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Rethinking Recognition: Freedom, Self-Definition,
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By

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Committee in charge:

Professor Sarah Song, Chair
Professor Wendy Brown
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Abstract

Rethinking Recognition: Freedom, Self-Definition, and Principles for Practice

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Caitlin Mun Cheng Tom

Doctor of Philosophy in Political Science

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This dissertation argues that self-definition should be an important guiding value for the politics of recognition and identifies three principles essential to such a politics: *self-definition*, *responsiveness*, and *internal contestation*. Government officials and other authorities who seek to correct social and political inequality with policies of recognition should use the principles I propose to guide their efforts. We should expect injustice to persist even in the face of widespread, honest efforts to practice recognition as justly as possible, but we must still strive for just practices that support the positive potentials of recognition by respecting both equality and freedom. These principles are drawn from a detailed examination of three central examples of recognition in practice. I examine (1) the Canadian government's 1988 apology for internment and dispossession of Japanese Canadians in the 1940s, (2) the development of the Canadian Museum of Civilization's exhibits of Aboriginal history and culture from the 1980s to early 2000s, and (3) the development of the National Museum of the American Indian's inaugural exhibits in the 1990s and 2000s. These practices of recognition illustrate the importance of self-definition and suggest the above principles practice. As a work of contextual political theory, this dissertation develops normative principles by bringing conceptual conversations in the theoretical world together with evocative contemporary political examples.

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Introduction

In the mid 1980s, work on the Canadian Museum of Civilization in Canada's National Capital Region was well underway. The new museum had been approved in 1981, part of a strategy to provide national museums with purpose-built facilities so they could preserve their collections and attract new audiences.[1] The Museum's director, George MacDonald, envisioned the new building as one that would allow the display of "the ingenuity and economy of environmental adaptations of immigrants" and "the enduring fascination of mythologies, religious and cosmological beliefs; the successful transplantation of homeland traditions into a new world"[2] in order to tell a wide-ranging story about what it meant to be Canadian. The Museum's mission was "to contribute to mutual understanding between the various cultures that make up the Canadian mosaic."[3] These goals reflect the era; identity politics, multiculturalism, and recognition had become pressing issues of public policy in the late twentieth century. Exactly how the Museum staff's practices and exhibits would need to be adapted to meet those goals was not clear. What goals could be achieved through the public recognition of Canadian diversity and the experiences of particular minority groups? How could staff develop exhibits that would achieve those goals?

One of the normative issues that underlies these questions is whether, and on what grounds, marginalized groups might be due differentiated treatment. Many liberal democratic theorists support some kind of differentiated treatment on grounds of equality. Group-differentiated rights could be required in order to treat all as morally equal. Political theorists have debated the precise moral justification for recognition. These debates have raised the possibility that focus on recognition might distract from the redistribution that is also necessary for justice, as well as the challenge of essentialism, questions about the role of *national* identity in claims for recognition, and the need to balance recognition with other values.[4] Some critics of these approaches worry that recognition may ossify cultural values or tie individuals or groups to reified cultural meanings that fail to reflect their own values, while others worry that the recognition of difference may undermine or corrupt core liberal democratic values.[5] Within this diversity of approaches, a liberal democratic consensus about the question raised by conditions of diversity has emerged. Liberal democratic approaches to achieving justice, equality, and

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[1] George F. MacDonald and Stephen Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization* (Hull, Québec: Canadian Museum of Civilization, 1989), 8.

[2] Ibid., 72.

[3] Ibid., 67.

[4] Including, for example, Alan Patten, "Rethinking Culture: The Social Lineage Account," *The American Political Science Review* 105, no. 4 (2011); Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press, 1995); Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (New York: Verso, 2003); Kwame Anthony Appiah, *The Ethics of Identity* (Princeton, NJ: Princeton University Press, 2005).

[5] Patchen Markell, *Bound by Recognition* (Princeton, NJ: Princeton University Press, 2003); Wendy Brown, *States of Injury: Power and Freedom in Late Modernity* (Princeton, NJ: Princeton University Press, 1995); Susan Moller Okin, *Is Multiculturalism Bad for Women?* (Princeton, NJ: Princeton University Press, 1999); and Brian M. Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism* (Cambridge, MA: Harvard University Press, 2001).

freedom under conditions of diversity ask on what basis the recognition of cultural and other group-based differences might be required.

Despite careful attention to the normative justifications for policies of recognition in a wide range of careful and persuasive works, existing approaches to the politics of recognition have been limited by an overly narrow focus on equality. As a result of asking how recognition should be used to treat diverse groups and individuals *as equals*, such authors have paid insufficient attention to how recognition advances or obstructs freedom. In addition, the normative principles that should be used to develop and implement specific policies and practices of recognition have been widely overlooked. Contemporary political theory has a bias against conceptualizing intermediate principles; this inattention to non-ideal situations and the demands of policy implementation (as opposed to, or in addition to, the philosophical demands of *a priori* concepts) combined with the liberal tradition's focus on equality has left the conversation on recognition stalled.[6] Few ask: when those with authority seek to recognize cultural and other differences, how should they proceed?

This dissertation addresses these oversights. As I argue in the following chapters, it is not only for reasons of equality but also for reasons of freedom—in particular, what I call self-definition—that we should endorse policies of recognition. Self-definition can characterize both individuals and groups. Individual self-definition requires that individuals be free to determine their own identities without arbitrary interference. Similarly, collective self-definition requires that individuals have the opportunity to participate in the construction and negotiation of the cultural and other values that contribute to their identities without arbitrary interference. These processes should be ones of democratic contestation among members of the groups to which they belong. When group meanings are arrived at through contestatory processes, they can be said to be self-defined. This conception of self-definition provides additional reasons for endorsing policies of recognition. Our understanding of why recognition is required is enhanced by considering reasons of freedom in concert with reasons of equality. The state cannot but recognize some identity-based differences, so it should strive to do so in ways that advance both equality and freedom. Practiced with care, policies of recognition can both treat all as equal and support relations and practices of freedom.

In addition, considering these reasons for recognition together with contemporary examples of recognition in practice reveals important intermediate principles that should guide the practice of recognition. If policies of recognition are to sustain equality and freedom, they must proceed with care, not haphazardly. By examining a range of approaches to recognition and assessing their results, I develop three principles for the practice of recognition: (1) *self-definition,* (2) *responsiveness*, and (3) *internal contestation*. I argue that using these intermediate principles to guide practices of recognition will help those who aim to recognize identity-based differences do so productively.

I take a contextual approach to developing my conception of self-definition and the principles it entails for the practice of recognition. Contextual political theory aims to work out normative principles by considering real cases alongside theoretical ideas. The goal is to test moral intuitions against their real-world implications and to challenge existing practices with normative principles. Working back and forth between the two, through "an ongoing dialectic that involves mutual challenging of theory by practice and of practice by theory," unsettles and

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[6] Thanks to Rosemarie Wagner for helping to articulate this thought.

strengthens our understanding of each.[7] The contextual approach is important because it refuses to divorce the theory of politics from the practice of politics. Studying the two together is crucial for the discovery of political principles that are sensitive to the realities of how politics works. Detailed historical examples can inform the way normative principles are constructed, and normative intuitions can be brought to bear on historical examples. In contrast to approaches to political theory that rely primarily on textual arguments or stylized examples to ground normative arguments, the contextual approach to political theory grounds normative principles in an iterative conversation between normative intuitions and real-world implications.

A contextual approach is particularly appropriate for the politics of recognition for two reasons. First, scholars of the politics of recognition have as of yet paid insufficient attention to recognition as a practice in the real world. Rather than investigating how recognition can address possible harms experienced by minority groups, or how group-differentiated rights have potential unintended consequences, a contextual approach to the politics of recognition explores the implications of specific, detailed examples. Attention to the nuances of these examples helps to finesse normative theories of recognition and ensure they are responsive to the demands of practice. Second, using a contextual approach to the politics of recognition highlights the wide range of sites where delegates of the state practice recognition. This approach pushes us to see that recognition is not only a matter of making formal exceptions to laws of general application (as has been the prototypical case of recognizing cultural difference), but also a matter of how groups are represented in public institutions, who is seen to be worthy of apology, and the what claims are made about what it means to belong. Questions about recognition in liberal democratic states arise in surprising places, and the approach of this project seeks to highlight the diversity of players, problems, and solutions that are involved in questions of both individual and group recognition.

The dissertation examines three examples of recognition in practice. The first example is the Canadian government's official apology for the internment and dispossession of Japanese Canadians during and after the Second World War. This example is valuable because the apology and the process through which it was reached provide a clear example of recognition in practice. The text of the apology and guidelines for who would receive reparations make a clear case for who is owed recognition and repair, and on what grounds. Because this is an easily identifiable case of state recognition of a minority group, it is a good place to begin to consider practice. In addition, this event occurred early in the history of contemporary liberal democratic theories of the politics of recognition and could have formed the standard for many current ideas of recognition.[8]

The second and third examples are drawn from the museum context. Museums of human history are fruitful sites for examination because there has been little attention to how they can serve as platforms for the articulation of national identity. Because museums of human history by their very nature tell stories about identity, they provide a complex and interesting site for thinking through identity from the perspective of political theory. In particular, museums that

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[7] Joseph H. Carens, "A Contextual Approach to Political Theory," *Ethical Theory and Moral Practice* 7, no. 2 (2004): 123.

[8] For example, early entries in the contemporary theory of the politics of recognition, like Will Kymlicka's *Liberalism, Community, and Culture* and Charles Taylor's "The Politics of Recognition," were not published until after the apology to Japanese Canadians. (Will Kymlicka, *Liberalism, Community, and Culture* (Oxford Clarendon Press, 1991[1989]); Charles Taylor, "The Politics of Recognition," in *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton: Princeton University Press, 1994).)

address the relationship of minority groups to national identities are entangled in dynamics that are analogous to those of the politics of recognition. I explore these dynamics in Canada and the United States through the treatment of Indigenous peoples at the Canadian Museum of Civilization and the National Museum of the American Indian. These two museums are interesting to consider together because they showcase some national differences, and also because communication among the staff of the two museums shows considerable cooperation and explicit adaptation of the Canadian Museum of Civilization's processes by the National Museum of the American Indian.

The goal of using the contextual approach to political theory to examine the practice of recognition at these three sites is, first, to develop an account of the reasons for recognition that encompasses both reasons of equality and reasons of freedom. A second, though not subordinate, goal is to develop principles that can guide how officials tasked with the practice of recognition make decisions.

The first part of the dissertation examines the current state of political theory around the politics of recognition. The first chapter traces the influence of the value of equality on liberal thought about the politics of recognition and identifies the promises the politics of recognition makes about correcting social and political equality. It argues that this focus on equality yields theories of recognition with important shortcomings. It explores both liberal and non-liberal critiques of equality-centered theories of recognition to argue that there is a need for a different approach to the politics of recognition. The second chapter then proposes that a genuinely freedom-enhancing politics of recognition would be better supported by incorporating the value of self-definition. It develops a conception of self-definition for the politics of recognition through an exploration of the compatibilities between neo-republican theories of freedom as non-domination and feminist, relational, theories of autonomy. I argue that attending to how practices support or obstruct the ability of individuals and groups to be self-defining and encouraging practices that support self-definition can yield a politics of recognition that is more able to achieve the promise of the politics of recognition while avoiding its perils.

This argument motivates the second part of the dissertation, composed of four chapters. This part of the dissertation looks closely at three concrete examples of recognition in practice to assess their effects and develop principles for practice. The third chapter examines the Canadian government's 1988 apology for the internment and dispossession of Japanese Canadians as an example of recognition in practice that can illuminate dynamics that characterized early practices of recognition. It begins by arguing that we should see apologies for historical injustice as practices of recognition when such apologies have goals that align with the aims of the politics of recognition. It argues that the success of the apology for Japanese Canadian internment as a practice of recognition resulted from the Japanese Canadian community's insistence on negotiation between the community and the government, as well as internal community contestation of the meaning of Japanese Canadian identity.

The fourth chapter examines the history of museology to show why museums of human history involve questions of recognition. It argues that museology's nuanced approaches to questions about representation and recognition of marginalized groups makes the museum context one where we should expect officials to be especially attentive to the way practices of curation and exhibition function as practices of recognition. The fifth and sixth chapters examine specific examples from North American museums of human history. The fifth chapter examines the development of major permanent exhibits on Aboriginal peoples at the Canadian Museum of Civilization from about 1982 to 2003. It argues that differing styles of consultation in the context

of an overarching philosophical commitment to recognition of difference at the Canadian Museum of Civilization demonstrate the potential and risks of a range of approaches to the practice of recognition. It concludes that processes that allowed officials to put together exhibits that represented cultures as their members had self-defined them functioned more effectively as practices of recognition. The sixth chapter discusses exhibit and museum development at the National Museum of the American Indian from about 1988 to 2001. It argues that difficulties faced by staff at the National Museum of the American Indian in planning for the new museum further illustrate the potential and risks of various approaches to the practice of recognition. It concludes that the model of co-curation central to the development of the National Museum of the American Indian's initial exhibits was broadly effective as a practice of recognition that took account of contestation of the meaning of Native American identity within and between Native American groups.

The concluding chapter presents three key principles for the practice of recognition that follow from the value of self-definition, as finessed through the contextual examples in the second part of the dissertation. It defends the principles of *self-definition*, *responsiveness*, and *internal contestation* as important guiding principles. The principle of *self-definition* demands that self-definition be used as a central value for the practice of recognition. Those who aim to practice recognition must strive to support processes that respect individual and collective self-definition. The principle of *responsiveness* requires that successful practices of recognition attend to the demands and values of the community being recognized as that community articulates them. Recognition goes astray when it does not respect these self-defined wishes. Finally, the principle of *internal contestation* calls on those who practice recognition to do so in ways that accept and accommodate the inevitability of contestation of community meanings *over time*. Efforts to recognize cultural and other group-based difference to achieve "certainty" or "finality" in a relationship are misguided; community meanings will change over time, and recognition must allow for that. In sum, the dissertation makes three central arguments. It argues, first, that there are reasons of freedom as well as reasons of equality that require policies of recognition and that theorists of the politics of recognition should turn their attention to questions of practice. Second, it argues that self-definition provides a useful guide for developing intermediate principles to guide the practice of recognition. Third, it argues that the intermediate principles of self-definition, responsiveness, and internal contestation should be adopted by state officials who are asked to engage in practices of recognition.

Ch. 1: Liberal Equality in Theories of Recognition

This chapter lays out current debates in the contemporary theory of the politics of recognition and reveals their limitations. I argue that these limits arise from an over-emphasis on the value of equality. The chapter begins with an overview of approaches to the politics of recognition that can be broadly classified as liberal. Next, it considers an important set of authors who challenge liberal approaches to the politics of recognition. I contend that while existing liberal theories and their critiques offer critical elements for a politics of recognition, they are limited in important respects. In particular, existing liberal approaches give insufficient attention to the value of freedom while existing critiques either advocate a withdrawal from the politics of recognition or stop short of offering ideas for how to do recognition.

Equality and Liberal Theories of Multiculturalism

Liberal democratic thinkers turned their attention to the issue of cultural recognition and group-differentiated rights in the late 1980s. They asked whether liberal principles would allow or even require cultural accommodation or recognition. This question boiled down to an issue of what equality requires. Despite persistent interest in these issues, there is still no consensus about how to resolve the challenges raised by the politics of recognition. The following discussion will demonstrate that a lack of consensus about what constitutes equality is a central driver of the lack of consensus about the politics of recognition. Although the focus on equality fits with the normative commitments of liberal thought, it has nonetheless yielded an impasse in the literature.

On its face, Kymlicka's argument for group-differentiated rights seems to deal directly with the relation between freedom and culture.[9] He argues that "societal cultures are important to people's freedom, and…liberals should therefore take an interest in the viability of societal cultures."[10] Societal cultures provide the inescapable structures within which individuals make the choices that make their lives meaningful. This means that "[c]ultures are valuable, not in and of themselves, but because it is only through having access to a societal culture that people have access to a range of meaningful options."[11] If making choices among various options is how liberals understand freedom, then the societal culture is the foundation for that possibility; "our societal culture not only provides…options, but also makes them meaningful to us."[12] This relationship between access to one's own societal culture and the ability to make meaningful choices makes the question of cultural recognition relevant to liberal values. Societal cultures provide the social and institutional context that makes choice meaningful, and freedom requires the ability to make meaningful choices. Put slightly differently, Kymlicka argues that the liberal tradition is concerned with two "preconditions for leading a good life."[13] First, that "we lead our life from the inside, in accordance with our beliefs about what gives value to life," and second,

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[9] Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights.*

[10] Ibid., 80. Kymlicka's use of "societal cultures" to underpin his justification for why some cultures are more important to their members and thus more entitled to the benefits of recognition is a much-criticized feature of *Multicultural Citizenship.*

[11] Ibid., 83.

[12] Ibid.

[13] Ibid., 81.

that "we be free to question those beliefs, to examine them in light of whatever information, examples, and arguments our culture can provide."[14] In his view, then, access to a societal culture is necessary to being able to fulfill these two preconditions, and thus is fundamental to freedom in the liberal sense. More precisely, it is not access to *any* societal culture that is required, but access to the societal culture into which we have been born, as the costs of changing societal cultures are higher than cosmopolitans acknowledge, and it is unreasonable to demand that most individuals incur these costs. The tight link between access to societal cultures and meaningful choice together with the difficulty of changing cultural affiliation makes recognition of and support for societal cultures an important issue for liberals.

For Kymlicka's purposes, cultures should be valued when supporting them would support the liberal value of freedom. Freedom requires that "people have access to a societal culture which provides them with meaningful options encompassing the range of human activities."[15] Kymlicka's formulation of the "problem of multiculturalism" relies on this particular relationship between culture and freedom. He worries that "[t]hroughout the world, many minority groups are denied…access" to societal cultures and meaningful options; "[t]hey are caught in a contradictory position, unable either to fully participate in the mainstream of society or to sustain their own distinct societal cultures."[16] This deprivation makes individuals unfree. When group-differentiated rights "help secure access to a societal culture…they can contribute to individual freedom. Failure to recognize these rights will create new tragic cases of groups which are denied the sort of cultural context of choice that supports individual autonomy."[17] As liberals, Kymlicka argues, we should understand that some cultures support individual freedom, which means that we should support and recognize those types of cultures.

How can we tell which cultures are required for individual freedom? Kymlicka focuses here on the question of equality.[18] He acknowledges but quickly dismisses the popular argument that any form of group-differentiated rights would necessarily create inequalities.[19] Instead, he argues, we should recognize that "some minority rights eliminate, rather than create, inequalities," by eliminating disadvantages members of minority groups can face as a result of their lack of political recognition and access to the dominant societal culture.[20] Thus whether liberal egalitarians should support group-differentiated rights depends on whether those rights support equality, and whether recognizing a culture would support equality depends on what *type* of culture it is. Societal cultures are those connected to comprehensive "national" minorities (as well as dominant national majorities) that have been incorporated by "conquest, colonization, or federation."[21] In contrast, recent immigrants are understood to have voluntarily left the societal cultures of their countries of origin, so while they may have "ethnic" customs and enclaves, they are mostly obligated to incorporate into the dominant societal culture. Kymlicka concludes that equality requires that "we should aim at ensuring that all national groups have the opportunity to

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[14] Ibid.
[15] Ibid., 101.
[16] Ibid.
[17] Ibid.
[18] He also discusses historical and diversity-based arguments that support group-differentiated rights, but the equality argument is central.
[19] Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights*, 107-8.
[20] Ibid., 109.
[21] Ibid., 79.

maintain themselves as a distinct culture, if they so choose."[22] In contrast, equality of freedom through access to a societal culture for polyethnic groups is in general best supported by "enabling integration, by providing language training and fighting patterns of discrimination and prejudice […] more a matter of rigorously enforcing the common rights of citizenship than providing group-differentiated rights."[23] That is, for ethnic groups, "[i]n so far as common rights of citizenship in fact create equal access to mainstream culture, then equality with respect to cultural membership is achieved."[24] Self-government rights for some and "rigorously enforced" general citizenship rights for others will help to achieve equality of freedom for all. Because these two different types of groups' ties to their cultures are different, the style of potential disadvantage they face is similarly different, and so equality requires differentiated treatment. The conception of societal culture allows Kymlicka to argue that equality requires accommodating some requests but not others, because it differentiates the requests by how the requestors relate to the culture in question.

For Kymlicka, the harm that that can be addressed by group-differentiated rights and the legal recognition of difference is narrow: exclusion from the dominant societal culture that has arisen from unchosen circumstances. The specificity of this account contributes to its appeal, especially among Canadian audiences. However, this approach fails to capture essential components many demands for cultural recognition. Kymlicka's sharp distinction between "societal cultures" and other "cultures" and the need to recognize "national" minorities discounts both the pervasiveness of "ethnic" minorities with significant ties to their cultures and the potential that ties to "ethnic" cultures may be important for freedom. By insisting that *only* societal cultures provide the comprehensive context of choice that is essential to freedom, Kymlicka argues that only comprehensive cultural edifices are due recognition through the establishment of group-differentiated rights. Though he briefly considers the inconveniences of being a member of an ethnic minority group whose cultural practices are not recognized by the government, Kymlicka seems to view these disadvantages as mere inconveniences, rather than vectors of oppression. In so doing, he creates more problems than he solves. In Kymlicka's view, contemporary diversity includes clearly differentiable "societal cultures" and groups of voluntary immigrants who are welcomed by their accepting country and desire to be assimilated. This overlooks how legal and other institutions create and maintain structures of racially and culturally differentiated experience and opportunities, including for many significant populations that cannot easily said to be part of "national" minorities. This approach tends to elide the possibility that groups that do not fit Kymlicka's "national minority" category might nonetheless be due some form of legal recognition, including on liberal grounds.

Kymlicka's approach results in a narrowing of what counts as freedom. For Kymlicka, freedom is narrowed to the ability to evaluate one's life choices in the context of one's societal culture. This approach to defining freedom overlooks the importance of being involved in the direction of one's own life and the various groups of which one is a member. This is the value I call self-definition, and which I discuss in the next chapter. In this formulation, freedom is an individual good, one which requires the background of culture, but which has a very thin relationship to it. As Kymlicka understands it, the demand for recognition of cultural or other group-based difference has little to do with histories of differential treatment or subjugation.

