Recognition, Decolonization, and the Limitations of James Tully's Public Philosophy

Caleb J Basnett
Mount Allison University, Sackville, New Brunswick, Canada

Abstract: This article offers a four-part argument in favor of settlers adopting an ethics of recognition in negotiations with Indigenous peoples to support decolonization in North America. Part 1 examines theories of decolonization offered by Indigenous scholars, who show that ethical practices within Indigenous communities are necessary for decolonization. Part 2 focuses on James Tully's revision of the liberal politics of recognition (LPR), arguing that Tully brings the LPR closer to the aims of decolonization. Part 3 argues that his innovations do not sufficiently acknowledge how inequality undermines the freedom he champions. Part 4 draws on Judith Butler's interpretation of Hegelian recognition and Leanne Betasamosake Simpson's idea of recognition to sketch an ethics that minimizes the inequalities of participants in the political negotiations Tully theorizes. Minimizing inequality will promote the greater freedom needed for the legitimacy of negotiations, making them a possible vehicle for decolonization.

> Recognition itself [is] a technique of colonial rule, but also of historical consciousness and of citizenship. —Audra Simpson[1]

Caleb J Basnett teaches in the Department of Politics and International Relations at Mount Allison University, Sackville, New Brunswick, Canada (cbasnett@mta.ca).

[1]Audra Simpson, *Mohawk Interruptus: Political Life across the Borders of Settler States* (Durham, NC, and London: Duke University Press 2014), 186.

In its attempt to provide a response to identity politics and social justice movements, the liberal politics of recognition (LPR) has shaped debates on multiculturalism and Indigenous–settler relations since the 1990s. The divisions and entanglements that have characterized the LPR are incisively and influentially articulated in Charles Taylor's "The Politics of Recognition." On one hand, Taylor advocates for a "hospitable variant" of liberalism; yet on the other, he insists this liberalism must remain a "fighting creed" capable of resisting illiberal forces.[2] This hospitality includes acknowledging liberalism's cultural specificity, and through dialogue and recognition, seeks to integrate diverse cultures in a fused horizon of meaning. Such a fusion can produce changed standards of judgment, opening the door for liberalism to change along with the diversity of its adherents.[3] Yet liberalism as a "fighting creed" that must "draw the line"[4] serves at once to limit its hospitality.

Many have preferred to affirm liberalism's "fighting creed" side against liberal hospitality, focusing instead on where to draw the line.[5] Yet even at its most hospitable, the goal of integration and the authority ceded to liberalism in the LPR has been met by criticism from Indigenous scholars. I write "authority" rather than "sovereignty," for I am principally concerned with how Indigenous scholars have opposed the normative seat of liberalism that commands deference, rather than how they have addressed the political-legal architecture of sovereignty. For Taiaiake Alfred,[6] Glen Coulthard,[7] Audra Simpson,[8] and Dale Turner,[9] liberalism's authority derives from colonial domination; most Indigenous peoples have not consented to live under liberal political organization or adopt liberal cultural goods. Liberalism's authority within dialogical processes of recognition (negotiations) makes its terms and assumptions the political *lingua franca* into which claims

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[2]Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994), 62.

[3]Taylor, "Politics of Recognition," 59, 61, 67, 70, 73.

[4]Taylor, "Politics of Recognition," 62.

[5]Maeve Cooke, "Beyond Dignity and Difference: Revisiting the Politics of Recognition," *European Journal of Political Theory* 8, no. 1 (2009): 76–95; Brenda Lyshaug, "Authenticity and the Politics of Identity: A Critique of Charles Taylor's Politics of Recognition," *Contemporary Political Theory* 3 (2004): 300–20; Cillian McBride, "Demanding Recognition: Equality, Respect, and Esteem," *European Journal of Political Theory* 8, no. 1 (2009): 96–108; Alan Patten, *Equal Recognition: The Moral Foundation of Minority Rights* (Princeton: Princeton University Press, 2014).

[6]Taiaiake Alfred, *Wasáse: Indigenous Pathways of Action and Freedom* (Toronto: Broadview, 2005), 109, 127–28, 154–56.

[7]Glen Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: University of Minnesota Press, 2014), 3; Coulthard, "Subjects of Empire: Indigenous Peoples and the 'Politics of Recognition' in Canada," *Contemporary Political Theory* 6 (2007): 437–60.

[8]Simpson, *Mohawk*, 14.

[9]Dale Turner, *This is Not a Peace Pipe: Towards a Critical Indigenous Philosophy* (Toronto: University of Toronto Press, 2012), chaps 1, 3.

must be translated, and this authority empowers liberals to determine how hospitable or not they wish to be. If Indigenous peoples are to be recognized as culturally and politically equal to settlers, then the authority of liberalism as the framework for recognizing self-constituting Indigenous cultural goods and political organizations cannot be assumed, nor can liberalism necessarily determine the legitimacy of negotiations between Indigenous peoples and settlers. Consequently, Indigenous scholars such as Alfred,[10] Coulthard,[11] Simpson,[12] Leanne Betasamosake Simpson,[13] and Jeff Corntassel[14] have instead favored a politics of decolonization, and the colonial dimension of the LPR and integration is increasingly being acknowledged, as illustrated in the work of Sarah Maddison,[15] David Myer Temin,[16] and Eve Tuck and K. Wayne Yang.[17]

Though this critique puts the LPR and decolonization at odds, it does not follow that all forms of recognition similarly facilitate colonial domination, as noted by Alfred,[18] Betasamosake Simpson, Coulthard,[19] and Simpson.[20] I outline an ethics of recognition that aligns with the Indigenous critique of the LPR, and which focuses instead on how settlers might support the aims of decolonization in negotiations. Part 1 follows a thread of Indigenous scholarship which theorizes decolonization in settler-colonial societies, arguing that this theory expresses a relation between means and ends that has been overlooked. Put simply, decolonization requires the means of political freedom to collectively realize cultural ends, but securing the means of this freedom is also an end to be brought about by the means of ethical practice. This relation between means/ends and ethics/politics for decolonization helps to shed light on how the shortcomings of the LPR for decolonization might be overcome.

To illustrate this point, part 2 considers James Tully's "public philosophy" as an innovative, agonistic reconceptualizing of the LPR which avoids much of what Indigenous critics have found unacceptable, bringing this politics closer to the aims of decolonization. However, Tully's approach does not go far enough, for he makes the political freedom necessary for legitimate

[10]Taiaiake Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (Oxford: OUP, 1999), 58.

[11]Coulthard, *Red Skin*, 179.

[12]Simpson, *Mohawk*, 23, 178.

[13]Leanne Betasamosake Simpson, *As We Have Always Done: Indigenous Freedom through Radical Resistance* (Minneapolis: Minnesota, 2017), 9, 178–85, 237.

[14]Jeff Corntassel, "Re-envisioning Resurgence," *Decolonization* 1, no. 1 (2012): 89, 92.

[15]Sarah Maddison, "Agonistic Reconciliation: Inclusion, Decolonisation and the Need for Radical Innovation," *Third World Quarterly* 43, no. 6 (2022): 1311.

[16]David Myer Temin, "Custer's Sins: Vine Deloria Jr. and the Settler-Colonial Politics of Civic Inclusion," *Political Theory* 46, no. 3 (2018): 362.

[17]Eve Tuck and K. Wayne Yang, "Decolonization is Not a Metaphor," *Decolonization* 1, no. 1 (2012): 3.

[18]Alfred, *Peace*, 63.

[19]Coulthard, "Subjects", 453ff.

