patriarchal societies socialize women to internalize an inferior perception of themselves; white societies have historically projected a reduced and demeaning image of and onto black people; and since the times of early European colonization of the Americas, the image of the inferior and uncivilized “savage” has been imposed on Indigenous peoples (p. 25 – 6). Taylor refers to recognition as a “vital human need” (p. 26) precisely because these diminished and internalized understandings imposed on people and groups in a given society remove something fundamental from people’s experience of their identity, culture, and humanity. This is always understood as inextricably related to others.

The relational character of recognition is understood in Taylor’s project as something inherently dialogical in nature. He states, “we become full human agents, capable of understanding ourselves, and hence defining our identity, through our acquisition of rich human languages of expression. ... The genesis of the human mind is in this sense not monological, not something each person accomplishes on his or her own, but dialogical” (p. 32). In the context of this passage, Taylor speaks about how the formation of the individual happens in relation to “significant others,” and it is doubtless that these “rich

human languages of expression” (which for Taylor includes similar languages of art, gesture, love, etc.) gain a certain salience with the ones we have our deepest relationships with such as our parents, siblings, closest friends, and lovers. However, the language of “dialogue” stretches our intersubjective constitution further into the wider spheres of public discourse, community, and culture. Taylor captures this idea much more suggestively in *Sources of the Self* where he states that our identities are constituted within “webs of interlocution”: having an identity which someone can understand and articulate is reflected in this image of a “web” where the threads of the web are the various sources with which we are in dialogue, from our loved ones to “moral and spiritual matters [and] also some reference to a defining community” (1989, p. 36). For Taylor, identity is complex. It places us within a taxonomy of relations to others by making certain ideas coherent, so it can be especially problematic when there is a lack of recognition of the things that are significant to a person, whether that significant thing is interpersonal, moral, spiritual, communal, or cultural.

In contrast to the dialogical constitution of a person’s identity, there is a monological ideal which takes identity formation to be something completely self-articulated while simultaneously denying the existence of any of the background conditions which make one’s identity a dialogical project (Taylor, 1992, p. 32 – 3). This is a mistaken assumption, but an assumption with grave consequences. In another place, Taylor (2003) refers to this monological ideal as “atomism,” which leads to individualism, anthropocentrism, and instrumental reason, all of which sprang from the emergence of new forms of economic life, our relation to the market, entrepreneurship, globalization, bureaucratic society, and the rise of modern industry (p. 58 – 9). At the interpersonal level, the monological ideal would

deny our social nature which animates the worthwhile activities that are mutually enjoyed or the love we share with others that co-defines our identities (1992, p. 33 – 4). It can also cause one to treat one’s community instrumentally, as a means to one’s personal ends and ambitions (2003, p. 59).

Despite this, it is important to note Taylor’s use of the term “anthropocentrism” because it is highly misleading in how we conceive his understanding of the monological ideal and his dialogical understanding of social existence.¹ Taylor explicitly characterizes atomism as the tendency for people to understand their personal “fulfillment as just of the self, neglecting or delegitimizing the demands that come from beyond our own desires or aspirations, be they from history, tradition, society, nature, or God; they foster, in other words, a radical anthropocentrism” (p. 58). This radical *anthropocentrism* can really be understood as a radical *subjectivism* which puts personal and individualistic concerns over and above concerns outside of oneself. This is true of an individual’s relation to their community, yet Taylor also mentions nature. It seems reasonable (but mistaken) to assume that his dialogical project contra the monological ideal would be non-anthropocentric in the sense that human dealings would also be concerned with the natural environment and the animals within it. Contrary to this suggestion, the dialogical dimension of Taylor’s project is anthropocentric in that his project is not necessarily concerned with the world of nature and non-human animals, but rather with how modern-day subjectivism is taken up in relation to other people, cultures, and identities. The object of concern in his dialogical

¹ I am in debt to Will Kymlicka and Christine Synowich for their important comments regarding Taylor’s anthropocentrism in both the monological ideal and dialogical aspect of his recognition project. Their comments on anthropocentrism have proven to be invaluable throughout the current work.

project is couched in his humanism and is anthropocentric in the sense that humans are at the forefront of concern and dialogue.

Perhaps this is surprising considering the influence that Iris Murdoch has had on Taylor's thinking. For instance, in *The Sovereignty of Good*,² Murdoch (1999) argues that the prominent influence of logical positivism on moral philosophy has obfuscated, diminished, and made the object of skepticism the role love, the Good, and the inner moral perception and articulations of people. For her, "something vital is missing" (p. 306). She calls for a sort of "dialogical" relationship between perceiver and perceived in her notion of just loving attention: it is "the idea of a just and loving gaze directed upon an individual reality" (p. 327). Giving something just and loving attention – often characterized as an "unselfing" (e.g., p. 353; 369) – is akin to seeing/describing a person or situation in both an unprejudiced and unselfish way (i.e., to see someone or something in its "individual reality") as well as being open to others and their possibilities and circumstances. However, it is suggested that the scope of just loving attention in moral perception is more encompassing. Murdoch says,

This exercise of *detachment* [i.e., of just loving attention, unselfing] is difficult and valuable whether the thing contemplated is a human being or the root of a tree or the vibration of a colour or a sound. Unsentimental contemplation of nature exhibits the same quality of detachment: selfish concerns vanish,

² Any citation of Murdoch's *The Sovereignty of Good* will be in reference to the three essays which comprise it (i.e., "The Idea of Perfection," "On 'God' and the 'Good,'" and "The Sovereignty of Good Over Other Concepts") found in *Existentialists and Mystics: Writings on Philosophy and Literature* (New York, NY: Penguin Books, 1999). Since the order of the essays found in this volume of Murdoch's writings are in the same order as they appear in *The Sovereignty of Good*, the three works will be treated as one under the heading *The Sovereignty of Good*, both as in-text citations and on the end reference page.

nothing exists except the things which are seen. ... I would suggest that the authority of the Good seems to us something necessary because the realism (ability to perceive reality) required for goodness is a kind of intellectual ability to perceive what is true, which is automatically at the same time a suppression of self. ... [T]rue vision occasions right conduct. (p. 353)

Although Murdoch does not explicitly bring out the themes of animals and nature in order to posit clear normative statements as to our “right conduct” towards them, the conceptual resources to do so are arguably there. It brings us back to the theme of seeing the world beyond oneself, past the monological ideal and into the relations undergirded by dialogue.

Yet Taylor (2011) discusses Murdoch’s influence on him in “Iris Murdoch and Moral Philosophy,” and it is clear from his comments on the multitudinous paths of modernity, identity, flourishing, meaning, and the affirmation of ordinary life that he couches these within human (anthropocentric) concerns and hints at his own disposition towards Catholic doctrine – suggesting human exceptionalism within his thinking. He often refers to navigating the “forest” of modernity as a means of “aiming beyond life” (p. 16 – 23), but this is not a “non-anthropocentric” view of things in the sense of considering the world of nature as constitutive of one’s identity. Once again, it is couched in human concerns and is informed by his Christian faith and relation to God.

All this is to say we must be careful with unpacking the sense and scope that Taylor understands the term “anthropocentric.” At its core, his dialogical approach is still human centered, and the absence of any substantive discussion of a dialogical relationship between humans and nature, the environment, and non-human animals is another indication of this. This is not to suggest his dialogical understanding of the constitution of

human identity is not important – far from it. There are deep political ramifications at play in the politics of recognition.

Within the broader public sphere, the need for recognition is just as crucial as our interpersonal relationships.³ This is why recognition is such a vital concept with the emergence of democratic societies, especially those of a multicultural bent, because of the position it places people and disparate groups in relation to one another within the same geographical space. It is also why the monological ideal can be particularly devastating to a person's identity within this sphere of social existence. For Taylor (1992), democracy has introduced the notion of equal worth and dignity of all persons, which can be understood in contrast to the collapse of social hierarchies and the *ancien régime* sense of “honour” (p. 26 – 7). The idea that people ought to be recognized equally within society has become an essential feature of democratic societies, especially today with the demands of cultures and various groups for equal status (p. 27). Yet a monological ideal understood within a society can give rise to the misrecognition of persons or groups in their cultural self-understanding.

It is important to note that an identity formed under conditions of oppression does not entail the monological ideal at work, but rather is an affirmation of the dialogical nature of the constitution of identity.⁴ For example, the misrecognition and reduced self-image of a

³ It may be problematic to readily make a distinction between our interpersonal relations versus our public ones, because so-called public relationships and understandings of an identity could have ramifications to the types of interpersonal relationships we have. I do not necessarily think that this is a major issue in Taylor's project, but it seems obvious that there are, at the very least, a significant overlap between the two. Perhaps this was the purpose of invoking how we are in dialogue within webs of interlocution where the various threads can inform one another in complex ways?

⁴ I thank Christine Sypnowich for emphasizing this point in an early draft of this chapter.

people can be seen in Frantz Fanon's *Black Skin, White Masks* in which he expresses colonial racism manifesting as an internalized violence:

A man who possesses a language possesses as an indirect consequence the world expressed and implied by this language. ... All colonized people – in other words, people in whom an inferiority complex has taken root, whose local cultural originality has been committed to the grave – position themselves to the civilizing language: i.e., the metropolitan culture (2008, p. 2).⁵

Fanon's remarks on language are particularly apt. In this case colonized black communities and cultures take up the "civilizing language" which situates themselves in a position of uncivilized inferiority and an internalized reduced self-image. These cultures and communities are understood within a misrecognized vision of themselves because "their local cultural originality has been committed to the grave" and replaced with the language of civilization, which in turn smuggles in the sentiments of progress and cultural hierarchy. These latter sentiments place the colonized on a lower peg on the hierarchy. Yet identity here is still "dialogical" despite the articulation of black identity being unidirectional and not taken up in reciprocal dialogue with others but imposed. That is, identity is irreducibly constituted in relation to others.

Equal recognition stipulates the conditions under which more just social relationships, especially in the public sphere, can take place. Understood within the context

⁵ See Chapter One titled "The Black Man and Language" of *Black Skin, White Masks* for a vivid description of the effects of taking up a "civilizing language" for the colonized and the internalized violence this can cause. For Fanon's discussion on embodiment and internalized violence, see Chapter Five, "The Lived Experience of the Black Man."

of democratic societies, Taylor (1992) states, “it is not just the appropriate mode for a healthy democratic society. Its refusal can inflict damage on those who are denied it” (p. 36). Equal recognition requires the possibility of open dialogue so that the negotiation of one’s identity can unfold without the distortions caused by oppressive social arrangements and situations.

Given the prominent role of the dialogical in ideal and oppressive circumstances, this is not to say that the monological ideal has no function in giving rise to oppression or problems within intracultural and intercultural interaction and understandings. Considering the above characterization of the monological ideal and atomism as consisting of rampant individualism, subjectivism, and instrumental reason, it is no stretch of the imagination to see the rifts the monological ideal can cause within *intracultural* being, yet we will see both below in this chapter as well as the next one the problems that emerge *interculturally* between Indigenous peoples and the dominant culture.

1.2 The politics of universalism and difference

Parsing out how one ought to recognize another in light of misrecognition on the face of it seems like a simple problem to resolve by treating everyone equally, but this proves to be one of the most vexing issues Taylor discusses in “The Politics of Recognition.” He describes two major changes, the politics of universalism and the politics of difference, which have emerged within the political arena of the public sphere in discussing what the politics of equal recognition actually entails.

The politics of universalism emerged with the replacement of social hierarchies and the *ancien régime* sense of “honour” with the idea of universal dignity. It emphasizes “the

equal dignity of all citizens, and the content of this politics has been the equalization of rights and entitlements” (p. 37). The main emphasis in the politics of universalism is that everyone shares in the same dignity to be treated with the same fairness and respect, and to do otherwise would be an affront to the dignity of that person. In contrast to this, the politics of difference demands that people are to be recognized in their unique and distinct identity, either as an individual or as a group, and this is because a person’s or group’s identity “has been ignored, glossed over, [or] assimilated to a dominant or majority identity” (p. 38).

Although Taylor notes that the politics of difference is a disavowal of second-class citizenship, which seems to align with the politics of universalism, the main issue is that the politics of difference requires the acknowledgment of something that is not shared among all persons: “[w]here the politics of universal dignity fought for forms of nondiscrimination that were quite ‘blind’ to the ways in which citizens differ, the politics of difference often redefines nondiscrimination as requiring that we make these distinctions the basis of differential treatment” (p. 39). However, this is not all that motivates the politics of difference. The politics of difference camp wishes to celebrate cultural distinctness, preservation, and survival (p. 40; p. 52). The implication of being culturally distinct is that there may be aspects of a culture, such as beliefs or moral convictions, which are incommensurable with other cultures, dominant or otherwise.

Both the politics of universalism and the politics of difference, then, take up the notion of equal respect quite differently. The former charges the latter with violating the principles of non-discrimination whereas the latter charges the former with assimilating groups in their particularity to an inauthentic version of themselves, causing social

identities to be homogenous and (ironically) establishing a hegemonic relationship to which only minority or subaltern groups are discriminatorily subjected (p. 43). Since both take up the notion of equal respect differently, this also implies a different understanding of what recognition means politically. Sypnowich (2018) notes, however, that the politics of difference may in fact involve egalitarian assumptions. She is deeply skeptical that the politics of difference on its own represents adequate normative principles to follow. For all the contributions that the politics of difference has had in the debate concerning abstract and difference-blind liberalism,

the purpose of cultural accommodation is to enable the full participation and flourishing of all citizens, a universal ideal if ever there was one. Difference enters the egalitarian domain not as something to be affirmed for its own sake, but something that must be addressed, recognized, accommodated or mitigated – to enable equal human flourishing” (p. 31).

1.3 Liberalism, universalism, and difference

In the Canadian context, the Canadian Charter expresses liberal democratic principles in two respects: it provides a taxonomy of rights to all individuals, and it sets out to guarantee non-discriminatory treatment in regards to factors such as race, gender, language, group affiliation, and the like (Taylor, 1992, p. 53 – 4). For some in the politics-of-universalism camp, granting special privileges, rights, or the protection of collective goals of specific groups seem to run against the idea of non-discrimination and differential treatment amongst individuals (p. 54 – 5). Yet collective goals and special privileges, seen from the perspective of the politics-of-difference camp, might be framed in terms of cultural

survival, not only for the current generation, but for future generations as well (p. 58). In the Québec case, language legislation, such as parents' choice of school and the signage on commercial establishments, has worked towards this collective end in a variety of ways (p. 55).⁶ Taylor draws on Dworkin to elucidate why this is a problem for certain brands of liberalism of the politics-of-universalism variety.

According to Taylor, Dworkin distinguishes two types of moral commitments. Taylor refers to these as “procedural” and “substantive,” the former of which deals with the moral commitment to treat everyone with fairness and equality despite what my or your conception of the good life is, whereas the latter is concerned with determining what the good life is and what the goals worthy of pursuing collectively are (p. 56). For Dworkin, a liberal society is one that makes no substantive claims on what the good life is, but rather commits itself to ensuring fair procedures in treating people with equal respect (p. 56). For Taylor, brands of liberalism which rigidly apply universal procedures, rights, and endorse suspicion of the substantive differences of a given society are problematic. Liberalism which does not acknowledge and accommodate a distinct society's concern for their cultural survival both in current and future generations are “inhospitable to difference.” This inhospitability amounts to hindering cultural survival, which is a legitimate collective goal, and thus liberal societies find themselves undertaking remedial legislation that would inevitably treat citizens of one class differently than others (p. 60 -1). Taylor would instead, due to the increasing impracticality of procedural liberalism in increasingly multicultural societies, endorse a more hospitable form of liberalism which accommodates difference

⁶ For a succinct summary of Bill 101, or Québec's Charter of the French Language (*La charte de la langue française*), see Charter of the French Language (2020) at <https://educaloi.qc.ca/en/capsules/charter-of-the-french-language/>

even though other rights such as *habeas corpus* will still be regarded as fundamental and invariant (p. 61).

Where to draw the line between differential treatment and invariant treatment is up for debate and unfortunately neither clearly nor explicitly spelled out by Taylor. He does think that some form of accommodation is necessary, and the lack of accommodation and recognition might actually work towards supporting more radically oriented political movements such as Québec separatism (p. 64). Secession, perhaps one of the ultimate expressions of the politics of difference, is not endorsed by Taylor. Group differentiated rights geared towards cultural survival in the Québec case look like what's called for, and as Ignatieff (2000) notes, privileges essential to the group's survival must not violate individual rights both internal and external to the group. Ignatieff contends that Québec language legislation passes both tests (p. 71).

However, at stake in the politics of recognition is not just a question of recognizing that different cultures and groups have different concerns in relation to their survival and facilitating legislation (among other things) to secure it. Taylor (1992) states, "the further demand we are looking at here is that we all *recognize* the equal value of different cultures; that we not only let them survive, but acknowledge their *worth*" (p. 64, emphasis in original). As we shall see in the following section, this cannot be done blindly.

1.4 The presumption of equal worth

This evaluative criterion of equal recognition introduces a difficulty in the argument. Recognizing the worth of a given culture would also suggest evaluating particular views that culture holds, and this seems to require a positive evaluation of their worth. Yet is this

realistic among all the views a culture holds? It is possible that certain views are incommensurable with, or anathema to, views that another culture endorses, making it difficult to holistically assess their worth.