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[22] Ibid., 113, emphasis added.
[23] Ibid., 114.
[24] Ibid.

Recognition is instead about equal access to one's societal culture for the purpose of allowing individuals to pursue individuated goals. Although Kymlicka asserts that the primary liberal value to which he is attuned is freedom, he pays little attention to what constitutes freedom and how culture and cultural values might relate to it. Instead, his argument for group-differentiated rights rests on a picture of the relationship between culture and freedom that ignores the potential complexity of that relationship and exposes him to charges of essentialism. Kymlicka's understanding of the demand for cultural recognition as a question of equality yields a politics of recognition that fails to engage with the range of ways in which recognition might or might not support freedom.

Charles Taylor offers an alternative way to parse the question of recognition through a liberal version of equality. Taylor's essay "The Politics of Recognition," interprets the demand for recognition as a demand that all cultures be evaluated as having equal worth.[25] Taylor is skeptical of this politics of equal recognition. In particular, he challenges what he understands to be a direct move from acknowledging the potential harm associated with misrecognition of personal identities to the demand for equality of recognition through differentiated treatment.

Taylor acknowledges that the question of appropriate recognition has become more fraught in the late twentieth century. The rigid social identities that would previously have made each individual's place in society clear have been replaced with dialogically generated individualized identities. As a result, "[w]hat has come about with the modern age is…the conditions in which the attempt to be recognized can fail."[26] Taylor acknowledges that the failure of the attempt to be recognized can be painful and harmful. Nonetheless, he does not think that the potential for painful misrecognition justifies a robust politics of difference that demands that we "recognize the unique identity of this individual or group, their distinctness from everyone else."[27] In Taylor's view, the politics of difference draws an overly strong and intellectually indefensible link from merely recognizing a universal human potential "for forming and defining one's own identity, as an individual, and also as a culture" to the "stronger demand…that one accord equal respect to actually evolved cultures."[28] This is troubling, for Taylor, because it "extends beyond an acknowledgement of the equal value of all humans potentially, and comes to include the equal value of what they have made of this potential in fact."[29] Demands that we recognize and affirm the *value* of all cultures, particularly those that violate the fundamental values of liberalism are incoherent.[30] According to Taylor, it is reasonable to move from a belief in universal human potential to a *presumption* that "all human cultures that have animated whole societies over some considerable stretch of time have something important to say to all human beings" (though it "involves something like an act of faith").[31] However, no judgment can be made about the actual comparative value of particular cultures or cultural forms (and, therefore, presumably, whether or not they are due recognition) without a Gadamerian fusion of horizons. Because such a fusion of horizons has yet to be achieved, if it even could be, preempting that potential transformation in perspective by declaring all cultures to be of equal worth is nonsensical. Demands for recognition deserve not "peremptory and inauthentic judgments of

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[25] Taylor, "The Politics of Recognition."
[26] Ibid., 35.
[27] Ibid., 38.
[28] Ibid., 42.
[29] Ibid., 42-3.
[30] Ibid., 61-3.
[31] Ibid., 66.

equal value, but a willingness to be open to comparative cultural study that must displace our horizons in the resulting fusions" and "an admission that we are very far away from that ultimate horizon from which the relative worth of different cultures might be evident."[32] The appropriate response to "multiculturalist" demands is not, as Kymlicka argues, a system of group-differentiated rights. In fact, acknowledging the equal human *potential* for elaborating identities and cultures rules out an unthinking judgment that the *results* of that potential are equal.

Differences in how Taylor and Kymlicka interpret demands for recognition drive important differences in their responses. Taylor interprets the demand for recognition as a demand for positive affirmation of the worth of various cultural forms. In contrast, Kymlicka sees it either as a demand by ethnic minorities who wish to maintain relatively thin and innocuous ties to their customs for access to mainstream culture, or as a demand by national minorities for robust self-government. This means that Taylor focuses on assessing the reasonableness of the demand for affirmation, rather than on articulating the nature of the harm that is, or might be, experienced by those demanding recognition of difference. As a result, his essay provides little guidance on what strategies for legal recognition might be acceptable in a liberal context, and on what basis. In addition, because Taylor neglects the types of harms members of non-majority cultures experience as a result of the dominance of cultural forms that are not their own, his recommendation of a "willingness to be open"[33] ignores demands that the politics of recognition be used to address legacies of historical injustice perpetrated or supported by the state.

Despite their differences, both Kymlicka and Taylor approach the question of recognition through the value of equality. Many of the differences in how they think public policy should address cultural accommodation stem from their different conceptions of equality. Their understandings of the relationship between freedom and culture for individuals are relatively compatible; for both thinkers, culture is what gives choices meaning. But different levels of willingness to assume the value of cultural practices, or to demand that cultural practices submit to an evaluation of their "value" (even if through a "fusion of horizons") yield different recommendations for the accommodation of cultural differences in the context of a liberal democratic society.

The question of whether equality permits or demands the recognition of cultural and other group-based differences animates many other contemporary explorations of the politics of recognition. Some of that focus can reasonably be attributed to the need to respond to Kymlicka's influential work. However, that reflex is better understood as a consequence of these theorists' liberal democratic philosophical commitments and the central importance of the value of equality to liberalism. From a liberal point of view, demands for recognition and differential treatment should be approached cautiously because they risk violating commitments to the equal moral worth of individuals. Both Joseph Carens and Sarah Song, for example, develop their assessments of the politics of recognition in this vein.

In *Culture, Citizenship, and Community*, Joseph Carens thinks about what constitutes equality in order to articulate a conception of justice that will allow him to deal appropriately with demands for culturally-based rights.[34] Carens contests the liberal ideal of strict state

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[32] Ibid., 73.

[33] Ibid.

[34] Jospeh H. Carens, *Culture, Citizenship, and Community: Contextual Political Theory and Justice as Evenhandedness* (Oxford: Oxford University Press, 2000).

neutrality, which demands "a hands off approach to culture and identity, out of respect for the equality and freedom of individuals."[35] He observes that "we may sometimes come closer to equality by adopting practices of differentiated citizenship than by insisting on identical formal rights."[36] Carens argues for an approach to differentiation that is guided by an "ideal of evenhandedness." Motivated by a commitment to equal respect for all, this approach requires "a sensitive balancing of competing claims for recognition and support in matters of culture and identity," which nonetheless "does not mean that every cultural claim and identity will be given equal weight but rather that each will be given appropriate weight under the circumstances within the framework of a commitment to equal respect for all."[37] For Carens, although the principle of equal respect is a central value of liberalism, it neither authorizes a strictly neutral approach that would deny the moral purchase of all claims for differential rights or treatment nor requires the accommodation of every minority claim. Treating people with equal respect is not achieved by a straightforward policy of identical treatment. Instead, it requires careful attention to the ways in which neutral or differential treatment support or undermine equal respect. Real equality requires a different approach, a contextual consideration that will likely authorize differential treatment in service of a deeper ideal of equality: equal respect.

In *Justice, Gender, and the Politics of Multiculturalism*, Sarah Song similarly grounds her argument about when claims for differentiated rights are justified in the value of equal respect.[38] She argues that uniform treatment cannot always fully meet the demands of equal respect.[39] That does not mean that all claims to cultural rights should be granted. Instead, claims to differentiated rights for minority groups or their members have moral purchase only when accommodating them is necessary to treating people with equal respect. Like Carens, Song argues that a particular interpretation of the liberal ideal of equality demonstrates that there are circumstances under which differentiated treatment is authorized or required. The requirement of equal respect is a central principle of liberalism, derived from a yet more fundamental presumption that each person has equal moral worth, and not identical with a cruder version that confuses identical treatment with equal treatment.[40] Song, following Dworkin, separates the right to *equal treatment* ("the right to an equal distribution of some opportunity or resource or burden") from the right to *treatment as an equal* ("the right to be treated with the same respect and concern as anyone else"), and concludes that the right to treatment as an equal is fundamental, and the right to equal treatment derivative.[41]

These leading liberal theories of recognition understand the validity of recognition to depend on whether it is required by equality. Though the approaches discussed vary significantly in terms of their understanding of the value of equality and in terms of the responses to cultural (and other) difference they argue are demanded by that value, they all function primarily within an equality-focused frame. Fundamentally, they ask what responses are justified, or required, when the fact of cultural diversity, or the demands of minority cultures, conflict with core liberal

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[35] Ibid., 8.

[36] Ibid.

[37] Ibid., 12.

[38] Sarah Song, *Justice, Gender, and the Politics of Multiculturalism* (Cambridge: Cambridge University Press, 2007).

[39] Ibid., 41.

[40] Ibid., 43.

[41] Ronald Dworkin, *Taking Rights Seriously* (Cambridge, MA: Harvard University Press, 1977)., as cited in Song, *Justice, Gender, and the Politics of Multiculturalism*, 45.

values. Kymlicka argues that recognition is required to ensure equal access to "societal cultures" and their meaning-making functions. Both Carens and Song argue that recognition is required when it is necessary to ensure the state will treat each individual with equal respect. These varied approaches agree that identical treatment alone cannot meet the demands of liberal equality. In order to maintain a commitment to the fundamental moral equality of individuals, the state must allow differentiated treatment. However, relying so heavily on the value of equality has its own limitations and oversights, as the following sections will highlight.

Liberal Critiques of Multiculturalism

Despite the influence of liberal theorists' efforts to reconcile the value of equality with various forms of group-differentiated rights, they are not universally persuasive. One avenue of critique contends that equality can never be used to justify differentiated treatment; equality requires uniform treatment and strict formal equality. This critique shows that disagreement about what equality requires persists. A second avenue of critique points out the risk that differentiated treatment will run afoul of complementary liberal principles, including freedom. The push to consider the effect of the politics of recognition on values other than equality highlights the limitations of a narrow focus on equality.

Perhaps the clearest, if not the most persuasive, liberal challenge to multiculturalist thinking is Brian Barry's *Culture and Equality*.[42] Barry argues that any attempt to contest the idea that basic human equality is best expressed through identical individual rights constitutes a dangerous betrayal of core liberal values, particularly the value of equality. For him, "[w]hat unites [multiculturalists] is the claim that, under contemporary conditions of cultural heterogeneity, 'classical' or 'difference-blind' liberal principles fail to deliver on either liberty or equality: only by adopting the tenets of the 'politics of difference'…can we hope to achieve real liberty and equality."[43] In Barry's view, these claims are far worse than simply misguided. The advancement of liberty and equality can *never* justify the establishment of group-differentiated rights. Equality inheres in uniform treatment. The impulse to create group-differentiated rights results from a loss of courage to uphold "universalistic moral ideas" and a retreat from Enlightenment ideals; multiculturalists simultaneously misunderstand and betray those ideals.[44] Barry discards as incoherent any concerns that legally uniform rights may not treat individuals equitably.[45] The liberal value of equality, as Barry interprets it, can only be expressed through uniform treatment, so any argument for differentiated rights necessarily violates key liberal values. Though Barry's primary concern seems to be the grave dangers of any deviation from his interpretation of liberal ideals, he also worries that the politics of multiculturalism is "conducive to a politics of 'divide and rule' that can only benefit those who benefit most from the status quo."[46] Barry's critique centers on his insistence that the liberal values of equality and universal

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[42] Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism.*
[43] Ibid., 12.
[44] Ibid., 5, 9-16. The question of whether Barry accurately interprets the vast variety of "multiculturalists" he purports to prove incoherent is not particularly important for this chapter, though I would argue he assimilates thinkers whose philosophical orientations and policy prescriptions vary widely.
[45] Ibid., 11.
[46] Barry, *Culture and Equality: An Egalitarian Critique of Multiculturalism*, 11. This concern about identity politics being a diversion from the more pressing issue of redistribution is echoed by a variety of other theorists with a range

rights are both vital to justice and necessarily thwarted by anything but strict adherence to principles of equal treatment as identical treatment. This critique of "multiculturalist" thinking falls short for precisely the reasons standard interpretations of liberalism are unable to rise to the challenge of increasing diversity.

Among critiques that push theorists of multiculturalism to consider how their approaches interact with important liberal values beyond equality is the "critique of essentialism." As Alan Patten puts it, "[t]he theory of multiculturalism is founded on an 'essentialist' picture of cultures as determinate, bounded, and homogenous, a picture that is empirically false and morally dangerous."[47] A theory of multiculturalism that relies on an essentialist conception of culture risks harming members of minority groups by reducing them to cultural stereotypes, disregarding their own interpretations of cultural membership, and failing to protect vulnerable members of minority groups from their groups' illiberal customs. The risk is that in trying to advance equality, group-differentiated rights may advance harmful, inaccurate, and freedom-denying conceptions of culture. Though their rationales vary, these critics conclude on the whole that the risks of multicultural policies relying on essentialist conceptions of culture are too high, and thus that theories of multicultural recognition should be abandoned.

For example, Kwame Anthony Appiah develops his critique through the value of autonomy. He argues that autonomy may be compromised by the tendency of essentialist conceptions of culture to promote the ossification of identities.[48] Appiah believes certain proposals to recognize specific cultural values may constrain the development of individuality. The "moral danger" of entrenching particular instantiations of any one culture within a formal structure of recognition (or non-recognition) is that "the politics of recognition, if pursued with excessive zeal, can seem to require that one's skin color, one's sexual body, should be politically acknowledged in ways that make it hard for those who want to treat their skin and their sexual body as personal dimensions of the self."[49] In Appiah's view, demands for recognition that would be granted by theories like Kymlicka's stem from a mistaken conception of how culture functions. For Appiah, the wrong that needs to be addressed is not cultural, but political exclusion. A corollary to the concern about the tendency of identity politics to distract from economic justice and redistribution, Appiah's concern is that implementing policies recommended by Kymlicka may amount to substituting illusory and ultimately harmful formalization of cultural diversity for a politics that could substantially address the more pressing issue of the political exclusion of minority group members.

Jeremy Waldron, in his essay "Minority Cultures and the Cosmopolitan Alternative," makes a slightly different challenge to Kymlicka and Taylor.[50] Though Waldron acknowledges the intuitive appeal of the argument that "choice takes place in a cultural context, among options that have culturally defined meanings," he does not agree that it naturally follows that "there must be *one* cultural framework in which each available option is assigned a meaning."[51] He argues, instead, that although "[w]e need cultural meanings,…we do not need homogenous

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of philosophical commitments (recall Fraser and Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange*.).

[47] Patten, "Rethinking Culture: The Social Lineage Account," 735.

[48] Appiah, *The Ethics of Identity*.

[49] Ibid., 110.

[50] Jeremy Waldron, "Minority Cultures and the Cosmopolitan Alternative," *University of Michigan Journal of Law Reform* 25 (1991).

[51] Ibid., 783, emphasis added.

cultural frameworks."[52] For Waldron, it is unreasonable to argue that cultural integrity and homogeneity is "a necessary presupposition of rational and meaningful choice."[53] As a result, Kymlicka's arguments for the preservation of cultural frameworks through minority rights in order to provide these crucial contexts for meaningful choice have none of the moral force Kymlicka gives them. Against the idea that such a thick, territorially-rooted culture is necessary to human flourishing, Waldron posits the cosmopolitan individual, whose identity is constituted through a "diversity and mixture" of experience that he thinks more accurately reflects contemporary experience.[54] If we cease to insist that each must have access to his or her culture of origin, our response to cultural diversity becomes less vulnerable to the potential of real-world communities to be based "as much [on] ancient hatreds of one's neighbors as immemorial traditions of culture."[55] For Waldron, Kymlicka's approach is misguided because it misunderstands the nature and the strength of individuals' ties to cultural meanings. Because those ties are changeable, equality does not justify a system of group-differentiated rights, but only encouraging the conditions that allow the cosmopolitan individual to flourish, whatever his or her eclectic collection of cultural values.

Taken together, these critiques demonstrate that it is by no means uncontroversial to suggest that group-differentiated rights may be required by the core liberal value of equality. They illustrate the focus of liberal discussion of the justification for group-differentiated rights on the value of equality and the question: "what does equality require?" Some of what drives the lack of agreement on the question of authorizing group-differentiated rights is therefore a lack of agreement on what constitutes equality. In general, for example, proponents of group-differentiated rights seem to agree with Dworkin that "treatment as equals" may require differentiation in order to express genuine respect for the equal moral worth of individuals.[56] In contrast, opponents find something inherently suspicious about any divergence from equal treatment.

Politics of Recognition beyond Liberal Equality

The critique of essentialism encourages liberal proponents of multiculturalism to consider the consequences of their recommendations for other liberal values. Critiques that challenge the liberal framework more comprehensively push even more insistently in that direction. Though James Tully and Iris Marion Young do not contest the basic validity of the project of group-differentiated rights, they argue that supporting group-differentiated rights is less important than working toward a politics can accommodate a wider range of cultural and constitutional outlooks without needing to codify specific exceptions. In contrast, proponents of the "critique of rights" argument are skeptical of the worthiness of crystalizing values into purportedly inviolable rights. Both Wendy Brown and Patchen Markell are wary of the effects the formalization of cultural rights may have on freedom. These critiques show that more work is needed to achieve a politics of recognition that is genuinely freedom-enhancing and advances equality.

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[52] Ibid., 786.
[53] Ibid.
[54] Ibid., 793.
[55] Ibid.
[56] Dworkin, *Taking Rights Seriously*.

In *Strange Multiplicity* James Tully's primary focus is on providing a critical history of the evolution of modern forms of constitutionalism.[57] He argues that typical histories err when they suggest that constitutionalism is a monolithic Western innovation and uses this insight to argue that contemporary constitutionalism is capable of accommodating a variety of cultural viewpoints. Tully reads contemporary demands for cultural recognition as "aspirations for appropriate forms of self government," expressing "a longing for self rule: to rule themselves in accord with their customs and ways."[58] As a result, he also reads them to be underpinned by a claim that contemporary laws and institutions "are *unjust* in so far as they thwart the forms of self government appropriate to the recognition of cultural diversity," in part because "culture is an irreducible and constitutive aspect of politics."[59] This understanding of the nature of the demand for cultural recognition leads Tully to conclude that the response required is significantly different from that recommended by Kymlicka.

Tully argues that the "billiard-ball" conception of culture is mistaken and should be everywhere replaced by a view of cultures as "overlapping, interactive and internally negotiated."[60] In Tully's view, understanding cultures this way forces us to recognize that the experience of negotiating difference is in fact *not* novel in the contemporary era; all constitutions have been developed through a politics of difference. Or, put slightly differently, "[t]he experience of otherness is internal to one's own identity," and as a result "from the outset citizens are to some extent on a negotiated, intercultural and aspectival 'middle' or 'common' ground."[61] The vital question that must be answered is not whether the peculiarities of certain groups' cultural commitments can be accommodated by encoding them in law, but "whether a constitution can give recognition to the legitimate demands of the members of diverse cultures in a manner that renders everyone their due."[62] Tully insists that we can and must work to answer this question affirmatively and that a constitutionalism that provides all with self rule is possible.

Tully's critical history of ancient and modern constitutions suggest that "[c]onstitutions are not fixed and unchangeable agreements reached at some foundational moment, but chains of continual intercultural negotiations and agreements in accord with, and violation of the conventions of mutual recognition, continuity and consent."[63] If bygone constitutions can achieve this standard of ongoing intercultural negotiation, then surely *contemporary* constitutionalism can also accommodate cultural diversity "as an activity, an intercultural dialogue in which the culturally diverse sovereign citizens of contemporary societies negotiate agreements on their ways of association over time in accord with the conventions of mutual recognition, consent and continuity."[64] For Tully, this shift in understanding of what a constitution can and does accomplish is more than a mere shift in terminology. In his view, when we understand constitutions thus, we also commit to viewing extant nations and their constitutions as founded on contingent intercultural agreement. As a result we will see that

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[57] James Tully, *Strange Multiplicity: Constitutionalism in an Age of Diversity* (Cambridge: Cambridge University Press, 1995).
[58] Ibid., 4.
[59] Ibid., 5, emphasis added.
[60] Ibid., 10.
[61] Ibid., 13-14.
[62] Ibid., 7.
[63] Ibid., 183-4.
[64] Ibid., 184.

"constitutional recognition and accommodation of cultural diversity…enhances, rather than threatens, the primary goods of individual liberty and equality."[65]

This line of argument highlights how Tully's approach works within the same frame as the more liberal approaches while simultaneously challenging its constraints. Tully wants to know how responses to demands for recognition affect "the primary goods of individual liberty and equality," but refuses to engage in measuring and meting out legally entrenched rights to specific groups. He sidesteps the question of balancing the rights of minorities to be exempted from generally applicable laws against the right of the majority to insist on compliance. Instead Tully recommends meeting demands for self rule through a dialogical *practice* of constitutionalism. This approach allows him to forego explicit categorization of particular demands as reasonable or unreasonable. He instead offers an approach to democracy that he argues will meet demands for self rule from a wide variety of parties and also guarantee individual liberty and equality. As David Owen puts it, at heart, Tully's approach and conclusions suggest that "the primary orientation of reconciliation should not be the search for definitive procedures and solutions, but rather the institutionalization and protection of a specific kind of democratic or civic freedom."[66] Tully does not challenge the validity of being concerned with individual liberty and equality, but works to ensure them through outlining a democratic practice rather than by providing a schematic for measuring and evaluating specific rights claims.

In a similar fashion, Iris Marion Young works both within and against the constraints of a liberal framework. Young's approach argues for a reconceptualization of the meaning of equality. She contests a narrow definition of equality as identical treatment and argues that equality "sometimes requires different treatment for oppressed or disadvantaged groups."[67] For Young, the demand for differentiated treatment goes along with a non-essentialist conception of difference that "defines difference more fluidly and relationally as the product of social processes" and aims at "the participation and inclusion of all groups."[68] In addition, for Young the demand for differentiated treatment attaches to a vision of democracy and inclusion that requires representation of experiences and engagement from different groups in order to achieve that equality. Young proposes changing institutions to include a wider range of experiences and identities in democratic decision-making processes. Exclusion from democratic processes both constitutes the real harm against which the politics of difference can act and takes a different form than the kind of exclusion that can be resolved by guaranteeing voting rights. Responses to demands for recognition should therefore focus on practices of inclusion, not recognition as such.