[20]Simpson, *Mohawk*, 159, 174, 186–89.

negotiations the freedom to participate, not the freedom to realize ends. Freedom as participation insufficiently addresses inequality in negotiations, and allows for these inequalities to be reproduced. In part 3, I argue that if negotiations are to be both legitimate in Tully's terms and adequate to the aims of decolonization outlined in part 1, they must include the freedom to acceptably realize ends. Acceptability guides expectations for negotiations; it acknowledges that legitimacy does not require that a given participant realize their ends completely, but that it does require these ends to be realized in some acceptable form, ultimately determined by the participants. Importantly, the acceptable realization of ends requires a greater degree of equality than Tully's public philosophy appreciates.

Capitalism, international law, liberal governance, and the unequal authority of cultural traditions have all served as obstacles to the acceptable realization of Indigenous ends in negotiations with settlers. Part 4 focuses on this unequal authority, arguing that Judith Butler's reading of Hegel illustrates how an ethics of recognition can address this obstacle without the demand for integration that troubles the LPR. I further motivate this point by relating it to an Indigenous idea of recognition described by Michi Saagiig Nishnaabeg scholar Leanne Betasamosake Simpson. By chipping away at this unequal authority, I argue that an ethics of recognition supports the greater freedom needed to meet the aims of decolonization, as part of a constellation of tactics addressing inequality.

1. Theorizing Decolonization

Decolonization is understood to be at odds with the LPR. Though advocates of the LPR such as Taylor acknowledge that liberalism owes its place in settler-colonial societies to European conquest,[21] the significance of what Yves Winter calls the "political rupture" introduced by the "foundational violence"[22] of conquest upon which liberalism sits cannot be sufficiently addressed if it retains a place of authority in the negotiations through which cultural goods are expressed and recognized. By "authority" I mean what empowers something to serve as a normative measure of ideas and practices without necessarily resorting to violent coercion or negotiation. As Raymond Geuss notes, appealing to authority is a "third way" of supporting, confirming, or enhancing ideas and practices by making a claim concerning how they ought to be.[23] By liberalism I mean both an order of governance comprised of specific institutions, laws, policies, procedures, and their modes of relation, and the cultural goods

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[21]Taylor, "Explanation and Practical Reason," in *Philosophical Arguments* (Cambridge, MA: Harvard University Press, 1995), 57.

[22]Yves Winter, "Conquest," *Political Concepts: A Critical Lexicon* 1 (2011). http://www.politicalconcepts.org/conquest-winter/

[23]Raymond Geuss, *Not Thinking like a Liberal* (Cambridge, MA: Belknap, 2022), chap. 3, pp. 67–68.

that inform such governance, including interpretations of freedom, equality, individuality, property, conscience, harm, and human potential. Liberalism enjoys an authority in settler-colonial societies that Indigenous political entities or cultural goods do not. Indigenous peoples have been compelled to translate their politics and cultural goods into liberal terms to receive recognition, while Indigenous recognition has not similarly been needed for liberal goods to be used to evaluate the ideas and practices of Indigenous peoples and for liberal forms of governance to rule over Indigenous lives.[24] While liberalism provides a framework for identifying and condemning certain forms of violent coercion, without addressing the unequal authority it continues to command, negotiations over the possible forms Indigenous self-governance might take continue to reflect the inequality of cultural traditions introduced by conquest and perpetuated by colonial domination, and so the necessity for decolonization.

While uses of the term "decolonization" proliferate,[25] I derive my understanding from a number of Indigenous theorists grappling with how to understand decolonization in settler-colonial societies, where Indigenous self-determination and governance are not necessarily directed toward establishing independent nation-states. Maori scholar Linda Tuhiwai Smith writes that decolonization is a long-term process involving both the Indigenous recovery of "the instruments of government," and a process concerning "the bureaucratic, cultural, linguistic and psychological divesting of colonial power"[26] such as to "decolonize our minds."[27]

Although these two collections of goals are tightly entwined, such that decolonization cannot be realized without either of them, they remain distinct, and cannot be reduced to each other without misconstruing the dynamics of decolonization. Decolonization as the Indigenous recovery of the

[24]On the legal problems resulting from this asymmetry, see John Borrows, *Canada's Indigenous Constitution* (Toronto: University of Toronto Press, 2012); Turner, *Not a Peace Pipe*, chap. 3.

[25]E.g. Amy Allen, *The End of Progress: Decolonizing the Normative Foundations of Critical Theory* (New York: Columbia University Press, 2016); Bruce Baum, "Decolonizing Critical Theory," *Constellations* 22, no. 3 (2015): 420–34; Avigail Eisenberg, "Decolonizing Authority: The Conflict on Wet'suwet'en Territory," *Canadian Journal of Political Science* 55, no. 1 (2022): 40–58; Deane Aline Marie Leblanc, "The Roles of Settler Canadians within Decolonization: Re-evaluating Invitation, Belonging and Rights," *Canadian Journal of Political Science* 54 (2021): 356–73; Charles W. Mills, "Decolonizing Western Political Philosophy." *New Political Science* 37, no. 1 (2015): 1–24; Jakeet Singh, "Decolonizing Radical Democracy," *Contemporary Political Theory* 18, no. 3 (2019): 331–56.

[26]Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (London: Zed, 2008), 98.

[27]Smith, *Decolonizing Methodologies*, 23. These two broad collections of goals have also characterized how Indigenous theorists of resurgence (ITR) on Turtle Island (North America) have theorized decolonization.

instruments of government requires political agency; however, this political agency must be capable of expressing Indigenous ethical goods and realizing ends grounded in these goods for it to meet the aims of decolonization. In this way, Indigenous theorists of resurgence (ITR) have understood recovering the instruments of government to depend upon the decolonization of minds in a complex means–ends relationship, similar to what Yann Allard-Tremblay calls "braiding."[28] In order to better understand this relation, I refer to decolonization that seeks power through the "instruments of government" as decolonization (i), and the process of decolonizing minds as decolonization (ii).

Taiaiake Alfred has advanced a view of decolonization primarily focused on (i), describing the process as "the mechanics of removing ourselves from direct state control and the legal and political struggle to gain recognition of an Indigenous governing authority."[29] Decolonization's "end goals"[30] revolve around securing the means for Indigenous nations to govern themselves more substantially than has been possible in communities subject to the settler state. Yet (ii) remains integral to Alfred's understanding of (i). He insists that "the founding premise" of decolonized Indigenous politics and governance must be "a traditional value system," such that self-governance for Indigenous people without this Indigenous character would be meaningless.[31] Decolonization (i) is thus a process in which the political power of Indigenous nations is dynamically related to the vitality of the cultures of these nations, or decolonization (ii). Though Alfred does not ignore the importance of settlers for decolonization (i),[32] he theorizes the process of decolonization (ii) as a turning away from settler social and political institutions. This turning away is in Alfred's theory a kind of prerequisite for decolonization (i).

Dale Turner has expressed skepticism about how decolonization (ii) as a turning away can grow into a decolonization (i) capable of affecting the change it needs in settler society,[33] and Alfred acknowledges that his views do not univocally represent the plurality of political goals held by every Indigenous community.[34] Yet other Indigenous scholars have taken up Alfred's turning away from settler institutions by elaborating on a theory

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[28]Yann Allard-Tremblay, "Braiding Liberation Discourses: Dialectical, Civic and Disjunctive Views about Resistance and Violence," *Canadian Journal of Political Science* 55 (2022): 262.

[29]Alfred, *Peace*, 2–3.

[30]Alfred, *Peace*, xiii, 3.