Recognizing a culture as equal in worth to others does not necessarily entail a blind endorsement and unreflective positive evaluation of all of that culture's beliefs. This is something Taylor would deny on two fronts: not only would a blind endorsement or unreflective positive evaluation actually be highly disrespectful to a culture because it may come off as patronizing or condescending (p. 70), but it is something that people cannot do because it would tacitly deny their own background of significance in which meanings take on evaluative force. Taylor expresses this latter sentiment succinctly in *The Ethics of Authenticity*:

Things take on importance against a background of significance. Let us call this a horizon. It follows that one of the things we can't do, if we are to define ourselves significantly, is suppress or deny the horizons against which things take on significance for us. (2003, p. 37)

In other words, to blindly accept a culture and its views, particularly one that holds opposing beliefs, is to simultaneously deny the value of things that matter to us. Instead, Taylor (1992) suggests we approach understanding a culture with a *presumption* of equal worth: "the claim is that all human cultures that have animated whole societies over some considerable stretch of time have something important to say to all human beings" (p. 66). As a presumption, however, he is not referring to a permanent state of affairs, but rather a "starting hypothesis" in order to inquire dialogically why a particular culture along with

their beliefs and practices might indeed be valuable (p. 66 – 7). This might be difficult because the source of a culture’s worth might be “strange and unfamiliar to us” (p. 67).

The idea behind the presumption amounts to transforming our standards of evaluation into something new via a “fusion of horizons.” In the above paragraph, the Taylor quote which refers to a horizon as the background which “things take on significance for us” is influenced by Gadamer (2006), who states, “a horizon means that one learns to look beyond what is close at hand – not in order to look away from it but to see it better, within a larger whole in truer proportion” (p. 304). The idea here is that having a horizon makes things coherent to us because it allows us to understand our views and beliefs holistically. However, at the same time, a horizon suggests there is something beyond sight, beyond the things that take on coherence and significance. For Gadamer, the process of expanding our understanding and transforming our standards of evaluation involves a fusion of past “traditions” (or our previous comprehension of things) within a present which is continuously questioning and testing our beliefs: “*understanding is always the fusion of these horizons supposedly existing by themselves*” (p. 305, emphasis in original). For Taylor (1992), the fusion of horizons functions as a way to articulate a new way of expressing a comparison between cultures, that “if and when we ultimately find substantive support for our initial presumption, it is on the basis of an understanding of what constitutes worth that we couldn’t possibly have had at the beginning. We have reached the judgment partly through transforming our standards” (p. 67).⁷

⁷ I find the following quote from Taylor’s “Comparison, History, Truth” particularly useful in the current context: “I meet this challenge [which another culture presents] by altering and enlarging my understanding, remaking its forms and limits. This means that I articulate things that were purely implicit before, in order to put them into question. In particular, I articulate what were formerly limits to intelligibility, in order to see them in a new context, no longer as inescapable structures of human motivation, but as one in a range of possibilities. That is why

As suggested above, the presumption cannot be approached blindly because it both disrespects the substantive beliefs a culture holds, but it also denies one's own beliefs and the normative convictions one endorses and defends. This also prevents or hinders a fusion of horizons from taking place because a fusion of horizons requires approaching others dialogically in an open, equal, and respectful way. Blind acceptance is hardly dialogical. Of course, there is no guarantee that all differences between cultures will somehow have perfectly "fused" horizons, and there will likely be differences which remain incommensurable. The idea, however, is that our horizons have expanded enough to modify our evaluative standards to recognize the worth of other frameworks and horizons of significance in their totality and recognize from our own point of view that we represent one horizon, one historical achievement, among many.

In the following sections, I will present Dale Turner's arguments for Indigenous justice in the Canadian context which he makes in *This Is Not a Peace Pipe*, drawing striking comparisons to Taylor's recognition project. As such, my label "moderate top-down statism" for Taylor and Turner will take on a much more robust meaning. As a starting point of interest, we should note that Turner does not reference Taylor's "The Politics of Recognition" in *This Is Not a Peace Pipe*, yet in the acknowledgements of his book, he states, "the writings and lectures of Charles Taylor have been, and continue to be, important to my thinking" (2006, p. ix).

other-understanding changes self-understanding, and in particular prizes [sic] us loose from some of the most fixed contours of our former culture. ... The sober and rational discourse which tries to understand other cultures has to become aware of itself as one among many possibilities in order properly to understand the others. But then it no longer goes without saying that we ought to subscribe to its canons" (1997, p. 149). The sentiment that our own culture transforms and is our "former culture" is one I find fascinating.

1.5 Turner's approach to Indigenous justice

Turner's main claim is that that Indigenous peoples of Canada must engage with the Canadian state in more effective ways. A class of Indigenous intellectuals, "word warriors," trained in both Indigenous knowledge and the legal and political philosophies of the dominant culture will act to reconcile and "empower [Indigenous ways of knowing] within the legal and political practices of the state" and, simultaneously, represent Indigenous ways of knowing as a legitimate epistemology (Turner, 2006, p. 7 – 8). Peppered throughout Turner's arguments is the idea that state engagement is a matter of Indigenous survival. In particular, Turner argues that the necessity for Indigenous peoples and word warriors to enact a more effective discursive relationship with the Canadian state is due to something he calls "Kymlicka's constraint": "it is predominantly non-Aboriginal judges and politicians who have the ultimate power to protect and enforce Aboriginal rights, and so it is important to find a justification of them that such people can recognize and understand" (Kymlicka, 1989, as cited in Turner, 2006, p. 58). Kymlicka's constraint "is a reality that indigenous peoples have to address" (p. 95).⁸ For Turner, this means that Indigenous understandings and demands of sovereignty and nationalism must be made coherent to the Canadian state in a language that the state understands politically and legally.

One instance of the language which is coherent to the state is the rights paradigm of constitutional democracies. Turner invokes protecting Indigenous peoples' rights because rights-based approaches are a necessary political reality expressed in part by Kymlicka's

⁸ I am using the convention of capitalizing "Indigenous" whereas Turner does not. As such, when quoting Turner, I will preserve his non-capitalized use of the term. At times he also uses the term "Aboriginal" which I have also opted to preserve when quoting him. For his use of terms such as "Aboriginal peoples" and "indigenous peoples," see Turner (2006, p. 142, n. 2).

constraint (p. 110; 13). Burns (2011) states Turner's concern succinctly: "he wants the liberal state to exercise one of its great abilities, reflexive scrutiny, to acknowledge that it has miscategorized Native rights as a sub-species of individual rights [i.e., minority rights] instead of the *sui generis* form of group rights that he thinks they really are" (p. 6). Turner (2006) calls for "a critical indigenous philosophy [which] must unpack the colonial framework of these discourses and defend [Indigenous peoples'] 'indigeneity' within the dominant culture, and defend the legal and political integrity of indigenous communities" (p. 95 – 6). This amounts to striving for "indigenous forms of political recognition" and that the process (whatever it may look like) would be "dialogical" in nature (p. 108).

Commenting on *This Is Not a Peace Pipe*, Arola (2011) frames quite nicely what this "dialogical comportment" would look like: "it would have to be a stance wherein one engaged in the world with a sense of openness, a sense of wonder, a sense of relation" (p. 3). Although Arola speaks of a sense of relation to community, he also frames the dialogical in general and abstract terms:

a dialogical comportment would thereby be a comportment that enabled one to encounter the world as a partner in conversation; recognizing that any thing's presence is itself always a question[.] [P]resence is thus something to which we must respond" (p. 4).

This characterization is important given Indigenous understandings of nature, humanity's embeddedness within it, and the ethical obligations which emerge from such a relation. Implied within this characterization of the dialogical is something non-instrumental and reciprocal in the sense of mutual respect. This is opposed to a monological comportment, which acts as a sort of one-way relationality between two actors in which something is

taken as “a means, an instrument, possibly a means without an end,” as something where “no real [dialogical] relationship is recognized” (p. 3, my gloss). Arola goes on to emphasize the monological as more of an instrumental and anthropocentric attitude taken towards relationships within not only a community, but also nature (p. 3). This characterization of the monological has a direct connection to Taylor’s characterization in which the monological ideal and atomism expressed ideas of individualism and instrumental reason.

One point of tension, however, can be found in Taylor’s misleading use of the term “anthropocentrism” (Section 1.1), which, in the current context, is problematic in his human-centered dialogical project because of the repercussions on Indigenous ways of understanding and state relations. As Coulthard (2014) observes, in the settler colonial situation and Indigenous relations with the state, the land of Indigenous peoples is required by the state for resources to exploit (p. 40). Any “dialogical” relationship of dependency between the state and Indigenous peoples appears to be an instrumental (i.e., monological) one despite what relationship a community might have with its land. Furthermore, any dialogical conception of identity formation couched in anthropocentrism (as per Taylor) runs against Indigenous ways of dialogically and non-anthropocentrically relating to the world of nature and non-human animals.

In spite of the anthropocentric aspect in Taylor’s dialogical project, there might (ironically) be a strong connection to be made with Turner. According to Hudson (2015), Turner’s understanding of intertribal politics is anthropocentric in that it touches on but fails to properly include the traditional role that non-human animals have in Indigenous politics, that his conception of politics actually relies on the exclusion of other animals (p. 71 – 2). Part of the issue is that Turner grounds his notion of sovereignty on rationality,

which acts as a criterion for humanity and humanity's desire for peace (Turner, 2006, p. 53). For Hudson (2015), Turner's formulation denies animals agency (p. 73), basing his conception of politics in anthropocentrism and undermining his acknowledgement that "the land, the plants, the animals and the people all have spirit – they all must be shown respect" (Turner, 2006, p. 66). The logic is that if the criterion for peaceful political relations is rationality, and rationality is attributed to humans as a defining feature (much like in Aristotelian humanism), then there is little room for articulating the dialogical role that non-human animals have in contributing to peace, effectively denying non-human animals sovereignty and agency (Hudson, 2015, p. 78 – 9).

Although Hudson's charge of anthropocentrism may show greater compatibility between Taylor and Turner's respective approaches to politics, it is unsure what this would entail within Turner's own project. It is possible that if it is the job of word warriors to authentically represent Indigenous ways of being and epistemology to the state with the aim of dialogically effecting change in policy and the public imagination, Turner's anthropocentrism seems to be a self-correcting problem: word warriors would have to be sensitive to anthropocentric conceptions of politics which are anathema to non-anthropocentric conceptions of Indigenous ways of being and knowing. The irony here, however, is that Turner himself is in a position to be a word warrior trained in the philosophical traditions of the west, so it is possible that word warriors can hold mistaken assumptions in their dialogical role.

For the time being, the issue of Taylor and Turner's anthropocentrism will be bracketed as any issues that this poses will be apparent in the next chapter. For now, it is important to note that there are important connections to draw between Taylor and

Turner, specifically in how they take up the function of dialogue and the dangers of the monological ideal within intercultural interaction at the level of the state.

At one end of the spectrum, the monological ideal can arguably be equated with the underlying attitude expressed in Kymlicka's constraint, which treats Indigenous claims as a means of expressing and enacting the state's legal machinery (i.e., as something wholly self-referential) without Arola's sense of openness, wonder, and relation, yet at a deeper level, the monological ideal is also expressed in the normative and economic commitments entailed by a culture of productivity, environmental exploitation, and capitalism. Despite the emphasis here being less on Taylor's atomistic individualism (so the uses of "monological" here admittedly do not dovetail perfectly⁹), this still has direct implications to our normative relationships to the environment, and by extension, to Indigenous understandings of nature. Moreover, if utilizing a language intelligible to the state as per Kymlicka's constraint endorses a sort of self-referential tunnel vision, there would be a slant, a bias, in favour of articulations or claims that would support or perpetuate the legal machinery of the state. On the subject of the state's legal framework, according to Rollo (2014), even if Indigenous ways of life are intelligible and receptive to state actors such as judges, politicians, and the like, "the legitimacy of these forms of life will always be irreconcilable with those officials' deepest normative commitments" (p. 232). This suggests that the monological ideal or comportment is stitched into the legal and political machinery of the state in spite of what state actors truly feel or understand, thus providing additional barriers, albeit not insurmountable, within deeper levels of discourse.

⁹ Yet one can make the argument the framework of individual rights as trumps to competing claims supported by a dominant legal architecture can stand in as an offshoot of Taylor's individualism in the monological ideal.

Thus far, Turner's approach seems to resound with many aspects of Taylor's recognition project. Notably, Turner's call for careful dialogue between Indigenous peoples and the Canadian state reflects the state's lack of legal and political recognition of Indigenous epistemology and ways of being. These cultural expressions are worthy of respect within the legal and political spheres. Turner's project also expresses a demand for recognition as a project of expanding the Canadian imagination in a fusion of horizons. Furthermore, I argue Taylor's monological ideal has a problematic role in Turner's approach, particularly in the monological's instrumental reason and, to a degree, self-referential and non-relational comportment. Change, for better or worse, is enacted from the top-down via state interaction. This view is moderate in that it uses the existing legal and political structures to forward its demands. It will be useful, however, to illustrate what legal and political recognition might look like concerning the tension between dialogue, recognition, and the monological ideal with a real example: the landmark case of *Delgamuukw v. British Columbia*. Doing so will help introduce some issues that Taylor and Turner may have in the subsequent section.

1.6 Delgamuukw v. British Columbia

The *Delgamuukw* case refers to the 1997 Supreme Court decision in British Columbia where Indigenous *land title* and the *right to self-government* of the Gitksan and Wet'Suwet'en was judged under the *Constitution Act, 1982* section 35(1), which states, "the existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed" (*Rights of the Aboriginal Peoples, 1982, s. 35(1)*). According to Turner (2006), the *Delgamuukw* case was important because it recognized Indigenous oral

histories as acceptable evidence to prove Indigenous claims to land title and thus opened up the legal space for Indigenous epistemologies and ways of being for being recognized as worthy cultural expressions, yet

Aboriginal oral histories can be used in only a narrow way [i.e., not to question Canadian state sovereignty and assert political self-determination]; the Court has decreed they can only be used to justify title – *a form of land tenure that is recognized and bestowed by the state*. In other words, they cannot be used in a way that Aboriginal people have been demanding, which is to recognize a form of ownership embedded in a richer understanding of indigenous nationhood” (Turner, 2006, p. 82; emphasis mine).

In the Delgamuukw case, there is a complex relationship between dialogue, recognition, and the monological ideal. On the one hand, permitting Indigenous oral histories as acceptable evidence in court is a major shift in recognizing and respecting Indigenous peoples and has arguably worked towards expanding the state’s horizons of significance, but only by so much. The monological catch is that Canadian state sovereignty remains unchallengeable and intact through the role of Kymlicka’s constraint in the invocation of *title* and *land tenure*, which are terms coherent to the state and subject to eminent domain and expropriation in the interest of the public good. John Borrows makes a related argument concerning the state’s assertion over land ownership in “Sovereignty’s Alchemy: An Analysis of Delgamuukw v. British Columbia.” In their decision the Supreme Court of Canada stated “aboriginal title crystalized at the time sovereignty was asserted,” effectively “conjuring” out of thin air aboriginal *title* and *rights* through the self-assertion of colonial authority and changing “an ancient people’s relationship with their land”

(*Delgamuukw v. British Columbia*, 1997, as cited in Borrows, 1999, p. 558). Pasternak (2014) notes that although the Supreme Court of Canada's decision rejected the older narrative of the doctrine of discovery, the myth of *terra nullius*, which reserved property rights to lands deemed to be without people, the Delgamuukw decision still "entrenched the subordination of Indigenous societies to Canadian law ... [and] shifts legislative authority over resources away from Indigenous peoples as well" (p. 158 – 9).

1.7 Potential and tensions: Taylor's and Turner's approaches

With the Delgamuukw case in mind, a question arises as to the temporal scope of Taylor's methodological "presumption" of the equal worth of cultures. Dialogues are very often an ongoing project, and it is not expected that complex issues be resolved quite simply by recognizing the worth of the other. It is one thing to say one's standards of evaluation have been transformed, but the material requirements of recognition, such as legislative reform, are also required.¹⁰ It is clear in the Delgamuukw decision that dialogue and cultural understanding are severely limited by the normative commitments of state actors in enforcing the legal and political architecture that lends to the internal coherence of the system which resists change in monological fashion. Yet a form of dialogue still animates the interaction despite encountering resistance. Perhaps this is why Turner describes the work of word warriors engaging with the state alongside its colonial history and assumptions as a "philosophical battleground" for a critical Indigenous philosophy to emerge (2006, p. 101). This philosophical battleground invokes Taylor's Hegelianism, the

¹⁰ See Section 2.2 of Chapter 2 for Nancy Fraser's criticism of Taylor's recognition project and the material requirements of recognition qua distributive justice he seems to leave out of the analysis.

life-and-death struggle for recognition between master and slave, the state and word warriors: “the struggle for recognition can find only one satisfactory solution, and that is a regime of reciprocal recognition among equals” (Taylor, 1992, p. 50).