Young also contests the liberal framework by showing how marginalized identities emerge from the interactions between individuals and groups of individuals as they are structured by institutions. Cultural differences are not constituted prior to society, even when they are imported by recent immigrants. The differences that matter are ones that are manifested in oppressive relations, and those relations are part of society, not natural and pre-social. Acknowledging the social origins of difference shifts the kind of accommodations required. Recognition achieves equality not by leveling differences between societal cultures that shape

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[65] Ibid., 31.
[66] David Owen, "Tully, Foucault, and Agonistic Struggles over Recognition," in *Recognition Theory and Contemporary French Moral and Political Philosophy: Reopening the Dialogue*, ed. Miriam Bankovsky and Alice Le Goff (Manchester: Manchester University Press, 2012), 106.
[67] Iris Marion Young, *Justice and the Politics of Difference* (Princeton, NJ: Princeton University Press, 1990), 158.
[68] Ibid., 157-8.

people's meaningful lives, but by demanding changes in the institutions that create and sustain identity-based differentiation and the oppression that can follow.

Authors who can generally be understood to be advancing a "critique of rights" argument also contest both the liberal framework and the very project of official or legal recognition. For example, both Wendy Brown and Patchen Markell worry about the way that legal recognition of difference or culture, even when pursued in a well-intentioned fashion, can result in the domination of individuals whose cultures have been singled out for recognition. Both are suspicious of the way that contemporary identity claims are translated into the language of rights. These critiques resonate with some of the critiques of essentialism explored above, especially from Appiah. However, their concerns about the effects of entrenching cultural rights are somewhat different, as are their proposed solutions

In *States of Injury*, Brown explores the effect of contemporary identity politics on freedom, particularly democratic freedom.[69] She argues that focusing on whether subordinated and marginalized identities generate an entitlement to differentiated rights distracts from the question of how suffering and domination might be avoided and binds those individuals to their subordinated identities. Brown reads this effect through the Nietzschean concept of *ressentiment*, and argues that, much in the same way, "politicized identity…becomes attached to its own exclusion both because it is premised on this exclusion for its very existence as identity and because the formation of identity at the site of exclusion, as exclusion, augments or 'alters the direction of the suffering' entailed in subordination or marginalization by finding a site of blame for it."[70] This is what she names a "wounded attachment." Identifying identities worth formally noticing and attaching them to the pain and injury of subordination and exclusion does little to resolve those injuries. Instead, it perversely encourages those in such positions to hold even more tightly to the injuries that render their identities politically significant. Brown argues that the politicization of identities is troubling because it seems only to maintain the injuries of subordination. It is also troubling because encouraging the marginalized to nurture their wounded attachments obstructs the development of democratic practices that could bring about freedom. The proliferation of rights claims "deployed to protect historically and contextually contingent identities…operates inadvertently to resubordinate by renaturalizing that which it was intended to emancipate by articulating."[71] Thus the contemporary politics of identity seems to fracture societies by encouraging attachments to difference and to injury and subordination, and thus to obscure "the dream of democracy—that humans might govern themselves by governing together."[72] In Brown's view, pursuing democracy and freedom *through* democracy is a better way to respond to demands for the recognition of particular identities; through it we could both support the development of a "radically democratic political culture"[73] and address the axes of subordination and exclusion.

In *Bound by Recognition*, Markell worries more specifically about the effects of formal or legal *recognition*.[74] His goal is to ask "about how recognition becomes a medium of injustice, and about what it would mean for relations of identity and difference to be structured more

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[69] Brown, *States of Injury: Power and Freedom in Late Modernity*.
[70] Ibid., 73-4.
[71] Ibid., 99.
[72] Ibid., 5.
[73] Ibid., 75.
[74] Markell, *Bound by Recognition*.

justly."[75] Markell argues that the injustice of marginalizing certain identities, although sometimes attributed to misrecognition, is brought into being by the demand that individuals be intelligible to others. The politics of multiculturalism demands that difference "be observable and manageable: in short, recognizable,"[76] a demand that issues from multiculturalism's reliance on a mistaken understanding of the functioning of identity and of the harm done by what it calls misrecognition. But "by making the protection of the state…and the institutionalization of rights dependent upon one's recognizability as the bearer of an identity, the politics of multicultural recognition risks subjecting the very people whose agency it strives to enhance to powerful forces of normalization, binding them ever more closely to who they are."[77] Efforts at legal recognition risk reproducing the injustice that results from invidious efforts to use (ascribed) identity to delimit the options available to particular groups of people. Though demands for recognition may yield "concrete gains for members of subordinated groups," Markell argues that "in characterizing injustice as the misrecognition of identity, and in embracing equal recognition as an ideal, [proponents of recognition] may simultaneously make it more difficult to comprehend and confront unjust social and political relations."[78]

In response to the weaknesses he identifies, Markell proposes a reinterpretation of the democratic and egalitarian aspirations that underlie calls for recognition of identity. Refusing to "confuse justice in relations of identity and difference with mutual transparency, or with security from risk, or with the overcoming of all experiences of alienation," will make it clear that "democratic justice does not require that all people be known and respected as who they really are," but "that no one be reduced to any characterization of his or her identity for the sake of someone else's achievement of a sense of sovereignty or invulnerability, regardless of whether that characterization is negative or positive, hateful or friendly."[79] This is what Markell calls a "politics of acknowledgement." Rather than demanding an unwieldy and likely subordinating apparatus for the legal recognition of identity, Markell suggests that "faced with a relation of privilege and subordination, [we should] look for ways to dismantle or attenuate the privilege itself before (or while also) working to include a determinate group of previously excluded people under its protection."[80]

Though Young and Tully both contest how the question of what to do about demands for recognition is posed within the liberal framework, they do not abandon it. In contrast, Brown and Markell reject the premise that the correct way to address these types of demands is through detailed examination of the notion of equality, and in particular through the granting of extra, or differentiated, rights to disadvantaged citizens. We can therefore see in particular in Brown and Markell foundations in the general critique of rights, which is skeptical of claims that human rights should be understood to be the primary, or only, mechanism for liberation from oppression and injustice. Rights talk becomes immediately suspect when coupled with anxieties about the necessarily subjectifying and subordinating effects of the normalization that comes along with identification. By asserting an ever-finer differentiation between the normal, and thus acceptable, citizen and the marginalized citizen, rights talk may simply enforce relations of injustice that get in the way of freedom.

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[75] Ibid., 2.
[76] Markell, *Bound by Recognition*, 170.
[77] Ibid., 175.
[78] Ibid., 5.
[79] Ibid., 7.
[80] Ibid., 181.

What both of these families of critique have in common is the desire to move beyond the questions of equality through the entrenchment of rights in order to achieve political goals that may be obstructed by the equality frame or may simply be invisible from inside that perspective. What I have been calling the "equality frame" alerts us to some important components of the relationship between individuals and their cultural groups and between cultural groups and the state. Nonetheless, as this section and the preceding demonstrate, the equality frame is unable to provide satisfactory responses to many pressing critiques. At the same time, it is not clear that any of the critiques explored here themselves provide a satisfactory substitute theory. The variety of concerns raised in the discussion above might suggest that the dangers of attempting recognition are such that the project should be wholly abandoned. But such a response both ignores the inevitability of the state's participation in constructing and maintaining identities and refuses to engage with the difficulties raised by recognizing the limits of the liberal equality frame that pervades much contemporary theory on the subject.

Abandoning attempts to productively recognize identity because of their dangers ignores the way politics works not only to establish the terms by which group-based identity differences can be recognized, but also to shape the nature and content of group-based identities. To conceptualize law as a tool that can only be used to recognize extant group-based identities is to misunderstand the historical processes through which group-based identity differences are constituted and given social meaning. When political theorists and policy makers take group-based identity differences as given, or at least constituted outside the realm of politics, they fail to recognize that the use of politics and policy to categorize groups and individuals shapes both the meaning and the salience of group-based identity differences. This omission results in a politics of recognition that fails to interrogate whether and how state intervention shapes, perpetuates, and potentially warps contemporary identity groups.

Confronting this fact can expand the kinds of questions that are visible or considered relevant to the politics of recognition. For example, critics of colorblind jurisprudence argue that colorblindness discourse in American jurisprudence obscures, rather than eliminates, the contributions of legal and state institutions to the construction of racial and cultural meanings.[81] Proponents of the colorblind approach to group-based identity differences argue that, we should resolve the harms associated with excluding certain groups from the general political community by refusing to allow any explicit recognition of difference in public policy.[82] Overt

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[81] Ian Haney-López, ""A Nation of Minorities": Race, Ethnicity, and Reactionary Colorblindness," *Stanford Law Review* 59 (2007).

[82] On the history of identity-based exclusions from full citizenship, see, among others: Joshua Cohen, *Philosophy, Politics, Democracy: Selected Essays* (Cambridge, MA: Harvard University Press, 2009) on exclusion from "full" citizenship generally; Ian Haney-López, *White by Law: The Legal Construction of Race.* (New York: New York University Press, 2006), Rogers M. Smith, *Civic Ideals: Conflicting Visions of Citizenship in U.S. History* (New Haven: Yale University Press, 1997), and Adolph L. Reed, *Stirrings in the Jug: Black Politics in the Post-Segregation Era* (Minneapolis: University of Minnesota Press, 1999) on African-American exclusion; Bill Ong Hing, *Making and Remaking Asian America through Immigration Policy, 1850-1990,* (Stanford, CA: Stanford University Press, 1993), Lucy E. Salyer, *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law* (Chapel Hill: University of North Carolina Press, 1995), and Mae M. Ngai, *Impossible Subjects: Illegal Aliens and the Making of Modern America* (Princeton, NJ: Princeton University Press, 2004) on Asian-American exclusion; David Dyzenhaus and Mayo Moran, *Calling Power to Account: Law, Reparations and the Chinese Canadian Head Tax Case* (Toronto: University of Toronto Press, 2005), Valerie Knowles, *Strangers at Our Gates: Canadian Immigration and Immigration Policy, 1540-2015,* (Toronto: Dundurn, 2016), and Vivienne Poy, *Passage to Promise Land: Voices of Chinese Immigrant Women to Canada* (Montreal: McGill-Queen's University Press, 2013) on Asian-Canadian exclusion; Eva Marie Garroutte, *Real Indians: Identity and the Survival of Native*

discrimination having been transcended, the belief is that the harm caused by racial classification is a result of the use of classification *as such* and that the appropriate response is to eschew anything that looks like formal classification.[83] Those holding this view are likely be suspicious of any policy that attempts to recognize cultural difference. This point of view is appealing to many because of the torturous (to say the least) history of the effects of formal classification in the United States and elsewhere, and because it obviates the need to distinguish between classification for remedial and invidious purposes. The trouble with this anti-classification approach, as critics of colorblind jurisprudence highlight, is that it neither prevents public institutions from categorizing people according to race, racially-associated cultural markers, or other group-based identities, nor alleviates the harms engendered by a history of racialized subordination.[84] The difficulty of endorsing the use of law and public policy to recognize group-based identity difference is that any explicit effort to recognize those differences requires acknowledging that the state through its laws and public policies is always already involved in the construction of the salience of difference; there is no available neutral posture for the state to adopt.

Because both the choice to establish formal regimes through which to recognize group-based identity differences and the choice to refuse to do so have effects on the formation and content of those group-based identities, calls for withdrawing from the project of recognition are impossible and incoherent. Moreover, given the inevitability of the participation of politics and public policy in the construction of identity, and the potential for recognition with emancipatory effect to beneficial, there is good reason to pursue the project of positive recognition. By asking *how* the law should recognize differences in identities, and by focusing on the effects of recognition on the capacity for freedom for both groups and individuals (rather than on the precise definition of equality), we might move beyond existing impasses in ongoing debates about the politics of recognition. As I'll argue, we need to articulate a politics of recognition that affirms and recognizes differences and allows individuals access to the legal and other gains of recognition, but also recognizes the importance of self-definition and the negotiation and contestation involved in defining group-based differences.

America (Berkeley: University of California Press, 2003) on Indigenous citizenship in the United States; and Patrick Macklem, *Indigenous Difference and the Constitution of Canada* (Toronto: University of Toronto Press, 2001); and Kirsty Gover, *Tribal Constitutionalism: States, Tribes, and the Governance of Membership* (Oxford: Oxford University Press, 2011) on Indigenous citizenship in Canada.

[83] Some of the most prominent examples of this kind of reasoning issue from the United States Supreme Court and what is often called "colorblind jurisprudence." See, for example, *Parents Involved in Community Schools v. Seattle School District No. 1, 551 US 701 (2007)*.

[84] See, e.g., Ian Haney-López, ""A Nation of Minorities": Race, Ethnicity, and Reactionary Colorblindness."

Ch. 2: Self-Definition for the Politics of Recognition

The concerns raised in the previous chapter might suggest that the dangers of attempting recognition are such that the project of recognition should be wholly abandoned. However, rejecting the project of recognition both refuses to engage with the challenges raised by the critiques in the previous chapter and ignores the inevitable role that politics plays in constructing individual and collective identities. Instead, we must acknowledge this inevitability and work to support a politics of recognition that is freedom-enhancing. In particular, we should supplement the value of equality that dominates contemporary accounts of the politics of recognition with the value of self-definition. I use this chapter to justify this view and present a conception of self-definition that draws on insights from neo-republican theories of freedom as non-domination and from feminist theories of autonomy. On my account, the value of self-definition requires that both individual and collective identities be free from arbitrary interference. This chapter argues that we should recognize this value of self-definition as particularly useful for guiding a freedom-enhancing politics of recognition.

My account of self-definition draws on neo-republican accounts of freedom as non-domination. Theorists like Philip Pettit reject the conception of freedom as non-interference and robust conceptions of autonomy as self-actualization, arguing instead that we should understand freedom to inhere in protection from *arbitrary* interference, or non-domination. For Pettit, one of the attractions of this formulation of freedom is that it allows non-dominating state interference while disallowing relationships that have the potential for domination.[85] This formulation of freedom is typically used to differentiate among dominating and non-dominating relationships between the individual and the state. However, this chapter argues that it can also be used to help specify how relationships between individuals and the identity-based groups to which they belong, and between those groups and the state, can be freedom-enhancing. In particular, I argue that to be freedom-enhancing, processes of individual and collective identity formation should be free from domination and arbitrary interference. Individuals should be self-defining, which means their processes of understanding and articulating their own identities should be free from arbitrary interference. Similarly, collective identity groups should be self-defining, which means both that they should be protected from arbitrary interference by those who do not properly belong to the group in question and that the content of the collective identity must be subject to contestation by group members. Finally, both individuals and collective identity groups must have the opportunity to participate in the overarching system of governance, which should be one of contestatory democracy.

This chapter argues that when practices of recognition respect self-definition we can expect an improvement in their ability to advance both equality and freedom. In particular, attending to the requirements of self-definition will help the politics of recognition mitigate two important risks of an overly narrow focus on equality. The first is the risk that identities can have oppressive effects, especially when endorsed and codified—that is to say, *recognized*—by political and legal institutions. This is the worry expressed in the previous chapter by critics of the politics of recognition like Patchen Markell and Wendy Brown. This worry also underpins Frank Lovett's work on the use of freedom as non-domination as a way to think through the

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[85] Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997).

reasonableness of cultural accommodation.[86] Seeking to respect self-definition demands that political institutions seek to relate to identities in ways that mitigate their oppressive potential.

A politics of recognition sensitive to self-definition will also avoid unauthorized or undue interference in individual or collective processes of identity formation. This is important because interference with identity formation can disrupt autonomy. The insight that underpins this worry comes from bringing neo-republican accounts of freedom together with feminist theories of autonomy. Feminist approaches to autonomy stress that autonomy should be understood as a relational process that is necessarily social. For example, Jennifer Nedelsky argues that "relatedness is not…the antithesis of autonomy but a literal precondition of autonomy, and interdependence a constant component of autonomy."[87] The social processes through which individuals define their personal identities and participate in the definition of collective identities are thus necessary to the possibility of genuinely autonomously determined group-based identities. Against liberal individualist conceptions of autonomy, feminist theories of autonomy insist that we must have access to community in order to be self-determining, and, further, that supporting autonomy requires attention to how institutions structure experience and the processes that individuals participate in as they collectively define their identities. In this context, arbitrary interference might come in the form of overreach by political or legal institutions, but is also likely to come in the form of influence over the content of individual or collective identities from those other than members of the collective whose identity is at stake. Respecting self-definition here demands that practices of recognition seek to ensure that individual and collective identities are formed in relationally autonomous ways.

The need to attend to these two risks means that, to respect individual and collective self-definition, practices of recognition need to avoid arbitrarily interfering in individual and collective processes of identity formation and support processes that encourage (and possibly require) the contestatory atmosphere that can help ensure that outcomes are non-dominating. At the same time, they must recognize that both individual and collective selves are necessarily (and laudably) formed in relation with others. The implication of this necessary relationality is that collective processes that determine individual and collective identities are both important and legitimate. In response, practices of recognition must strive to respect self-definition in order to avoid the two risks discussed above.

In particular, we must be sensitive to how institutions and processes of recognition structure the access of individuals and groups to processes that encourage or obstruct their ability to be self-defining. Practice matters because the practical effect of relations matters. Specific practices can support or undermine values by structuring the relations among individuals, between individuals and the groups to which they belong, and between groups. That is, the practices that are used as part of efforts at recognition can support or undermine the values of equality and self-definition, and thus affect whether practices yield a politics of recognition that is equality- and freedom-enhancing.

This chapter proceeds as follows. First, it outlines a conception of self-definition that I argue is necessary for a genuinely freedom-enhancing politics of recognition. Second, it argues that practices of recognition should strive to respect individual and collective self-definition by avoiding undue interference in individual and collective processes of identity formation and by

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[86] Frank Lovett, "Cultural Accommodation and Domination," *Political Theory* 38, no. 2 (2010).
[87] Jennifer Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities," *Yale Journal of Law and Feminism* 1 (1989): 12.

supporting contestatory processes of collective identity formation and articulation. Finally, it motivates the turn in subsequent chapters to examining concrete practices of recognition. I argue that we must examine and reckon with the implication of existing practice because the effect of practices of recognition on freedom depends on the character of relations those practices support. The rest of the dissertation mobilizes my conception of self-definition to assess the extent to which extant practices of recognition have been freedom-enhancing and to develop principles that can be used to guide those practices in future.

Theorizing Self-Definition

What attributes would a conception of self-definition need to have in order to support a freedom-enhancing politics of recognition? Such a conception would not insist that the only form of identity due recognition is one that is formed entirely from the self, free of any interference from external sources. A strict interpretation of non-interference is an impossibly demanding standard for freedom in the area of identity. In such a view, only those who could call their identities entirely independent from external influence would be able to call themselves free. The shortcomings of this view of freedom are particularly clear when applied to questions of identity. It is impossible to conceive of a version of identity that is not fundamentally shaped by one's relations with others, with their history, and with the surrounding world. Even Kymlicka's conception of freedom, which I have argued collapses into equality, does not go this far. Recall that for Kymlicka cultures must be recognized when they provide the context for choices that make our lives meaningful and thus free. A conception of self-definition that is helpful for the politics of recognition thus needs another way to differentiate among freedom-enhancing and freedom-limiting practices of recognition. If it is not useful to insist that we can only be free in our identities when those identities are formed without any *interference* of external forces, then what could it mean to say that identities are free, or, in my language, self-defined?

Non-Domination and Self-Definition

A partial answer can be developed through a reading of contemporary theories of freedom as non-domination. For identities to be self-defined, we might think that our relationships to the people, institutions, and ideas that shape our identities should be non-dominating. In contemporary neo-republican formulations of freedom, Philip Pettit's *Republicanism* is foundational.[88] Pettit rejects both the conception of freedom as non-interference and robust conceptions of autonomy as self-actualization and argues that we should instead understand freedom to inhere in non-domination, or freedom from *arbitrary* interference. Freedom as non-domination both allows public *interference* (allowing, at least in principle, taxation, the social welfare state, regulation, and other such schemes that the non-interference view of freedom would argue obstruct freedom) and disallows the maintenance of relationships that have inherent in them potential if not actual domination. This second feature means that we can criticize a legal regime that constructs a woman as wholly subordinated to her husband, even if in many (or even all) cases husbands in practice abstain from exercising their power to dominate their wives. Indeed, for Pettit, non-domination is crucially a communitarian, institutionally-embodied value; it requires the construction and maintenance of institutional

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[88] Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Oxford University Press, 1997).

forms that disallow domination. Further, it demands participation in democratic decision-making as a primary way in which individuals can and should practice the contestability of government decisions and power.

Before discussing how theories of freedom as non-domination have been expanded beyond Pettit's formulation to apply to problems of recognition and multiculturalism, I want to highlight two hesitations we might have at this point about the ability of freedom as non-domination to provide a wholly satisfactory account of freedom for the politics of recognition. First, Pettit's orientation toward the state and toward "contestatory democracy" as an institutional form that has the potential to protect individuals from arbitrary state interference might be said to focus too narrow a set of institutions. While it is certainly true that many of the regimes of interference in the lives of members of minority identity groups have been explicitly authorized by the state, not all institutions that have the potential to allow the domination of one set of people by another are so explicit and formalized. As a result, not all such institutions can be changed solely through contestation of state choices through democratic processes. For example, domination is surely perpetuated by stereotypes that persist across time and context, which often have historical foundations in exclusionary legal regimes, but are no longer condoned by law. Pettit's focus on "contestatory democracy" is unable to get traction on domination that is not enacted through the treat of interference by agents of the state, but is instead maintained by social norms and practices that are in indebted to past state action.

Second, Pettit's approach to preventing domination focuses on protecting the individual from arbitrary governmental interference. He does not think about how individuals may be dominated by non-state groups to which they belong and yet are unwilling to depart. He also does not think very much about how groups themselves might come to be dominated. He argues that "no one will be able to interfere arbitrarily in your affairs just to the extent that no one is able to interfere with those of your ilk…in matters of resistance and exposure to interference: in matters of vulnerability," and that thus there is something importantly communal about the good of non-domination, because "[t]he goal of freedom as non-domination gives a common cause to each of the salient vulnerability classes in any contemporary society."[89] But this understanding of what constitutes a class is still importantly dependent on how membership in one or another "vulnerability class" makes *individuals* who are members of those groups vulnerable to arbitrary interference. Pettit's understanding of group-ness applies relatively smoothly to the case of the woman who is not free even though her husband has chosen to abstain from exercising his right to interfere with her choices. We can see how, on Pettit's analysis, such a woman would only be free if the law protected *all* women from such domination, even if the details of her individual life changed little. It is less clear that Pettit's understanding of group solidarity explains how Indigenous people could be protected from domination as a class. In a passing example, Pettit explains that "[i]f I am a member of an [I]ndigenous population in contemporary…Canada… then how far I achieve non-domination is intimately tied up with how far other indigenous people do so."[90] So far, so good. In this picture, the freedom of Indigenous individuals is tied up with the freedom of all Indigenous individuals because being identified as Indigenous marks some individuals as unusually vulnerable to domination. What this formulation does not consider is whether there are groups that are vulnerable to domination as collective entities. A conception of self-definition for the politics of recognition must be sensitive not only to the effects of

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[89] *Republicanism: A Theory of Freedom and Government*, 122, 24.
[90] Ibid., 124.

domination on individuals through the groups to which they belong, but also to the effects of domination on groups themselves.