[31]Alfred, *Peace*, 24, 27.

[32]Alfred, *Peace*, 38; Alfred, *Wasáse*, 29–30, 156.

[33]Turner, *Not a Peace Pipe*, 108.

[34]Alfred, *Peace*, 113. For an account of Alfred's political thought in relation to its roots in Rotinohshonni political traditions, see Kristina Fagan, "Tewatatha:wi: Aboriginal Nationalism in Taiaiake Alfred's 'Peace, Power, Righteousness: An Indigenous Manifesto,'" *American Indian Quarterly* 28, no. 1/2 (2004): 12–29.

of Indigenous traditions as cultural goods composed of ethical practices rooted in specific places. For Glen Coulthard, decolonization requires turning away from conciliatory politics with the settler state and instead looking to traditional practices and knowledges within Indigenous communities, which he calls "grounded normativity."[35] This brings the territory needed for ethical practices into focus. The practices of individuals and communities are always "grounded" in particular places which can both support and obstruct these practices, and therefore the colonial structuring of particular places must be taken into account to understand the possibilities available for decolonial practice in a given context.

Here decolonization (ii) takes settler-colonial domination as a starting point and uses what is available to Indigenous people to develop ethical practices that seek to transform the relation of Indigenous nations to the settler-colonial state (decolonization (i)). Decolonization (i) becomes the end realized by decolonization (ii), in which the turning away involved in decolonization (ii) is the means to fundamentally change the possibilities for decolonization (i). In this way, Coulthard clarifies both the political and the normative importance of decolonization (ii) for (i). Politically, decolonization (ii) is the means of changing the place of Indigenous peoples in recognition games, introducing new possibilities to be actualized as decolonization (i). Normatively, the ethical project of resurgence becomes a measure for evaluating "deals" (or possible ends) that might be offered by the settler-colonial state to Indigenous communities. Coulthard shows that decolonization (i) cannot be the outcome of simply choosing from among the instruments of government presented by the settler state, for such a choice will affirm the priorities of the settler state first, and Indigenous peoples second, if at all. Or as Audra Simpson writes "Choices are not choices if they are bestowed rather than self-generated."[36] The ends of decolonization (i) must be the result of the means of decolonization (ii)—settler state recognition is only legitimate if it recognizes Indigenous cultural goods that Indigenous people recognize as their own, not legal categories invented by the settler state to further its own aims.

Yet if Coulthard's "grounded normativity" depends upon specific places for its ethical practices, this seems to tie decolonization to the patchwork of territories established by existing treaties between Indigenous groups and the settler state, thus limiting decolonization to an ethics practiced within the boundaries enforced by the state. Moreover, it becomes difficult to envision how such decolonization will affect Indigenous peoples without treaties or territories recognized by the state. While Coulthard has clearly theorized the importance of decolonization (ii) as the means for (i), there is a danger of making the existing patchwork of unequal relations an integral feature of the ethical practices of decolonization, potentially making these relations a limit on the possibilities for decolonization.

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[35]Coulthard, *Red Skin*, 13.
[36]Simpson, *Mohawk*, 193.

Leanne Betasamosake Simpson's treatment of "grounded normativity" opens a theoretical path to avoid this danger. Like Alfred and Coulthard, Betasamosake Simpson sees land-based nation-building as the means of decolonization. However, she links this to the Nishnnaabeg word "Biiskabiyang," which she describes as "the process of returning to ourselves, a reengagement with the things we have left behind, a reemergence, an unfolding from the inside out," which is at once a process of "embodied" freedom and self-determination.[37] The word "embodied" is fundamental for how she develops "grounded normativity," which reworks the concepts of place, practice, and their connection in a way that disrupts the established territorial boundaries of the settler state. While Simpson notes various obstacles to living one's Indigenous nationhood, including the colonial dimensions of urbanization and industrialization, these obstacles are not determinative. Indigenous bodies exist as Indigenous, Simpson writes, through "complex, nonlinear constructions of time, space, and place that are continually rebirthed through the practice and often coded recognition of obligations and responsibilities within a nest of diversity, freedom, consent, noninterference, and a generated, proportional, emergent reciprocity."[38]

On Simpson's view, the way Indigenous people relate to themselves and others is defined through ideas and practices informed by traditions which serve to bind the site of their embodiment to that embodiment and how it is lived. For this reason, so long as Indigenous people recognize themselves as Indigenous,[39] the places they live can never be irrevocably colonized. In relation to Indigenous bodies, places remain irreducible to colonial use; the ethical practices through which Indigenous people recognize themselves as Indigenous reclaim and interweave these places as sites of resurgence. Although these practices of embodiment remain tied to Indigenous traditions, they allow for a wide range of interpretation specific to context. The emphasis on embodiment makes possible the inclusion of a variety of academic and artistic practices within the "grounded normativity" of decolonization through which Indigenous peoples recognize themselves as Indigenous. These practices disrupt the territorial limitations imposed by the settler state, while remaining "grounded" in the cultural meaning of specific places, which is dynamically refashioned by these practices.

This emphasis on everyday practices and their sites has led to the claim that for this kind of ethico-politics, "the means are the end"[40]—that decolonization (ii) is decolonization (i). This claim is overstated, however. ITR link

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[37]Betasamosake Simpson, *As We Have Always Done*, 17.

[38]Betasamosake Simpson, *As We Have Always Done*, 182.

[39]See also Coulthard, "Subjects," 453ff.

[40]Singh, "Decolonizing Radical Democracy," 347. See also James Tully, "On Global Citizenship," in *On Global Citizenship: James Tully in Dialogue*, ed. James Tully (London: Bloomsbury, 2014), 290–91.

ethics and politics, making ethical practice the starting point for generating a political agency capable of affecting desired ends, including self-determination aligned with Indigenous cultural goods. This means–end relation is not "instrumental" in the sense that ends would justify any means, or that ethical means are only valuable to the extent that they foster political ends.[41] Importantly for ITR, ethical means and decolonization (ii) are good in their own right. However, this does not mean that ethical practice is sufficient without ever reaching the desired political ends, or that all desired political ends can be realized by ethical practice alone. Though entwined with ethical means, political ends remain distinct. We can understand the decolonization advanced by ITR as making ethics a necessary condition for realizing the political ends of decolonization, but politics concerning the settler state and its laws and policies is still required for the aims of decolonization to be sufficiently realized. Decolonization (ii) is necessary for decolonization (i), but decolonization (ii) is insufficient without realizing decolonization (i).

Though Simpson focuses on cultivating practices of decolonization (ii) in the everyday lives of Indigenous people, which includes a diversity of places irreducible to colonial domination, not all places or practices are equally suitable, for such leveling would ignore the political ends of decolonization. Simpson's critique of the use of social media in the Idle No More movement illustrates that her understanding of "embodiment" requires bodies in a conventional sense, connected in face-to-face relationships involving trust won over time, both as ethical practice and as a means to generate political agency.[42] That these ethical practices are not simply complete in their own exercise, but entwined with the end of generating a political agency capable of transforming the legal and political institutions of the settler state is supported by her claims that "Indigenous nationhood is a radical and complete overturning of the nation-state's political formations,"[43] and that "coming to state power with working alternatives in place, with strong nations, is coming to the state with grounded, authentic Indigenous power."[44]

The consolidation of "authentic Indigenous power," the end of a political agency capable of serving as the means to politically realize Indigenous ethical ends, makes certain spaces and practices more suitable than others for "grounded normativity." Decolonization involves ethical practice and political power. "Resurgence" offers a way of interweaving the two, but one cannot be reduced to the other. The freedom as self-determination made possible through decolonization is the power of Indigenous people to live lives they recognize as Indigenous—it is a political agency realized by ethical

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[41]Alfred, *Wasáse*, 28, 83; Allard-Tremblay, "Braiding," 271ff.; Coulthard, *Red Skin*, 23, 48, 159.