Naturally, in order for legal, political, and institutional change to occur, people in positions of authority need convincing to enact transformation, yet state actors recognizing the worth of another culture will be met with a delayed response at the level of the legal machinery. And if change occurs, there is no guarantee to what extent it occurs and whether that change is vulnerable to other legal provisions in place. So in some respects, at least at the level of state and legal discourse, I am having difficulty seeing the role of Taylor’s methodological presumption in recognizing the equal worth of a culture when misrecognition has been imbued within state machinery over a long period of time. We are well past the stage of hypothesis, and without the right changes to the state’s legal machinery, misrecognition seems inevitable. For Turner (2006), the recognition of equal worth would be demonstrated within the very real and material demands that Indigenous sovereignty, nationality, rights, and Indigenous ways of knowing are legitimate and ought to be taken seriously by the dominant culture (p. 109). This would involve a move towards genuine legislative reform well past any presumptions of equal worth.

The presumption, however, that equal worth be recognized still makes sense within other aspects of social existence. Perhaps an unfortunate feature on the part of Turner is that he focuses solely on dialogue between word warriors and the state. For Turner (2006), Indigenous survival depends on state dialogue because

colonialism has influenced virtually every aspect of indigenous people’s daily lives: language, religion, sexuality, art, philosophy, and politics. ... Abolishing

colonialism is the goal of many indigenous and non-indigenous peoples; finding a way to do it is the great dilemma. If a just political relationship has to be dialogical in nature, indigenous peoples will not be able to secure a 'postcolonial' political relationship without the help of non-indigenous people." (p. 109)

However, in what capacity do non-indigenous people need to act? Clearly, the legal deck is stacked in the state's favour. Despite the focus in Taylor's essay on political, rather than interpersonal, relationships, recognition, as Taylor (1992) suggests throughout "The Politics of Recognition," is found at all levels of social discourse and existence from our intimate relations with others to the wider public sphere (p. 37). It is at various levels of society that a dialogical attitude can be fostered in the minds of people so that ideas which are foreign can be presumed to be of equal worth. This is because, quite frankly, there are people who still hold antiquated, racist, and ignorant views about Indigenous peoples in Canada, and I would attribute this in part to a lack of opportunity but also an unwillingness to open up and expand one's horizons. To be clear, the state clearly has an important role in facilitating this, but the state cannot be the only source for effective dialogue to take place. Although Turner's statist focus is reflected in the conviction that without state support and reform Indigenous survival is threatened – and I think he's right to be primarily concerned with the state because its legal and political machinery is deeply imbricated within the lives of Indigenous and non-Indigenous people alike, hence the label "moderate top-down statism" – there may be other sources of solidarity and support from which Taylor's presumption of equal worth can be fruitful to Turner's project.

Making a direct comparison between Taylor and Turner's projects may present some people with an issue. Turner seems to invoke some basic tenets of the politics of difference, that certain groups (in this case, Indigenous peoples) ought to be afforded special rights and treatment in virtue of their cultural and national identity, that it is a matter of the survival of the people that due recognition be given, and that there are fundamental differences between the dominant culture's beliefs and practices contra the subordinate one's – hence invoking the language of incommensurability. Although Turner maintains that he is not making metaphysical claims that Indigenous epistemology, beliefs, and practices are incommensurable with the practices of the state, but rather better strategies are needed for those practices to be legally and politically effective (2006, p. 73), his view on maintaining state relations for Indigenous survival are not wholly clear. There is a sense of "survival" to mean *cultural* survival, which opens criticism and "implies that a culture is preserved for its own sake, with no necessary relation to the interests of individuals, now or in the future" (Sypnowich, 2018, p. 47). In other words, there is no reference to individual well-being and those who *are* the culture. Yet Turner also suggests speaking about "survival" in a more physical sense. Focusing on difference in this regard presents a potential slew of pressing problems that recognition alone might not address.

For instance, Sypnowich (2018) notes that recognizing difference in order to instill self-worth and self-respect in a people might very well do nothing to address the material deficits such as abject poverty, unpotable water, inadequate housing, and the lack of social support that Indigenous communities in Canada experience on a day-to-day basis and prevent communities from flourishing (p. 98 – 9). This touches on Nancy Fraser's analysis (Section 2.2) in "From Redistribution to Recognition" where she argues that recognition-

based injustices alone do not cover the gamut of injustices related to redistribution, that in reality issues of recognition and redistribution overlap and implicate one another (1997, p. 17). An emphasis on difference might invite the criticism of essentialism, and what we learn from thinkers such as Seyla Benhabib, cultures are not homogenous wholes which pattern a multicultural society in a sort of “mosaic” with clearly delimited parts (2002, p. 7 – 8). Claiming that this homogenous view of cultures endorses an “us” versus “them” binary (p. 25), she argues for “the radical hybridity and polyvocality of all cultures; cultures themselves, as well as societies, are not holistic but polyvocal, multilayered, decentered, and fractured systems of action and signification” (p. 25 – 6). In other words, cultures are diverse and complex in themselves. Benhabib goes further and explains that this diversity is not merely “internal” to the culture, but rather it blurs the lines between cultures: “the method of complex cultural dialogue suggests that we focus on the interpenetration of traditions and discourses and disclose the interdependence of images of the self and the other” (p. 41). If an us versus them binary is interpreted, and Turner’s word warriors fighting upon the legal and political battleground can very much invoke such an image, then the ultimate goal of establishing a dialogical relationship upon a foundation of mutual respect and understanding can be compromised. Even positing that there is an Indigenous philosophy and that word warriors must straddle the philosophical traditions of two worlds should be squared with Turner’s stance that studying philosophy can have a profound effect on one’s identity and “change one’s being in the world” (Turner, 2006, p. 117). The point I am trying to make is that it not only seems inevitable that word warriors will change and evolve, given Benhabib’s analysis on the porousness of culture, word

warriors may also indirectly rearticulate what “Indigenous philosophy” means via a fusion of horizons. Whether this is beneficial or detrimental to the moderate view is unclear.

In Taylor’s project, it seems that when speaking of recognition, the fusion of horizons works both ways: disparate cultures can come to an understanding through transforming their standards of evaluation via a dialogical attitude. At other times in Taylor, the onus of recognition falls on the dominant culture to presume and recognize the equal worth of a culture and work towards expanding its horizons. Turner’s project, however, is unidirectional. Specifically, word warriors engage in dialogue with the state in both (1) a pedagogical capacity to teach the worth of Indigenous epistemologies and ways of being as well as (2) a protective capacity in the sense of protecting Indigenous philosophy from being misused, misunderstood, or misappropriated by the state.

On the one hand, engaging in dialogue with the state in this way works towards transforming the state and its machinery (however slowly), which the top-down strategy would have widespread implications on the Canadian imagination and national identity. As discussed in the above paragraph, the flipside to this is word warriors risk being changed as well, thus severely impairing their prescribed function that Turner has in mind. The fusion of horizons seems like a generally good thing in Taylor, but again, it is questionable in Turner’s framework. One worry from Arola (2011) is that on Turner’s philosophical battleground, word warriors may experience cognitive dissonance regarding their identity as Indigenous persons while skirting both Indigenous and Western philosophical worlds, thus causing word warriors to belong to neither. Yet, Arola notes, it is the nature of a word warrior’s function qua mediator that there is an inherent risk of losing something of their identity (p. 3).

Furthermore, the language of “battleground” that Turner uses prompts Arola to think that one of the core issues surrounding the threat to a word warrior’s identity lies in the lack of genuine dialogue, communication, and negotiation within the engagement, stemming from “the narcissism of monologue, the monologue of the sovereign that is above the law” (p. 4). In other words, the language of war such as *battleground* and *word warrior* is prompted by a monological comportment, of something to struggle against, yet for Arola, Turner’s goal is worth striving for (and the suggestion here is that the risk to a word warrior’s identity is warranted) so that genuine dialogue can subsume the place of warring peoples (p. 4 – 5). Not everyone, however, might agree that the risk is warranted. Glen Coulthard is one such thinker who shares the concern that word warriors being interpellated by the state can have grave consequences not only for the word warriors themselves, but for the communities they protect.

1.8 Conclusion

Despite the possible tensions between Taylor and Turner’s projects, I think their goals largely dovetail with one another’s. If anything, moderate top-down statism brings into relief the difficulties that the politics of recognition must navigate, and the general schema for recognition as a model of our intersubjective constitution point towards other potential sources of solidarity and dialogue that are required for Indigenous justice and arguably justice in general. Even if the recognition paradigm is incomplete on its own, it offers an important dimension of consideration in the debate at hand. We turn to Coulthard alongside Eve Tuck and K. Wayne Yang to outline features of a more radical view in the next chapter.

CHAPTER 2

Coulthard and Tuck and Yang's Radical Bottom-Up Anti-Capitalist Solidarity

In this chapter, I wish to provide a counter position to the moderate view. Glen Coulthard holds that maintaining state relations as a source of Indigenous recognition is a mistaken venture, one that perpetuates the colonial relationship of state dominance and capitalist economic relations. He calls for a turning away from the state in a process of self-recognition and affirmation of Indigenous ways of being and sovereignty. The sources of solidarity in strengthening Coulthard's project, however, are arguably problematized and delimited by Eve Tuck and K. Wayne Yang's understanding of the mechanisms that reproduce the colonial relationship put forward in "Decolonization Is Not a Metaphor." They hold that even social justice frameworks such as human and civil rights, socialism, and egalitarianism are incommensurable with the goals of decolonialism. These frameworks are often invoked or endorsed in liberal democracies, thus suggesting an alliance between Coulthard, Tuck, and Yang in turning away from the state and the social justice frameworks it and people of all stripes endorse. In contrast to Taylor and Turner's moderate top-down statism, Coulthard, understood alongside Tuck and Yang, represents what I call a "radical bottom-up anti-capitalist solidarity" because of his radical departure from existing legal and state institutions for Indigenous support.

Drawing primarily from *Red Skin, White Masks*, I will outline and analyze Coulthard's arguments for Indigenous self-recognition, resurgence, and his criticisms of Taylor's and Turner's respective projects. In light of this discussion, I hope that the force of Tuck and Yang's "Decolonization Is Not a Metaphor" will be better understood as a complement to

Coulthard's project which raises difficult issues such as the scope of solidarity and the incompatibility of radical social change with the moderate views of Taylor and Turner.

2.1 Overview of Coulthard's position: turning away and capitalism

In *Red Skin, White Masks*, Coulthard (2014) argues for a turning away from the state in seeking recognition, and a politics of Indigenous self-recognition and affirmation of cultural and political practice. By turning away from seeking recognition within the rights-based framework of the Canadian state, Indigenous peoples would seek "to practice decolonial, gender emancipatory, and economically nonexploitative alternative structures of law and sovereign authority grounded on a critical refashioning of the best of Indigenous legal and political traditions" (p. 179). Coulthard argues that the recognition paradigm as it is practiced in Canada, "where 'recognition' is conceived as something that is ultimately 'granted' or 'accorded' a subaltern group or entity by a dominant group or entity, prefigures its failure to significantly modify, let alone transcend, the breadth of power at play in colonial relationships" (p. 30 – 1). One example of this would be the Delgamuukw case cited in Chapter 1 (Section 1.6) where I demonstrated that the Canadian state recognized Indigenous oral histories in land claims as legitimate evidence before the court, yet recognition there was conceived narrowly (i.e., neither to question state sovereignty nor give Indigenous peoples political self-determination) and applied only towards land title, which is granted by the state, thus preserving the colonial relation of power between Indigenous peoples and the Canadian state.

Coulthard states that the recognition paradigm in Canada does allow for cultural diversity and multiple nationalities to live under a single regime, yet the problem is that the

relation will always be one of subordination subsumed within a capitalist economic framework (p. 35). Focusing too much on recognition as the operative paradigm of justice within cultural concerns has the effect of obfuscating the relationship of economic domination between Indigenous peoples and the state, and this is particularly important to Coulthard's approach because the economic dimension is vital to his conceptualization of culture and land. For him, culture is "the interconnected social totality of a distinct *mode of life* encompassing the economic, political, spiritual, and social [which is] crucial for comprehending the state's response to the challenge posed by [Indigenous] land-claim proposals" (p. 65 – 6). The relationship between land, culture, and the problem of colonial relations poses a radical challenge:

Stated bluntly, the theory and practice of Indigenous anticolonialism, including Indigenous anticapitalism, is best understood as a struggle primarily inspired by and oriented around *the question of land* – a struggle not only *for* land in the material sense, but also deeply *informed* by what the land *as a system of reciprocal relations and obligations* can teach us about living our lives in relation to one another and the natural world in nondominating and nonexploitative terms. (p. 13, emphasis in original)

This conception of land "as a system of reciprocal relations and obligations," which Coulthard refers to as "grounded normativity," can be contrasted to land as property, as something which can be owned, exploited, and grant the owner the power to decide how it is to be used.¹ In this framework, it is the legal ownership of land qua property which

¹ There are clearly legal limitations to how property can be used when factoring in issues surrounding jurisdiction, regulatory bodies, city zoning plans, eminent domain, etc. This characterization of land as property is only meant

determines the types of relationships and obligations that the owner and others have to one another via rights and duties. This is incompatible with and anathema to Coulthard's decolonial project and its fundamentally different conceptions of land and how it can and cannot be used. Capitalism as an economic system with normative commitments to resource extraction, productivity, and capital accumulation is incommensurable with Indigenous understanding of what relationships ought to be: from intersubjective relationships, sustainable relationships between humans and nature, and people's relationship to authority in the context of economic and political institutions (p. 62).

This difference in conceptualizing land between Indigenous peoples and capitalist states touches on other issues concerning recognition in the colonial situation. Speaking of the Canadian context, Coulthard (2013) notes in "For Our Nations to Live, Capitalism Must Die" that there are both morally legitimate and illegitimate forms of defending Indigenous rights within the purview of public opinion, media, and the state.² So-called "legitimate" forms of Indigenous rights defence typically involve things such as formal negotiations led by official leadership of Indigenous and Crown representatives alongside peaceful and non-disruptive protests (par. 2). The "illegitimate" forms include more disruptive measures which are negatively evaluated by the public and media such as blocking Indigenous land from being exploited or reoccupying rural or urban Indigenous land through reclamation sites to block access to the state and capital (par. 3). Blocking the flow of resources from a

to characterize the broad strokes of the land-as-property paradigm and to contrast it with Coulthard's notion of land.

² Coulthard's discussion on legitimate and illegitimate forms of rights defence can also be found in *Red Skin, White Masks* on page 166. I have opted to include this article because of its clear and unequivocal message about the role of capitalism in relation to Indigenous justice.

variety of industries “seek to negatively impact the economic infrastructure that is core to the colonial accumulation of capital in settler political economies like Canada’s” (par. 5).

The problem of the rhetoric of “legitimate” and “illegitimate” is twofold. First, the losses accrued from economically disruptive activities are in a sense “mitigated” by the state through drawing Indigenous leadership into morally “legitimate” forms of rights defence through negotiations “where the terms are always set by and in the interests of settler capital” (par. 5). The second issue involves recognition. Deemed as the more legitimate form of discourse, negotiation with the state entails engaging in a highly discursive space which arguably enforces the state’s rule of law, which is ensconced in normative commitments favouring capitalist imperatives. At the core of disruptive activities (and for Coulthard, what tends to get ignored) is “an affirmative gesture of Indigenous resurgence insofar as they embody an enactment of Indigenous law and the obligations such laws place on Indigenous peoples to uphold the relations of reciprocity that shape our engagements with the human and non-human world – the land” (par. 6).³ This can be framed in terms of one’s understanding of the world as remaining *unrecognized* and regarded as *illegitimate* in at least one of two senses: either as (1) a horizon in the Gadamerian sense (Section 1.4) which would appear incoherent or difficult to comprehend for those who do not share the same background of significance, or (2) the methods of protest and disruption which Indigenous peoples and supporters enact to uphold ethical obligations related to land. Only *legitimate* forms of recognition are found at the level of

³ It is worth noting that the possessive pronoun “our” Coulthard uses here is used throughout his work in an exclusive sense to refer to Indigenous peoples’ conception of and relation to land. It is not used in the more inclusive “our” which references human beings in general. For the sake of consistency, I will retain quoted material from Coulthard and his use of pronouns unchanged.

state discourse and processes, and Coulthard's worry is that Indigenous peoples are only recognized in relation to the state and subsumed under "legitimate" ethical discourses amenable to its legal, political, and economic commitments. Coulthard's final message, however, is clear: "[f]or Indigenous nations to live, capitalism must die. And for capitalism to die, we must actively participate in the construction of Indigenous alternatives to it" (par. 15).

We will return to the issue of capitalism and Coulthard's framework concerning turning away from the state, self-recognition and affirmation, and Indigenous resurgence below in Section 2.3. We turn now to the direct criticisms directed at Taylor and Turner, which will help facilitate the transition into further detailing Coulthard's positive program and the slippery notion of solidarity problematized by Tuck and Yang.