As this discussion suggests, the politics of recognition is not a particular focus of Pettit's. Nonetheless, several scholars have outlined a potential connection between his theories of non-domination and the politics of recognition and multiculturalism. Frank Lovett argues that we can use the value of non-domination to justify cultural accommodation under a relatively constrained number of circumstances.[91] No social practices that directly involve domination may be accommodated; they must be brought to an end as expediently as possible. Further, social practices that do not directly involve domination may be accommodated *only* when their accommodation does not involve making exceptions to generally applicable policies that aim to reduce domination. If such exceptions are not required, minority social practices may be accommodated, but justice does not *require* accommodation. Accommodation is only required by anti-domination when accommodation would serve to further the goal of reducing domination. This may occur under two sets of circumstances. First, accommodation may be required when restricting social practices would only strengthen individual commitments to those practices and thus perpetuate domination. Second, accommodation may be required when individuals' subjective attachment to the practices in question makes them vulnerable to exploitation. So, in the end we are left with a tidy argument that says very little about why accommodation or recognition of cultural difference per se, independent of its relationship to non-domination, might be a valid objective for the state or the law to pursue. More precisely, the way Lovett understands non-domination to apply to the question of recognition or accommodation fails to solve the concerns raised above about the limits of Pettit's approach; for Lovett difference continues to operate only as a division that marks different levels of vulnerability to domination.

Mira Bachvarova engages with both Pettit and Lovett in order to argue that non-domination can serve as a more useful regulative ideal for the question of multicultural accommodation than that proposed by Kymlicka.[92] She identifies problems with Pettit and Lovett's applicability to the question of multiculturalism that are similar to those I have identified, including that Pettit's non-domination does not capture pressures to assimilate (similar to my concern about whether it can address domination that functions through institutions other than formal legal institutions) and that it seems to recommend dissolution of all cultural differences, even those that their practitioners find valuable. However, she concludes that non-domination is nonetheless a suitable general principle for thinking about multicultural accommodation because its focus on power and its arbitrary use means that the non-domination approach is "sensitive to internal group dynamics, because it seeks to consider wider patterns within a social practice."[93] Iris Marion Young expands on theories of non-domination in a slightly different way from Lovett and Bachvarova. For Young, the injustice of domination should be met with what she calls self-definition. As the injustice of domination can be experienced by both groups and individuals, the solution of self-definition can thus be exercised by both groups and individuals. An important component of this response is democratic inclusion

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[91] Lovett, "Cultural Accommodation and Domination." See also *A General Theory of Domination and Justice* (Oxford: Oxford University Press, 2010).

[92] Mira Bachvarova, "Multicultural Accommodation and the Ideal of Non-Domination," *Critical Review of International Social and Political Philosophy* 17, no. 6 (2014).

[93] Ibid., 668.

and participation, and, particularly in her earlier work, group representation for marginalized groups.

This discussion suggests that there are multiple potential advantages to using the ideal of non-domination in the politics of recognition. It demonstrates that democracy and participation in rule is an important component of freedom. Applied expansively, non-domination could be used to require that a wide range of non-state institutions be arranged to allow for contestation. Practicing recognition to encourage internal contestation and negotiation of cultural meanings could alleviate some anxieties about recognition's risk of essentialism.

However, extant theories of non-domination do not offer a sufficient conception of freedom for the politics of recognition. Many influential accounts of non-domination identify domination in the removal or obstruction of options, which risks mistaking inevitable processes of social constitution for sources of domination. Without the ability to see why many processes of social constitution are non-dominating, theories of non-domination are unlikely to value the processes through which cultural and other identity group norms are negotiated. Young's approach is more sensitive to these issues than the typical approach to non-domination and demands inclusion and access to democracy in a more expansive way. For example, she argues for an inclusive politics that consists in "a heterogeneous public engaged in transforming institutions to make them more effective in solving shared problems justly."[94] However, this formulation remains too outcome-focused. Overall, the non-domination approach, however useful, does not give us a satisfactory picture of individual and collective selves as socially constituted and yet potentially autonomous, or self-defining in a non-superficial way. The non-domination approach focuses primarily on how domination can be limited or constrained through transforming the relationship of individuals to the law, and thus still thinks about the individual as needing protection from the law.

Relational Autonomy and Self-Definition

In contrast to theories of nondomination, feminist theories of autonomy take a keen interest in how external forces contribute to the construction of identity. They can thus help explain what it means to be free, or autonomous, and yet socially constituted. Autonomy is a particularly difficult and important question for feminism because "it simultaneously demands a respect for women's individual selfhood and rejects the language and assumptions of individual rights that have been our culture's primary means of expressing and enforcing respect for selfhood."[95] It demands a conception of autonomy that can simultaneously encompass the value of the individual and the value of her community. This version of autonomy, in contrast to the typical liberal formulation that stresses the importance of insulating the self from the external (similar to the non-interference view of freedom), stresses the importance of finding one's own law *within* community. The challenge feminism poses for autonomy looks very similar to the challenge community-based identities pose for autonomy and freedom, so we can look to the solutions feminist theories of autonomy propose for guidance in articulating a conception of self-definition for the project of recognition. To respond to the limitations of the politics of recognition that I have argued stem from the privileging of equality over freedom, we need a

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[94] Iris Marion Young, *Inclusion and Democracy* (Oxford: Oxford University Press, 2000), 12.
[95] Nedelsky, "Reconceiving Autonomy: Sources, Thoughts and Possibilities," 8.

conception of self-definition that contains a more nuanced picture of the relationship between individuals and the communities by and in which they are constituted.[96]

Jennifer Nedelsky provides a conception of autonomy that is particularly useful for this project. Nedelsky's vision of autonomy argues that "[t]o be autonomous is to find one's own law and live in accordance with it."[97] Achieving this conception of autonomy requires social relations that embody two central components:

> The first is the claim that the capacity to find one's own law can
> develop only in the context of relations that nurture this capacity.
> The second is that the 'content' of one's own law is
> comprehensible only with reference to shared social norms, values,
> and concepts.[98]

This is a vision she thinks feminists (and, indeed, all those interested in sustaining equality through the law) should endorse because it mediates the relationship between the individual and the collective to allow the individual to be autonomous, and yet not isolated from community or society. Nedelsky reformulates the "problem of autonomy in the modern state" to focus on whether the state can "ensure the autonomy of individuals when they are within the legitimate sphere of collective power," rather than on "shield[ing] individuals from the collective."[99]

Although this version of autonomy is broadly compatible with the neo-republican conception of freedom, it demands close attention to the practicalities of making autonomy and freedom real in the world. In Nedelsky's view, human freedom is fundamentally relational. As a result, those who seek equality must articulate procedural requirements that ensure that the state is non-dominating (because democratic, participatory, contestatory, etc.) but also support and sustain relations of autonomy among individuals, between individuals and the sub-national communities to which they belong, between those groups and the state, and between individuals and the state. Nedelsky writes: "[i]f one has a picture of human flourishing, including individuation, arising out of constitutive relations that allow human capacities to develop…there is nothing mysterious about the capacity for creation developing…in constant interaction with layers of social relations."[100] Nedelsky's picture of the self thus allows valuing the collective self as an object in itself, while simultaneously insisting on the importance of individual self-

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[96] This discussion focuses on Jennifer Nedelsky's contribution to thinking about autonomy from a feminist perspective because of her focus on how a feminist perspective on autonomy should change our aspirations for state institutions. However, it is important to note that this body of thought is not attributable to Nedelsky alone. A wide and instructive range of of thinkers have engaged in thinking through the implications of feminism and relationality for the value of autonomy. Notable volumes include Drucilla Cornell, *At the Heart of Freedom: Feminism, Sex, and Equality* (Princeton, NJ: Princeton University Press, 1998); Jennifer M. Denbow, *Governed through Choice: Autonomy, Technology, and the Politics of Reproduction* (New York: New York University Press, 2015); Marilyn Friedman, *Autonomy, Gender, Politics* (Oxford: Oxford University Press, 2003); Catriona Mackenzie and Natalie Stoljar, *Relational Autonomy: Feminist Perspectives on Automomy, Agency, and the Social Self* (New York: Oxford University Press, 2000); Diana T. Meyers, *Gender in the Mirror: Cultural Imagery and Women's Agency* (New York: Oxford University Press, 2002). Subsequent versions of this discussion will engage with a broader range of these thinkers.
[97] Jennifer Nedelsky, *Law's Relations: A Relational Theory of Self, Autonomy, and Law* (New York: Oxford University Press, 2011), 124.
[98] Ibid.
[99] Ibid., 125.
[100] Ibid., 55.

determination. It also, importantly, presents autonomy as a project of necessarily collective creative world-making. This is a richer picture of what it means to act in the world and what the law can to do make that possible than is enabled by the ideal of non-domination.

A Conception of Self-Definition

Feminist perspectives on autonomy provide a way to think with nuance about which influences on individual identity and collective identity groups rise to the level of arbitrary interference. This nuance shows us the kind of self-definition that is required to help practices of recognition be both equality- and freedom-enhancing.

I propose a conception of self-definition to guide the politics of recognition in three parts: individual self-definition, collective self-definition, and democratic contestation. First, individual self-definition requires that individuals be free from arbitrary interference in their processes of identity formation. To be free of arbitrary interference, individual processes of identity formation must be free from domination. Following Pettit and Lovett would suggest that freedom from domination in this instance requires freedom from formal state-enacted laws and policies that would grant others the ability to dictate individual identities. But this formulation fails to acknowledge that more informal institutions like sub-national identity groups can also have a formative effect on identities. As Nedelsky and others remind us, it is both impossible and pernicious to insist that human lives could be made without relationships to others. Each individual is constituted by her history and her relations. So individual self-definition requires freedom from domination by both formal and informal institutions, but does not require freedom from influence. For example, individuals who are members of Indigenous groups are likely at least in part constituted by that membership. Their identities likely draw from the state's identification of them as indigenous, their relationships with others in the group, the group's history, and the group's authority figures. However, the mere existence of these influences does not make those individuals unfree. To be self-defining, individuals must have the opportunity to negotiate and contest the many layers of influence that make up their individual identities. This means that individuals must have the opportunity to contest both formal state-sanctioned processes and practices that contribute to the formation of their identities and informal processes that do so. Informal processes that affect identity formation include individual interpersonal relationships as well as collective relationships like the relationships among members of collective identity groups. Individuals might be subject to non-arbitrary interference in their processes of identity formation, including, for example, the influence of culturally-specific values on individual identity, but they would not be unfree as a result.

Second, *collective* self-definition requires that *collective identity groups* be free of arbitrary interference in the processes they use to work out their values and identities. In this instance freedom from arbitrary interference requires that collective identity groups have the opportunity to contest the formal and informal institutions that influence how their group-based meanings develop. The importance of collective self-definition can be illustrated through a brief example. Aboriginal identity in Canada today is often closely associated with hunting and fishing. However, this association evolved in the context of a lengthy prohibition by the Canadian government of trade in agricultural products by Indians, and an exclusion of Indians

from access to homesteading land grants.[101] This association is thus at least in part a product of state action that was not properly subject to contestation from the groups affected. As a result, we might be suspicious about whether this aspect of contemporary Aboriginal identity can be rightly said to be a result of collective self-definition. If collective values are not clearly the result of processes of collective self-definition, there is reason for extra caution about codifying those values through practices of recognition. To be clear, I do not mean that we should regard values expressed by minority groups with suspicion; to subject minority cultural practices to additional investigation because we suspect that past oppression has rendered them "inauthentic" is not the point. Rather, practices of recognition should be sensitive to instances where collective values or identities have been inexorably shaped by state intervention. States should seek to practice recognition in ways that encourage collective decision-making processes that support ongoing contestation and negotiation within collective identity groups, of collective identities by their members, and of majority state decisions by minority collective identity groups.

The importance of contestation for non-domination and for individual and collective self-definition drives the necessary third component of self-definition: democratic contestation. To support individual and collective self-definition, individuals and groups must have the opportunity to participate, through contestatory processes, in governing the processes that shape their identities. Participation is an essential part of non-domination. Only when individuals and groups have the ability to contribute to the decision-making processes that authorize particular forms of recognition can those processes and their outcomes be non-dominating. Democratic contestation is thus required to support both individual and collective self-definition. The republican tradition of participation in governance shows why democratic contestation is so important for self-definition. As Pettit suggests, there is an important difference between being subject to the control of others and being subject to decisions which one has participated in making. Non-domination insists both that it is important to protect individuals from domination by others, even when the disadvantages of domination are not manifested in interference, and that there are forms of interference that are legitimate and do not decrease freedom. Democratic participation and contestation help resist domination and ensure that interference by the state or other bodies is legitimate. With respect to the politics of recognition, institutions and processes that support democratic contestation are crucial for individual and collective self-definition. When state officials seek to recognize minority group difference in order to realize the promise of recognition, they should do so in ways that support democratic contestation.

This three-part conception of self-definition provides a useful guide for the politics of recognition. Practices of recognition should aim to ensure that all are treated as equals and all are self-defining. The normative justification for recognition relies on the ability of its practices to sustain those values. If one accepts the elements of self-definition I outline, the pressing question for the politics of recognition becomes: how can we pursue a politics of recognition that nourishes individual and collective self-definition? In the chapters that follow, I turn to examples of recognition in practice to consider the circumstances and choices that enable practices of recognition to be more or less supportive of self-definition, and thus more or less able to achieve the promise of recognition.

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[101] Wendy Moss and Elaine Gardner-O'Toole, *Aboriginal People: History of Discriminatory Laws*, (Ottawa, Ontario: Parliament of Canada, Library of Parliament, 1991), http://publications.gc.ca/Collection-R/LoPBdP/BP/bp175-e.htm. s.C. The prohibition in trade in agricultural products was in force from 1880 to 1951, and the prohibition on homesteading from 1862 to 1951. "Indians" is used here to align with the language in the statutes in question.

Ch. 3: Recognition and Apology for Historical Injustice: Japanese Canadian Internment

In the preceding two chapters I analyzed the state of theorizing about the politics of recognition and proposed that we use the value of self-definition in combination with the value of equality to develop guidelines for the practice of recognition. I argued that the discourse around the politics of recognition has been limited in part by the dominance of the ideal of equality in theories of recognition, and that the value of self-definition can serve as a useful guide for practices of recognition that aim to fulfill recognition's promises while avoiding its perils. Those chapters together outline the questions taken up in the rest of the dissertation, namely: how should recognition be practiced? What lessons can we learn from taking the practice of recognition seriously? How do different practices' relation to collective and individual self-definition make those practices more or less successful?

This chapter examines apologies for historical injustice as an important site where the practice of recognition occurs. I argue that we should understand many such apologies as examples of practices of recognition and thus as a valuable site for studying it. In particular, I examine the 1988 apology issued by the Government of Canada to Canadians of Japanese descent as an important early example of recognition in practice.[102] The apology for the interment and dispossession of Japanese Canadians was only issued after a lengthy public campaign by organized community groups, most influentially the National Association of Japanese Canadians. Using evidence from primary and secondary sources, I investigate the processes that led to the apology and financial redress. [103] I argue that only because the National Association of Japanese Canadians demanded genuine consultation and negotiation was the apology successful as a practice of recognition. The experience of the Japanese Canadian community highlights the importance of the value of self-definition for the politics of recognition.

The way these processes unfolded reveals the importance of substantive negotiation and contestation of group-based meanings for the practice of recognition. Members of the redress movement were meticulous in their insistence on substantive negotiations with the government over the terms of redress and apology. They also demanded that their own movement grapple with the implications of internal contestation of values and identities. Effective political pressure eventually yielded negotiations between a nationally-representative movement of Japanese Canadians and representatives of the federal government, which led to a statement of apology and terms of redress that attain much of the promise of the politics of recognition.

Theorizing Apologies

Before turning to the 1988 apology, we must ask what it means to understand certain apologies for historical injustice as practices of recognition. Does viewing apologies for

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[102] This is a particularly interesting context in which to think through the politics of recognition as the movement that brought about the apology was galvanized during the early years of thinking about the politics of recognition, which coincided with the rise of "identity politics" in North America.
[103] Archival work was conducted in the Roger Obata Fonds, held at Library and Archives Canada, and was supplemented by accounts of the internment and struggle for redress published by members of the movement, both first-person and scholarly.

historical injustice as practices of recognition align with other approaches to the study of apology and historical injustice? I argue that to analyze apologies for historical injustice as potential practices of recognition we must draw on two central approaches to the study of apology. We must understand the philosophy of how apologies work in general. Concurrently, we must examine the *political* context in which apologies for historical injustice take place to understand how they operate in the world. Examining the philosophical and material effects of apologies together reveals similar justifications for apologies for historical injustice and for policies of recognition. The aim of many apologies for historical injustice, to repair unjustified differences in treatment, is similar to the aim of many practices of recognition. This means that it is reasonable to treat many apologies for historical injustice as practices of recognition. As a result, successful apologies for historical injustice can help illuminate principles for the practice of recognition.

Formal public apologies for past injustices began to emerge in the aftermath of the Second World War as the world came to terms with the atrocities of the Holocaust. In *The Politics of Official Apologies* Melissa Nobles catalogs the rise of these apologies through the 1970s, peaking in the late 1980s and early 1990s. Governments and officials apologized for their parts in perpetuating or overlooking the events of the Holocaust, as well as for wrongs done in combat and through unjustified acts of war.[104] In post-apartheid South Africa, the idea of reconciliation gained political currency. Reconciliation was also used to describe the kind of resolution that was needed between colonizer and colonized in the postcolonial era, as well as between settler and Aboriginal populations in North America and Oceania. As these new political dynamics appeared, studies of apology and its related concepts (including reconciliation and restorative, transitional, and transformative justice) flourished. Studying apologies both *philosophically* and *politically* can help us understand when and how they should be understood as practices of recognition.[105] Philosophical approaches can help us understand the precise components that render apologies felicitous, and the nature of collective and historical responsibility. Political approaches can help us attend to the ways that apologies are used as tools for governments to achieve their goals.

Philosophical approaches to apologies focus on what makes an apology successful, and what philosophical work is carried out by apologies. A popular way to approach apologies is to think of them as performative speech acts in the tradition of J. L. Austin.[106] Apologies, whether between individuals, groups, or some combination, after all, may effect a change in the world through their utterance.[107] However, this approach is limited by the same dynamics that limit

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[104] Melissa Nobles, *The Politics of Official Apologies* (Cambridge: Cambridge University Press, 2008), 155-66.

[105] This analysis leaves out the important study of apology and recognition between and among states and state-like actors in the context of post-colonial international relations. This approach emerges from the study of the law and politics of apology in the practice of international human rights law and the process of reconciliation in post-apartheid South Africa. While such studies are important and influential, they do not deal with the kinds of apologies I am interested in here, as the politics of recognition as I have engaged with it focuses on the way that recognition can work to correct social and political inequalities within established political communities. For more on this approach to apologies, see, among many others, Lucy Allais, "Restorative Justice, Retributive Justice, and the South African Truth and Reconciliation Commission," *Philosophy & Public Affairs* 39, no. 4 (2012); Richard B. Bilder, "The Role of Apology in International Law and Diplomacy," *Virginia Journal of International Law* 46, no. 3 (2006); and David Dyzenhaus, "Survey Article: Justifying the Truth and Reconciliation Commission," *Journal of Political Philosophy* 8, no. 4 (2000).

[106] J. L. Austin, *How to Do Things with Words* (Oxford: Clarendon Press, 1962).

[107] Ibid.

speech act theory narrowly construed. That is, the fact that we can identify apologies as performative speech acts in fact tells us very little about who can apologize, to whom, for what, and under what circumstances. Answers to these questions would tell us much more about the nature of apologies and their relationship to both individual and collective responsibility. In the case of apologies for historical injustice, it is also pressing to understand the nature of collective responsibility, whether apologies can legitimately be issued for wrongs carried out by our predecessors, and the possible moral justifications for reparation and apology.[108]

For example, Joel Feinberg strives to parse the meaning of responsibility and collectivity, and tries to understand whether it is coherent to think that we might be responsible, or, in his terms, liable, for collective wrongdoings without having been personally at fault.[109] Feinberg argues that strict collective responsibility, under which individual members of a group have "vicarious liability" for the wrong of other members of that group, only obtains when the group in question is characterized by a significant degree of "solidarity," which is to say "to the degree that its members have mutual interests, bonds of affection, and a 'common lot.'"[110] He also insists that in order for this collective responsibility to obtain it must be coupled with a group that has the capacity to effectively police the behavior of its members.[111] Nonetheless, Feinberg admits that this strict sense of responsibility and liability are not what we commonly have in mind when we wonder about collective responsibility, and works to extend his analysis to other cases. In particular, he seems willing to allow that all white Southerners (except those who were "totally alienated" from their brethren) could be held responsible for the brutalities the post-bellum South perpetrated against its black residents, because these brutalities "adhered" to dominant "folkways," even when not all Southern whites directly participated, or even "whole-heartedly approved of them."[112] Feinberg's project is primarily to think through the circumstances under which it would be reasonable to hold individuals responsible (criminally!) for the actions of others, which we can understand to be the circumstances under which it would be reasonable to demand an apology and/or other remedy.