[42]Betasamosake Simpson, *As We Have Always Done*, 220–25.

[43]Betasamosake Simpson, *As We Have Always Done*, 10.

[44]Betasamosake Simpson, *As We Have Always Done*, 227, 237; Coulthard, *Red Skin*, 179.

means, which is capable of serving as the means to collectively further ethical ends.

This theorization of decolonization tightly weaves means and ends, ethics and politics, with a view to realizing greater freedom for Indigenous peoples. It illustrates that not all forms of recognition are similarly susceptible to the critique of LPR. Through generating and recognizing self-constitutive cultural goods (decolonization (ii)), we see that recognition among members is important for the self-understanding of communities, and recognition of Indigenous cultural goods by settlers, if done on equal terms, may support the aims of decolonization (i). It does not follow from this theory that all liberal cultural goods are necessarily unacceptable to Indigenous peoples, nor even that Indigenous communities would never freely choose liberal forms of government.[45] The main problem for decolonization is not recognition or liberalism *per se*, but the entanglement of liberal recognition with colonial domination, which invests liberalism with the authority to guide dialogue and determine who is recognized and how without Indigenous recognition of liberalism's legitimacy.

2. Decolonization and the LPR

This raises the question of whether it is possible to disentangle the LPR from colonial domination, such as to produce a liberal form of decolonization. Tully takes significant steps toward such a possibility with his "public philosophy," an innovative reconceptualization of the LPR along the lines of democratic agonism. In seeking to better account for political conflict within their conceptions of reconciliation and decolonization, agonists typically reject the importance of integration, unity, and consensus on thick cultural goods associated with the LPR.[46] Tully's public philosophy accepts the agonist view, but finds Hegel, rather than liberalism, to be the principal philosophical culprit behind the importance of integration and consensus in the LPR. The theorization of the LPR as a struggle between two parties (a majority and a minority), whose identities serve as the stable basis for demanding recognition in an integrated

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[45]Dominic O'Sullivan has argued that "indigeneity" is reconcilable with liberalism and best motivated politically as "differentiated liberal citizenship." See "Recognition and the Politics of Indigenous Citizenship," *Politics, Groups, and Identities* 8, no. 5 (2020): 1074–82.

[46]Maddison, "Agonistic Reconciliation," 1308; Paul Muldoon, "'The Very Basis of Civility': On Agonism, Conquest and Reconciliation," in *The Politics of Reconciliation in Multicultural Societies*, ed. Will Kymlicka and Bashir Bashir (Oxford: OUP, 2008), 114–35; Andrew Schaap, "Agonism in Divided Societies," *Philosophy and Social Criticism* 32, no. 2 (2006): 255–77; Schaap, *Political Reconciliation* (London: Routledge, 2005), 8, 38; Schaap, "Reconciliation as Ideology and Politics," *Constellations* 15, no. 2 (2008): 249–64.

moral framework, and in so doing, agree to self-limitation secured by a system of equal rights which ends the struggle, is a Hegelian, not a liberal story.[47] Drawing on the work of Michel Foucault and Ludwig Wittgenstein, Tully argues that the LPR is better understood as a plurality of individuals and groups seeking to change the rules *over* recognition (a shift from duality to plurality), which in turn will change, in some sense, all of the identities in question (a shift from stability to impermanence), in a process of agonistic contest without end (a shift from finality to perpetuity).[48]

These shifts involve a transformed understanding of liberal governance in relation to its cultural goods. Rather than a just order, liberal governance becomes an order of freedom composed of rules which can be evaluated as more or less legitimate according to how they empower people to play recognition games. Thus, while Tully notes that recognition games are responses to injustice,[49] the possibility of rectifying injustice through these games/negotiations requires that they be conducted freely. In this sense, freedom determines legitimacy, which is a necessary but insufficient condition of justice being realized in negotiations.[50] Legitimacy is conditioned upon: (1) freedom as the capacity of an individual/group to initiate negotiations which contest the rules or "intersubjective norms" guiding who is a recognized player in the game and how it is played; and (2) the freedom of an individual/group to be included in any negotiation which affects them.[51] For negotiations to serve as venues for this freedom and therefore to be legitimate, participants must adopt the principle of "listen to the other side,"[52] for though this principle is an expression of a culturally specific norm, Tully believes it is a shared norm, and that it is a pragmatic, functional requirement for any negotiation that can be differentiated from either violent coercion or simple appeal to authority.[53] These moves alter the balance between liberalism and democratic negotiation, opening liberalism to a much greater degree of (re)negotiation than the LPR has previously been prepared to sanction. In Tully's scheme, cultural goods will be more open-ended and fluid, for public

[47]Tully, *Public Philosophy in a New Key*, vol. 1 (Cambridge: Cambridge University Press, 2008), 152–3, 189, 205, 293, 304. Cited as *PPI* hereafter.

[48]Tully, *PPI*, 18–19, 58, 134, 143; 168–69, 184, 189–90. For more on this point, see David Owen, "Freedom, Equality, and Struggles of Recognition: Tully, Rancière, and the Agonistic Reorientation," in *Recognition and Ambivalence*, ed. Heikki Ikäheimo et al. (New York: Columbia University Press, 2021), 306.

[49]Tully, *Public Philosophy in a New Key*, vol. 2 (Cambridge: CUP, 2008), 3 (*PPII*).

[50]Jean-Phillippe Deranty notes the importance of justice for Tully's political theory, but neglects its relation to legitimacy. "Negativity in Recognition: Post-Freudian Legacies in Contemporary Critical Theory," in *Recognition and Ambivalence*, ed. Ikäheimo et al., 228.

[51]Tully, *PPI*, 210, 292–93, 312, 316.

[52]Tully, *PPI*, 30, 205, 105, 163.

[53]On whether this amounts to a normative foundation, see Rainer Forst, "The Power of Critique," *Political Theory* 39, no. 1 (2011): 118–23.

reasons deployed in negotiations over recognition will be evaluated accord-
ing to how they facilitate the freedom of the players, not their capacity to be
integrated into a shared (liberal) order. On Tully's account, cultural goods
cannot be limited to any particular tradition or logic of expression, but will be
multilogical, involving different kinds of reason-giving and storytelling.[54]

These shifts promote more democracy in the LPR. Tully has dispensed with
the goal of clarifying a set of just principles or their moral foundations external to
negotiations, which can then be used to exclude from negotiations players or
their reasons that do not adhere to them—a procedure which bestows authority
only on those who derive the principles, their modes of reason-giving, and the
particular cultural traditions from which these spring. In liberal societies, this
procedure ensures the dominance of liberalism; in liberal settler-colonial soci-
eties, it ties liberalism to colonial domination. With the guiding principle of
"listen to the other side," Tully assigns an equal responsibility to all to partic-
ipate in negotiations in which identities are disclosed and acknowledged in
terms decided upon within negotiations themselves. By lifting the burden of
consensus on foundational principles in favor of agonistic contest, agreement on
goods is no longer requisite for inclusion. Rather, inclusion is found in the
process of negotiation, which also changes the identities of the participants in
the relations they cultivate through this participation.[55] Such participation, Tully
claims, results in a second-order identity which connects the identities of the
participants to the broader society, whether or not their ends have been
achieved, which he calls "citizenisation."[56]

Tully's democratization of the LPR has brought it much closer to the aims
of decolonization. The principle of "listen to the other side" shifts the burden
from claimants to all equally, making possible the displacement of the
authority of liberal cultural goods in favor of more wide-ranging negotiation.
Governments, political institutions, or citizens cannot fail to enter into rec-
ognition games that have been initiated without undermining the legitimacy
of their status as government, political institution, or citizen. In a sense,
Tully's democratization of the LPR now demands that all members of society
are forced to be free—the demands of democratic society require that its
members listen to each other and respond accordingly. Though justice is a
more distant goal to be realized in the outcomes of negotiations, so long as
people can initiate and be included in negotiations over recognition
(conditions 1 and 2), then a political society is free and therefore legitimate.[57]

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[54]Tully, *PPI*, 205. Cf. Cooke, "Beyond Dignity," 91, insisting on the "subsidiary" role
of "non-argumentative forms of public contestation."