2.2 Coulthard's direct responses to Taylor and Turner

From the preceding section, I hope many conflicts and tensions between Coulthard's framework and Taylor and Turner's have begun to surface, but it would be useful at this juncture to explain and assess some of the direct problems Coulthard states in *Red Skin*, *White Masks* with the politics of recognition and continued state dealings. Since both criticisms of Taylor and Turner are closely related in theme, I have opted to include them both in this section as a critical assessment of the moderate view. Some conceptual background is first necessary to make the following criticisms clearer.

Coulthard (2014) emphasizes that the colonial state does not always implement violence to reproduce and secure its rule, but rather it may depend on the implicit or explicit identification of Indigenous peoples with the state's "*asymmetrical* and

nonreciprocal forms of recognition either imposed on or granted to them by the settler state and society” (p. 25, emphasis in original). A number of radical philosophical positions help amplify this theme. For example, Coulthard draws on criticism of the Hegelian master/slave dialectic and the struggle for recognition by Fanon (2008), who argues that the colonial relationship of colonized/colonizer is unlike the Hegelian relationship of master/slave. The latter expresses the life-and-death struggle between master and slave to be recognized in the eyes of one another, each one gaining a sense of independence towards self-consciousness, yet the relation is wholly one of interdependence (Hegel, 1977, p. 114 – 9). The former, however, expresses a dependence on the colonizer on the part of the colonized through internalizing racist articulations of identity (Fanon, 2008, p. 195, f. 10).⁴

This expresses one way Coulthard questions Taylor’s recognition project: through Taylor’s Hegelianism. For Taylor (1992), any struggle for recognition requires “a regime of reciprocal recognition among equals” (p. 50), yet Fanon’s take on Hegel’s master/slave dialectic shows the struggle for recognition takes on a different character in colonial contexts or relations involving subaltern groups. Recognition here does not take on a mutual character, as something that happens “among equals,” but rather recognition is not sought by the colonizer in the eyes of the colonized. As Fanon (2008) notes, in the colonial situation “what the [master] wants from the slave is not recognition but work” (p. 195, f.

⁴ This is akin yet different to the DuBoisian concept of double consciousness from which black individuals not only see the world from an “inner” black perspective, they also see it from an “outer” perspective of the other (white American) perspective. The clash of this double consciousness gives rise to an awareness of contradictions concerning justice, equality, and normativity directed at different groups (i.e., white and black groups) of a given population (Gordon, 2009, p. 92).

10).⁵ In the settler colonial context, Coulthard (2014) notes what the master (or state) wants, or rather *needs*, are resources, land, and labour to exploit (p. 40). The only dependency appears to be an *instrumental* relationship of subordination. The key criticism here is that the state does not require recognition from Indigenous peoples, yet Indigenous peoples must navigate state machinery in order to attain some semblance of recognition. Even within a multicultural framework, one could argue that some degree of recognition is sought by the state in the eyes of other cultural/national groups to be recognized as a legitimate state, yet this would subsume Indigenous people under the multicultural umbrella, which is precisely the move of subordination that Coulthard rejects.

In the *settler* colonial situation, in which the colonizer makes the “newly discovered” place their home (la paperson, 2017, p. 2),⁶ colonialism takes on two forms: “external colonialism entails the expropriation of parts of Indigenous worlds and resources, for the purpose of exporting them to the metropole; internal colonialism is the governance of the colonised within the borders of the colonising nation” (Garba & Sorentino, 2020, p. 766). In “Decolonization Is Not a Metaphor,” Tuck and Yang (2012) state that external and internal colonialism occur simultaneously as there is “no spatial separation between metropole and colony” (p. 5). The implication of this alongside Coulthard’s insight on capitalism and Indigenous understandings of land in the above section knit external and internal colonialism tightly together in which the management of resources also entails the management of Indigenous peoples, their way of life, and conceptualization of land getting reinvested into and rearticulated as capitalist modes of production. Tuck and Yang go on to

⁵ This relationship is especially true for Marx and Marxists between capitalist and proletariat.

⁶ “la paperson” (lower-case letters intentional) is a name that K. Wayne Yang goes by.

say that “[s]trategies of internal colonialism, such as segregation, divestment, surveillance, and criminalization, are both structural and interpersonal” (p. 5), which, understood alongside external colonialism, would suggest a great part of these strategies have economic and ideological motivations and repercussions. The reason why this is significant in the current context involves Coulthard’s criticism of the politics of recognition, and how “recognition” gets construed within a capitalistic framework both in the internal and external senses of colonialism.

In Taylor’s brand of liberalism (Section 1.3), which aims to find the balance point between the politics of universalism and the politics of difference through maintaining the fundamental rights of all persons while recognizing the unique cultural differences of groups and affording these groups specific rights, Indigenous peoples’ demands for self-government “will get the right to exclude others in order to preserve their cultural integrity” and avoid the violence of misrecognition (Taylor, 1992, p. 40). Although Coulthard (2014) acknowledges that this framework is a vast improvement over historical exclusionary, assimilatory, and genocidal practice and policy (p. 30), he goes on to argue that the colonial relationship and power dynamics remain unchallenged and unmodified, stating that it is a mistaken assumption on the part of Taylor to think “a more accommodating, liberal regime of mutual recognition might be capable of addressing the power relations typical of those between Indigenous peoples and settler states” (p. 31).

Coulthard also attacks the scope of Taylor’s recognition project by drawing on the “recognition or redistribution” debate. According to Nancy Fraser, an important distinction must be made between the scope of the recognition paradigm and the redistribution paradigm concerning social injustices. Specifically, the types of injustices targeted by the

recognition paradigm are of a cultural nature whereas the redistribution paradigm is concerned with socio-economic forms of injustice and the economic structure of a society (Fraser & Honneth, 2003, p. 12 – 13). This point is worth elaborating on. In “From Redistribution to Recognition?,” Fraser (1997) explains that both paradigms require their own “remedies” to right their specific injustices. Her characterization of the remedies for cultural injustices, and hence injustices related to the recognition paradigm, echo some of the insight from Taylor. Cultural injustices require “cultural or symbolic change” which can be enacted through a variety of ways:

This could involve upwardly revaluing disrespected identities and the cultural products of maligned groups. It could also involve recognizing and positively valorizing cultural diversity. More radically still, it could involve the wholesale transformation of societal patterns of representation, interpretation, and communication in ways that would change *everybody's* sense of self. (p. 15)

The remedies for economic injustice, on the other hand, involve “political-economic restructuring,” which might include “redistributing income, reorganizing the division of labor, subjecting investment to democratic decision making, or transforming other basic economic structures” (p. 15).

Fraser doubts that there are pure instances of injustices solely regarding recognition or redistribution because, for her, “political economy and culture are mutually intertwined” (p. 17). If Fraser is right in drawing an analytic distinction between the normative remedies of recognition and redistributive injustices, then it seems Taylor’s recognition project does not properly attend to injustices at the economic level, and as we

have discussed so far, issues surrounding the economic injustices of capitalism are a core issue concerning Coulthard and Indigenous justice. However, Coulthard questions the scope of Fraser's project as well, particularly how it applies to colonial contexts. Aiming to articulate a framework which integrates the demands of recognition with the demands of redistribution, Fraser (2003) introduces the status model of recognition, which treats recognition as an issue concerning social status as it relates to social institutions and how these institutions structure the ways which people interact with one another as peers (p. 29). To speak of "misrecognition" is to speak of "status subordination" via institutional organization (p. 29). Coulthard (2014) notes, however, that Fraser's model assumes the state's legitimacy and appropriateness in organizing institutions in more just ways, thus maintaining the subordination of Indigenous peoples to the state (p. 36). Indigenous peoples are misrecognized via how institutions are organized: resources become objects of redistribution for the general public's good as the state sees fit.

Coulthard's argument against Turner's approach to Indigenous justice touches on similar themes of continued subordination and misrecognition. As a reminder of Turner's view (Section 1.5), careful and more effective engagement with the state via word warriors (a class of Indigenous intellectuals trained in Western and Indigenous thought) is necessary for Indigenous survival, yet state engagement is itself an unavoidable fact that Indigenous peoples must deal with. For Coulthard, the primary issue he has with Turner's framework is the risk of assimilation, a problem which has widespread consequences.

Turner himself acknowledges this is a serious concern. For Turner (2006), assimilation can happen on two interrelated fronts. First, he worries that word warriors must bridge two worlds of philosophical traditions and must maintain authenticity in both,

yet studying philosophy can fundamentally change the way one engages with and understands the world (p. 117). Much like Gadamer's fusion of horizons (Section 1.4), the worry is that word warriors will not be able to inform properly the state of Indigenous understandings on the philosophical differences and assumptions undergirding practice and policy to work dialogically towards respectful, equal, and mutual aims because skirting both philosophical worlds may change a word warrior's overarching philosophical perspective. Thus, they may not be able to authentically represent Indigenous philosophy to the state. The second worry ties in with the first: word warriors can become assimilated into state machinery and "become subsumed or appropriated by the dominant culture yet continue to act as if they were word warriors" (p. 117). The implication here is that word warriors, through risking being interpolated by the state, might work against the best interests of the communities they are supposed to protect.

In other words, without addressing just *how* word warriors would keep grounded, engagement with the state will do nothing except perpetuate the colonial relationship in a top-down way which would have ramifications on Indigenous life on the ground. Power imbalances would remain intact under the guise of progress and dialogue. Coulthard (2014) notes that Turner does not provide any adequate argument or analysis which would work to curb this risk and ground word warriors within the communities under their protection, but also that the state is "hopelessly entwined [within its own] economic, political, and military might" (p. 47). This suggests it would be easy for word warriors to become unknowingly (or perhaps hopelessly knowingly) entangled within state discourse, capitalistic motivations, and the maintenance of the state's hegemonic status over Indigenous peoples.

Coulthard also observes that Indigenous peoples in Canada within the past several decades have become quite skilled at state negotiations, thus echoing the function of Turner's word warriors, yet their continued attempts at successful dialogue have either failed or reproduced relations of power which remain unchallenged, suggesting that Indigenous peoples have often been found to be "*interpolated* as subjects of settler-colonial rule" (p. 179). Coulthard gives little reason to think that word warriors will not succumb to becoming subtly assimilated into the discursive machinery of the state, thus being subordinated to its motivations and misrecognized in perpetuity. Although not stated explicitly, it is implied that an endeavour such as Turner's is a fool's errand.⁷

A final point of criticism that Coulthard would have with the moderate view is the anthropocentrism of both Taylor (Section 1.1) and Turner (Section 1.5). Quite simply, anthropocentric views which prioritize humanity to the implicit or explicit exclusion of nature and non-human animal agency run against Indigenous political practice, ways of being, and knowing, all of which are expressed in Coulthard's call for Indigenous resurgence and self-recognition (Section 2.1). Coulthard's position is unequivocally non-anthropocentric:

Ethically, this meant that humans held certain obligations to the land, animals, plants, and lakes in much the same way that we hold obligations to other people. And if these obligations were met, then the land, animals, plants, and lakes would reciprocate and meet their obligations to humans, thus ensuring the survival and well-being of all over time. (p.61)

⁷ Coulthard does suggest how Turner's argument might have been improved: "[w]hile I recognize that this might be beyond the scope of Turner's investigation, I think that speaking to the diversity of forms of decolonial practice would have made his case more convincing" (2014, p. 47).

This seems all the more reason for Coulthard to turn away from the state, if dealing with the state entails engaging in dialogue to seek reciprocal recognition from a source which holds ontological and normative assumptions contrary to one's non-anthropocentric understanding of the world.

2.3 What does "turning away" and "self-recognition" mean anyway?

With Coulthard's specific reservations in place concerning the politics of recognition and state engagement, we can get a clearer sense of his position of turning away from the state and engaging in a politics of self-recognition.

In light of years of having the ways of life and land of Indigenous peoples under control of the state, Coulthard suggests that turning away from the state and turning inwards would work towards Indigenous peoples' self-recognition and affirmation of their national and cultural identity, and the sovereignty of their lands on their own terms, as well as the revitalization of traditional practices (p. 154). Coulthard argues that Indigenous resurgence as a form of self-recognition demands that Indigenous peoples "*enact or practice* our political commitments to Indigenous national and women's liberation in the cultural form and content of our struggle itself. Indigenous resurgence is at its core a *prefigurative* politics – the methods of decolonization prefigure its aims" (p. 159). What he means by this is that the practices of Indigenous resurgence set out to reflect the future state-of-affairs of a decolonized world. In other words, the aims of future decolonization are expressed and reflected in present praxis.

Coulthard suggests five theses of Indigenous resurgence and decolonization which would express turning inwards to affirm Indigenous sovereignty. For current purposes, I will provide a brief illustration of each.

(1) The first thesis involves the necessity of *direct action*. The type of direct action Coulthard refers to might take the form of the so-called “illegitimate” acts briefly discussed at the end of Section 2.1 which includes “disruptive” actions against the exploitation of Indigenous peoples’ land through blocking workers or occupying spaces (p. 166).⁸ Direct action “embod[ies] through praxis our ancestral obligations to protect the lands that are core to who we are as Indigenous peoples” (p. 169).

(2) The second thesis involves working against capitalism through direct action. This affirms that capitalism is incommensurable with Indigenous conceptions of land and being (p. 170). Because of the requirements to sustain one’s life under a capitalist system, the revitalisation of Indigenous practice, such as refamiliarizing oneself to the landscape which animates Indigenous language and history, to practicing land-based harvesting like hunting or fishing, or cultural production activities like hide-tanning, the capitalist political economy prevents “any efforts to rebuild our nations [which] will remain parasitic on capitalism, and thus the perpetual exploitation of our lands and labour” (p. 171).

(3) The third thesis involves tackling the predicament of Indigenous people who reside in urban settings and their displacement from “Native spaces” within cities via gentrification, which acts as a form of dispossession and affords them less communal support (p. 175 – 6). Since access to land and land-based practice are essential for

⁸ The recent events in British Columbia concerning the Wet’suwet’en protest against the Coastal GasLink pipeline and subsequent railway blockades which happened across Canada are apt examples of what Coulthard suggests as direct action. For a timeline of events, see Gidimt’en (n.d.) at <https://www.yintahaccess.com/historyandtimeline>

Indigenous resurgence, and since over fifty percent of Indigenous people live in urban settings, Coulthard calls for strengthening the bonds of solidarity between urban and land-based communities towards mutual empowerment (p. 176).

(4) The fourth thesis involves addressing the systemic and symbolic forms of violence directed at Indigenous women. Remedying these forms of violence must first begin through Indigenous people (particularly, Indigenous men), to change misogynistic behaviour not only in words but in practice and “stop collectively *conducting ourselves* in a manner that denigrates, degrades, and devalues the lives and worth of Indigenous women in such a way that epidemic levels of violence are the norm in too many of their lives” (p. 177 – 8).

(5) Finally, the fifth thesis involves turning away from the state. An interesting point of this thesis is that Coulthard acknowledges that, due to representing “a radical minority in our homelands,” the legal and political system of the state is something with which Indigenous people must engage out of necessity (p. 179). The fundamental difference between Coulthard and Turner, however, is the manner in which this necessity is approached. Whatever dealings Indigenous peoples engage with the state, it will be done, Coulthard says, with “a degree of critical self-reflection, skepticism, and caution,” yet ultimately Indigenous people must “shift our attention away from the largely rights-based/recognition orientation ... to a resurgent politics of recognition that seeks to practice decolonial, gender-emancipatory, and economically non-exploitative structures of law and sovereign authority” (p. 179).

The idea undergirding Indigenous resurgence and the politics of self-recognition and affirmation is a movement away from being interpolated by the state. Despite this,

Mann (2016) notes that the language Coulthard often uses, that of “sovereignty” over Indigenous land, is a direct invocation of the liberal framework Coulthard rejects throughout *Red Skin, White Masks* (p. 49). Coulthard (2016) acknowledges the dangers in using the language of “sovereignty” and associated land-rights befitting the sovereign (p. 95). Framing Indigenous struggles with the language of the state “threatens to make ourselves over in the image of state and capital,” yet Coulthard’s response to Mann in using this language is “[s]imply because we must” (p. 96). Why? Coulthard elaborates:

In choosing to use the language of land and sovereignty, then, I not only aim to acknowledge that this is the language through which our struggles are most commonly articulated in our communities, but in doing so also register what Audra Simpson would refer to as my *refusal* to surrender this common language of contestation and resistance over to our enemies. (p. 96).

Coulthard also speaks of a second danger: misinterpretation. Unfortunately, anti-racist scholars who have strong positions against capitalism and state-perpetuated violence have, according to Coulthard, unfortunately and unknowingly endorsed a form of anti-Indigenism, demanding that “Indigenous peoples separate [our] justice-claims from the allegedly anti-migrant and anti-black character of our commitments to the land and jurisdictions” (p. 96). The issue here touches on and anticipates the discussion of Tuck and Yang in the next section.