Feinberg's search to understand the precise circumstances under which responsibility obtains makes sense as an approach to understanding apology if we understand apology to be primarily a matter of transaction, itself a remedy due to the wronged by the wrongdoers. If, however, we understand apology to be a precursor to a more substantive remedy like financial reparation, we might focus instead on understanding whether reparation for clear historical wrongs with no *one* responsible party, like American slavery, is morally required. Bernard Boxill argues that we should understand reparation to be due as a part of justice because

> justice requires that we acknowledge that our treatment of others
> can be required of us; thus, where an unjust injury has occurred,
> the injurer reaffirms his belief in the other's equality by conceding
> that repair can be demanded of him, and the injured rejects the

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[108] Joel Feinberg, "Collective Responsibility," *The Journal of Philosophy* 65, no. 21 (1968); Bernard R Boxill, "The Morality of Reparation," *Social Theory and Practice* 2, no. 1 (1972).
[109] Feinberg, "Collective Responsibility."
[110] Ibid., 677-79.
[111] Ibid., 681.
[112] Ibid., 686.

allegation of his inferiority contained in the other's behavior by
demanding reparation.[113]

In order for justice to require reparation, there need not be a discrete, identifiable perpetrator of a wrong who can be applied to for reparation. Instead, we can understand a community as a whole to be responsible for a past wrong and thus to owe reparations to the community that was wronged.[114]

For Boxill, it is not relevant that those belonging to the white community cannot easily be said to have volitionally become members of that community. In Boxill's view, "it seems not unfair to consider the present white population as members of a company that incurred debts before they were members of the company, and thus to ask them justly to bear the cost of such debts."[115] Compensation for past injustice is justified by two premises:

> first, each individual is equal in dignity and worth to every other
> individual, and hence has a right, equal to that of any other, to
> arrange his life as he sees fit, and to pursue and acquire what he
> considers valuable; and second, the individuals involved must be
> members of a community.[116]

Compensation is due not only because members are part of a community, but also in recognition of the fundamental equal dignity of each individual. This understanding, that the responsibility for injustice, including past injustice, and thus for both reparation and apology, stems from the meaning of community and equitable treatment, is a commonly accepted approach to questions of responsibility in a broader context. For example, in *Taking Responsibility for the Past*, Janna Thompson meticulously argues that this explains how and why we have responsibility for the actions of those who came before us and also underpins the validity of trans-generational agreements.[117] What these accounts don't yet illuminate is the importance of *apology* as a component in reconciliation, reparation, and the correction of historical injustice and social and political inequality.

In his influential work *Mea Culpa*, Nicholas Tavuchis takes an approach that gets at this issue more closely.[118] Tavuchis calls his work a "sociology of apology and reconciliation," and seeks to understand the philosophical nature of apology by examining apology in action. He is particularly interested in how understanding apology can illuminate the moral (and political) commitments that obtain between and among individuals and collectives.[119] Tavuchis argues that a group or community relation between the apologizer and the one receiving an apology is a

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[113] Boxill, "The Morality of Reparation," 118-19.
[114] Boxill also argues that we could understand reparation to be due because "each white person, individually, owes reparation to the black community because membership in the white community serves to identify an individual as a recipient of benefits to which the black community has a rightful claim." I find this claim persuasive but the argument about community responsibility is more relevant to the cases I am exploring in this chapter. (Ibid., 120.)
[115] Ibid., 122.
[116] Ibid., 115.
[117] Janna Thompson, *Taking Responsibility for the Past: Reparation and Historical Injustice* (Cambridge: Polity Press, 2002).
[118] Nicholas Tavuchis, *Mea Culpa: A Sociology of Apology and Reconciliation* (Stanford, CA: Stanford University Press, 1991).
[119] Ibid., 5.

fundamental moral precursor that is required to make apology coherent. Genuine apologies oblige the apologizer "to retell, relive, and seek forgiveness for sorrowful events that have rendered [her] claims to membership in a moral community suspect or defeasible."[120] By analyzing existing examples of apologies, from examples drawn from sources as diverse as Miss Manners columns and 1950s comic strips, Tavuchis argues that "apology…is a decisive moment in a complex restorative project arising from an unaccountable infraction and culminating in remorse or reconciliation."[121]

This does not yet allow Tavuchis to explain whether apologies may be offered other than by one individual to another. He shows the effects of changes in number, circumstance, and power by analyzing apologies "from the One to the Many" and "from the Many to the One."[122] But he takes special care with the case of apologies "from the Many to the Many," because he is interested in how the need for both parties to be *represented* changes how apology functions. These kinds of apologies are also set apart because they are the most public kind of apology he considers; apologies between groups must be public because they must be made available to the constituent members of the group apologizing and the group receiving the apology. In cases like these, the public record of the apology is crucial to its felicity; "that [the apology] appears on the record *is* the apologetic fact."[123] Tavuchis again examines a range of examples of apology in action, including the apology offered by President Ronald Reagan to Japanese Americans interned during the Second World War, in order to develop his theory of what matters in an apology from one group to another. In the case of the Reagan apology, he shows that what mattered to members of the Japanese American Citizens League was both the public nature of the apology and the promise to refrain from similar action in the future.[124] These examples show that "the major structural requirement and ultimate task of collective apologetic speech is to put things on record, to document as a prelude to reconciliation," and, in contrast to the requirements for interpersonal apologetic speech, collective apologetic speech "need not [express sorrow] in order to effect reconciliation between collectivities."[125]

However, Tavuchis warns, public apology may not result in reconciliation but in an unjustified transfer of moral burden. Apology offered from the powerful to the less powerful "alter[s] the terms of discourse" and "simultaneously bespeaks recognition and commitment to a normative domain beyond that of immediate self-interest and effectively shifts the moral burden onto the offended party by focusing on the issue of forgiveness."[126] By examining a breadth of examples, Tavuchis illuminates the possibilities and limitations of collective apology. His concerns about the practice of apology are broadly congruent with my concerns about the practice of recognition: both have serious risks when practiced without care, but both retain important potential for setting historical injustice or social and political inequality right. The power of Tavuchis's account of apology comes from its attention to the details of the circumstances surrounding the actual apologies he examines. This provides him with the contextual detail that evades Feinberg.

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[120] Ibid., 8.
[121] Ibid., 45.
[122] Ibid.
[123] Ibid., 102.
[124] Ibid., 107-8.
[125] Ibid., 109.
[126] Ibid., 113.

Despite Tavuchis's sensitivity to the political dynamics of apologies, he is uninterested in the question of how apologies are used by governments and other groups to accomplish narrowly political goals. Tavuchis focuses instead on the *moral* implications of the apologies he analyzes. *Political* approaches to understanding apology serve as a useful counterbalance to the moral focus of philosophical approaches to apology. For example, Melissa Nobles is relatively skeptical about apologies, seeing them as tools that are used as part of efforts to achieve other political goals, rather than moral obligations that can be and are offered when violations of political community and equality have occurred. In Nobles's view, "[i]n deciding whether to apologize, political actors are guided most significantly by their ideological positions on group claims and their related understandings of national history and its moral burdens."[127] What matters more than the way political elites understand community and obligation is whether groups are able to make adherence to their views about national membership and historical obligations politically advantageous.[128] This view of apologies is relatively common, and skepticism about the motivations of political actors engaged in processes of reconciliation is understandable.[129] There is copious evidence of bad faith around issues of membership and justice, so it is reasonable that minority groups would be suspicious.[130]

Nonetheless, as I will discuss, there is still opportunity for political apology to accomplish valid and valuable goals and to repair past betrayals of the justice owed between community members. By paying attention both to the moral aspirations of apology (as well as its moral infractions) and to the political calculus motivating apology, we can more clearly see the ways that apology can function as a practice of recognition.

Apology as Recognition

Neither of the approaches discussed above are explicitly interested in apology as a practice of recognition. What they *do* show is that many of the justifications that are used to recommend the politics and practice of recognition have echoes in justifications for apology for historical injustice. According to Tavuchis, apologies between groups are a matter of putting past wrongs on the public record, as part of a promise to refrain from perpetrating similar wrongs in the future. Group apologies are offered, then, as a way of publicly recognizing past harms. Similarly, practices of recognition aim to take notice of difference in order to correct inequalities that have arisen as a result of differential treatment, and with an implicit promise that things could and should be other than they are. According to Nobles, apologies are primarily political, which is to say that they are primarily deployed by the powerful as a way of representing past injustice as "settled." Similarly, we might worry that practices of recognition are sometimes proposed cynically, as part of efforts to reap the political benefits of acknowledging the presence

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[127] Nobles, *Politics of Official Apologies*, 33..

[128] Ibid., 32-9.

[129] See, for example, Elazar Barkan and Alexander Karn, eds., *Taking Wrongs Seriously: Apologies and Reconciliation*, (Stanford, CA: Stanford University Press, 2006); Danielle Celermajer, *The Sins of the Nation and the Ritual of Apologies* (Cambridge: Cambridge University Press, 2009); and Mark Gibney et al., eds., *The Age of Apology: Facing up to the Past* (Philadelphia: University of Pennsylvania Press, 2008).

[130] See, among others, Jeff Corntassel and Cindy Holder, "Who's Sorry Now? Government Apologies, Truth Commissions, and Indigenous Self-Determination in Australia, Canada, Guatemala, and Peru," *Human Rights Review* 9, no. 4 (2008); and Matt James, "Wrestling with the Past: Apologies, Quasi-Apologies, and Non-Apologies in Canada," in *The Age of Apology: Facing up to the Past*, ed. Mark Gibney, et al. (Philadelphia: University of Pennsylvania Press, 2008).

of minority groups without the substantive change that would ameliorate social and political inequalities. Together, these two approaches highlight similarities between both sincere and cynical apologies and practices of recognition.

Because of these similarities, when public apologies and reparations are used as a tool to repair past injustice, we should see them as efforts to treat community members as equals, a fundamental goal of the politics of recognition. Both aim to repair an unjust difference in the treatment of people who belong to oppressed groups. They also promise a reformed future, without repetition or continuation of the behavior or rule that led to unjustified differences. When apologies for historical injustice are issued by states or their representatives to members of their polities, they function both to identify a past practice as unjust and to recognize the group and members thereof whose experiences have been shaped by those practices. Even when they are not explicitly identified as components of a "multicultural" or "diversity-conscious" set of practices, such apologies take public notice of past injustices, acknowledge the harm done by them, and recognize the people who were harmed, usually as comprising a coherent cultural or identity group that deserves to be differently incorporated into the national story.

Just like any practice of recognition, any given apology can be more or less effective, more or less responsive to the needs of the group that is being recognized, and, therefore, more or less encouraging of individual and collective self-definition. No study of apologies for historical injustice can fail to notice that they are at least occasionally offered disingenuously, without real efforts to repair past wrongs. Simply offering a speech act that bears the form of an apology does not guarantee true reparative effect. Like all efforts at recognition, apologies are fallible. This means that they provide examples of recognition as practice that can be used to develop principles for the practice of recognition. On this premise, this chapter argues that there is progress to be made in understanding and evaluating recognition through closely observing the dynamics of apologies as recognition in practice.

Apology for Japanese Internment

The basic facts of the Canadian government's internment of Japanese Canadians during and after the Second World War are relatively common knowledge. Roy Miki summarizes:

> In 1942 the Canadian government of Mackenzie King […] ordered the mass uprooting of all people of Japanese ancestry living in the "protected zone," an area that extended along the west coast of British Columbia and 100 miles (160 kilometres) inland. It established the British Columbia Security Commission on March 4 to carry out the incarceration of some 23,000 men, women and children who had been categorized as "enemy aliens." More than 75 percent of these people were either Canadian-born or naturalized citizens. Between March and October their citizenship rights were revoked, their properties, businesses, assets and personal belongings were seized—and, soon after, sold without their consent—and larger groups were scattered to what the

government called "resettlement camps" but which in fact were sites of confinement.[131]

Since the 1981 publication of Joy Ogawa's now-classic *Obasan*, chronicling a young girl's experience of detention, drawing on Ogawa's own experience of detention, some understanding of the hard facts of the way Japanese Canadians were treated has become common.[132] The more troubling realities of the harsh treatment Japanese Canadians experienced are less well acknowledged. There is a wealth of scholarship documenting this period of internment.[133] Some of the most valuable include first-person accounts of the experience of detention, dispossession, and continuing discrimination even after being allowed to return home.[134] These accounts deserve more attention than they often receive and demonstrate the pervasiveness and insidiousness of racialized thinking and lawmaking during that time.

However, the goal of this chapter is not to evaluate the wrongs committed during the period of internment but to examine the process by which the Japanese Canadian community was able to effectively lobby for apology and redress. What persuaded the Canadian government to finally offer an apology and reparations for detention and dispossession, more than forty years after the detention orders were first issued? What do those processes tell us about how recognition can be practiced in a way that supports both equality and self-definition?

Achieving Redress

Even before Japanese Canadians were permitted to return to the west coast, they called for compensation for the loss of seized property and reparation for the experience of detention. Japanese Canadians in Winnipeg met as early as 1942 to form a committee to advocate for reparations.[135] After the war ended, building on efforts to lobby for the enfranchisement of Japanese Canadians in the 1930s, they formed community groups in Toronto and other cities, and the national Japanese Canadian Citizens' Association was founded in 1947.[136] Community newsletters that had been established during an unsuccessful 1930s movement for enfranchisement were reinvigorated and used to communicate news and opinions about the effects of internment to Japanese Canadians nationwide.

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[131] Roy Miki, *Redress: Inside the Japanese Canadian Call for Justice* (Vancouver, BC: Raincoast Books, 2004), 2.

[132] Joy Kogawa, *Obasan* (New York: Anchor Books, 1994).

[133] These include, among many others: Cassandra Kobayashi, Roy Miki, and National Association of Japanese Canadians, *Spirit of Redress: Japanese Canadians in Conference* (Vancouver, BC: JC Publications, 1989); Miki, *Redress*; Roy Miki, Cassandra Kobayashi, and National Association of Japanese Canadians, *Justice in Our Time: The Japanese Canadian Redress Settlement* (Vancouver, BC: Talonbooks, 1991); Judith Roberts-Moore, "Establishing Recognition of Past Injustices: Uses of Archival Records in Documenting the Experience of Japanese Canadians During the Second World War," *Archivaria* 53, no. 1 (2002); and Alexandra L. Wood, "Rebuild or Reconcile: American and Canadian Approaches to Redress for World War II Confinement," *American Review of Canadian Studies* 44, no. 3 (2014).

[134] Some of the most compelling accounts are contained in the many books and other publications produced by the National Association of Japanese Canadians in the decades leading up to and after the 1988 apology. For a particularly interesting set of accounts by those involved in the redress movement, see Stan Hiraki, Yukihara Mizuyabu, and Harry Honekura, "Our Expulsion Stories," in *Japanese Canadian Redress: The Toronto Story*, ed. Ad Hoc Committee for Japanese Canadian Redress (Toronto: HpF Publishing, 2000).

[135] Miki, *Redress*, 108.

[136] Ibid., 109.

After the deportation order was lifted in January 1947, the federal government convened a Royal Commission to "inquire into and report upon the claim of any person of the Japanese race now resident in Canada for alleged loss which resulted from the amount received by him being less than the fair market value of his property at time of sale or loss."[137] The Commission awarded some compensation to claimants who were able to prove that their properties had been sold by the Custodian of Property for less than market value, but that compensation rarely amounted to the difference between the appraised value and its sale price.[138] In addition, as the procedure for assessing claimant losses grew burdensome for administrators, the Commissioner resorted to what he called "rough justice" and awarded claimants arbitrary percentages of the sale prices of their property.[139]

The west coast exclusion order was lifted on 1 April 1949, and Japanese Canadians were granted the right to vote at the same time. By the early 1950s, having survived detention, dispossession, and dispersal, having received some compensation for their losses, and having achieved the enfranchisement they had long been denied, Japanese Canadians' energy for a sustained dispute with the government that had treated them so poorly had waned. As Roy Miki argues, "[a]s the new decade began, there was a waning of interest in a 'just and fair' settlement and a much stronger interest in rebuilding lives in the rising economic climate of the 1950s."[140] Community advocacy for recognition of the injustices of the 1940s was muted in the 1950s, 60s, and 70s.[141]

Planning to celebrate the 1977 centennial of Japanese immigrants arriving in Canada drew new attention to the movement for redress. In the mid-1970s members of Japanese Canadian Centennial Project (JCCP) organized a variety of commemorative events, including exhibits of historical photos and a national conference. These projects brought the Japanese Canadian community together in a newly public way. The experience of working to identify and recognize the existence of a Japanese Canadian community fed an appetite for recognition of the past injustices that had fragmented a formerly vibrant minority community. In addition, in 1980 the US Congress appointed the Commission on Wartime Relocation and Internment of Civilians, which held extensive hearings. In 1983 the Commission recommended that Japanese Americans who had been interned be issued compensation (though compensation was not issued until after President Ronald Reagan apologized for internment in 1988).[142] Such prominent attention to the cause of Japanese Americans made the possibility of redress for Japanese Canadians seem more possible.

In this context, in the late 1970s and early 1980s, the Japanese Canadian community began to organize again. They advocated for acknowledgement of the injustice of wartime treatment and for compensation for those who had suffered. Despite the commitment of the then prime minister Pierre Trudeau to the politics and ethics of multiculturalism, the government was

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[137] Public Accounts Committee, Minutes and Proceedings, June 14, 1947, as cited in Ken Adachi, *The Enemy That Never Was: A History of the Japanese Canadians* (Toronto: McClelland and Stewart, 1976), 325 & 25n45.

[138] Ibid., 325-33.

[139] Ibid.

[140] Miki, *Redress*, 126.

[141] Roy Miki argues that this reticence can be attributed to the desire of Japanese Canadians to blend into Canadian society, rather than self-identifying as different, out of fear that the treatment they had suffered during the Second World War would recur. See ibid.

[142] Barbara L. Tang, "The Japanese Internment and Reparations: Creating a Judicial or Statutory Cause of Action against the Federal Government for Constitutional Violations," *Loyola of Los Angeles Law Review* 21 (1988): 980.

not receptive to Japanese Canadian advocacy. The government disengaged from important community groups, including the Japanese Canadian Centennial Project's (JCCP's) Redress Committee and local chapters of the Japanese Canadian Citizens' Association (JCCA), as well as other representatives of the Japanese Canadian community. The then minister of state for multiculturalism, David Collenette,[143] attempted to forestall further pressure from the community by issuing a statement of "regret" in 1984 that included neither an apology for injustices committed by the government, nor compensation for individual Japanese Canadians. Instead, Collenette offered "regret regarding the deprivation and hardship suffered by most members of the Japanese-Canadian community during the Second World War" and the establishment of the "Canadian Foundation for Racial Justice" with a $5 million endowment.[144] While Collenette lauded the protections against future infringements of rights the Liberal Trudeau government had institutionalized by incorporating the Charter of Rights and Freedoms into the Constitution, he avoided taking any responsibility for past unjust treatment of Japanese Canadians. Their "deprivation and hardship" was impersonally "regretted"; Collenette not only avoided taking responsibility, but also refused to acknowledge that this past injustice was the result of explicitly racist policies of the federal government and systematic efforts to fracture the Japanese Canadian community. Many members of the Japanese Canadian community found this statement an inadequate response to their demands for recognition and redress and continued to pressure the government as the 1984 election was called.[145]

Seeing an opportunity to capitalize on Japanese Canadian disappointment with the Collenette statement, during that fall's federal election Brian Mulroney's Progressive Conservatives promised that a Mulroney government would deliver compensation and justice for Japanese Canadians. After Mulroney took power in September 1984, this public electoral promise gave the community important political leverage.

However, from the early 1980s to 1988, when redress was achieved, there was significant conflict and contestation within the Japanese Canadian community over how and whether redress should be pursued. The JCCA had been reformulated as the National Association of Japanese Canadians (NAJC), with local chapters from Vancouver to Toronto, and aimed to represent the Japanese Canadian community to the federal government. Nonetheless, there were splinters within the NAJC and the broader Japanese Canadian community that complicated efforts to pursue redress. An older generation of Japanese Canadians, represented by George Imai, who had been appointed head of an NAJC subcommittee on redress, feared there would be negative consequences for advocating too vigorously.

By contrast, a more politically radical segment of the community, associated with NAJC leadership under Art Miki, was frustrated with federal government efforts to dictate a settlement without substantive negotiation with the Japanese Canadian community. By December of 1984, the NAJC "Negotiating Team," a separate group from the Imai-led committee, had "gone on record" with three key objectives:

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[143] Collenette was initially appointed Minister of State under Trudeau, and remained in the post during John Turner's brief time as Prime Minister, during which time the statement was actually issued.

[144] David Collenette, Speaking Notes on the Government's Response to the Report of the Special Parliamentary Committee, Equality Now, Multiculturalism Canada, June 1984, as cited in Miki, *Redress*, 317-18.

[145] Trudeau was ousted from leadership of the Liberal party by a challenge by John Turner, and thus Turner was the Prime Minister who in 1984 asked the Governor General to dissolve parliament and, ultimately, lost the election to Mulroney's Progressive Conservatives.

1. To have the government of Canada acknowledge the injustices experienced by Canadians of Japanese ancestry during World War II;
2. To seek appropriate and meaningful compensation from the government of Canada for the wartime injustices;
3. In order to make this kind of injustice less likely to occur again, the Government of Canada be requested to have a full-scale review of the War Measures Act [under which the detention and removal orders had been legally authorized] vis-a-vis [sic] national security, and its relationship and priority to the Charter of Rights in the new constitution.[146]

The Negotiating Team discussed these objectives with Mulroney's first Minister of State for Multiculturalism, Jack Murta, during a meeting meant to begin negotiations over the settlement, held on 15 December 1984.[147] However, subsequent meetings in January 1985 went poorly. In these meetings, Murta and his representatives informed NAJC members that a settlement would be imposed unilaterally, and that the meetings should be considered "consultation" rather than "negotiation" sessions.[148] The implication of "consultation" was that the Minister and his staff would select which Japanese Canadian groups they wished to hear from, and adjudicate what kind of settlement would be fair internally within the department, rather than in negotiation with community representatives. Murta and his successor as Minister of State, Otto Jelinek, used the offer of a relatively small endowment for a foundation to improve race relations "in the name" of Japanese Canadians as both a threat and an inducement to settle. Some groups of Japanese Canadians, wanting to settle the issue quickly, were attracted to such a settlement, while NAJC leaders found the small monetary amount and refusal to include compensation for the individuals who had been affected devaluing.