[55]Tully, *PPI*, 164. On the laudability of this point, see Patchen Markell, "The
Recognition of Politics: A Comment on Emcke and Tully," *Constellations* 7, no.
4 (2002): 501.

[56]Tully, *PPI*, 190, 311, 23, 211.

[57]Robin Celikates argues that this distinction implies two kinds of recognition. See
"Beyond Needs: Recognition, Conflict, and the Limits of Institutionalization," in
Recognition and Ambivalence, ed. Ikäheimo et al., 277–79.

Establishing legitimacy aligns with the aims of decolonization, for conditions 1 and 2 have historically not been met with regard to Indigenous peoples in North America. Denying someone's capacity to freely play recognition games is illegitimate, and amounts to evidence of domination which the denied have a right to oppose through protest and civil disobedience.[58] In the case of Indigenous peoples in North America, there is a long and well-documented history of such domination.[59] Two paths for decolonization follow from Tully's democratization of the LPR: Indigenous peoples may (1) initiate processes of constitutional renegotiation to determine places appropriate to their self-understandings as nations within a confederation or federation shared with settlers; or (2) negotiate terms of secession, establishing independent political organizations through which they might self-govern.[60] Both options take as their starting point the freedom of Indigenous peoples to participate in negotiations with settlers that involve the possible transformation of liberal governance, and so both concern decolonization (i). However, the shape decolonization (i) will take depends significantly on how negotiations unfold. How negotiations unfold will in turn depend in part upon how both Indigenous peoples and settlers understand their cultural goods in relation to the past and to how they envision the future, as Kiera Ladner has argued.[61] That is, they depend on decolonization (ii)—how minds are decolonized.

3. The Limitations of Tully's Public Philosophy

Despite these important contributions, David Armitage,[62] Bonnie Honig and Marc Stears,[63] and Antonio Y. Vázquez-Arroyo[64] have expressed skepticism regarding Tully's optimistic theorization of agonistic yet necessarily peaceful

[58]Tully, *PPI*, 178, 235.

[59]E.g. Gina Starblanket, "The Numbered Treaties and the Politics of Incoherency," *Canadian Journal of Political Science* 52, no. 3 (2019): 443–459; Temin, "Custer's Sins," 357–79.

[60]Tully, *PPI*, 173.

[61]Kiera Ladner, "Proceed with Caution: Reflections on Resurgence and Reconciliation," in *Resurgence and Reconciliation*: *Indigenous-Settler Relations and Earth Teachings*, ed. Michael Asch et al. (Toronto: University of Toronto Press, 2018), 248–49.

[62]David Armitage, "Probing the Foundations of Tully's Public Philosophy," *Political Theory* 39, no. 1 (2011): 124–130.

[63]Bonnie Honig and Marc Stears, "The New Realism," in *Political Philosophy versus History?* ed. Jonathan Floyd and Marc Stears (Cambridge: CUP, 2011), 181; Bonnie Honig, "[Un]Dazzled by the Ideal?," *Political Theory* 39, no. 1 (2011): 138–144.

[64]Antonio Vázquez-Arroyo, "At the Edges of Civic Freedom," in *Freedom and Democracy in an Imperial Context*, ed. Robert Nichols and Jakeet Singh (New York: Routledge, 2014), 48–70.

negotiations. I argue that Tully's public philosophy insufficiently accounts for the inequalities between Indigenous peoples and settlers with regards to decolonization. While David Owen has noted the importance of both equality and freedom for Tully, Owen downplays how freedom preponderates in this relation.[65] For Tully, social inequality is a political problem to the extent that it undermines freedom—people must be equal enough for free political participation, which includes the capacity to initiate and be included in negotiations, not to realize one's ends. With respect to decolonization (i), Tully's negotiations over recognition are considered to legitimize the political institutions through which they take place so long as they empower people to freely participate. Yet as we've seen, decolonization necessarily includes the capacity to realize ends, and so negotiations that empower only participation will give legitimacy to the state grounded in a conception of freedom that excludes the ends necessary for decolonization.

The exclusion of ends might be a realist chastening of expectations for negotiations which favors ongoing civic engagement in settler-colonial societies. However, if participating in negotiations can result in effective social or political changes, they will be means to ends—one cannot exclude ends without rendering negotiations socially and politically irrelevant for decolonization. The question thus becomes: whose ends are to be realized in negotiations? If participants are sufficiently equal that there are no significant, systematic obstacles to participation or to the realization of culturally given ends, we might say that legitimate negotiations between Indigenous peoples and settlers will result in outcomes that will not always be ascribable to a single participant/group—they will produce "composite" ends, perhaps also with corresponding "composite" identities. Chastening one's expectations regarding the ends of negotiations would be part of recognizing other participants. Consequently, not realizing one's ends in full or in each negotiation would not necessarily undermine the legitimacy of negotiations. However, one's ends must be realizable in some acceptable form for such negotiations to be legitimate venues for practicing the political freedom that one might recognize as one's own. "Acceptable" realization of ends thus requires only the partial and occasional realization of ends. But if a group's ends cannot be acceptably realized, then the problem is the negotiations themselves: the said group is unfree; negotiations are illegitimate.[66]

To the extent that participation does not result in an acceptable realization of ends, and yet endows participants with a second-order identity (through "citizenisation"), the outcome of negotiations will be the injustice of misrecognition. If freedom consists only in participating, ends need never be realized, and unjust variations on misrecognition remain the perennial

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[65]Owen, "Freedom," 295, 315.

[66]On chastened expectations for recognition, see Patchen Markell, *Bound by Recognition* (Princeton: Princeton University Press, 2003), 4, 15, 38, 59.

outcome. For Indigenous peoples, such negotiations amount to being reconciled to the ends of settler-colonial society and its state, irrespective of their own ends. Indigenous people will be deferring to potentially foreign cultural goods, subject to the settler state—colonial domination will persist. For Tully's negotiations to be legitimate and so contribute to decolonization (i), they must be grounded in an idea of freedom that includes the acceptable realization of ends. Tully's theory thus needs to address inequality more substantively, for players cannot simply be equal enough to participate, but must be equal enough to acceptably realize their ends. Without ends, participation may result in "circumscribed participation," which facilitates domination, as Shai Gortler has observed.[67]

A complete account of this "equal enough" would consider the limitations of liberal governance and international law, and would confront the role capitalism plays in exasperating inequalities, which, as Vázquez-Arroyo notes,[68] is largely overlooked in Tully's public philosophy. Liberal governance, international law, and capitalism concern the possible structures of negotiations and their capacity to affect social and political change, and so clearly concern decolonization (i). Yet how decolonization proceeds also depends on decolonization (ii), which concerns the historical inequality of different cultural traditions, especially the authority that settler cultural goods have commanded. With respect to decolonization (ii), Tully's public philosophy addresses the historical inequalities of Indigenous and settler cultural traditions by affirming positive cultural goods as practical grounds for participation in negotiations over recognition. Tully grounds the principle of "listen to the other side," functionally required for legitimate negotiations, in positively articulated cultural goods of Indigenous peoples and settlers thought to overlap, though these goods remain distinct and revisable. This move, too, is insufficient.