For instance, Lawrence and Dua (2005) argue in “Decolonizing Antiracism” that antiracism theorists and scholars have systematically excluded Indigenous perspectives in a variety of problematic ways. They note that settlers include people of colour from various historical backgrounds (e.g., brought to the Americas as slaves) and social dispositions (e.g.,

migrant labourers or refugees), yet these people of colour live on appropriated ancestral land that Indigenous people not only contest but are systematically denied access to alongside their nationhood (p. 134). Lawrence and Dua hold that people of colour are active participants and complicit in the ongoing colonization of Indigenous peoples and their land, that “[h]istories of racist exclusion facing people of colour must detail the removal of Native peoples” (p. 134). They list multiple ways this happens. The issue of immigration and multiculturalism, for example, give rise to the minority status of people of colour and the resistance of their marginalization which “render Aboriginal communities invisible” and work towards effacing Indigenous languages through multicultural policy (p. 135). Canada’s project of building a multicultural and diverse nation is based on Indigenous dispossession and displacement, placing Indigenous peoples in a difficult position: Indigenous peoples are either “implicated in the anti-immigrant racism of white Canadians, or they support struggles of people of colour that fail to take seriously the reality of ongoing colonization” (p. 135 – 6). The tendency of antiracists to advocate “open borders” does not address how Indigenous peoples and communities are already divided and marginalized from one another through borders created by settlers, and it does not address the subsequent effects an “open borders” policy would have on land claims and Indigenous nationhood (p. 136).

These issues from the perspective of antiracists can be framed as issues of “social justice,” so it is no surprise that the language of sovereignty alongside Coulthard’s grounded normativity would suggest that the obligations Indigenous people hold towards land entail a certain posture towards settlers regardless of who they are. The concerns of antiracists push against Indigenous claims of self-determination, political sovereignty, and

the repatriation of their land, all of which can be conflated as “anti-migrant” or “anti-people of colour.” Although Coulthard (2016) does not elaborate further, he suggests antiracist scholars have only demonstrated a lack of patience in charitably reading his work.⁹

Academic misinterpretations aside, the impact of Coulthard’s ideas on the general public are concerning, particularly how the word “sovereignty” might be interpreted in the popular imagination. Solidarity is important for the emancipatory projects of both Coulthard and Turner. Yet the term “sovereignty” might very well act as a deterrent for at least some of the general public to be receptive to the claims of Indigenous justice. Who wants a *new* sovereign nation to rule over them? If decolonialization calls for a renewed form of sovereignty, people may react aversely, misinterpreting its substantive claims as the familiar uses associated with the state, government, the monarchy, and so on. Whether this worry holds widespread sway may require empirical investigation, but it is worth noting nonetheless.

2.4 Coulthard, Tuck, and Yang: on solidarity and the rhetoric of “justice”

On the issue of solidarity and progress, Coulthard does not say much. Of the points that he does, there are some strong comparisons to be made with Eve Tuck and K. Wayne Yang’s arguments in “Decolonization Is Not a Metaphor.” They too are cautious of the different ways that the colonial relationship can reproduce itself and subsist.

Coulthard (2014) expresses caution regarding egalitarian principles and progressive political agendas which are used to justify the dispossession of Indigenous land

⁹ “Unfortunately, not all of our interlocutors are as careful and perceptive readers as Mann” (Coulthard, 2016, p. 96).

and resources. He states that blanket statements such as “the return to the commons” as a redistributive counterstrategy to neoliberal policy fails to acknowledge that the “commons” belong to the First Peoples while simultaneously “inform[ing] and sustain[ing] Indigenous modes of thought and behavior that harbour profound insights into the maintenance of relationships within and between human beings and the natural world built on principles of reciprocity, nonexploitation and respectful coexistence” (p. 12). People who invoke the rhetoric of “progressive” and “redistribution” must be sensitive to assumptions underlying their claims as they relate to Indigenous calls for justice. The notion of progress with the right decolonial aim in mind, then, cannot proceed without help. The Indigenous population is too small in number to enact on their own these massive social, economic, and political changes which are required to transform capitalism. There is therefore a need for solidarity from a variety of Indigenous and non-Indigenous sources, environmental and labour movements, and marginalized communities (p. 173). Because Coulthard advocates a turning away from the state, the acts of solidarity and progress towards decolonial ends will happen predominantly from the bottom-up via grassroots movements, activism, and protest. Hence the label “radical bottom-up anti-capitalist solidarity.” However, what exactly is the scope of solidarity in this case, and what can count as legitimate support towards decolonial ends?

In “Decolonization Is Not a Metaphor,” Tuck and Yang (2012) reject common narratives of social justice and solidarity because for them decolonization “is a distinct project from other civil and human rights-based social justice projects, [and] is far too often subsumed into the directives of these projects, with no regard for how decolonization wants something different than those forms of justice” (p. 2). Decolonization and social

justice frameworks, in other words, are incommensurable with one another. This is the case for many reasons.

Part of the issue with the incommensurability of social justice frameworks and decolonization was suggested towards the end of the above section in the discussion of antiracism and the problems that immigration and multiculturalism present to the dispossession and displacement of Indigenous peoples on their land. Grouping all instances of oppression together either as “anti-racist” or under the banner of “social justice” equivocates the particularity of decolonization with a blanket call for justice and “equal legal and cultural entitlements” for all, thus obfuscating ongoing Indigenous dispossession, displacement, the demand for political self-determination, and the repatriation of Indigenous land (p. 17 – 9). For Tuck and Yang, another issue with frameworks which endorse social justice lies in the redistribution of resources and wealth. The redistribution of wealth and resources is a pursuit which supports colonialism: it hides how much of the wealth of a settler nation is related to contested land, how this wealth is distributed fairly/equally among settlers, yet how Indigenous peoples get absorbed into the general population as a super-minority in the distributive schema, rendering them part of and virtually invisible to the settler nation (p. 23). The issue of the distribution of resources is also related to Indigenous and settler notions of property. Having the “right” to property, which entails having the right to own and decide how to use the land, runs counter to decolonization because “decolonization eliminates settler property rights and settler sovereignty. It requires the abolition of land as property and upholds the sovereignty of Native land and people” (p. 26). Transforming land into property and a resource for all to enjoy and access effaces the relation that Indigenous peoples have to land: “Claiming land

for the Commons and asserting consensus as the rule of the Commons, erases existing, prior, and future Native land rights, decolonial leadership, and forms of self-government” (p. 28). In other words, social justice frameworks deny or ignore the specific territory rights that Indigenous peoples claim because, under the assumption of “the Commons” and fair distributive schemas, specific territory rights would represent an unfair distribution of resources meant for the common good. This is to say social justice frameworks and decolonization are incommensurable with one another. Social justice frameworks ultimately work towards reconciling “settler guilt and complicity, and rescue settler futurity” (p. 3).

Tuck and Yang’s comments are especially salient in the Canadian context in which images of multiculturalism, pluralism, and diversity are so common:

Settlers are diverse, not just of white European descent, and include people of color, even from other colonial contexts. This tightly wound set of conditions and racialized, globalized relations exponentially complicates what is meant by decolonization, and by solidarity, against settler colonial forces. (p. 7)

The problem with solidarity for Tuck and Yang is treating decolonization as a metaphor to improve aspects of settler life such as society, schooling, and student thinking, and not the repatriation of Indigenous land and the protection and strengthening of Indigenous ways of life (p. 7). Solidarity, then, must take decolonization *literally* and include repatriation as an unnegotiable goal: “the opportunities for solidarity lie in what is incommensurable rather than what is common across these efforts” (p. 28).

Treating decolonization as a metaphor is an attempt to assuage settler anxieties about the socio-historical benefits of colonization as a form of reconciliation. Tuck and Yang contend that “the absorption of decolonization by settler social justice frameworks is one way the settler, disturbed by her own settler status, tries to escape or contain the unbearable searchlight of complicity of having harmed others just by being one’s self” (p. 9). In other words, treating decolonization as a metaphor proclaims that the goals of social justice align with the goals of decolonization, lumping the former together with the latter. As such, the substantive aims of decolonization can become obfuscated or get easily absorbed into the dominant narrative. Certain essential goals can be lost. For instance, using the language of social justice facilitates the smuggling in of other terms such as equality, diversity, progress, and the like, which are amenable to state understandings of justice, especially in Canada. This is part of why they claim that frameworks of social justice, such as human rights discourse and socialism, are incommensurable with the aims of decolonization as an expression of Indigenous justice.

On this view, even the word “justice” (a word I have been using throughout the current work) is problematic. In “What Justice Wants,” Tuck and Yang (2016) note the ubiquitous and ambiguous use of the term, which “may only be comprehensible when we do not get too bogged down by its commonly understood denotations. ... They may fall apart at their seams when we pay close attention” (p. 4). It is the ubiquity of the term “justice” (akin to worries about the term “sovereignty” discussed at the end of Section 2.3) which is problematic in designating how “decolonialism” gets taken up if understood under the aegis of “justice,” and somewhere down the language game, “solidarity.” For Tuck and Yang, the term is too readily invested in colonial temporality from which the term

perpetuates the future of the dominant nation in question (p. 6). Furthermore, Tuck and Ree (2013) comment on the superficial use of “social justice” as

a term that gets thrown around like some destination, a resolution, a fixing. ‘No justice, no peace,’ and all that. But justice and peace don’t exactly cohabit. The promise of social justice sometimes rings false, smells consumptive, like another manifest destiny. Like you can get there, but only if you climb over me. (p. 647)

There is much to learn from Tuck and Yang’s warnings that “justice” and “social justice” are loaded terms that can get taken up in a variety of ways which may introduce misinterpretations of “decolonialization” or even reinvest “decolonialization” into dominant state discourse, and hence perpetuate hegemonic rule. There is a risk, however, that their claims against the word “justice” are somewhat overstated. The meaning of the word “justice” should be understood in light of the context the word is used and the normative practices it relates to within that context (hence the term “Indigenous justice” can be deployed and used at face value). I do think, however, there is something to say about the ubiquity of the term, which may pose confusions and misunderstandings concerning the challenges facing solidaristic action.¹⁰

One major point that Coulthard, Tuck, and Yang would seem to agree on is that the goals of decolonization cannot be compromised by other frameworks of “justice,” especially those which are amenable to reinforcing state machinery. Furthermore, even though there is a difference in how they characterize the role of solidarity with marginalized groups

¹⁰ For now, this issue will be bracketed and returned to in Chapter 3 where I will offer reservations and criticisms of Tuck and Yang’s conception of “solidarity” and “justice.”

(Tuck and Yang appear to be much more sceptical about solidarity, perhaps to a fault), they all share the same caution in supporting action which would renew and perpetuate state authority. Clearly for Coulthard, decolonization is not a metaphor because his comments on turning away from the state and Indigenous resurgence puts into practice in a very *literal* way Indigenous values surrounding land and the ethical relationships it draws between people and the environment. Tuck and Yang also suggest a “turning away” of sorts which involves turning away from any sources of solidarity which would perpetuate the colonial relationship. If Coulthard’s analysis of the state is true, and the state is wholly and unavoidably normatively committed to reproduce and renew its sovereignty through its legal machinery and the various forms of subordination, instrumental reason, and land exploitation required by capitalism, then Tuck and Yang are right to refuse to consider the state as a source of solidarity and decolonization. A turn towards a more radical alternative is called for, one that seeks out the sources of solidarity from the bottom up and struggles towards Indigenous self-government, the repatriation of Indigenous lands, and orienting the future under a decolonized vision of the world.

2.5 Conclusion

In this chapter, I set out to explain Coulthard’s project of Indigenous resurgence and self-recognition, his responses to Taylor and Turner, and what “solidarity” could entail in light of decolonization efforts. It is apparent, I hope to have shown, that the radical bottom-up anti-capitalist solidarity camp is, *prima facie*, incompatible with the moderate top-down statism camp. Moreover, the views presented in this chapter have widespread implications as to the efforts of what well-intentioned people endorse. Familiar ideas of progress and

social justice may not be so progressive or even just in all contexts. They may not have the universal application of articulating a better world.

In the third and final chapter, we turn to Pablo Gilabert's dignitarian approach to see if it can act as a fruitful framework to enable a productive collaboration between the two camps that can decide the proper scope of solidarity concerning Indigenous justice.

CHAPTER 3

Seeking the Sources of Solidarity: Dignitarianism, Solidaristic Empowerment, and Social Transformation

In this third and final chapter, I wish to argue that Pablo Gilabert's dignitarian approach outlined in *Human Dignity and Human Rights* can help negotiate the divide between the moderate view's approach of careful and strategic dialogue between Indigenous peoples and the Canadian state and the radical view's approach of turning away from the Canadian state and turning inwards towards a politics of Indigenous self-recognition, self-affirmation, and resurgence. Central to my argument is that the dignitarian approach's normative ideal of solidaristic empowerment is sensitive to the different articulations of what grounds the dignity of people – in Gilabert's parlance, the basis of dignity – and this sensitivity to the demands of dignity also reflect the built-in flexibility and fallibilism of the dignitarian approach in two ways: it allows for accepting previously unknown or unacknowledged ways of showing respect and concern for others, and it is self-critical in that it revises or rejects previous understandings of dignity which have been shown to be incomplete or mistaken. As such, in this chapter I ultimately aim to show that (1) the moderate and radical views can meet on dignitarian grounds, (2) the sources of solidarity are plural in nature and can cross-fertilize with other frameworks of social justice and decolonialism in fruitful ways, and (3) in order for this cross-fertilization to occur, the temporal dimension of people's expanding horizons must be considered.

Before presenting an analysis of the moderate and radical views under the purview of the dignitarian approach, I will first need to explain Gilabert's framework in sufficient detail. Following this, I will present possible issues that the Turner/Taylor camp may have

with Gilabert and provide responses to these concerns. This will segue into an analysis of the radical view, which will begin with Coulthard in relation to dignitarianism and followed by Tuck and Yang's powerful concerns highlighted in the previous chapter. An adequate response must be given to their objections as the dignitarian approach utilizes many frameworks of social justice such as human and civil rights discourse, democratic socialism, and liberal egalitarianism. This is vital to address because failure to give an adequate response to Tuck and Yang's concerns would strongly suggest that the dignitarian approach is an inappropriate framework to use in the current context, thus answering in the negative whether dignitarianism can be used to help negotiate between the moderate and radical views. Using arguments developed in response to Coulthard, Tuck, and Yang, I will argue that the dignitarian approach can be used to fruitfully negotiate the differences between moderate top-down statism and radical bottom-up anti-capitalist solidarity.

3.1. Core concepts: status dignity and condition dignity

In *Human Dignity and Human Rights*, Gilabert (2018) outlines a sophisticated conceptual framework that places at its center human dignity. The normative force of human dignity animates the arc of humanist justice, consisting of human rights norms, which represent the conditions for a minimally decent life, and social justice, which represents the conditions for a maximally flourishing life – the latter often framed in terms of the types of demands that liberal egalitarianism and democratic socialism make (e.g., p. 309 – 10). Together, the *basic dignity* afforded by human rights and the *maximal dignity* afforded by social justice comprise *dignitarian norms* making up the gamut of rights and associated duties relating to one's dignity (p. 139).

With that said, rather than giving an exhaustive summary of each element and the minutiae of a rather nuanced and expansive framework, I will first present an overview of the most salient and relevant features of the dignitarian approach followed by a discussion of the implications and initial conceptual difficulties it may have. The ultimate goal of this section is to set the conceptual groundwork necessary to understand the basis of dignity (Section 3.2) and solidaristic empowerment (Section 3.3). The initial questions to ask involve what human dignity is and how it has normative force.

A key distinction in the dignitarian approach is that of *status-dignity* and *condition-dignity*. Gilibert explains that status-dignity “is a deontic normative status, a moral standing, of human individuals such that every agent who can affect them ought to treat them in certain respectful and concernful ways” (p. 122). As a “deontic normative status,” status-dignity holds four core characteristics: (1) it is *inherent* to every individual, not in the capacity of the group they are part of, but in the fact that they are human beings; (2) it is *non-instrumental* in that the dignified way individuals deserve to be treated are treated as such for their own sake and not due to some advantage it would bring to another person; (3) it is *egalitarian* in that duties which confer dignity are not owed to some people but not others, but rather are owed equally to all persons; and (4) it has *high priority* in that, all things considered, its norms take precedence over other considerations (p. 124).

To qualify this last characteristic, Gilibert states that the norms generated by status-dignity are *pro tanto norms*, meaning that they can be defeated in rare circumstances, yet this often involves competing dignitarian norms (p. 124). In an important sense, then, status-dignity is not something that can be taken away or lost depending on circumstance. However, this does not mean that if dignitarian norms are left unsatisfied (due to

circumstance or ill treatment), then they cease to exist, and by extension, one's status-dignity ceases to exist too. Again, one generally cannot lose one's status-dignity. Pinker (2008) makes the charge that this introduces an incoherence to the concept of dignity because, for instance, dignity means one cannot be enslaved, yet if one is enslaved, one loses one's dignity (p. 30; Gilabert, 2018, p. 122).¹ To answer the charge of incoherence and better appreciate the role of status-dignity, Gilabert introduces condition-dignity, which is "a state of affairs in which dignitarian norms are fulfilled" (p. 124). This helps explain why having unfulfilled norms (which is a lack of condition-dignity) still makes one deserving of dignified treatment (which is expressed by status-dignity). In other words, one still retains their inherent dignity even though the conditions that would satisfy the norms which dignity demands are unsatisfied; someone can experience a lack of dignity yet still be worthy of it.