The government's strategy took advantage of divisions within the Japanese Canadian community. While the NAJC continued to advocate for individual compensation, a splinter group led by George Imai (after a leadership conflict had led to his separation from the NAJC) was more amenable to the government's approaches. Other groups sought more extensive forms of deliberation and negotiation within the community. For example, a group that called itself the Sodan-kai, a Japanese phrase meaning "arriving at a mutual decision through quiet group discussion," wanted to use "a democratic process to arrive at a community consensus."[149] While members of the Japanese Canadian community struggled to work out a community position and to establish which group should properly represent the community in negotiations with the government, government representatives repeatedly threatened to dictate a "settlement" that would not include individual compensation.

The NAJC's insistence that individual compensation was necessary and its refusal to bend to the government's efforts to exploit factionalization within the community was the only

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[146] Gordon Hirabayashi, "Re: Some factors in the redress issue," Memo to "Art Miki and the Negotiating Team," 27 December 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

[147] Gordon Hirabayashi, "Re: Some factors in the redress issue," Memo to "Art Miki and the Negotiating Team," 27 December 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

[148] "Press Release: The National Association of Japanese Canadians (NAJC) regrettably announces…," 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

[149] Miki, *Redress*, 154n2.

reason a significant role for extensive internal community discussions about the goals of redress was carved out. As the NAJC continued to insist that the government open sincere negotiations with the Japanese Canadian community, the public profile of the issue rose, and the NAJC was able to make the case to the Canadian public and to government representatives that they were the legitimate representatives of a community who deserved recognition and compensation. The government's dismissive attitude toward the Japanese community reanimated memories of the unjust treatment to which its members had been subjected during the War and galvanized the activist spirit of community members.[150]

By resisting government efforts to apologize without negotiation, the NAJC was able to get community discussions and comprehensive national consultations included in the process of getting to a settlement. This assertion of power was particularly important in the context of the powerlessnesss the community had experienced in the first half of the twentieth century. Without the inclusion of a Japanese Canadian voice advocating for the needs of the community, an apology would have reproduced the harms of the original incident; "such a gesture would…have reinforced the hierarchical context…instead of attaining what concerned Japanese Canadians the most in their call for justice: the public recognition that their racialization as 'of the Japanese race' had named them out of existence as Canadian citizens."[151]

Redress was achieved in September 1988. The settlement came after a similar settlement for Japanese Americans was announced by the Reagan administration on 20 April 1988. The actual negotiations took place over a surprisingly short period of time; a 3-day meeting in late August 1988 concluded in an agreement between NAJC representatives and the then minister of state for multiculturalism Gerry Weiner, supported by the then secretary of state Lucien Bouchard.[152] The final agreement included both compensation for individuals and community funding, as well as relief for Japanese Canadians who had been deported and depatriated as a result of the exclusion orders. The official acknowledgement and redress package included:

- an official apology delivered in the House of Commons,
- individual compensation to surviving internees,
- funding for educational programs through the NAJC,
- funding for the Canadian Race Relations Foundations, and
- allowing many Japanese Canadians who had been deported and depatriated during the Second World War to have their citizenship reinstated.[153]

On 22 September 1988, Prime Minister Mulroney formally apologized to Japanese Canadians in the House of Commons and acknowledged the settlement he would sign with the NAJC later that afternoon. The Prime Minister articulated the settlement as part of the need for Canadians to face up to mistakes of the past, in order to fulfill fundamental Canadian ideals:

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[150] Ibid., 242-66.

[151] Ibid., 265.

[152] It is interesting to consider whether Bouchard's sympathy for the Japanese Canadian cause should be connected to his Québécois background and the impact on Quebecers of the use of the War Measures Act during the October Crisis.

[153] "Terms of Agreement between the Government of Canada and the National Association of Japanese Canadians, 1988," 439-442, reprinted in "Appendix G: Second World War Internments: Japanese Canadian Internment and Relocation," 423-442, Jennifer Henderson and Pauline Wakeham, eds., *Reconciling Canada: Critical Perspectives on the Culture of Redress* (Toronto: University of Toronto Press, 2013).

[N]ot only was the treatment inflicted on Japanese-Canadians during the War both morally and legally unjustified, it went against the very nature of our country, of Canada. We are a pluralistic society. We each respect the language, opinions and religious convictions of our neighbour. We celebrate our linguistic duality and our cultural diversity. […] That is the Canada of our ancestors. That is the Canada our ancestors worked to build. That is the kind of country we want to leave our children, the Canada of the Charter of Rights and Freedoms, the new Official Languages Act and the Canadian Multiculturalism Act. A Canada that at all times and in all circumstances works hard to eliminate racial discrimination at home and abroad. A Canada, Mr. Speaker, that is able to face up to the mistakes of the past, and so become better prepared to face the challenges of the future.
[…]
I know that I speak for Members on all sides of the House today in offering to Japanese Canadians the formal and sincere apology of this Parliament for those past injustices against them, against their families, and against their heritage, and our solemn commitment and undertaking to Canadians of every origin that such violations will never again in this country be countenanced or repeated.[154]

Members of opposition parties concurred. Both Liberal MP Sergio Marchi (on behalf of Leader of the Opposition John Turner) and Leader of the New Democratic Party Edward Broadbent offered commendations to the government and congratulations to the Japanese Canadian community and the leaders of the movement. By all accounts, it was a joyous occasion for members of the NAJC, who had fought so long and hard for resolution. Japanese Canadian author Joy Kogawa attended the event and told the *Toronto Star* that she cried during the Prime Minister's speech, and that "This is a moment of reconciliation, […] I'm excited and happy and alive today because of it."[155] NAJC President Art Miki remarked "I think the burden of guilt that many people in our community had carried has now been lifted. Now they can continue with their own lives as true Canadians. […] I don't know how else to express it but to jump up and shout and yell. I'm very proud to be Canadian."[156]

In the months following the public apology, the NAJC shifted its attention to its role in administering the settlement, including choosing how to spend the education fund it had been issued, and supporting the continuation of the organization after it had achieved this long-desired goal. At the "NAJC Leadership Conference" held in March 1989, members gathered to discuss the NAJC's achievements and future. In some sessions they took the opportunity to reflect on the meaning of the Redress movement and settlement and were able to articulate more complex perspectives than were included in newspaper accounts. The settlement had brought about a new

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[154] Canada. Parliament. *House of Commons Debates*, 33rd Parl., 2nd Sess., Vol. 15, (22 September 1988), 19499-19500.
[155] William Walker, "Japanese Canadians' Tears Flow as Historic Redress Deal Signed," *Toronto Star*, 23 September 1988.
[156] Ibid.

relationship of the Japanese Canadian community to Canadian citizenship. One attendee commented:

> For me, after becoming involved in the Redress movement over the past 5 or 6 years, being a Japanese Canadian has changed drastically. Not only have we gained the respect and understanding of most Canadians, and elevated our personal and community self esteem to an all time high […]. The achievement of Redress has been the catalyst in our new found community enthusiasm, the forming of new NAJC chapters throughout the nation, an increasing focus on our [Japanese Canadian] culture by our younger generations, a need to bring out and preserve our history.[157]

The settlement also restored dignity and respect to the Japanese Canadian community. As another attendee explained:

> [W]e achieved a *negotiated* settlement with the Government which was one of the most important and far-reaching events in the history of Japanese Canadians, being second only to the mass uprooting from the coast in 1942. This was […] the greatest elation ever experienced by the [Japanese Canadian] community across Canada. It restored the dignity besmirched by the evacuation, it created in us a feeling of being first class citizens by removing the stigma of disloyalty and distrust imposed upon us by the Government. It enabled us to hold our heads up high and walk tall and proud.[158]

We can see here that the redress movement was ultimately successful in multiple registers. The NAJC's leaders demanded that the government negotiate with the community as it had self-constituted, on its self-defined terms, rather than using consultations with a variety of community organizations as a legitimating screen for a settlement negotiated only internally within the government. The national organization placed a high value on community input and actively and explicitly engaged in the negotiation of community identity. It insisted that recognizing Japanese Canadians would require recognizing their concerns and identities as the community itself understood them. When the government agreed to substantively negotiate with the NAJC, it acquiesced to NAJC insistence that recognition could only legitimately proceed according to the community's self-defined priorities. In addition, the NAJC achieved an apology that recognized the wrongs suffered by the Japanese Canadian community and its position in and contribution to a multicultural Canada. The apology and redress settlement functioned as practice

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[157] Tony Tamayose in "What it Means to be Japanese Canadian," *NAJC Leadership Conference Report*, 1989, R9223, volume 5, folder 1 ("NAJC – Leadership Campaign Conference (1989)"), Fonds Roger Obata, Library and Archives Canada, 1.

[158] Roger Obata, "NAJC – Its Ups and Downs," *NAJC Leadership Conference Report*, 1989, R9223, volume 5, folder 1 ("NAJC – Leadership Campaign Conference (1989)"), Fonds Roger Obata, Library and Archives Canada, 3.

of recognition. It was acknowledged in the House of Commons that "a great injustice" was done to Japanese Canadians "not because of what they had done, but because of who they were," and that "[t]hey, as Canadian citizens, had done no wrong [but] were the victims of intolerance and racism."[159] Crucially, this acknowledgement took place on the NAJC and the Japanese Canadian community's terms, avoiding the risk of reproducing the oppressive relations that enabled internment.

Reading Redress

What lessons are there to be learned from the way redress and its accompanying recognition were achieved by the Japanese Canadian community? I argue that only as a result of the NAJC's insistence on a central role for negotiation and contestation was the apology successful as a practice of recognition. Centering the process on self-defined community meanings legitimated the apology and its effects. The apology and the redress package were widely accepted by the community and have yielded important public history and public education projects that have worked both to ensure the Japanese Canadian community is recognized and to support justice going forward. Without negotiation and contestation, the apology easily could have been perfunctory, failing to respond to the components of the Japanese Canadian identity and experience that the community felt needed to be addressed. Negotiation and contestation here function as essential component parts of the democratic contestation that is crucial for individual and collective self-definition. For example, the NAJC successfully insisted that the government accept its strategy of negotiating community values internally and contesting the government's proposed settlements. As a result, the NAJC was able to hold the government accountable to an implied ideal of collective self-definition and ensure that the form of redress was non-dominating.

Redress was only achieved through sustained effort by a wide range of community activists, and, in particular, as a result of the NAJC's insistence that redress or recognition would be invalid without substantive negotiation with the community's representatives. Government representatives threatened to exploit the political moment and impose a settlement on the community in order that the government could claim that it had recognized wartime internment, resolved it, and consigned it to history. A process like that proposed in early 1985, which would have allowed less than two months for the resolution of "all substantive issues," was unacceptable to the NAJC.[160] A rigid and unresponsive process would have invalidated any practice of "recognition" it yielded. The NAJC saw that "a flexible time frame [was] necessary in order for [the] community to contribute to and benefit from the process itself" and that "for Japanese Canadians affected by the wartime injustices, the process of achieving a resolution to redress [was] an extremely important component of the validity of the settlement."[161] NAJC leadership demanded that the process be made more expansive and responsive to the actual

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[159] Edward Broadbent, Canada. Parliament. *House of Commons Debates*, 33rd Parl., 2nd Sess., Vol. 15, (22 September 1988), 19501.

[160] "Press Release: The National Association of Japanese Canadians (NAJC) regrettably announces…," 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

[161] "Press Release: The National Association of Japanese Canadians (NAJC) regrettably announces…," 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

expressed concerns of the Japanese Canadian community. They refused an abbreviated consultation process.[162] Instead, they demanded that the process allow time for the leadership to consult the broader community. The NAJC insisted that a settlement be negotiated rather than imposed, and that it respond to the expressed priorities of the community.

The NAJC validated its approach to achieving redress through extensive public informational campaigns and internal discussions to clarify community members' priorities. First, the issue of redress was thoroughly discussed in the press, both in national mainstream newspapers and in community newsletters like the *New Canadian*. This exposed the general public to some of the nuances of the positions the NAJC and the Japanese Canadian community were negotiating, as well as revealing some of the lesser-known indignities and injustices of war-time internment. In addition, the NAJC conducted a national questionnaire of Japanese Canadians in 1986, designed to obtain reliable evidence about the community's priorities.[163] The results of the questionnaire showed that community members thought compensation for individuals was a crucial component of redress. These results allowed the NAJC to make a strong case to the government that an approach that only included a lump sum for an anti-racist foundation would be insufficient. The NAJC also supported community efforts to work through what it meant to be Japanese Canadian, and how the community should respond, for example, to the desire to support aging Japanese Canadians in dispersed communities, in a range of community meetings and conferences.[164]

The NAJC's insistence on a settlement responsive to self-defined community meanings and priorities was crucial to the success of the redress settlement as a practice of recognition. The NAJC refused to allow the government to co-opt the community's own desires for redress. If the government had been allowed to impose a settlement and call that "recognition," that practice of recognition would have tied the Japanese Canadian community to a definition of its goals that did not accurately reflect the community's actual priorities. Instead, the NAJC's demand for a community-contested process negotiated among community members yielded a form of redress and recognition that responded to the community's self-defined demands.

The government's superficial understanding of the aims of recognition (or, more insidiously, the government's willingness to override genuine community concerns in order to score political points) led it to consider "recognition" that would not have responded to the Japanese Canadian community's self-defined concerns.[165] Nonetheless, the fact that recognition

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[162] "Press Release: The National Association of Japanese Canadians (NAJC) regrettably announces…," 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)"), Fonds Roger Obata, Library and Archives Canada, 1.

[163] "Majority Prefer Individual Compensation or Both Individual and Community Compensation," 1986, R9332, volume 6, folder 31 ("Redress Questionnaire"), Fonds Roger Obata, Library and Archives Canada.

[164] Kobayashi, Miki, and National Association of Japanese Canadians, *Spirit of Redress: Japanese Canadians in Conference*. This volume contains the proceedings of a conference held in May 1987, with the goal of "address[ing] the pressing issues [they] faced as a community and as individuals" (7).

[165] It is also true that political exigencies very likely contributed to the Mulroney government's decision to finally sit down at the negotiating table in late August 1988. The Reagan government had finally agreed to reparations for Japanese Americans in April 1988, and Mulroney's Progressive Conservatives were facing an election that fall during which they could expect to be held to account for a failure to uphold the 1984 campaign promise that had initially given the Japanese Canadian community such crucial political leverage. This does not invalidate the apology as a practice of recognition; as NAJC president Art Miki told the Toronto Star on 23 September 1988, politics "perhaps may have something to do with [the settlement]," but "[w]e have to realize there's a time and place where things happen," and "I don't feel any guilt if we are being used" as part of an election ploy. See Walker, "Japanese Canadians' Tears Flow as Historic Redress Deal Signed."

can be wielded insincerely does not mean there is no potential in recognition. In this case, apology, redress, and recognition were achieved as a result of the NAJC's insistence that its community's own self-defined demands be recognized, and the settlement thus met many of the aims of recognition. The results of this process were widely accepted by the community and constitute an important, successful, example of recognition in practice.

Conclusion

The story of Japanese Canadian redress demonstrates that processes that support collective self-definition through processes of democratic contestation do a better job of avoiding the perils of recognition. They also highlight the difficulties the NAJC faced in successfully demanding such a process. It is, perhaps, a stretch to call the process the NAJC faced "supportive" of collective self-definition. Only stubborn self-advocacy allowed the NAJC to demand room for its processes of internal consultation and collective self-definition. However, the fact that extraordinary efforts were required from the NAJC does not mean that we should give up on government practices to achieve recognition. While in this case the government displayed a disappointing desire to privilege political advantage, that is not a necessary component of such practices. Instead, we should seek to ensure that such practices are designed to support collective and individual self-definition through democratic contestation .

The demand for democratic contestation almost inevitably conflict with political demands to resolve issues of recognition in definitive and efficient processes. Democratic contestation and self-definition are messy and time-consuming, and refuse to promise closure. But then, so are collective and individual identity, equality, and freedom.

Taking this apology as an early example of a *practice* of recognition shows us that there is progress to be made in understanding and evaluating recognition through closely observing the dynamics of recognition in practice. It raises thorny issues about representation, freedom, and equality, but it also demonstrates that when processes are careful to attend to the complexity of identity and support the conditions of self-definition, the resulting practices of recognition are more able to achieve the goals of the politics of recognition.

Ch. 4: Museology and the Politics of Recognition

The world of museums provides a new way of thinking about how and under what circumstances group-based identities should be put on display. Museums are seldom examined under the purview of political theory. Nonetheless, museums provide an interesting context for the articulation of national ideas about membership, belonging, and which histories matter. These issues are particularly relevant in publicly supported national museums of human history. Part of the mission of these institutions is to represent the individuals and groups that make up the national population. As a result, political objectives have a significant influence on both general museum policy and the development of specific exhibits. Museums in the late twentieth and early twenty-first centuries represent one of a series of locations in which wider shifts in attitude toward cultural and other differences are being worked out, and thus are a fruitful place to think through questions of recognition.

There are three reasons for looking to museums as sites where the recognition, negotiation, and contestation of minority cultures occurs. First, a tension inherent to the central project of museums of human history is analogous to a tension that pervades efforts at legal recognition. As Tony Bennett argues in *The Birth of the Museum*, these museums are beset by a tension between their claims to represent something *universal* about the human experience and the inevitable fact that any exhibit contains *specific* artifacts that tell a particular story about some subset of humanity.[166] Similarly, efforts to formally recognize cultural and other differences are caught between the desire to acknowledge a universal human need for connection to culture and the risk that recognizing specific cultures or cultural attributes can unjustly tie groups or individuals to interpretations of their cultural values that limit, rather than enhance, freedom.[167] The similar dynamics of efforts to recognize a variety of cultural groups in the museum and through public policy suggest that examining how this challenge is worked out in the museum context will provide some guidance for how it can be best worked out in the policy context. Reasoning by analogy between the two contexts may yield new strategies or approaches to negotiating this challenge for the legal recognition of difference.

A second reason for turning to museums to think about recognition relates to the place of museums in the wider set of shifts in how cultural difference was understood in the last quarter of the twentieth century. The late twentieth century saw fundamental changes in how difference and recognition were understood in academia, across the humanities and social sciences, and in public political discourse. Though these changes did not come to all disciplines at the same time, both museology and political theories of recognition can be seen to be grappling with similar challenges around these issues. Though the implications for praxis in museums and in political theory are different, the two disciplines are working through similar questions about the proper relationship between minority cultural groups and a dominant legal or epistemological authority. Questions in the political theory of recognition centered on how and whether "special" "cultural" rights should be extended to minority cultural groups and their members. By contrast, questions in museums focused on the ethics of collection and display and the relationship between museum staff and members of the cultures that were being put on display. Nonetheless, both disciplines

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[166] Tony Bennett, *The Birth of the Museum: History, Theory, Politics* (London: Routledge, 1995). See also "The Political Rationality of the Museum," *Continuum* 3, no. 1 (1990).

[167] Markell, *Bound by Recognition*; Brown, *States of Injury: Power and Freedom in Late Modernity*.

were working to understand what the "fact of diversity" required. Though different practical strategies are appropriate for the different contexts, there are also similarities in ethical or philosophical orientation across the two disciplines.

A third reason to turn to museums in a study of recognition and belonging is that publicly supported museums provide a place where the state explains what it means to be a member. Especially in museums that are explicitly designated "national,"[168] ideas about unifying national narratives and the place of minority groups within that narrative are expressed and guided by political priorities.[169] Museums thus provide clear material examples of the public negotiation of recognition and make claims about how we should think about a national whole. They demonstrate some of the opportunities, possibilities, and pitfalls in the negotiation of who speaks for whom, what ought to be said, and with what authority. By investigating how museums have negotiated these questions we can gain insight into the kinds of approaches that support relations of freedom and self-definition.

Questions of recognition and the ethics of collection and representation are central to much of contemporary museology. As a result, there is a wealth of literature in museum studies and anthropology that engages directly with practices of representation and consultation and how they should shape museum practice. This literature provides fresh ways of thinking through recognition. Examining these examples can therefore shed light on risks and strategies in navigating the complex terrain of the politics of recognition.

Museums and Recognition in the Twentieth Century

In museum studies and museum anthropology, both as academic disciplines and as professions, museums of human history are understood as institutions that serve important representative functions.[170] Museums not only collect and care for artifacts that serve as touchstones for significant episodes in national or other collective histories, but also take responsibility for displaying and explaining that history to a diverse public. Curators and other museum officials thus are held responsible to a number of different constituencies, including the imagined public to which the exhibits are targeted, those whose histories and cultures are being exhibited, senior officials and boards of directors within the museums, and, in the case of publicly funded museums, government and other public figures whose visions may shape the purposes of museums.

Expectations about the role museums will play in telling national histories have both affected and been affected by the discourse of academics and practitioners. Museums of human history today have been transformed from institutions primarily intended to educate and elevate the lower classes, whose pastimes were otherwise likely to be "immoral,"[171] into institutions that aim to educate society as a whole by reflecting the population back on itself in order to display group and national meanings. Simultaneously, as museums of human history have become more publicly focused on representing and displaying the breadth of the human experience, demands

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[168] Fiona McLean, "Museums and National Identity," *Museum and Society* 3, no. 1 (2005).

[169] Peggy Levitt, *Artifacts and Allegiances: How Museums Put the Nation and the World on Display* (Oakland, CA: University of California Press, 2015).

[170] For example, see Sharon J. MacDonald, "Museums, National, Postnational and Transcultural Identities," *Museum and Society* 1, no. 1 (2003).

[171] Bennett, *The Birth of the Museum: History, Theory, Politics*.

for them to be more representative of the population to which they are addressed complicate practices of collection and curation.

This section of the chapter provides an overarching summary of the intellectual context of late twentieth century museums, focusing on the kinds of changes that occurred in museology, the reasons those changes were made, and the kinds of policy and political responses that occurred. It also points out how shifts in museum studies mirror shifts in more overtly political theories of recognition and the broader social and political context. This both provides context for the decisions being made at the museums studied and supports my argument that we should read exhibitions featuring these groups as forms of recognition. During this period, both museum practitioners and members of the groups being represented were coming to understand museums as spaces where recognition could happen, and so were negotiating the terms by which this recognition came about.