Tully claims that, despite the long history of "force and fraud," misrecognitions, inequalities, and degrading stereotypes, there remains a common "intercultural middle ground," for "dialogue with the aim of uncoerced agreements," which is "the implicit norm of free relationships in both Western and Aboriginal cultures."[69] As David Myer Temin argues, the degree to which this intercultural middle ground is actually shared, in treaty relations, for example, is highly questionable.[70] However, we can see the appeal of Tully's move. By finding reasons in support of participating in the negotiations he has described in both Indigenous and settler cultures, Tully heads off possible charges that the interpretations of freedom and democracy he

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[67]Shai Gortler, "Participatory Panopticon: Thomas Mott Osborne's Prison Democracy," *Constellations* 29 (2022): 344ff.

[68]Vázquez-Arroyo, "At the Edges," 61.

[69]Tully *PPI*, 240–41.

[70]Temin. *Remapping Sovereignty: Decolonization and Self-Determination in North American Indigenous Political Thought* (Chicago: University of Chicago Press, 2023), chap.2.

employs are arbitrary selections from the Western philosophical tradition. This tactic also enables Tully to avoid placing himself above the other players and so misrecognizing his own place in the game.[71] By making different, revisable, positive cultural goods the grounds for participating in negotiations, Tully further distances himself from Hegel's legacy, for he avoids relying on a performative contradiction grounded in terms that are not themselves subject to democratic revision through negotiations.[72] Yet once we understand that players must be equal enough to acceptably realize their ends in negotiations, we see that grounding the capacity to "listen to the other side" in positively articulated cultural goods is inadequate.

I distinguish positively articulated cultural goods from negative ones. Cultural goods are positive when they are authoritative, when their value is thought to need no further support. Cultural goods are negative when their value requires discursive justification. To ground the functional principle of negotiation, "listen to the other side," in positive cultural goods is to give it a normative value independent of negotiations, which transforms negotiations into the functional means of realizing positive cultural goods. In contrast, to ground this functional principle in negative cultural goods is to acknowledge that negotiating partners will begin from value-laden positions, but they will put the functional necessities of the negotiation before cultural goods, allowing the normative value of these goods to be defined within the negotiation itself. Tully needs settlers to adopt this latter position in order for goods to be equally revisable in negotiations, but his grounding of the functional principle of negotiation in positively articulated cultural goods undermines this potential for greater equality.

In more recent work, Tully appears to ground positive cultural goods and ethical practices pursuant to a transformative politics of reconciliation in a naturalistic ontology.[73] This move complicates his pragmatic public philosophy without avoiding the problem identified here, for in so doing, he forfeits the aforementioned strengths without substantively addressing how existing inequalities present obstacles to and asymmetries in negotiations. The problem rests in using positively articulated cultural goods to ground negotiations. Adopting a negative stance relative to one's cultural goods is necessary for their revision, and for settlers this requires an ethics of recognition.

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[71]Tully, *PPII*, 4. This is also part of Tully's critique of Habermas's transcendental approach to dialogue, which Tully identifies with Hegel. See Tully *PPI*, 57–58. Cf. Anthony Simon Laden, "The Key to/of Public Philosophy," *Political Theory* 39, no. 1 (2011): 112–17.

[72]However, Tully retains the use of performative contradiction in that "listen to the other side" is itself a functional requirement for negotiating freely/democratically/legitimately (Tully, *PPI*, 57, 98, 193).

[73]Tully, "Reconciliation Here on Earth," in *Resurgence and Reconciliation*, ed. Asch et al., 90ff.

Without such an ethics, grounding participation in negotiations in positively articulated cultural goods allows participants to rely on the normative authority of these goods, rather than submit these goods to negotiation. Though Tully's public philosophy represents an improvement on the LPR, it is not enough to avoid reproducing existing inequalities in three ways that undermine the capacity to "listen to the other side."

First, if negotiations depend on their grounding in positive cultural goods, there is a risk that such goods will become limits or regulative ideals that get smuggled into negotiations. Even if the good grounding the ideal is in principle revisable, if not clearly acknowledged and contended with, this regulative ideal will shape the expectations of the players, who will expect to see negotiated outcomes reflect themselves as they have been, according to the cultural goods which ground their participation, rather than as they might become through dialogue. In a negotiation involving significant cultural inequalities, this will not empower members of majorities to freely see outside of their own cultural goods or understand their authority.

Secondly, if people enter into negotiations on the assumption that all have their own cultural reasons for doing so, there is a risk that they will identify different cultural goods in the same terms as their own. They will project their own regulative ideals onto other players, failing to understand how different the positions of other players may be. This will discourage settlers from understanding how far they have to move from their own position to meet other players, even "half-way." If settlers cannot grasp how far they must move in order for there to be free negotiation, Indigenous participants will be continually drawn farther away from ends they find acceptable, and are more likely to become disillusioned by or simply reject the process entirely.

Thirdly, if negotiations are understood to be a "middle ground" where mediation based on commonalities can take place, they threaten to transform minorities within negotiating groups into "fringes" perpetually excluded from agreements. Tully's answer to this problem is his shift to plurality, impermanence, and perpetuity. So long as any group is understood to include its own minorities, and that the agreements reached are understood to be impermanent, and that so long as these minorities can renegotiate the terms and work toward better future resolutions, then they are free, and the injustice they experience can be understood as the temporary result of mistakes to be eventually rectified. But this solution doesn't adequately account for how demographic groups come to be political minorities—through inequalities of power. If settlers fail to sufficiently appreciate that their own negotiating positions rest upon the authority of their cultural goods, they will perpetually compel Indigenous players to move toward settler positions. Agreements will be more readily reached with those most similar to settler positions, and dissenters will be consistently excluded, as has often been the case in settler-colonial history. Here the shift to perpetuity seems less like a commitment to ongoing civic engagement than the endless deferral of substantive change. Or as Duncan Ivison has claimed, it seems Tully's

approach theorizes "modification" without "transformation."[74] Choosing "modification" over "transformation" cannot be construed as a practical, patient commitment to reform over revolution, however. Modification can only lead in the direction of justice if what is being modified is already legitimate. Legitimacy requires freedom to acceptably realize ends, not simply to participate, and this greater freedom requires greater equality.

Thus the three "inequality problems" do not simply express skepticism about the adequacy of Tully's negotiations to the aims of decolonization, which would seem to confuse the legitimacy of negotiations with the justness of their outcomes. These problems concern the legitimacy of the negotiations themselves, for they illustrate how historically marginalized groups cannot acceptably realize their ends in negotiations due to the unequal authority of cultural goods—they show that even settlers negotiating in good faith can fail to "listen to the other side." Thus, despite Tully's far-reaching reconceptualization of the LPR as public philosophy, his democratic and agonistic liberalism remains insufficient for realizing the aims of decolonization. Additionally, these problems highlight the degree to which decolonization (ii) as an ethics is necessary for settlers, for without it, settlers cannot "listen to the other side," and hence, legitimate negotiations cannot proceed.