3.2 Deriving the content of dignitarian norms: the basis of dignity

The question remains just what the relation is between one's status- and condition-dignity and the dignitarian norms themselves. That is, how do we come to the *content* of the norms? It's one thing to say that one's status-dignity gives rise to human rights norms and norms of social justice, saying that these human interests arise from our inherent dignity,

¹ The examples that Pinker lists are many: "we read that slavery and degradation are morally wrong because they take someone's dignity away. But we also read that nothing you can do to a person, including enslaving or degrading him, can take his dignity away. We read that dignity reflects excellence, striving and conscience, so that only some people achieve it by dint of effort and character. We also read that everyone, no matter how lazy, evil, or mentally impaired, has dignity in full measure. Several essayists play the genocide card and claim that the horrors of the twentieth century are what you get when you fail to hold dignity sacrosanct. But one hardly needs the notion of 'dignity' to say why it's wrong to gas six million Jews or to send Russian dissidents to the gulag" (2008, p. 30). These examples are qualitatively distinct from one another in many respects. Although Gilabert can provide the conceptual resources to respond to them, it would take us well beyond the scope of the current argument.

but Gilabert is quick to point out that this formulation is circular in nature: it amounts to saying that one's status-dignity calls for certain articulated norms, and these articulated norms come from one's status-dignity, giving us no independent justification of the substantive content of dignitarian norms and rendering the concept of status-dignity an empty concept (p. 130). Noting that status-dignity only expresses "a very general, fundamental right-claim to respect and concern" (p. 131),² certain features or capacities of human beings need to be identified, as it were, to "ground" or ascribe status-dignity to people (p. 126). These features or capacities make up what Gilabert calls the *basis of dignity*, which will prove to be one of the key features of his framework as well as for the current analysis.

The basis of dignity represents a flexible and revisable list of human features or capacities which are both descriptive in that they explain what human beings are *generally*, but they are also evaluative in that they are *valuable* and *important* (p. 126). First, brief remarks on the generality, value, importance, and flexibility/revisability of these features are in order.

(1) By "general," Gilabert means features which are invariant and not expressions of other features relating to, for example, culture, social origin, and the like. This is immediately strange in that these features are also flexible and revisable. The idea of *generality and invariance* seems to be in direct contradiction with the idea that this list is somehow "revisable" and subject to change. It is important to note, however, that Gilabert is making less of an ontological claim about human beings and more of an epistemic one.³

² "Respect" and "concern" will be characterized below.

³ To be clear, he *is* committing himself to a certain human ontology by positing any list of features or capacities to begin with, but the proceeding point is epistemic in nature.

The revisability of the list reflects the knowledge that we have about human dignity can be fallible, and it is up to us to strive towards bettering our knowledge in open, honest, non-coercive, and inclusive dialogue with all whose interests are involved (p. 219). We must also demonstrate humility:

[Dignitarianism] should acknowledge its limits. Of course, we cannot sharply trace the limits, for that would require knowing what lies beyond them (which is precisely what we cannot do). But we can develop a sense of humility. There could be more to dignity than what human minds can grasp. (p. 220)

(2) By “valuable,” Gilabert means the features or capacities which make up the basis of dignity must be something positively evaluative and not something which expresses the human capacity, for instance, to harm others (p. 126). Finally, (3) by “important,” he means “supporting [these features] contributes significantly to the quality of life of those who have them” (p. 126). Far from stating that the basis of dignity is comprised of vague abstractions such as being general, valuable, and important, Gilabert does offer an initial list or “hypothesis” to make sense of dignitarian norms: “one such list would include the human capacities for sentience, knowledge, prudential and moral reasoning and choice, aesthetic appreciation, self-awareness, creative production, social cooperation, and sympathy” (p. 127).

The provisional list of features comprising the basis of dignity has intuitive appeal, but it is interesting to note its initial scope. The items on the initial list centers on *conscious* beings and are generally understood as *capacities* within a human *individual*. One can say that the ultimate moral unit within Gilabert’s dignitarian approach is the conscious human

individual qua valuable features or capacities. The capacity for social cooperation is interesting in that it takes individuals beyond themselves to be enmeshed in the lives of others (in fact, I would argue that it would be difficult not to find some sort of intersubjective framing of each item on the list, save perhaps the rather general feature of “sentience”⁴), and the capacities for prudential and moral reasoning and choice have the potential of bringing the individual’s ethical life into non-human considerations such as the treatment of, for instance, non-human animals. He says,

The moral community may (so far as we know) only include human beings as its moral *agents*, since (so far as we know) only human beings are capable of moral reasoning. However, the moral community, understood as the set of entities that deserve respect and concern for their own sake, is larger. *The grounds of dignity are articulated not by statements about what valuable features humans have, but by statements about what valuable features there are. Human beings will display some, but other entities may display their own (some overlapping, some not), and deserve respect and concern by moral agents accordingly. The moral domain outstrips humanity.* (p. 203 – 4; second emphasis mine)

Albeit undoubtedly controversial, the shift in language from “human” to “entities” here is to highlight the distinction between “moral community” qua *human* moral reasoning/agency and “moral community” qua *entities* deserving of respect and concern. Despite the somewhat vexing use of the vague term “entities” peppered throughout *Human Dignity and*

⁴ Yet even so, it is difficult to conceive of human sentience abstracted from the intersubjective conditions of its development. See the chapter “Others and the Human World” in Merleau-Ponty’s *The Phenomenology of Perception* (2012, p. 361 – 83).

Human Rights without explicitly qualifying it, there is the sense that Gilabert has in mind some sort of conscious entity worthy of respect and concern, thus including both humans and non-human animals. *Prima facie*, this seems to exclude (within a generally “western” mindset) “entities” not typically considered conscious such as the environment or nature.

Here we might note the potential for tension with Indigenous views that stress the agency and purposiveness of non-human nature. One might argue that Gilabert’s basis of dignity is anthropocentric in the sense that it is too narrow in scope. That is, it focuses solely on what grounds the dignity of humans in their valuable capacities. It does not introduce what might ground the dignity of other entities, or at least our capacity to recognize the dignity of other entities. I think this is a valid concern within the current debate, yet if “the moral domain outstrips humanity,” it seems that Gilabert is leaving open the objects of our respect and concern. In this important sense, his view is not anthropocentric – he *does* in the above quote state that the valuable features which ground dignity are valuable features in themselves and not necessarily unique or exclusive to humans. We should also notice that Gilabert does not outright reject the idea of non-human animal agency but is cautious and tentative. As discussed in Turner’s anthropocentrism (Section 1.5), non-human animal agency is an important aspect to Indigenous politics. If the provisional list of the basis of dignity expresses general, valuable, and important features of human beings, it may be necessary to seriously consider a human capacity to acknowledge and appreciate the role that non-human animals have in the world, both as entities that deserve respect and concern, but perhaps even as entities with agency. Given the built-in flexibility and revisability of the list, I think it is reasonable to say that this is a real possibility within the conceptual limits of the dignitarian approach. For now, the sufficient

groundwork has been laid to speak about solidaristic empowerment. Themes of animals, nature, and the basis of dignity shall be revisited below.

3.3 The normative ideal of solidaristic empowerment

Gilbert frames solidaristic empowerment as a normative ideal which “asks us to support persons’ pursuit of a flourishing life by affirming both negative duties not to block or destroy, and positive duties to protect and facilitate, the development and exercise of the valuable capacities [i.e., the basis of dignity] that give rise to their status-dignity” (p. 161). He frames this definition in terms of “negative respect” (i.e., negative duties) and “positive concern” (i.e., positive duties), stating that “taking seriously the dignity of others does not only involve avoiding the subjection of their will to one’s own. It also involves reaching out to help them by enhancing their ability to pursue a good life for themselves” (p. 176).

With this characterization of solidaristic empowerment (loosely understood as a “relational” or “intersubjective” concept), the connection to status-dignity (as having a right-claim to respect and concern), and the basis of dignity (the valuable features or capacities of a human being whose proper support and exercise give rise to one’s condition-dignity), one can infer that the type of support an individual needs to access a flourishing life involves actions satisfying dignitarian norms both on the individual level and the institutional level.⁵ The likely candidates to support an individual’s flourishing are not limited to one’s government, although the government does play a significant role, but also other sources such as other individuals, citizens, and the like. Despite solidaristic

⁵ On the relationship between status-dignity and dignitarian norms, Gilbert states, “[t]here are certain (dignitarian) norms, certain rights and duties, which must be honored if the dignity of human individuals is to be properly responded to by agents that can affect them through their actions and social institutions” (p. 122 – 3).

empowerment being explicitly framed in terms of supporting one's pursuit of a *flourishing* life by *maximally* exercising one's valuable features, solidaristic empowerment also necessitates securing the *sufficient* conditions for a *decent* life qua human rights: having a flourishing life requires (as a necessary condition) the conditions that would secure a decent life in addition to the conditions of a flourishing life, both of which find their expression in dignitarian norms (i.e., if one has a flourishing life, then when can also say to include access to a decent life, but not vice versa).

We can further unpack solidaristic empowerment by understanding its constitutive parts: solidarity and empowerment/power. Briefly, by "solidarity," Gilabert means a non-instrumental attitude of positive concern that one can take towards others (p. 165 – 6). The concept of "power" amounts to what he calls "agential power," or (generally) the power that an agent has over their situation to generate a specific outcome (p. 168). The outcomes that agents generate by being empowered relate to the exercise of their valuable capacities. It is vital to note that "agent" here is not just construed as an individual but may also involve individuals acting together or institutional arrangements which involve a collective (p. 169). As such, individual agency might involve *effectively* accessing certain collective arrangements, yet the term "agency" is only understood as effecting change communally and not individually – even though the ultimate moral unit for Gilabert is the individual. To be "empowered," then, seems to involve giving one the support to change or shape one's situation either at the individual or communal level, and "solidaristic empowerment" expresses the non-instrumental and positive support afforded to individuals in light of their capacities so that the individual may flourish and maximally have their capacities supported in the world.

However, it is one thing to say that people deserve this treatment, that we ought to work towards solidaristically empowering people so that they may shape their world in different ways. It is entirely different to say that this *actually* comes to fruition through the support afforded to people. Gilabert uses the language of “capabilities” from the “capability approach” in order to highlight the “real or substantive (as oppose to merely formal) opportunity or freedom of persons to do or be certain things ... if they so choose” (p. 183). Having close ties with the above characterization of power, a focus on capabilities “requires paying attention to different individuals’ circumstances or situation (personal, social, environmental) – which crucially affect their access to the object of their rights” (p. 185, f. 38). Through invoking the language of capabilities, an interesting (potential) solution to the above problem of the scope of the basis of dignity can be explored. For instance, in the capabilities approach Nussbaum (2011) puts forward her list of ten Central Capabilities in order to articulate what is required of “a life worthy of human dignity” and “a minimally flourishing life” (p. 32 – 3). Central Capability number seven involves other species and the environment: “being able to live with concern for and in relation to animals, plants, and the world of nature” (p. 34). Although Gilabert (2018) states that he does not base his justification of human rights on Nussbaum’s list (p. 189, f. 43), it’s a wonder why his initial list of the basis of dignity does not include one’s relation to animals, plants, and the world of nature, which will prove to be an essential point in discussing Turner and Coulthard.

3.4 Individualism, individuals, and groups

Another key issue deserves attention. The focus on the language of empowering the *individual* might suggest that Gilabert endorses a highly individualistic framework bent on

making people as self-sufficient and self-reliant as possible, yet it would take a highly uncharitable reading of *Human Dignity and Human Rights* to come to this conclusion. Gilabert comments throughout his book on the difference between a culture of individualism, independence, and self-sufficiency/reliance towards a culture which promotes solidarity and autonomy.⁶ The latter terms are in part meant to express the spirit of solidaristic empowerment.⁷ Generally, there is a range of problems for Gilabert that derive from valuing independence and self-sufficiency/reliance within a society. For instance, people seeking help might feel embarrassed or ashamed because their needs can be interpreted as a failure of succeeding in the social arena, or for those who succeed there might be an arrogance or a paternalism which places them on a hierarchy of superiority, instilling in those who require aid a sense of inferiority or humiliation.⁸ According to Gilabert, a culture of independence does not show an individual respect and positive concern, but instead “fosters feelings of shame in those seeking help, and of guilt in those helping” (p. 99). As such, the distinction between self-sufficiency/reliance versus autonomy should be understood within the context that Gilabert typically uses them. Being self-sufficient/reliant is used in an individualistic sense without necessarily being concerned for others, and echoes the monological ideal discussed in Chapter 1. Autonomy is typically

⁶ The many places in *Human Dignity and Human Rights* that Gilabert discusses and evaluates the problem of the culture of independence and self-reliance/sufficiency can be found in the Index under “independence” (Gilabert, 2018, p. 348).

⁷ To capture this spirit, Gilabert draws the distinction between the endowment and achievement senses of status-dignity in order to account for what he calls *dignitarian virtue*, which is “dispositions to think, feel, and act in tune with dignitarian norms” (p. 137). Because of the interest of the length and scope of the current argument, it is sufficient to say that there are dignified and even undignified ways to act towards others, but also towards oneself. The way I treat you (or myself) reflects my own dignity or lack thereof, so people can be held accountable because certain actions, for instance, are undignified.

⁸ There are striking similarities in this discussion to Elizabeth Anderson’s criticism of luck egalitarianism in her essay “What is the Point of Equality?” (Anderson, 1999).

understood in the context of being in a solidaristic community which shows both respect and concern for an individual's self-determination to become an empowered autonomous agent (p. 178).

In other words, there is a call for a shift in our political culture. Specifically, the shift involves a focus on community and cooperation in social life (e.g., p. 99, 187). This shift makes sense in terms of Marx's slogan "from each according to their abilities, to each according to their needs," which, according to Gilabert, acknowledges the equal status of individuals while simultaneously recognizes that each person will have different personal capacities and competences as well as different needs which require the support of others (p. 309). The shift in culture also calls for "[cultivating] our readiness to give [aid] and to receive it" (p. 187). Again, this emphasizes that it is not only the government which holds a paternalistic role in securing people's dignified treatment but also the community of which we are part.

So far, focus has been placed solely on the individual as the moral unit of the dignitarian approach. What about group rights? It seems problematic in construing group-specific rights when by definition "individuals [have status-dignity] as human beings rather than as Americans, white, men, Christian, or property-owners. They do not have it because they are parties to some special relationship or as holding some conventional status" (p. 124). Notice however that status-dignity does not designate the substantive dignitarian norms which are afforded to people, but rather expresses people's right-claim to respect and concern (Section 3.2). The needs of groups might very well be reflected in people's differing circumstances:

the circumstances of dignity are the circumstances in which dignitarian norms are practically relevant. This means that the fulfillment of dignitarian norms is both necessary – in the sense of morally “called-for” – and feasible. In these circumstances, there are threats and obstacles to the achievement of condition-dignity [i.e., the conditions which would satisfy dignitarian norms], and they can be overcome. (p. 132)

People’s circumstances and the hardships they face are all different, yet the practical relevance of dignitarian norms, it can be argued, might very well point towards groups that systematically get short-changed in social contexts and institutional arrangements:

hegemonic mechanisms involve (inter alia) normative discourses that capture some of the interests of the members of subordinated groups while being on balance tilted in favour of interests of the members of the group shaping the discourses, thus cementing power of the latter over the former. (p. 95)

Even though the normative ideal of solidaristic empowerment and the dignitarian approach focus on the individual as the ultimate moral unit, in order to empower individuals in a solidaristic fashion, it may be necessary to support these individuals via institutional changes or practices which are articulated in terms of group interests.⁹

Whether support can be done from the top down via governmental and institutional

⁹ My line of thinking aligns with remarks that Nussbaum (2011) makes in regard to who the moral unit of the capabilities approach is: “Capabilities belong first and foremost to individual persons, and only derivatively to groups. The approach espouses a principle of *each person as an end*. It stipulates that the goal is to produce capabilities for each and every person, and not to use some people as a means to the capabilities of others or of the whole. ... At times group-based policies (for example, affirmative action) may be effective instruments in the creation of individual capabilities, but that is the only way they are justified” (p. 35). Furthermore, Nussbaum holds that securing the Central Capabilities is properly the job of governments (p. 32 – 3) whereas (as discussed above) solidaristic empowerment has a more flexible range of supporting agents.

changes, or from the bottom up via individuals, activism, movements, and the like, solidaristic empowerment and supporting people's valuable capacities calls for a sensitivity to the practical circumstances people find themselves in and the normative activity those circumstances call for. This is especially true if we need to be sensitive to issues affecting individuals to issues affecting groups.

3.5 The dignitarian approach and moderate top-down statism

Before discussing how the dignitarian approach can be applied to the moderate view of Indigenous justice, I will first bring out and respond to issues that the moderate camp may have with it. I will then suggest points of cross-fertilization with the dignitarian approach.

Gilbert's focus on the individual, human rights, flourishing, liberal egalitarianism, and democratic socialism seem to evoke the image of an authoritative and centralized constitutional state in which rights are bestowed and various duties and duty bearers are articulated in order to achieve a more just and equal society. Turner might express the worry that the dignitarian approach repeats the same assumptions and errors of the *Statement of the Government of Canada on Indian Policy, 1969* (informally dubbed "the White Paper") made, which according to Turner, (1) does not address the history and contemporary reality of Canadian colonialism, (2) does not consider the *sui generis* status of Indigenous group rights, (3) does not interrogate the initial legitimacy of Canadian state sovereignty, and (4) fails to include Indigenous peoples in the actual articulation of Indigenous peoples' rights in Canada (Turner, 2006, p. 15).