Origins of the Museum

Contemporary museums of human history originate in the collecting culture of the nineteenth century, new efforts to educate and civilize the common population, and the emergence of the academic discipline of anthropology. Public museums in Europe were established when private and royal collections of objects understood to contain and communicate knowledge were put into public hands, for maintenance by a professionalizing museum staff and display to a democratizing public.[172] Collections had previously served to reflect the particular tastes, experiences, and expertise of their private owners; as Duncan Cameron puts it:

> The collections may have said, "Look how curious I am and how meticulous and how thorough. Here is my scientific collection, which reaffirms my beliefs in the order of the universe and the laws of nature." The collection may have said, "See how rich I am," or "Look at this. Look at how I surround myself with beautiful things. See what good taste I have, how civilized and cultivated I am." It may have said, "Oh! I am a man of the world who has travelled much. Look at all the places I have been. Look at all the mysterious things I have brought back from my adventures. Yes! I am an adventurer."[173]

The transfer of many of these collections to public care invalidated justifications for the contents of collections and the manner of their display that had previously been unremarkable. As a variety of private collections were transferred to public institutions, professionalized staff took over their care, classification, and display. Members of this newly professionalized discipline organized and displayed artifacts in accordance with purportedly universal themes of civilization and beauty, usually shot through with popular ideas about natural racial hierarchies and human progress. The institutions that preceded the public museum as we think of it today were thought of as "curio cabinets" (from the German *Wunderkammer*), "disordered jumble[s] of unconnected

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[172] Michael M. Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 2nd ed. (Vancouver, BC: University of British Columbia Press, 1992), 16-17.

[173] Duncan F. Cameron, "The Museum, a Temple or the Forum?," *Curator: The Museum Journal* 14, no. 1 (1971): 15-16.

objects," responsive only, or at least primarily, to the eccentricities of the collector. [174] The public museum, by contrast, was organized so its collections represented the shared world of its visitors and a consistent and cohesive national identity. The museum emerged as a "publicly owned civic temple" that could be identified "with the state or the nation in a secular rather than religious sense, expressing and authenticating established views."[175]

The transfer of the care of these material repositories of history to public authorities also contributed to the establishment of the public museum as an institution that cared for objects that communicated "true" stories and exemplified "excellence," whether their subject matters were human history, science and natural history, or art. Ideas about what mattered were maintained by an "academic, curatorial elite" and thus "[t]he public generally accepted the idea that if it was in the museum, it was not only real but represented a standard of excellence."[176] The educational functions of the museum and the expectation that the public that visited its exhibits would find it meaningful encouraged the educated classes "to expect that the collections would present and interpret the world in some way consistent with the values they held to be good, with the collective representations they held to be appropriate."[177]

The opening of the museum to the general public was also understood to serve an important governing role, by directing the masses toward publicly provided education and away from baser pursuits. For example, in late nineteenth century England, the museum was explicitly discussed as an institution that, along with other such institutions, would deploy "high culture to so transform the inner lives of the population as to alter their forms of life and behavior."[178] The general population could be educated and transformed into "individuals with new capacities for self-monitoring and self-regulation"[179] through the public provision of cultural and other amenities. British cultural reformer Sir Henry Cole lauded the ability of high culture to encourage moral restraint:

> If you wish to vanquish Drunkenness and the Devil, make God's
> day of rest elevating and refining to the working man…give him
> music in which he may take his part; show him pictures of beauty
> on the walls of churches and chapels...give him his park to walk
> in…give him [the] cricket ground…open all museums of Science
> and Art…let the working man get his refreshment there in
> company with his wife and children, rather than leave him to booze
> away from them in the Public house and Gin Palace. The Museum

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[174] Eilean Hooper-Greenhill, *Museums and the Shaping of Knowledge* (New York: Routledge, 1992), 79. (Though note that Hooper-Greenhill contests this characterization of early museums. She draws on Foucault's *The Order of Things* to argue that although the *Wunderkammer* is dismissed as an irrational collection of objects incapable of expressing any real knowledge or world-view, it is better understood to be expressing the rationality appropriate to the *episteme* that dominated Europe at the time, and thus valuable despite its failure to adhere to modern expectations of science.)

[175] Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 22.

[176] Cameron, "The Museum, a Temple or the Forum?," 17.

[177] Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 21.

[178] Bennett, *The Birth of the Museum: History, Theory, Politics*, 20.

[179] Ibid.

will certainly lead him to wisdom and gentleness, and to Heaven,
whilst the latter will lead him to brutality and perdition.[180]

This desire to educate and transform the common man drove the museum's efforts to bring entertainment and education together.[181] The educational mission of the museum was embodied in the direct provision of mass education on truth, beauty, and civic virtue. In addition, many major nineteenth century museums became affiliated with institutions of higher education and hosted training for museum professionals as well as advanced degree programs in anthropology and related disciplines.

Finally, the contemporary form of the museum of human history (in contrast to the museum of natural history or the art museum) owes much to the discipline of anthropology. The form of anthropology that underpins the modern museum is rooted in the emergence of ideas about human and social evolution in the nineteenth century, motivated at least in part by contact with "primitive" societies and the colonial experience.[182] Particularly in North America, the discipline of anthropology as we know it today owes much to the influence of Franz Boas, whose work at the American Museum and other such institutions shaped how archaeological and anthropological materials were presented in American museums in the late nineteenth and early twentieth centuries.[183] Though early twentieth century anthropology was closely connected with the display of its knowledge of human history in museums, as the discipline became increasingly contested, varied, and diverse, the importance of museums to anthropology declined. Though museum anthropology became less important to anthropology as a whole, anthropology as a whole continued to provide many of the terms of the ethical debates that were taking place within museum communities both about the propriety of speaking for others and of displaying the "Other," and concerning other issues in the ethics of display.[184] In addition, the transformation of the *Wunderkammer* into the museum prompted the need to systematize, classify, and interpret the artifacts housed by the museum. Thus "[w]ith the emergence of public museums we find also the emergence of a museum profession."[185]

Together, these influences shaped the development of the modern North American museum. Emerging from the eclectic collections of royalty and the rich, the public museum was guided by the desire to educate the common man, diverting him from other pastimes and encouraging him to develop self-regulating capacities and improve his faculties. The public

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[180] Sir Henry Cole, 1884, as cited in ibid., 21.

[181] These dual objectives continue to animate museums today, including a seemingly interminable and intractable struggle between those who argue that museums must provide an entertaining and enjoyable experience in order to attract visitors, and thus prioritize the use of new interactive technologies and wish to move away from "old-fashioned" didactic exhibits and those who see any concession to entertainment value as a betrayal of the serious scholastic and educative mission of the museum.

[182] Thomas Hylland Eriksen, *Small Places, Large Issues: An Introduction to Social and Cultural Anthropology*, 3rd ed. (London: Pluto Press, 2010).

[183] Ira Jacknis, "Franz Boas and Exhibits: On the Limitations of the Museum Method of Anthropology," in *Objects and Others: Essays on Museums and Material Culture*, ed. George W. Stocking (Madison: University of Wisconsin Press, 1988).

[184] Regna Darnell, "History of Anthropology in Historical Perspective," *Annual Review of Anthropology* 6 (1977); George W. Stocking, "The Ethnographic Sensibility of the 1920s and the Dualism of the Anthropological Tradition," in *Romantic Motives: Essays on Anthropological Sensibility*, ed. George W. Stocking (Madison: University of Wisconsin, 1989); Jacknis, "Franz Boas and Exhibits: On the Limitations of the Museum Method of Anthropology."

[185] Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 17.

museum was also used as a tool for reflecting and articulating a national identity, moving from expressing the particular proclivities of the elite collector to expressing a group or national tendency. At the same time, the museum of human history has its origins in the nineteenth and early twentieth century practices of anthropology. As the discipline developed and professionalized (and later splintered and diversified) the museum waxed and waned in importance. Nonetheless, many such museums were profoundly influenced by anthropological ideas about what constituted human culture and human history, and by continuing debates around the validity of then widespread ideas about the progressive nature of civilization and human history.

Change at the Museum

Over the course of the twentieth century both museums and society as a whole turned increased attention to the variety of human experience and to the obligations of institutions with power to those varied experiences. Awareness of the limitations of Romantic ideologies about human progress came comparatively early to the discipline of anthropology, troubling the principles of display of human development.[186] Nonetheless, museums were not initially reflective of the diversity of the populations at which they were aimed. Theodore Low's 1942 answer to the question "What is a museum?" emphasizes the duty of the museum to maintain the ideology of peace, and to properly educate the public because museums "have the power to make people see the truth, the power to make people recognize the importance of the individual as a member of society, and, of equal importance in combating subversive inroads, the power to keep minds happy and healthy."[187] For Low, that is, museums continued to fulfill the educational role envisioned by his Victorian predecessors.[188] In the early twentieth century, the museum continued to promulgate truth and national values, not to reflect the views and experiences of the public or the populations represented, let alone to provide a space for the contestation of the meanings of those experiences.

By the mid twentieth century, increased demands for representation and recognition by marginalized populations put pressure on a range of legal and social institutions. Movements for decolonization and for greater freedom for and recognition of minority groups *within* Western nations demanded fundamental change in the dominant systems that claimed access to truth and the good. Their core claim was that the exclusion of the marginalized periphery from access to cultural and political power was unjustified. Moira Simpson, for example, explicitly connects the "tremendous blossoming of cultural expression amongst indigenous groups and other ethnic

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[186] This is not to suggest that there was some uniform reaction within the discipline of anthropology, or that it universally accepted principles of anti-colonialism that we might see as nearly ubiquitous today. Certainly there is a long history of contestation of method and values *within* anthropology as a discipline and not all approaches advocated the dismantling of a narrative of human progress or the view of the "Other" that many now argue is problematic. My point here is merely to acknowledge that, in comparison with other academic disciplines, anthropology was in general more responsive, earlier, to the idea that different ways of living ought not necessarily be differently *valued*.

[187] Theodore Low, "What Is a Museum?," in *Reinventing the Museum: The Evolving Conversation on the Paradigm Shift*, ed. Gail Anderson (Lapham, MA: AltaMira Press, 2012[1942]), 34.

[188] Note that, it being wartime, for Low the mission was considerably more focused on bolstering nationalism: "[a]ctive public libraries and active public museums are an American creation and as such they can play an exceedingly important role in maintaining and strengthening that thing which we like to call 'the American Way of Life.'" (ibid., 45.)

minority groups, resulting from a growing awareness of the importance of cultural heritage and the desire for free expression and civil rights"[189] to a shift in expectations about how minority groups should be represented in museums. Critiques of the exclusion and misrepresentation of the art, culture, and histories of people of color prompted significant change within the discipline of museum studies.

An approach called "new museology" began to take shape in the 1970s and 1980s. "New museology" increased emphasis on attracting audiences on their own terms and aimed to provide an educational service to the public without endorsing previous perfectionist aims. The new movement also articulated a new ethics of collection and curation that worried about usurping authority and voice and brought a new focus on community museums and productive relationships with the groups being represented. Duncan Cameron advocated for the museum to become both a "temple" and "the forum." He believed that the museum should supplement "the academic systems of classification, which constitute an undecipherable code for the majority of museums visitors" with "interpretation of the collection that is based on the probable experience and awareness of the museum audience" to serve as a "structured sample of reality,…as an objective model against which to compare individual perceptions."[190] Success would make the museum a temple of knowledge and truth. As a forum, by contrast, the museum should be "unfettered by convention and established values" in order "neither to neutralize nor to contain that which questions the established order [but] to ensure that the new and challenging perceptions of reality—the new values and their expressions—can be seen and heard by all."[191]

New museology's ethics of curation asked how museums could legitimately speak for others. Though many museums had previously spoken for those they represented without consultation and collaboration, shifting norms meant that new guidance was required. These issues get to the heart of the politics of recognition and representation. Michael Ames explains:

> curation and museum policy can no longer make undisputed claims
> for the privileges of neutrality and universality. Representation is a
> political act. Curation is a political act. Working in a museum is a
> political act. Even living is a political act! Museum work is not
> *only* political, of course, but the political implications of what one
> does becomes especially important in increasingly populist
> democratic societies.[192]

Rather than speaking for others, museums, and, by extension, all those who undertake the political acts of representing and living, ought to seek to *share* authority. In Ames's words, "the tradition of scholarship needs to provide…more space for other perspectives, for a broader definition of knowledge, for an expansion of research techniques, and for a recognition of critiques from the margins of society."[193] The museum is an important space for this because it can and should "provide the space, the occasion…where museum professionals and scholars may

[189] Moira G. Simpson, *Making Representations: Museums in the Post-Colonial Era*, Rev. ed. (London: Routledge, 2001), 7.
[190] Cameron, "The Museum, a Temple or the Forum?," 18 & 23.
[191] Ibid., 23-4.
[192] Michael M. Ames, "Biculturalism in Exhibitions," *Museum Anthropology* 15, no. 2 (1991): 13, emphasis original.
[193] Ibid., 14.

engage productively in lively and civil discourses with others who are also authorities in their own communities" and also offer "playing fields on which contrary views can be contested and worked through."[194]

Museums served from their earliest days as locations for the articulation and expression of national identities, "embroiled in the attempt to culture a public and encourage people to imagine and experience themselves as members of an ordered but nevertheless sentimentalized nation-state" and helping "to think identities as bounded and coherent."[195] These origins make museums of human history particularly fruitful locations for working through the meaning of identity in the late twentieth century. This potential only makes more urgent the project of working out the appropriate relationship between those who construct the exhibits and those whose lived experiences are being exhibited, represented, and recognized.

Writing in 1991 Stephen Weil traced these changes in the theory of the American museum through policy changes at the American Association of Museums (AAM) and the International Council of Museums (ICOM), arguing that "what the museum might be envisioned as offering to the public has grown from mere refreshment (the museum as carbonated beverage) to education (the museum as a site for informal learning) to nothing short of communal empowerment (the museum as an instrument for social change)."[196]

These changes in museology and anthropology took place roughly contemporaneously with the wide range of other changes across society and academic that made multiculturalism, cultural accommodation, feminism, critical race theory, and "identity politics" such vibrant and vital areas of study in the late twentieth century. Tony Bennett argues that as the museum became more open to the public, the expectation of representativeness also increased, and museums responded, increasing their willingness to support processes of community consultation and collaboration.

Representation and Recognition at the Museum

A central result of these transformations at the museum was a new focus on the politics of representation. The shift in perspective has been so fundamental that in contemporary museology, the question of ethical collection and representation is generally accepted as central. Museums often seek out collaborative relationships with the communities they represent and serve. Within museology there is significant attention to the ethics of maintaining collections and curating their exhibition.[197] In addition, there has been a proliferation of "community museums," which seek to represent the specific experiences of smaller communities, rather than national or global narratives. The prevalence of this view is nicely exhibited in the 1989 book *A Museum for the Global Village*, intended to introduce the new Canadian Museum of Civilization (CMC). A key motivation for the revised museum was the need to reflect the diversity of the "global village" to Canadians to help them place their own experiences in context:

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[194] Ibid.

[195] MacDonald, "Museums, National, Postnational and Transcultural Identities," 5-6.

[196] Stephen E. Weil, "From Being About Something to Being for Somebody: The Ongoing Transformation of the American Museum," *Daedalus* 128, no. 3 (1999): 236.

[197] For example, there are a variety of volumes dedicated to working through the praxis of ethical curation, including, among others, Janet Marstine, *Routledge Companion to Museum Ethics: Redefining Ethics for the Twenty-First Century Museum* (New York: Routledge, 2011).

CMC wishes to showcase not merely its collections but the layered ethnicity which is the cultural background of Canadians and which those collections only reflect. The metaphor of the museum as a mirror for mankind has perhaps been overused, but that does not make it any less appropriate. People come to museums to find a reference point for their identity: who they are as individuals, who as members of a social group, and so on. The principle guiding the development of new exhibitions for CMC has been to reveal those identities, allow visitors to explore them and their relationships with others, and through that process to understand the contemporary human condition.[198]

The CMC, in contrast to its predecessor, the National Museum of Man (NMM), aimed to put Canadians on display *for Canadians* in order to provide a space for collaboratively working out national and other identities. In this view, only by understanding the shape of one's own identity and how it fits in with the identities shared by one's compatriots is it possible to understand the contemporary human condition.

Policy responses also emerged from government and international professional organizations. This era of transition saw the passage of international agreements restricting the sale and other transfer of "cultural" artifacts.[199] For example, in the United States the passage of the *Native American Graves Protection and Repatriation Act* (NAGPRA) in 1990 accorded ownership of Native American human remains "in the first instance to lineal descendants; secondly, to the tribe upon whose land the objects or remains were discovered; [and] thirdly [to] the tribe with the closest cultural affiliation."[200] In Canada, legislative and policy responses were less pointed, expressing an interest in making museum policy consistent with federal multiculturalism policy, but making only mild commitments to representativeness in the *National Museums Policy*, 1972, and the 1989 policy document designed to prompt reconsideration of museum policy.[201] At the same time, the International Council of Museums (ICOM) in 1971 adopted a resolution urging museums to reject the emphasis "'merely' on the possession of objects of cultural and natural heritage" in order to "more firmly establish their

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[198] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 72. Note the discussion here of the multi-layered structure of identity, as MacDonald and Alsford understand it. People are driven not only to understand themselves as individuals, but also as members of the groups to which they belong, as well as, implicitly, members of their national groups. Recall, also, that at this time, although the official multiculturalism policy had been established in 1971, the Canadian Multiculturalism Act, 1988 had only just been passed.

[199] This section focuses on policy passed in the United States in Canada, but this shift also affected museums in other parts of the world, including in particular Australia and New Zealand and policies about the treatment of material from indigenous peoples.

[200] Simpson, *Making Representations: Museums in the Post-Colonial Era*, 182.

[201] Communications Canada, *Challenges and Choices: Federal Policy and Program Proposals for Canadian Museums* (1989). This document simply notes increasing pressure for representative museums without any commitments to make particular changes. "When Canada's multicultural dimension has received expression through museums and art galleries, it has frequently been on the initiative of ethnic groups themselves, meeting their cultural needs within a community framework. [….] However, ethnic organizations are now petitioning public institutions to document and interpret their historic and contemporary role in Canada more adequately. For example, they have requested that their artistic works be considered as fine arts and not folk arts by funding bodies and art galleries; that museums collect and exhibit ethnic artifacts, or support the ethnic communities to do so; that there be ethnic representation on boards and within senior staff in major institutions" (61-2).

educational and cultural role in the service of mankind."[202] Stephen Weil argued that this and other similar resolutions from both ICOM and the American Association of Museums (AAM) show that the American museum in 1999 had become "an instrument for social change."[203] Additionally, the United Nations Educational, Scientific and Cultural Organisation (UNESCO) and other UN organizations began to wade into matters relating to the preservation of Indigenous heritage and the role of museums in those efforts. These efforts used conventions and policy to limit the trafficking of cultural property and supported strong rights of self-determination and other cultural rights for Indigenous peoples. Through the end of the twentieth century and the 2000s, "[a]t an international level, recognition [grew] of the need to assert and protect the human rights of indigenous peoples and to provide protection for indigenous intellectual and cultural property rights."[204]

The existence of these commitments and even of concrete strategies for their implementation does not mean that these issues are regarded as settled. Alongside broad agreement that consultation in some form is important and that artifacts should be controlled by the descendants of those by whom the artifacts were originally created exists a lively discussion of just and effective practices of consultation.[205] In the terms of political theories of recognition, mere agreement that consultation and collaboration should be involved in representing (and thus recognizing) cultural minority groups through museum exhibits fails to provide sufficient guidance for museum professionals, policy makers, legislators, or even community members on how to manage a relationship of recognition.

What Political Theory Can Learn from Museology

> There are tightropes to walk in every direction, and beneath the ropes eggshells everywhere.[206]
>
> Michael Ames 1992, 13.

Michael Ames's metaphor for the challenges museum professionals face when working to make the museum entertaining, financially viable, publicly responsive, professionalized, and innovative, all in ways that respect both the needs and interests of the peoples represented in the museum and curatorial autonomy, is instructive for the political theory of recognition. Together, museology as a discipline (explored above) and specific museums and exhibits (explored below) suggest that there is still much to work out in the *practice* of the politics of recognition. The value of equality alone cannot tell a curator how to balance the many pressures that constrain her work. Similarly, the value of equality alone cannot guide legal efforts to recognize difference. Put more forcefully, there are no doubt risks in any normative decision, tightropes from which to

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[202] Weil, "From Being About Something to Being for Somebody: The Ongoing Transformation of the American Museum," 237.
[203] Ibid., 236.
[204] Simpson, *Making Representations: Museums in the Post-Colonial Era*, 269.
[205] See, eg., Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 22; Viv Golding and Wayne Modest, eds., *Museums and Communities: Curators, Collections, and Collaboration* (London: Bloomsbury, 2013); Kevin Coffee, "Cultural Inclusion, Exclusion and the Formative Roles of Museums," *Museum Management and Curatorship* 23, no. 3 (2008); and Susan Ashley, "State Authority and the Public Sphere: Ideas on the Changing Role of the Museum as a Canadian Social Institution," *Museum and Society* 3, no. 1 (2005).
[206] Ames, *Cannibal Tours and Glass Boxes: The Anthropology of Museums*, 13.

tumble and eggshells to shatter, but those risks cannot mean that the right path is simply to abstain from traversing the tightropes – only that they must be walked with care. So long as we are aware that the current arrangement of tightropes and eggshells fails to live up to the values we demand of it (here, equality, autonomy, and self-definition), we must try our best to reflect on the ways that legal and other institutions contribute to those shortcomings and try to change them for the better.

Ch. 5: Consultation and Self-Definition at the Canadian Museum of Civilization

> A new piece of sculpture of monumental proportions is nearing completion on the banks of the Ottawa River, at Parc Laurier, opposite the Parliament Buildings. The bold lines of this building, designed by Douglas J. Cardinal & Associates, evoke the eroded landforms and streambeds of post-glacial Canada at the time of entry of the first human beings. It is already clear that the building will occupy the same symbolic role for Canada abroad as, for example, the Sydney Opera house does for Australia. With a truly world-class building at the very heart of our nation, the Canadian Museum of Civilization must deliver exhibitions, research, and public interpretive programmes of equal excellence.
> - Canadian Museum of Civilization Vision Statement, Draft 20/05/1987, 1[207]

This chapter and the subsequent chapter turn to detailed examples of the practice of recognition at specific museums. This chapter examines the practice of recognition at the Canadian Museum of Civilization (CMC) from its conception in the early 1980s to the completion of the permanent exhibits in 2003. It concentrates on exhibits dealing with the history and experience of Indigenous peoples in Canada. The next chapter focuses primarily on the National Museum of the American Indian (NMAI) in Washington, DC.