4. Motionless, Waiting: Back to Hegel?

The ethics needed for decolonization (i) and (ii) involves settlers taking a negative stance to their cultural goods, which will put these goods "in question" and change how they relate to otherness. Butler's interpretation of Hegelian recognition is a helpful guide in this endeavor, which can be better understood by examining what the LPR takes from Hegel. Broadly speaking, the LPR appropriates from Hegel the idea that the self needs others in order to flourish as a self. The cultural self, or Self A, "returns to itself" through recognition of the other, thus becoming Self A+: a member of an order in which their constitutive cultural goods are expressed and recognized. This passage depends upon continuity between these two iterations of the self. Self A+ is a "return to itself" because their constitutive goods remain consistent with those of Self A. However, if we consider the three inequality problems that show the ends of minorities cannot be acceptably realized in such negotiations, we find that only members of majorities might reach Self A +. For minorities, such negotiations will produce selves whose constitutive goods are not acceptably expressed or recognized (Self A−).

Tully's reworking of the LPR opens up the possibility of a transition from Self A that is not necessarily limited to Self A+/Self A−. Rather, if negotiations

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[74]Duncan Ivison, "Another World is Actual: Between Imperialism and Freedom," *Political Theory* 39, no. 1 (2011): 136.

involve the revision of the constitutive goods of Self A, they could produce second-order identities limited only by the possibility of how subsequently recognized goods continue to empower selves to freely negotiate (Self B, Self C, etc.). However, the three inequality problems suggest that without displacing the authority of the cultural goods which constitute Self A, negotiations will continue to affirm existing inequalities. Given the historical inequality between the cultural traditions of Indigenous peoples and settlers, negotiations will result in outcomes which produce Self A+ for settlers, and Self A– for Indigenous peoples—the possibility of Self B, Self C, etc. cannot be realized. Where Self A– is an outcome of negotiations, such negotiations cannot be considered legitimate.

To avoid this unequal trajectory which renders negotiations illegitimate and inadequate for decolonization, it is necessary for Self A to take a negative stance to its cultural goods, or to put its cultural goods "in question." This can be done by practicing an ethics focused on freely reconsidering one's discursive constitution as a self, rather than attempting to motivate one's prior cultural goods. This understands the other not as a limit from which the self learns self-limitation, which enforces the continuity between Self A and their future possibilities, but as a condition of possibility for a new trajectory for a self—one "continuously discontinuous" with their previous iterations.[75] By "ethics," I mean ways of understanding and acting that give one a certain character/"ethos" that can support similar actions in the future, rather than a set of principles used to evaluate public reason-giving which exclude questions of character, such as Simone Chambers theorizes.[76] Despite my use of Butler's reading of Hegel, I focus on individual ethical practice, not Hegel's idea of ethical life (*Sittlichkeit*), or Butler's ethical project more broadly.[77]

Ethics in this sense cannot address all the problems related to decolonization, which also include obstacles presented by international law, liberal governance, and capitalism. Indeed, such an ethics aimed at promoting equality could be undermined by the ways in which these other obstacles exasperate inequality. For example, both the reach of this ethics within

[75]This phrase is Rahel Jaeggi's, though used somewhat differently here. See Jaeggi, "Resistance to the Perpetual Danger of Relapse: Moral Progress and Social Change," in *From Alienation to Forms of Life: The Critical Theory of Rahel Jaeggi*, ed. Amy Allen and Eduardo Mendieta (University Park, PA: Pennsylvania State University, 2018), 23; *Critique of Forms of Life*, trans. Ciaran Cronin (Cambridge, MA: Belknap Press, 2018), esp. 227, 273–74.

[76]Chambers, "An Ethics of Public Political Deliberation," in *Transformations of Democracy: Crisis, Protest, and Legitimation*, ed. Robin Celikates et al. (London: Rowman & Littlefield, 2015), 128.

[77]On Butler's ethical project, see Estelle Ferrarese, "Judith Butler's 'Not Particularly Postmodern Insight' of Recognition," *Philosophy and Social Criticism* 37, no. 7 (2011): 759–73; Kristina Lepold, "An Ideology Critique of Recognition," *Constellations* 25 (2018): 474–84.

negotiations and the likelihood of its appeal to settlers could be undermined by how even perceived economic or political precariousness threaten their place in society. However, while this point underscores the importance that this ethics be practiced within a constellation of tactics aimed at all of these obstacles to equality, such an ethics of recognition remains necessary, for the historically entrenched unequal authority of different cultural traditions is not simply the product of capitalism or the state's machinations.

Though much of the literature on Butler's conception of recognition focuses on her debate with Axel Honneth,[78] I focus on Butler's interpretation of Hegelian recognition, which places the self's cultural goods "in question" in a manner conducive to the ethics I sketch. According to Butler, "to be itself, [the self] must pass through self-loss, and when it passes through, it will never be 'returned' to what it was … the self never returns to itself free of the Other … its 'relationality' becomes constitutive of who the self is."[79] On this view, Self A's contact with otherness does not result in self-limitation, for self-limitation requires an idea of self established in the continuity between Self A and Self A+. But if otherness is a condition for the possibility of a new self discontinuous to some degree with Self A (e.g. Self B), then this produces the possibility of new discursive trajectories not shaped in the same way by past goods. The cultural goods constitutive of Self A are no longer constitutive for Self B, for Self B is grounded on its contact with otherness. Self B is discontinuous with Self A, in that its contact with otherness retroactively transforms the goods that constituted Self A. From the perspective of Self B, Self A becomes Self A*, for the perspective that informed Self A as constituted through certain cultural goods has changed—these formerly constitutive cultural goods now only have meaning (and hence, constitutive power) from the position of Self B, which is mediated by otherness. Self B's history as Self A is not erased, but as Self A* it is without the same constitutive power, for it is understood that there is no simple continuity between Self A and Self B. Self B is the product of contact with otherness, not an entity derived simply from Self A. The contact with otherness introduces a degree of discontinuity into

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[78]See the collected essays in *Recognition and Ambivalence*, ed. Ikäheimo et al.; Georg Bertram and Robin Celikates, "Towards a Conflict Theory of Recognition: On the Constitution of Relations of Recognition in Conflict," trans. Jo-Jo Koo, *European Journal of Philosophy* 23, no. 4 (2013): 838–61; Rahel Jaeggi, "Anerkennung und Unterwerfung: Zum Verhältnis von negativen und positiven Theorien der Intersubjektivität," unpublished manuscript (2009), https://www.philosophie.hu/berlin.de/de/lehrbereiche/jaeggi/mitarbeiter/jaeggi_rahel/anerkennungunterwerfung

[79]Butler, "Longing for Recognition," in *Hegel's Philosophy and Feminist Thought: Beyond Antigone*, ed. Kimberly Hutchings and Tuija Pulkkinen (New York: Palgrave, 2010), 124; See also Butler, *Giving an Account of Oneself* (New York: Fordham University Press, 2005), 28; Butler, "Recognition and the Social Bond," in *Recognition and Ambivalence*, ed. Ikäheimo et al., 36.

the collection of cultural goods which ground participation in negotiations, producing a new self, Self B.