The White Paper effectively set out to subsume Indigenous group rights to the constitutional rights enjoyed by Canadians: "true equality presupposes that the Indian

people have the right to full and equal participation in the cultural, social, economic and political life of Canada” (Canada and Chrétien, 2006 [1969], p. 126). Turner comments that having the same full constitutional rights of Canadians sent out a message of (1) the discriminatory nature of Indigenous policy, (2) that Indigenous people are full citizens of Canada and possess the same rights, (3) that Indigenous nationhood does not exist, thus rendering treaty agreements in regards to land to be understood as private property, and (4) ultimately the fiduciary relationship (which is expressed in treaties and the special status of Indigenous peoples) would come to an end (Turner, 2006, p. 22 – 4). For the Indigenous people who still considered themselves to comprise nations and still believed they owned their land, they suffered through a grave indignation (p. 25).

Some commonalities between Gilabert’s approach and White Paper liberalism can be made more explicit. Turner states,

The liberalism reflected in the White Paper assumed that *the individual is the fundamental moral unit in developing a theory of justice* and that to deviate from the sanctity of moral individualism is to lead justice from its rightful path. One supposed virtue of moral individualism is that it simplifies political thinking. *If every citizen of the state has the same moral worth, and if everyone must be treated equally, then opportunities to live a good life must be made available to all citizens.* (p. 28, emphasis mine)

This language used here echoes within the language that Gilabert uses in his approach. Just like Gilabert, White Paper liberalism treats the individual as the fundamental moral unit in justice discourse. Just like Gilabert, everyone is treated with equality and afforded the same opportunities to lead a good life. Despite these concerns, I wonder if the dignitarian

approach, solidaristic empowerment, and the basis of dignity do not offer a more flexible outlook in appreciating the dialogical enterprise that Turner calls for, notwithstanding that the White Paper was a thinly veiled attempt at assimilation (which in fairness to Gilabert, is not his agenda). It seems as though Turner's word warriors would act as a necessary component for articulating what Indigenous dignity demands, such as articulating Indigenous epistemology and ways of being as legitimate philosophical enterprises.

Even though Gilabert makes it clear that people's status-dignity confers respect and concern to all individuals based on their common humanity and not on features such as race, nationality, or group affiliation, we should recall that the normative ideal of solidaristic empowerment requires that we show negative respect not to interfere but also positive concern for the pursuit of a flourishing life. Yet people's circumstances are different, and the type of "concern" that we show them can either vary based on the individual's differing capacities or based on unconsidered conceptions of dignity. For example, Pharo (2014) notes in Indigenous philosophy,

there is a logical interdependence between peace, democracy, justice, equality with connection to the natural world and the dignity of *all* beings. Indigenous peoples have an intimate relation to nature where all life and every being are equal. ... The universal value of dignity connected to nature is not expressed in the [Universal Declaration of Human Rights]." (p. 152)¹⁰

¹⁰ See Goeman (2008) for his detailed explanation of the different conception of land (and the normative relations this demands on people) in Indigenous thinking as compared to liberal settler nation-states. As a (tangential) point of interest, for a fascinating short article on Matador Network on the legal recognition of the rights of nature in parts of the world, see Bresler (2020, Feb 27) "7 countries which have legally recognized the rights of nature" at <https://matadornetwork.com/read/countries-legally-recognized-rights-nature/>

This is significant in that “dignity,” taken as a relational concept, can draw people and other beings into different relations of respectful and caring reciprocity not only with others, but with nature as well. This could shift conceptions of property and ownership within dignitarian concerns. It could shift people’s conceptualization of nature and land.

Coupled with this insight of the connection between “dignity” and “land,” a more expansive notion of what respect and concern might entail is discussed by Turner (2006) in his comments on the Royal Commission on Aboriginal Peoples (RCAP), which “was created (among other reasons) to seriously consider the meaning and content of Aboriginal rights in Canada” (p. 75). In the final chapter of volume I of the RCAP’s report, Turner explains requirements for mutual recognition, and it is difficult not to read these in terms of dignitarian concerns:

Mutual recognition ‘calls on non-Aboriginal Canadians to recognize that Aboriginal people are the original inhabitants and caretakers of this land and have distinctive rights and responsibilities that flow from that status.’ The commissioners add: ‘Mutual recognition, thus, has three major facets: equality, co-existence and self-government.’ The principle of mutual respect focuses on one aspect: ‘the quality of courtesy, consideration and esteem extended to people whose languages, cultures, and ways differ from our own but who are valued fellow-members of the larger communities to which we all belong.’ The third principle is sharing, which amounts to ‘the giving and receiving of benefits.’ The fourth principle is mutual responsibility, which involves the transformation of the colonial relationship of guardian and ward onto one of true partnership.’ (p. 76 – 7).

The ideas of mutual dependency, respect, sharing, and concern resound with the themes of solidaristic empowerment and dignitarianism. Even though part of the mutual recognition in the above report invokes “distinctive rights and responsibilities which flow from that status” as the original inhabitants, this is arguably articulated in the name of respect and concern precisely because certain notions of dignity, such as self-determination, concern for the community and others, and social cooperation, flow from this relationship. These are all arguably valuable features of human beings which mark the basis of dignity, and part of revising the horizons of the basis of dignity lies in being open to different epistemologies and ways of conceiving our relationship to the world. If what the dignity of Indigenous peoples demands is recognition of their *sui generis* legal status, it is only so because their circumstances under which dignitarian norms are satisfied are unique compared to those under the liberal state at large.

Furthermore, the notion of “sharing” and “true partnership” invoke a stronger sense of dialogue, negotiating differences, and empowering one another through communal existence. The sentiment evokes the final words of *Human Dignity and Human Rights*: “we are all in this together” (Gilbert, 2018, p. 320). Far from being a motivational speech platitude, the phrase captures the spirit of changing the world and culture in which we live. It expresses an expansion of our imaginations, our horizons, in regard to our relation to others, and given Indigenous epistemologies, the world of nature.

This world could be an extension of the brand of liberalism that Charles Taylor endorses (Section 1.3). One striking similarity to support this claim can be found in the expansion of the basis of dignity in Gilbert with the expansion of one’s horizons of significance in Taylor. Both can be framed in terms of recognition, yet the difference with

Gilbert is that expanding the basis of dignity has universal application whereas the recognition paradigm is more culture specific to privilege difference and differential treatment in the name of survival. Just like Turner and Taylor, Gilbert would endorse working through the state and modifying existing laws and institutions. Although Gilbert's framework would suggest that the sources of solidarity are much more pluralistic than top-down state processes, Turner locates the primary actors of Indigenous justice in the dialogical relationship between word warriors and the state. In this regard, the normative ideal of solidaristic empowerment can be applied in a moderately top-down statist way, where "statism" broadly construed functions as the main thoroughfare of Indigenous justice as per Turner. Whatever brand the state and liberalism take at the end of this road, it will likely be different than its current form.

As for Taylor and Turner's anthropocentrism, however, it seems clear that, given the emphasis on dialogue, on the presumption of worth in Taylor's case, and the function of word warriors in Turner's, that the moderate view will have to shift its more human-centered view into a political horizon which is less anthropocentric. This may be less worrisome for Turner than it is for Taylor, yet given the terms Taylor uses in his recognition project, it seems as though a fusion of horizons has (at the very least) the *potential* of shifting one's conception of intersubjective (i.e., human) ontology and epistemology into a non-anthropocentric dialogical ontology and epistemology.

3.6 The dignitarian approach and radical bottom-up anti-capitalist solidarity

The main reservations that Coulthard, Tuck, and Yang would have against the dignitarian approach is that (1) it retains a colonial perspective insofar as it assumes the aim of

“justice” and familiar conceptual frameworks of the state, such as human/civil rights and liberal egalitarianism, and (2) it subsumes or appropriates Indigenous epistemologies under the guise of an undifferentiated universalism and effaces what Indigenous peoples claim is particular to them and their relationship to the land.

We are reminded of Coulthard’s concern that mitigating the risk of interpolation of word warriors by the state is left unaddressed by Turner, leaving vulnerable the communities word warriors are positioned to protect. Specifically, because dealing with the state represents a highly discursive space, and according to Coulthard the state’s normative commitments are deeply and hopelessly entrenched in a capitalist framework, word warriors will be subjected to interpolation via those commitments and would work towards perpetuating the colonial relationship whether they know it or not. From the purview of the radical bottom-up anti-capitalist solidarity camp, the implications for the sources of solidarity call for a sensitivity to what ways one’s conception of “justice” and “progress” lend to the reassertion of colonialism.

Yet what if the justice framework is critical of capitalism? Gilabert’s socialist sensibilities, of course, disavow capitalism as a valid economic system for human flourishing (Gilabert, 2018, p. 319). On capitalism and flourishing, Gilabert says,

neoliberalism capitalism will be followed by other frameworks that will not pursue the full palette of progressive ideals [endorsed and fought for by the Left] but will instead pick out some, interpret them less ambitiously, and use them as cover to trample on the others. Even some advances that were achieved in the last few decades (regarding the inclusion of LGBTQ people and racial and religious minorities) will be cast as undesirable, and some of

their beneficiaries turned into scapegoats. We can already see the beginnings of a new form of capitalism that manipulates people's anger in odious ways [i.e., in reference to the racist and populist rhetoric during Trump's 2016 campaign and subsequent election], by turning it against ethnic and cultural minorities (p. 319).

Would this be enough to convince the Coulthard, Tuck, and Yang camp of the merits of dignitarianism? It is worth recalling that Coulthard does not think Indigenous peoples, by merely turning away from the state, can achieve decolonial aspirations on their own, invoking the necessity of solidarity (Section 2.4). To requote, "this reality demands that we continue to remain open to, if not actively seek out and establish, relations of solidarity and networks of trade and mutual aid with national and transnational communities and organizations that are also struggling against the imposed effects of globalized capital," which would include different movements, such as labour, women, LGBTQ, and environmental movements, and other Indigenous and marginalized communities (Coulthard, 2004, p. 173). Rather than seeking support from the top down (i.e., via governmental and state support), support can be reached from the bottom up via "on the ground" activism and solidaristic support, yet prospects of support according to the radical view are limited to the decolonial framework and not the incommensurable ones under the bulwark of social justice.

Although Gilibert's dignitarian approach uses the language of rights and duties, it also uses the more abstract "dignitarian norms" to encompass the minimal standards of a decent life and the maximal aspirations of a flourishing one. The solidarity that Coulthard seeks coupled with his politics of self-recognition and affirmation seem to be fertile

grounds to help articulate a more expansive notion of the basis of dignity and the respect and concern we ought to solidaristically empower others with.

Despite the above analysis, tensions may remain. Gilabert's focus on the individual as the fundamental moral unit might not sit well with proponents of the radical view, and the fact that his initial list of the valuable human capacities that make up the basis of dignity focus mostly on conscious human beings seems to point towards an anthropocentric bias that contradicts, *prima facie*, some of the discussion about key philosophical articulations of dignity and land which are contrasted with so-called Western conceptions of land and property. To address these concerns, I believe that Gilabert, in articulating the initial list as involving only individual conscious (human) beings shares in an intuition that there cannot be a "personless" or non-human understanding of the world and other beings outside of us. However much the outside world is articulated, it is done in such a way that requires an interpreter, and we as humans are unfortunately stuck with ourselves.

In spite of this, we can make a distinction between anthropocentric versus non-anthropocentric views which shift the objects of our respect, care, and concern from one of instrumental self-interest to one of expanded reciprocal possibilities between others and the world.¹¹ By focusing on the individual and not on groups, I believe he shares in the intuition that groups ultimately are comprised of people, yet just as solidarity might be directed at one person, the need for it might very well emerge from an identifiable community.

¹¹ I am thankful yet again to Christine Synowich for remarking that one can be communitarian and anthropocentric at the same time.

3.7 The issue of incommensurability

There is still the issue of incommensurability between decolonization and social justice raised by the radical view (Section 2.4). My use of Gilibert's dignitarian approach and the social justice frameworks found therein would cause Tuck and Yang (2012) to say I am committing a *settler move to innocence*. By this, they mean "those strategies or positionings that attempt to relieve the settler of feelings of guilt or responsibility without giving up land or power or privilege, without having to change much at all" (p. 10). They list six moves to innocence, but for current purposes, only one seems immediately relevant.

The move to innocence we shall consider is labelled "re-occupation and urban homesteading." This expresses the underlying assumptions of the distributive justice movement of the 99%, the so-called Occupy movement, and their claim to a fair distribution of resources, thus endorsing a pro-colonial stance and treating land as resource and property (p. 23). This obfuscates settler assumptions of land and property which "hides behind the numerical superiority of the settler nation [and] the elision of democracy with justice" (p. 28). Placed within the broader context of social justice movements in general, the redistribution of resources for the betterment and well-being of all seems to suggest that any redistribution of resources must be effected through impartial processes as a matter of justice. Historical claims to land have no weight. As such, the mechanisms for this to happen would not require Indigenous feedback, but rather Indigenous peoples would be implicated as recipients of the redistributive mechanism, thus obfuscating their *sui generis* position and conceptualization of land in the name of universal justice. For Tuck and Yang, "decolonization eliminates settler property rights and settler sovereignty. It requires the abolition of land as property and upholds the

sovereignty of Native land and people” (p. 26). In the context of the dignitarian approach, frameworks of social justice are ultimately aimed at articulating ways of improving the world and society in general, and I do not doubt that such articulations would improve the lives of people. However, I think it is mistaken to think this completely forecloses the demands of Indigenous justice or decolonization. An important temporal dimension to social transition, transformation, and expanding one’s horizons needs to be considered.

In “Unsettling Settler Colonialism: The Discourse and Politics of Settlers, and Solidarity with Indigenous Nations,” Snelgrove, Dhamoon, and Corntassel (2014) discuss the various risks of reifying and replicating settler colonial domination, and the possible avenues of solidarity to achieve a decolonial end. They discuss Tuck and Yang’s “Decolonization Is Not a Metaphor” and the issue of incommensurability. In the context of Indigenous resurgence and “turning away,” they note that to turn away is not necessarily an outright rejection of settler society. Rather, turning away requires a change in the settlers themselves, and this change would be “not just in individual transformation, but one connected to broader social, economic, and political justice” (p. 23).

As such, even though decolonization is incommensurable with some social justice frameworks, they note that they are not necessarily *incompatible*, that there can be an affinity between different struggles to a degree, even if the struggle of decolonization is different in kind (p. 23). For Snelgrove et al., any talk of “solidarity” must not fall into the trap of disavowing one’s own accountability, so “trust and accountability are ongoing feedback loops ... that you have to constantly renegotiate and reinterpret in order to act in solidarity, or act in concert, or act in camaraderie” (p. 19). What this means is that solidarity must not be taken to be immutable throughout time. Solidaristic relationships

must be constantly reevaluated because relations of support can change and power dynamics within a movement can shift – for instance, if the goals of a social justice movement are realized and happen to subsume another beneath it.

I think, however, the temporal dimension of solidarity, specifically concerning the expansion of people’s horizons, goes much deeper than this. Gilabert (2018) speaks about “dynamic duties,” which deal with situations in which certain goals of justice cannot feasibly be met at the moment because the particular circumstances do not permit the full realization of the goal. The idea underlying dynamic duties is that, in situations of partial feasibility, we ought to act in such a way to bring about the circumstances which would allow for the fulfillment of social justice aims (p. 79 – 80). This appears to require two conditions: (1) one must be conscious of the goal that cannot currently be feasibly met, and (2) actors are able to realize these circumstances over time. However, a fascinating effect considering the first condition of being conscious of the goal comes about when considering the above discussion on the incommensurability yet compatibility of decolonization and social justice frameworks.

Considering the prevalence of certain social justice frameworks made reference to in Gilabert’s dignitarian approach, such as human/civil rights, liberal egalitarianism, and democratic socialism, I argue that these frameworks are much more receptive to the general public’s imagination as a criticism and alternative to capitalism than decolonial discourse. Not only does decolonialism entail a strict incompatibility with capitalism (as has been suggested thus far by the authors in question), it also implies conditions of Indigenous self-government and repatriation of land. I think these latter ideas are more difficult for a non-Indigenous population to imagine because their horizons of significance

have not expanded to include colonization as a problematic aspect of social existence. It might be the case (which I am arguing) that in order for the normative aims of decolonization to even be *coherent* to a number of non-Indigenous people, other goals of social justice which are compatible with the goals of decolonization must first be in place. This would suggest that some people need not be conscious of certain currently infeasible goals: the dynamic duties in realizing compatible goals between social justice and decolonization might very well expand one's awareness of other social problems over time, creating the circumstances for a fusion of horizons to take place. This is to say that working towards and realizing the goals of familiar social justice frameworks might bring one closer to having decolonial aspirations come into relief when before they were difficult or impossible to fathom.