For Butler, this relation between self and other shows that "the very process of recognition reveals that the self is always already positioned outside itself."[80] While Butler understands the ethical dimension of this outside oneself as a "reciprocal" giving over to the other, "reciprocal" can mean only mutually implicated or entangled rather than self-limiting, for what makes a self open to others is the cultivation of an ethical disposition to treat others as conditions of one's freedom, not limitations. In the context of decolonization, such an ethics is needed to address the authority enjoyed by settlers, whose self-constituting goods tend to be entrenched in settler-colonial society and its state. Practicing this ethics of recognition, in which one recognizes that others are conditions of oneself, not limitations of oneself, is to introduce a discontinuity that chips away at the authority which shapes the unequal social and political terrain on which recognition games are played so that they might be played more freely. This ethics is necessary for negotiations between Indigenous peoples and settlers to be legitimate, for participants must be equal enough to acceptably realize their ends; acceptably realizing ends is the measure of the freedom sufficient to determine legitimacy.

However, such "ethical play" is only one dimension of negotiations. Other forces which also shape the structure of negotiations, such as liberal governance, international law, and capitalism, must also be addressed for participants to be "equal enough" to practice this freedom. Nevertheless, if others are conditions of one's freedom and not limitations on it, contact with others in negotiations involves continuous displacements of the self and its constitutive goods. In this way, the recognition of others does not involve an accumulation of diverse goods within a museum of the self. Instead, recognition involves contact with others such as to provoke the divestment of goods whose authority makes diverse selves unequal in possible recognition games. By putting their own cultural goods "in question" in this way, settlers are better positioned to freely play recognition games, hence contributing to legitimacy and the possibility of reaching just outcomes together with Indigenous participants. However, such negotiations may involve the revision or rejection of previously authoritative cultural goods, potentially providing the impetus to transform goods and governing norms beyond liberalism.

To illustrate how Butler's idea of recognition facilitates this ongoing transformation, this continuous introduction of discontinuity, I bring this idea into contact with the "otherness" of an idea of recognition entwined with different cultural goods. Contact with another idea of recognition, in this case, Betasamosake Simpson's description of recognition, should serve to transform how Butler's idea of recognition is understood, and how it conceptualizes the future possibilities for a self. Betasamosake Simpson writes that Nishnaabeg

[80]Butler, "Longing," 126–27.

conceptualizations of recognition can be related to the greeting, "Aanin," which is a way of saying "hello," but at the same time expresses important aspects of cultural goods specific to the Nishinaabeg people.

> Aaniin then can also mean "I see your light," or "I see your essence," or "I see who you are." To me, seeing someone else's light is akin to working to see the energy they put into the universe through their interactions with the land, themselves, their family, and their community. Aaniin isn't an observation but a continual process of unfolding; it is a commitment to the kind of relationship where I have dedicated myself to seeing the unique value in the other life as a *practice*.[81]

Simpson adds:

> Reciprocal recognition is a core Nishnaabeg practice. We greet and speak to medicinal plants before we pick medicines. We recognize animals' spirits before we engage in hunting them. Reciprocal recognition within our lives as Nishnaabeg people is ubiquitous, embedded, and inherent. Consent is also embedded into this recognition. When I make an offering and reach out to the spirit of Waawaashkesh before I begin hunting, I am asking for that being's consent or permission to harvest it. If a physical deer appears, I have their consent. If no animal presents itself to me, I do not. This kind of Indigenous collective self recognition is a core, place-based practice.[82]

While there is much more to the Nishnaabeg idea of recognition, these quotations illustrate how this idea of recognition is tied to both knowledge and practices that bring the knower into ethical relationships with others. This knowledge and the practices with which they are entwined are "reciprocal" in the sense that the knowing Nishnaabeg self only is who they are through relationships of which they are made aware through others, yet at the same time, this knowledge does not situate the knower at the center of this universe or in a place of authority over others, but rather situates the knower in a changing array of relationships they must cultivate ethically.

While there appear to be similarities in this idea of recognition and Butler's interpretation of Hegelian recognition, my goal is not to draw out similarities that might place these views in an illusory "middle ground" in which one might be assimilated to the other. Instead, I focus on differences. Though Butler's interpretation of Hegelian recognition remains bound to living human beings, Betasamosake Simpson's does not.[83] Betasamosake Simpson's recognition fundamentally includes a variety of entities: plants, other animals, and "spirits,"

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[81]Betasamosake Simpson, *As We Have Always Done*, 181. Emphasis original.

[82]Betasamosake Simpson, *As We Have Always Done*, 182.

[83]Although Butler seems to be revising this view. See Butler, "Recognition and the Social Bond," 45; Butler, *The Force of Non-Violence* (London: Verso, 2021), 76, 141, 199.

including deceased ancestors,[84] recognition of whom from most perspectives forged in the tradition of Western philosophy is impossible. However, Butler's idea of recognition as a divestment of goods that continually displaces the recognizing self through contact with otherness makes possible its own self-transformation. In short, this ethics of recognition displaces authority and facilitates negotiation such as to achieve "second-order" identities which are not the reproduction of old inequalities by new means.

If we begin with Self A constituted through Butler's interpretation of Hegelian recognition, and Self A treats Betasamosake Simpson's idea of recognition as a condition of its ethical freedom, rather than a limit—a condition of Self A's capacity to freely rethink its own constitution—then the result will be Self B. Self B will not necessarily identify with Betasamosake Simpson's cultural goods and their idea of recognition. Rather, Self B will be made aware of the specificity and transience of the cultural goods to which they are attached through contact with "otherness"—through contact with that which cannot be reduced to their own terms. Through contact with otherness, Self A is transformed into Self B. From the perspective of Self B, Self A retroactively becomes Self A*. The cultural good that constituted Self A, an idea of recognition necessarily limited to living human beings, has been put "in question" and can no longer be simply assumed. That is, the authority of the cultural good that constituted Self A has been displaced, such that it now appears as constitutive of a past self, Self A*. The constitutive power this good might have cannot rely on its past authority, but now depends on its recognition by others through negotiation. Though Self B may decide that recognition should be between living human beings, rather than between humans and other kinds of beings, defending the good which constituted Self A cannot rely on the historically entrenched authority of this good, but must now include an ethical engagement with this different cultural good in the process of negotiation. Contact with otherness has released Self A from the epistemic limitations that made them Self A, and through negotiation Self A has become Self B. However, Self A's release and transformation to Self B were conditioned on this ethical openness to engagement with otherness—hence the importance of an ethics of recognition for negotiations to promote equality and freedom.

5. Conclusion

I have argued that Tully's public philosophy offers an innovative reconceptualization of the LPR that avoids many of the criticisms made by ITR.

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[84]Betasamosake Simpson, *As We Have Always Done*, 181. For a similar example on the relation of the Lakota/Dakota to the buffalo, see Temin, *Remapping Sovereignty,* 71, 79–85, 95–96.

However, public philosophy cannot meet the aims of decolonization, for it insufficiently appreciates how existing inequalities undermine the possibility of free negotiation; to address the unequal authority of cultural traditions, settlers must adopt an ethics of recognition. By placing their cultural goods in question, and so opening them up to negotiation rather than relying on their authority, the ethics of recognition provides a way for settlers to play recognition games in a manner that minimizes inequality and promotes freedom. Inequality undermines freedom, and negotiations can only be legitimate to the extent that they are venues for freedom as the acceptable realization of ends. This demands more equality than Tully's understanding of freedom as participation does. While a complete account of such equality would involve examining the obstacles presented by liberal governance, international law, and capitalism, I have focused on how an ethics of recognition might support greater freedom in negotiations by addressing the unequal authority of different cultural traditions. An ethics of recognition contributes to a project of decolonization (ii), a necessary but insufficient condition for decolonization (i). Decolonization requires this ethics within a constellation of tactics addressing inequality, even if the possible shapes this constellation may take remain questions for the future.