One lingering question seems to be what Gilabert himself would say in regard to Indigenous claims of self-government and territory rights. It seems that expanding the basis of dignity to include maintaining one's historical, cultural, and material relationship to one's homeland is a double-edged sword. On the one hand, the Indigenous demand for territory rights and self-government can be expressed within dignitarian concerns. On the other hand, because this would in principle expand the basis of dignity as a valuable human capacity, it would apply to everyone. What claims, then, would settlers be able to make in light of this expansion? Clearly, the historical circumstances are radically different between Indigenous peoples and settlers in relation to land, so any claims as to one's relationship to land will be different in kind.

I believe my remarks above concerning the expansion of the general public's imagination and a fusion of horizons are relevant here. Someone with socialist and

egalitarian sensibilities such as Gilibert might be skeptical that territory rights to a particular group are justified, yet given the terms of the dignitarian approach and the built-in flexibility of the basis of dignity, it seems that Gilibert's framework would require that territory rights be a tangible possibility given the right circumstances. At a certain point along the temporal arc of expanding people's imaginations, the world might very well be a world that accommodates that possibility. Although I acknowledge that this is highly speculative, the future world of expanded and fused horizons through solidaristic action and compatible goals is a world I cannot say for certain I know what it will look like. To expand one's horizons is, by definition, to move beyond what one currently understands to be the case. A horizon is the limit of the imagination, and expanding it is something that we cannot currently know in its entirety.

I believe we can appreciate Snelgrove et al.'s concern about being sensitive to how solidarity and solidaristic action must be renegotiated and reassessed over time, yet their framing is largely negative (i.e., they posit shifting positions of power and subordination as the basis of renegotiating the basis of solidarity). Instead, what I suggest here is that certain achieved goals can be positive in their realization because they connect with other frameworks, be they understood in terms of decolonialism or social justice. Again, although I am uncertain what the changing world would look like in the future of "social progress" alongside "decolonialism," I do know that without the support of many people from a variety of positions in society, many of the goals associated with progress will remain unrealized. My reservations concerning Tuck and Yang's radical view is that they conceive of solidarity too narrowly and restrictively, thus passing over the temporal dimension of

solidarity and the compatible goals which run across different frameworks – whether those frameworks are understood underneath the banner of “justice” or “decolonization.”

Luis Cabrera touches on this final concern in the form of a criticism of Gilibert’s dignitarian approach and solidaristic empowerment. Cabrera (2020) argues that Gilibert fails to give an account of how to resolve “the possible tensions between the demanding positive duties to others it presumes within the political community, and the defensive dispositions to indignation, resentment, and demands for deference that the concept of dignity may inherently entail” (p. 12). The overall concern is a valid one, but I am uncertain whether Gilibert ought to be required to provide an answer. What Gilibert demands throughout *Human Dignity and Human Rights* is a shift in the political culture which allows certain demands of justice to become salient to the public, that we be more sensitive to the dignitarian issues that people (and peoples) suffer through. The shift in political culture also requires fostering in people positive concern for others. It is almost trivially true that there will be tensions; otherwise, there would not be a need for solidarity. The point is that the tensions emerge from different demands, and these demands might (or inevitably do) conflict with preconceived notions of what justice requires. The tension is not something that gets resolved in theory. The tension is something that gets resolved in practice. The uncertainty of our horizons requires that we live through these uncertainties and do our very best to listen and demonstrate humility when it is called for. It calls for an expansion of our horizons, but this requires work and effort at many different levels.

3.8 Is there a middle ground for Turner and Coulthard to stand on?

So far, I have applied the dignitarian approach to both the moderate view and the radical view independent of one another with the aim to show any threads of compatibility between the two. Both views “overlap” in the sense that dignitarianism allows for an expansion of the basis of dignity by being open to other epistemologies and articulations of what it means to live a flourishing and dignified life. The one question I wish to discuss in negotiating how compatible Turner and Coulthard’s approaches are in actuality is whether it is problematic in “appropriating” or “absorbing” Indigenous epistemologies and conceptions of land into the basis of dignity. One can argue that this is problematic because, *prima facie*, expanding the basis of dignity would effectively universalize what Indigenous peoples say is particular to them in their way of being and relationship to the land.

I think we must put into perspective what purposes such an appropriation would amount to both as it would normatively affect Indigenous peoples and their practices versus non-Indigenous people. It is true that the basis of dignity frames what a flourishing life would require in universal terms, yet we have to separate what is universal from what is particular. If as a society we ought to develop an ethical relationship with the environment, and this relationship is significant for the dignity of persons, this clearly dovetails with Indigenous duties and commitments to protect and preserve the (dignity of) land alongside the relationships it fosters. I do not see it as a failure (using the negatively evaluative rhetoric of “appropriation”) if non-Indigenous people learn from Indigenous people this valuable lesson about what is arguably an essential aspect of experience and life: our embeddedness in and sustainability of the environment. Sypnowich (2018) frames a similar observation in terms of universal flourishing: “Aboriginal peoples’ relationship to

the land not only demands that the settler majority forge a more just political order, but also, that this relationship be allowed to inform an environmental consciousness premised on a richer connection to nature that is conducive to greater human flourishing for us all” (p. 30).

Ultimately, what the above remarks amount to is an expansion of people’s understanding of disparate groups, a fusion of horizons; and if I am correct in stating above that a fusion of horizons acts as a condition for increasing solidaristic action and empowerment, then what is required is a pluralism of sources of solidarity. The idea here is that a shift in political culture (not just political policy which amounts to paying lip service to various movements) is not possible without affording people different ways of imagining society which are both desirable and feasible. This must be understood in temporal terms as changes can be subtle and in increments.

For moderate top-down statism and radical bottom-up anti-capitalist solidarity, the question of how state relations ought to be maintained is a precarious one. If word warriors are interpolated by the state and capitalist discourse, this could have disastrous repercussions on the life (and dignity) of Indigenous communities. On the other hand, it is not entirely clear how effective the framework of Indigenous resurgence and self-recognition would be without a robust network of solidaristic support. If a network of support from various sources were in place, both the moderate and radical views can mitigate some of these concerns and potential issues. I am not entirely convinced that turning away from the state is the most effective strategy for Indigenous peoples alone, yet what could help ground word warriors in their communities is the resurgence of practices and place-based ethics called for by thinkers like Coulthard. There is clearly no guarantee

that problems will not arise with either approach, yet our doubts can be lessened via a strategy that would maximize expanding people's horizons toward compatible, if not completely commensurable, ends. The sources of solidarity must be plural in nature because, as Cabrera suggested at the end of the previous section, there will be people in society who are not receptive to conceptions of "progress," "social justice," or "decolonization." These issues must be negotiated in practice. Furthermore, different people will be receptive to different strategies of "justice." If there is any middle ground between Turner and Coulthard, it is the ways in which either approach can change the mindset of various people and communities.

3.9 Conclusion

I set out to show how the dignitarian approach can work towards showing a common ground between moderate top-down statism and radical bottom-up anti-capitalist solidarity. This required focusing on compatible goals between social justice frameworks and decolonial ones, calling for the necessity of pluralism in solidaristic action towards empowering people towards overlapping ends. Tensions cannot fully be mitigated: there might still be lingering tensions between anthropocentric and non-anthropocentric perspectives, and the issue of territory rights in Indigenous justice might pose problems for some thinkers. However, these tensions can be approached on a stronger foundation if the work of solidaristic empowerment and articulating the basis of dignity work towards expanding one's imagination towards a fusion of horizons in a temporally protracted process and a pluralism of sources of solidarity.

CONCLUSION

To whom it may concern...

The issues in this thesis concern different people differently. Although the frame of decolonialization requires ideas of social justice to render certain “radical” goals coherent in the minds of the general population, the same can be said of the opposite: for “justice” discourse to be more complete, certain understandings of decolonialization must be given serious consideration. Still, it is unclear whether a pluralistic vision of the sources of solidarity and the struggle to expand the imagination of the general population will yield support from moderate and radical camps. Perhaps pluralism in solidaristic approaches is necessary because not everyone is situated socially, culturally, psychologically, and morally in quite the same way. Convictions lead people to different places.

Reaction can be favourable or unfavourable: praise for insight into unknown social issues or scorn for short-sightedness and naïveté. It can be couched in direct experience or as an object of the imagination. It can be authentic or disingenuous. The concern can be no concern, expressing indifference to the plight of others. Yet the sources of solidarity or lack thereof cannot (or should not) be seen as anything but plural.

The project of compatibility between the Taylor and Turner camp and the Coulthard, Tuck, and Yang camp reflects the various viable sources of solidarity in an irreducibly plural situation in which people will gravitate towards different strategies and ways of supporting others. Ideas become coherent against the background of our historical achievements, and the use of Gilabert’s dignitarian approach is meant to frame an openness and flexibility of people’s understandings and dispositions of what “dignity” entails for all people. I do not think an emphasis on difference is productive in fully capturing the gamut

of ways of expressing the common features we share, but difference can point towards a failure of applying the various articulations of universal justice. These issues concern people differently, yet the normative catch is that we ought to be concerned by these issues, to whatever degree, in whatever way. This animates something beyond us, something we may not first see nor immediately understand. It animates sources we can draw upon, negotiate, enter into dialogue, try to understand. These sources, however, can come with baggage, with heavy assumptions which drag a deep conceptual trench and obfuscate the surroundings of our situation.

To whom it may concern, please watch and listen carefully.

References

- Anderson, E. (1999, January). "What Is the Point of Equality?" *Ethics* 109, pp. 287 – 337.
- Arola, A. (2011, Spring). "Dialogue and Identity: Worries about Word Warriors," in *APA Newsletter*, Vol. 10(2). Pp. 2 – 5.
- Benhabib, S. (2002). *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton, NJ: Princeton University Press.
- Borrows, J. (1999). "Sovereignty's Alchemy: An Analysis of Delgamuukw v. British Columbia." *Osgoode Hall Law Journal*, 37(3), pp. 537 – 96.
- Bresler (2020, Feb 27) "7 countries which have legally recognized the rights of nature." *Matador Network*. Retrieved on 21/04/2020 from <https://matadornetwork.com/read/countries-legally-recognized-rights-nature/>
- Burns, S. (2011, Spring). "On the Sacred Inviolable and the Merely Fundamental: Comments on Dale Turner's This Is Not a Peace Pipe," in *APA Newsletter*, Vol. 10(2). Pp. 5 – 6.
- Cabrera, L. (2020). "Ambedkar on the Haughty Face of Dignity." *Politics and Religion* [published online by Cambridge University Press], pp. 1 – 23. DOI <http://dx.doi.org/10.1017/S1755048319000439>
- Canada, & Chrétien, J. (2006 [1969]). "Statement of the Government of Canada on Indian Policy, 1969," in *This Is Not a Peace Pipe Towards a Critical Indigenous Philosophy*. Toronto, ON: University of Toronto Press. Pp. 123 – 42.
- Charter of the French Language*. (2020). Retrieved from <https://educaloi.qc.ca/en/capsules/charter-of-the-french-language/>
- Coulthard, G. S. (2013, November 5). "For Our Nations to Live, Capitalism Must Die." Retrieved from <https://www.nationsrising.org/for-our-nations-to-live-capitalism-must-die/>
- _____. (2014). *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition*. Minneapolis, MN: University of Minnesota Press.
- _____. (2016). "Response." *Historical Materialism*, 24(3), pp. 92 – 103. DOI: 10.1163/1569206X-12341480
- Fanon, F. (2008). *Black Skin, White Masks*. Trans. R. Philcox. New York, NY: Grove Press.
- Fraser, N. (1997). "From Redistribution to Recognition?" In *Justice Interruptus: Critical Reflections on the "Postsocialist Condition"*. New York, NY: Routledge. Pp. 11 – 40.

- Fraser, N, and Honneth, A. (2003). *Redistribution or Recognition? A Political-Philosophical Exchange*. Trans. J. Golb, J. Ingram, and C. Wilke. New York, NY: Verso.
- Gadamer, H. G. (2006). *Truth and Method*. Trans. J. Weinsheimer and D. G. Marshall. New York, NY: Continuum.
- Garba, T. and Sorentino, S.- M. (2020). "Slavery is a Metaphor: A Critical Commentary on Eve Tuck and K. Wayne Yang's 'Decolonization is Not a Metaphor.'" *Antipode*, 52(3), pp. 764 – 782. DOI: 10.1111/anti.12615
- Gidimt'en Yintah Access (n.d.). Retrieved from <https://www.yintahaccess.com/historyandtimeline>
- Gilabert, P. (2018). *Human Dignity and Human Rights*. New York, NY: Oxford University Press.
- Goeman, M. (2008). "From Place to Territories and Back Again: Centering Storied Land in the discussion of Indigenous Nation Building." *International Journal of Critical Indigenous Studies* 1(1), pp. 23 – 34.
- Gordon, L. R. (2009). *Existentialia Africana: Understanding Africana Existential Thought*. New York, NY: Routledge.
- Hegel, G. W. F. (1977). *Phenomenology of Spirit*. Trans. A. V. Miller. New York, NY : Oxford University Press.
- Hudson, B. K. (2015). *First Beings: Relationships with Nonhuman Animals in Native American Literatures* (Doctoral dissertation, University of Oklahoma, Norman, OK). Retrieved from shareok.org/handle/11244/14564
- Ignatieff, M. (2000). *The Rights Revolution*. Toronto, ON: Anansi.
- la paperson. (2017). *A Third University Is Possible*. Minneapolis, MN: University of Minnesota Press.
- Lawrence, B. and Dua, E. (2005). "Decolonizing Antiracism." *Social Justice*, 32(4), pp. 120 – 43.
- Mann, G (2016). "From Countersovereignty to Counterpossession?" *Historical Materialism*, 24(3), pp. 46 – 61. DOI: 10.1163/1569206X-12341484
- Merleau-Ponty, M. (2012). *Phenomenology of Perception*. Trans. Donald Landes. New York, NY: Routledge.
- Murdoch, I. (1999). ["The Sovereignty of Good."] *Existentialists and Mystics: Writings on Philosophy and Literature*. Ed. Peter Conradi. New York, NY: Penguin Books. Pp. 299 – 385

- Nussbaum, M. (2011). *Creating Capabilities: The Human Development Approach*. Cambridge, MA: The Belknap Press of Harvard University Press.
- Pasternak, S. (2014). "Jurisdiction and Settler Colonialism: Where Do Laws Meet?" *Canadian Journal of Law and Society*, 29(2), pp. 145 – 61.
- Pharo, L. K. (2014). "The concepts of human dignity in moral philosophies of indigenous peoples of the Americas," in *The Cambridge Handbook of Human Dignity*. Eds. M. Düwell, J. Braarvig, R. Brownsword, and D. Mieth. Cambridge: Cambridge University Press, pp. 147 – 54.
- Pinker, S. (2008, May 28). "The Stupidity of Dignity: Conservative bioethics' latest, most dangerous ploy," in *The New Republic*, pp. 28 – 31.
- Rights of the Aboriginal Peoples of Canada*. (1982). Sect. 35(1) of the Constitution Act, 1982. Retrieved from <https://laws-lois.justice.gc.ca/eng/const/page-16.html#h-52>
- Rollo, T. (2014, January). "Mandates of the State: Canadian Sovereignty, Democracy, and Indigenous Claims." *Canadian Journal of Law and Jurisprudence*, Vol. 27(1). Pp. 225 – 38.
- Snelgrove, C., Dhamoon, R. K., and Corntassel, J. (2014). "Unsettling Settler Colonialism: The Discourse and Politics of Settlers, and Solidarity with Indigenous Nations." *Decolonization: Indigeneity, Education & Society*, 3(2), pp. 1 – 32.
- Sypnowich, C. (2018). *Equality Renewed: Justice, Flourishing and the Egalitarian Ideal*. New York, NY: Routledge.
- Taylor, C. (1997). "Comparison, History, Truth." *Philosophical Arguments*. Cambridge, MA: Harvard University Press, pp. 146 – 64.
- _____. "Iris Murdoch and Moral Philosophy." *Dilemmas and Connections: Selected Essays*. Cambridge, MA: Harvard University Press. Pp. 3 – 23.
- _____. (1989). *Sources of the Self: The Making of the Modern Identity*. Cambridge, MA: Harvard University Press.
- _____. (2003). *The Ethics of Authenticity*. Cambridge, MA: Harvard University Press.
- _____. (1992). "The Politics of Recognition." In *Multiculturalism and "The Politics of Recognition"*. Chichester, West Sussex: Princeton University Press, pp. 25 – 73.
- Tuck, E. and Ree C. (2013). "A Glossary of Haunting." In *Handbook of Autoethnography*. Eds. S. H. Jones, T. E. Adams, and C. Ellis. Walnut Creek, CA: Left Coast Press, pp. 639 – 658.

Tuck, E. and Yang, K. W. (2012). "Decolonization Is Not a Metaphor." *Decolonization: Indigeneity, Education & Society*, 1(1), pp. 1 – 40.

_____. (2016). "What Justice Wants." *Critical Ethnic Studies*, 2(2), pp. 1 – 15.

Turner, D. A. (2006). *This Is Not a Peace Pipe: Towards a Critical Indigenous Philosophy*. Toronto, ON: University of Toronto Press.