In the Canadian context, the CMC represents a significant site for the negotiation and recognition of sub-national group-based identities.[208] As a national museum with a lengthy history, with explicit aspirations to active participation in the multicultural project of recognition that consumed Canadian political discourse in the 1980s and 1990s, the CMC aims to engage in the representation of the national context and the relationship of various sub-national groups to one another and to a national narrative. It is a significant institution in the Canadian museum landscape and makes broad claims about the extent to which it is able to represent the full spectrum of Canadian history.[209]

This makes the CMC a fruitful place for thinking through extant practices of recognition, their aspirations, their risks and possibilities, and their implications for more general theories of the politics of recognition. Because the CMC aspired to be a place where the differences of Canadians from different backgrounds could be recognized and appreciated, it is reasonable to expect that its staff would be engaged in a variety of efforts to negotiate how Canadians from a wide range of backgrounds were recognized and how to balance the desire to be fully representative with the financial and other constraints inherent to the museum context.

The CMC is also a valuable site for the examination of practices of recognition because the museum was being reconceived and planned as the discipline of museology was

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[207] Canadian Museum of Civilization "Vision Statement," 20 May 1987, Box H-449, folder 4, Canadian Museum of Civilization: History Division Collection, Canadian Museum of History Archives, Gatineau, Québec.
[208] In 2014 the museum was renamed the Canadian Museum of History. For simplicity, this chapter continues to refer to it as the Canadian Museum of Civilization as that was its name through the period covered by this chapter.
[209] This focus perhaps explains, at least in part, the furor over the museum's 2014, to the Canadian Museum of History from the Canadian Museum of Civilization. Many scholarly examinations of the motivations for and implications of the name change argue that the narrowing of the Museum's mandate to focus on Canadian political history represents a troubling move away from the multicultural aspirations of the CMC.

renegotiating its role in representing the other and recognizing difference. As explored in the previous chapter, this period coincided with some of the founding conversations in the politics and political theory of recognition and multiculturalism. It also coincided with a broad rethinking of the place of difference in politics in North America, and the rise of what is sometimes called "identity politics." As a result, we can see serious question about the role of the museum and the shape of its practices in the Museum staff's work. There is much to learn about the potential and risks of recognition from how practices of recognition at the CMC responded to the pressures of these transitions in museology.

From the National Museum of Man to the Canadian Museum of Civilization

The opening of the Canadian Museum of Civilization (CMC) in 1989 marked a transformation in the national museum landscape of Canada. The CMC's predecessor, the National Museum of Man, had its origins in the late nineteenth century, when in 1856 an Act enabling the establishment of a geological museum by the Geological Survey of Canada was passed.[210] Over time, the Museum's mandate expanded to include anthropology. In 1968 the National Museums of Canada Corporation (the National Museums Corporation), a crown corporation consisting of the National Museum of Man (NMM), the National Museum of Natural Sciences, the National Gallery of Canada, and the National Museum of Science and Technology, was established.[211] The 1970s and 1980s were a period of great change within the National Museums Corporation. In 1972 a new National Museums Policy was established, outlining a new direction for Canada's national museums, focusing on increased public access and exposure to the national collections and the decentralization of Canadian public museums.[212]

Subsequently, due to deterioration in the already makeshift facilities that housed the NMM and motivated by the National Museums Policy, in 1981 the federal cabinet approved the construction of entirely new, purpose-built museums to house the NMM and the National Gallery of Canada. The decision and funding of $185 million were announced publicly in February 1982.[213] The site selected for the new NMM was known as the "Parc Laurier" site and was located across the Ottawa River from the federal parliament. The site formed part of the "Confederation Boulevard" route through the National Capital Region (NCR), a strategy by the National Capital Commission (NCC) to link significant tourist attractions together in the NCR in order to support a more robust tourist experience. A national process resulted in the selection of Douglas Cardinal, a relatively young Albertan architect of Indigenous descent, as the lead architect for the new NMM facilities.[214] A final plan for the new facilities was approved by the federal cabinet in November 1983, and construction began in early 1984.[215] In 1986 the NMM

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[210] Michael Dewing, "Bill C-7: An Act to Amend the Museums Act in Order to Establish the Canadian Museum of History and to Make Consequential Amendments to Other Acts," Parliamentary Information and Research Service Legal and Social Affairs Division (Ottawa, Ontario: Library of Parliament, 2013), 1-2.
[211] Ibid.
[212] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 6-7.
[213] Ibid., 5-8.
[214] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 12-18.
[215] Ibid., 20.

was renamed the Canadian Museum of Civilization, and the new CMC finally opened to the public for July 1, Canada Day, 1989.[216]

Museological Philosophy at the CMC

The new CMC represented a significant shift in philosophy from that of the former NMM. The NMM had been organized according to the principles of exhibition and collection that characterized most museums of anthropology and human history in the first half of the twentieth century. The NMM's divisions of archaeology, ethnology, folk culture, and history each had jurisdiction over a particular set of topics and made independent curatorial decisions. The CMC sought to provide a museum experience that overcame outdated ideas of museology. Through a new style of audience engagement it would "allow [its] visitors to discover and to celebrate fundamental themes such as the ethnic diversity that characterizes the Canadian people, […] to make a positive contribution to multiculturalism and to international understanding, […] to celebrate and contribute to the maintenance of ethnic identity, to be known as a source of strong and enduring visual and sensory images concerning our heritage, [… and] to provide a multifaceted mirror in the quest for perspective on self and others."[217]

This vision of the CMC's role was shaped in large part by the perspective of then director George F. MacDonald. MacDonald admired Marshall McLuhan, a Canadian theorist of communication who popularized the idea of the "global village" and asserted that "the medium is the message."[218] As a result, MacDonald believed that a radical shift in the way museums communicate with their publics was required.[219] In particular, he preferred immersive, experiential exhibits to traditional "didactic" exhibits. This preference framed how the framework within the permanent exhibits for the new CMC were developed. This is clear from the earliest planning documents for the CMC's new galleries, which were developed from the directive that a "streetscape" should be used as the centerpiece of both the major "History Hall" exhibit developed by the history division and the "Grand Hall" exhibit developed by the ethnology division.[220] MacDonald believed that this kind of immersive exhibition ("a re-created realistic setting intended to make visitors feel as if they are visiting a particular time or place") would engage visitors in the content of the exhibits more productively than traditional approaches.[221] This directive was also reflected in early temporary exhibits; when the museum opened it featured a temporary exhibit on Chinese-Canadian cultural traditions, "Beyond the

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[216] Dewing, "Bill C-7: An Act to Amend the Museums Act in Order to Establish the Canadian Museum of History and to Make Consequential Amendments to Other Acts."

[217] Canadian Museum of Civilization "Vision Statement," 20 May 1987, Box H-449, folder 4, Canadian Museum of Civilization: History Division Collection, Canadian Museum of History Archives, Gatineau, Québec, 2.

[218] Marshall McLuhan, *Understanding Media: The Extensions of Man* (London: Routledge, 1994).

[219] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization* and McLuhan, *Understanding Media: The Extensions of Man*.

[220] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*.

[221] S. Bitgood *The Role of Simulated Immersion in Exhibition*, as cited in Karen Graham and Heather Nikischar, "A Summative Evaluation of the 'Canada Hall' Exhibition," 4 February 2003, Box I-575, folder 10, Institutional Archives, Canadian Museum of Civilization: Chantal Amyot Collection, Canadian Museum of History Archives, Gatineau, Québec.

Golden Mountain," which included a partial recreation of street scenes from an imagined Chinatown.[222]

This outlook both permitted and encouraged a further change in curatorial philosophy. MacDonald embraced the use of techniques for audience entertainment that some protested were more at home in the amusement park than the museum. In MacDonald's view, the World's Fairs of the late twentieth century, particularly Expo '67 in Montreal, and strategies for audience engagement pioneered by Disney at Epcot represented the best way for contemporary museums to simultaneously entertain and educate their publics. The adoption of new approaches to public engagement was not merely a pragmatic judgment about what was required for museums to compete with the proliferation of attractions to which the public might be drawn. MacDonald's stance also stemmed from his convictions about what forms of display enabled the museum to most effectively communicate its messages to its public.[223] Here it is worth quoting MacDonald at length:

> CMC's exhibitions provide those visitors who wish it with ample access to individual artifacts in traditional didactic settings, in arrangements somewhat analogous to the linear presentation of information in a text. But the more popular elements amongst its exhibits are sure to be those that project mosaics of images and other sensory signals from which the visitor's conscious and subconscious minds can select, prioritize, and re-order those components most relevant to his or her interests and needs. Environmental reconstructions and/or theatrical performances…are the most common of these types of experience. The aim in these cases is to dissolve the frame…around the presentations, for frames provide psychological barriers which detach and distance the viewer from that which is viewed. *By re-creating for the visitor the essence of significant experiences of past or present cultures, the goal of fostering intercultural understanding is more likely to be achieved.*[224]

Through immersive presentations, in MacDonald's view, the museum was more likely to successfully prompt a shift in understanding. This kind of exhibit could provide a poetic, ritual experience through which "[v]isitors are initiated into the multicultural nature of Canadian identity."[225]

Finally, the exhibits at the new CMC were intended to reflect the linguistic, ethnic, and cultural diversity of the Canadian population, and thus to reinforce the public's understanding of the importance of multiculturalism. This goal took direction from the political objectives of the

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[222] Ban Seng Hoe, *Beyond the Golden Mountain: Chinese Cultural Traditions in Canada* (Hull, Québec: Canadian Museum of Civilization, 1989).

[223] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*. and Julia Harrison, "Ideas of Museums in the 1990s," *Museum Management and Curatorship* 13 (1993).

[224] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 61-2, emphasis added.

[225] Ibid., 62; See also Tomislav Šola, "The Concept and Nature of Museology," *Museum International* 39, no. 1 (1987).

time and the popular cultural idea of the "Canadian mosaic," which saw Canada as a place where ethnic groups both maintained cultural distinctiveness and fully belonged to the nation.[226] The CMC aimed to construct exhibits that "showcase[d] not merely its collection but the layered ethnicity which is the cultural background of Canadians and which [its] collections only reflect."[227] This outlook also derives from a specific set of ideas about the purpose of museums in contemporary life. The CMC aimed not only to serve as a temple for the ritual initiation of the public into the core of Canadian identity but also to validate individual and group identities as fitting within a broader Canadian identity. The CMC was guided by the conviction that "[p]eople come to museums to find a reference point for their identity: who they are as individuals, who as members of a social group, who as members of a national group, and so on."[228] The CMC aimed to simultaneously reflect and enact a national identity, and by so doing to recognize the contributions of underrepresented minority groups to that identity.

Four Promises

This vision of the new CMC made at least four important promises about the kind of institution the new museum would be. First, it promised that the CMC would be a central part of a revised tourism strategy for the National Capital Region (the area including Ottawa, Ontario and Gatineau, Quebec) that would attract an increased volume of tourists from across Canada and internationally. It boasted that the CMC might be "the last great museum to built in [the twentieth] century"[229] and touted its innovations in exhibition strategies, immersive content, and the use of technology as major draws for a revived audience. It saw the "new national museum of human history [as] only one element in the development of a cultural pilgrimage centre: the 'museum capital of Canada'"[230] that represented something wholly new on the Canadian, and, perhaps, the international, landscape of cultural tourism destinations. This promise highlighted the high expectations that both museum staff and the public had for the new CMC. Though the inadequacy of the deteriorating and haphazardly assembled facilities occupied by the NMM was cited as a major motivation for the government to approve spending on the new museum, hopes for the new museum exceeded simply providing a facility that would protect the museum's collections from harm. The CMC's aspirations to "world-class" status required that it "deliver exhibitions, research, and public interpretive programmes of equal excellence."[231] Expectations for the success of the CMC were also high as a result of anxieties about the availability of public funding in an era of projected austerity. Financial success was required to sustain the other parts of the CMC's mission. The *Vision Statement* asserted:

> Although the CMC is but one of numerous attractions in the
> National Capital Region, it is a very expensive facility and must
> ultimately perform as a high-profile attraction far beyond initial

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[226] John Murray Gibbon. *Canadian Mosaic: The Making of a Northern Nation* (Toronto: McClelland & Stewart, 1938).

[227] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 72.

[228] Ibid.

[229] Ibid., 1.

[230] Ibid., 3.

[231] Canadian Museum of Civilization "Vision Statement," 20 May 1987, Box H-449, folder 4, Canadian Museum of Civilization: History Division Collection, Canadian Museum of History Archives, Gatineau, Québec, 1.

projected levels. This will not happen unless it quickly gains the
reputation as a destination of major importance to travellers across
Canada and from the major markets in the eastern United States.
Over a million people a year are expected to enter the building and
several million visitors will visit the site to witness festivals and
other attractions. Achieving these targets is necessary to claim a
high level of facility performance commensurate with the cost.[232]

This revenue-focused motivation helps to explain the sometimes-grandiose sense of the potential
of the CMC to transform the state of Canadian museums and the Canadian people. The CMC
was working concurrently to convince a potentially skeptical public and political class that its
approaches would be financially sustainable and to advance a new vision of the role of the
museum.

The second important promise made by this vision of the new CMC also concerns its
relations with its audience. MacDonald's vision for the CMC promised a new approach to
museology that would ensure access to the artifacts and knowledge housed within the museum to
all Canadians as well as to a substantial international audience. New approaches to exhibits
would educate its audiences in a new way and provide them with new tools for interpreting
human history through the use of new technology and experiential learning. The audience would
thus come to see that, in contrast to popular preconceptions, neither museums and their
collections nor history itself should be thought to be "dead and dusty." A key part of the proposal
is the use of educational and interpretive approaches that provide opportunities for audiences to
substantively interact with the material being presented. This has two closely connected
justifications. First, audiences have come to expect an element of entertainment at museums,
which they see as being close substitutes for theme parks and other more active tourist
experiences, so these types of approaches are required to attract a robust audience.[233] Second, a
deeper style of learning is facilitated by experiential presentations of this material. MacDonald
and Alsford argued that:

> The change from observer to participant creates profound changes
> in the human brain. People do not generally develop a deep interest
> in, a commitment to, or a feeling of responsibility for, matters in
> which they have no participative role or over which they have no
> influence. If a museum wishes to be a bridge (or crossroads)
> between different culture, to foster intercultural understanding, and
> to stimulate appreciation of the need to preserve our cultural
> heritage, it must involve its audiences more intimately in the
> museum experience.[234]

Older approaches to museum interpretation would be less likely to attract the size of audience the
museum required to sustain its operation and less able to prompt the deep learning and personal
and societal transformation the museum hoped to inspire.

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[232] Canadian Museum of Civilization "Vision Statement," 20 May 1987, Box H-449, folder 4, Canadian Museum of
Civilization: History Division Collection, Canadian Museum of History Archives, Gatineau, Québec, 1.
[233] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 137-54.
[234] Ibid., 142.

In addition, the promise of increased access applied to both researchers and communities whose artifacts are held by the CMC. Access to the collections by researchers and communities was central to the museum's ability to fulfill a closely related part of its mission, which was to serve as the "national memory." In order for the meanings surrounding the museum's vast collections to be understood and preserved, researchers from inside and outside the museum would need to be able to access the collections.[235] Enhanced access for research and a new approach to education and interpretation together would put the CMC at the center of scholarly efforts to understand Canadian history.

This second promise, that the CMC would educate and inspire Canadians in a new way, and serve as the foundation of important research, is closely related to the museum's third promise: by transforming its audiences' understanding of themselves and others, the CMC aimed to promote "intercultural understanding." This is a style of quasi-Gadamerian "merging of horizons" that would allow for an appreciation of the internal logics of other, potentially deeply divergent, cultures, and is encouraged by the kinds of presentations the CMC aimed to use to increase the size of its audiences. To use MacDonald's words, the CMC had "as its primary aim to promote intercultural understanding in those who visit the museum or are visited by it in remote locations," by "portraying to the museum's audiences the cosmologies of other cultures to the point where they have sufficient understanding, respect, and empathy for them to appreciate that they are … rational systems."[236] MacDonald saw the museum as an important catalyst in the effort to transform its audiences' perspectives on cultural and other differences; "stereotypes may be changed, perspectives may be influenced, and the growth of interest in ethnic roots can be catered to."[237] This change was envisioned to take place in a truly Gadamerian way, consistent with changes in the way the discipline of ethnology understood the origin of culture. That is,

> It would be arrogance for a museum to present a single interpretation of a culture and claim it to be authoritative. Rather, the idea is to present competing visions of reality and allow the visitor to understand that the imperceptible truth lies somewhere in the midst of several alternative points of view, and that 'history as truth' cannot be dissociated from the process of producing historical interpretations.[238]

This approach to interpreting human history for large audiences promised both to help audiences understand a variety of cultural traditions and to legitimate a methodologically and epistemologically permissive approach to the study and communication of history. The approach predicted an attendant transformation in understanding that would benefit both audiences and the nation.

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[235] The vision of the museum here relied heavily on the promise of new technological systems to facilitate a new era of excellence in research and information management, a promise that it is hard to imagine has been entirely fulfilled. For example, the "Médiathèque," "an amalgam of information collections previously independent of each other" was lauded for its ability to give researchers and museum staff nearly instantaneous access to a meticulously organized collection of information on the museum's collections.

[236] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 60.

[237] Ibid.

[238] Ibid., 61.

Fourth and finally, this vision of the museum promised that, as an explicitly national and multicultural museum, it would serve as a "mirror for mankind" and provide a space where Canadian history and the Canadian people will be reflected as part of an integrated national story. This goal would be achieved by displaying a cohesive narrative about the history and values of the Canadian nation, one that would promote multiculturalism, tolerance, and diversity as core Canadian values. In MacDonald's words, "[a]s a *national* museum, CMC belongs to, and serves, all Canadians and represents Canadian heritage and identity to both Canadians and non-Canadians. It has no valid choice other than to be concerned with all regions, cultures, and eras in Canadian history."[239] The CMC would reinforce a dominant national mythology that argues that these values ground a diverse yet unified Canadian identity. This vision of the museum aimed to simultaneously represent and enact a sense of Canadian identity tied together by a belief in the importance of multiculturalism and diversity. The museum in general and the CMC in particular were especially suited to this goal, as they function as a ritual space where the past is mirrored and the future is produced. The CMC would both initiate visitors into "the multicultural nature of the Canadian identity," reinforcing existing understandings of the core of Canadian identity, and "serve[s] as a patron to the weavers of the cultural tapestry that makes, and constantly remakes, Canada," encouraging the elaboration of a multicultural understanding of Canada into the future.[240]

This is perhaps the most exciting and controversial objective of the CMC. This understanding of how Canadian society does and should function underpined the CMC's mission and is a crucial reason that examining practices of recognition at the CMC has the potential to yield insights into how such practices should be managed. The CMC took as guiding inspiration the insight that:

> People come to museums to find reference point for their identity:
> who they are as individuals, who as members of a social group,
> who as members of a national group, and so on. The principle
> guiding the development of new exhibitions for CMC has been to
> reveal those identities, allow visitors to explore them and their
> relationships with others, and through that process to understand
> the contemporary human condition.[241]

Fulfilling this promise and the others the CMC made as it opened required a new level and style of engagement with audiences and, crucially, with the variety of cultural and identity groups whose histories and "cosmologies" the museum aimed to represent.

As a group, these promises seem to have truly transformative potential for both the museum and Canadian society. MacDonald and his staff proposed to make the museum into both an unprecedented attraction for tourists and a ritual space for the display of a Canadian identity that is both cohesive and centrally characterized by diversity. This transformation would provide Canadians with a space that encourages them to appreciate the different "cosmologies" of different cultures and to transform their understandings of their own social and cultural worlds. This project was accompanied by the conviction that it is important for cultures to be represented

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[239] Ibid., 59.
[240] Ibid., 62-3.
[241] Ibid., 72.

and explained according to the wishes and procedures of their members, which underpinned the CMC's insistence that it would consistently incorporate the input and participation of members of the groups represented. These goals and the practices required to fulfill them seemed to aim at a transformation of the traditional relationship between those represented and those doing the representing, and to serve the project of decolonizing the museum. Making the museum into a space where groups had the opportunity to interpret their cultures on their own terms and in their own words, in order to encourage a transformation in the understanding of the general public about the way that Canadian history is formed and meanings are maintained, had the potential to diffuse the power in the curatorial relationship and to change what it means to have one's culture represented in a museum. As the CMC aimed to fulfill these lofty promises, it was nonetheless constrained by a variety of influential factors. As discussed in the previous chapter, these constraints included logical constraints about the nature of identity and recognition; resource constraints that limited the time, funding, personnel, and other supports available for the project of recognition; and category constraints that yielded inherent limits to the kinds of injustice that could or could not be addressed by practices of recognition.

Exhibiting Indigeneity: The Grand Hall and the First Peoples Hall

Of the CMC's three major permanent exhibits, two dealt primarily with the experience, history, and culture of the Indigenous peoples of Canada.[242] The Grand Hall and the First Peoples Hall are located on the first floor of the museum and serve for many visitors as an introduction to the museum and its aspirations. The Grand Hall forms the architectural heart and highlight of the museum, a majestic space framing dramatic views of the Ottawa River, purpose-built to allow the display of full-size totem poles upright. It presents an imagined Northwest Coast village, composed of six reconstructed houses, copied from records of houses that stood in Northwest Coast First Nations villages in the late nineteenth and early twentieth centuries. The houses are arranged along an imagined beach and face onto a boardwalk that leads visitors through the exhibit on a walk from the southern to the northern coast. The facades of all six houses were constructed in time for the museum opening in 1989, though the interior of only one house was complete for opening day.[243]

Though the content exhibited in the Grand Hall has changed significantly since its initial 1989 incarnation, at opening, the interiors of the houses were intended to be used to exhibit objects and stories of significance to the house's culture of origin. For example, in the early 1990s the Central Coast house focused on explaining the *Kwakwaka'wakw* potlatch through representations of three time periods, "1890-1910, when the original house was standing in Alert Bay and when many of the masks and feast dishes now in the Museum's collection were made

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[242] For a variety of reasons, when the museum opened in 1989, only two of the permanent exhibits were open to the public, and neither was complete. The permanent exhibits were complete by 2004, at which point they included the "Grand Hall" and the "First Peoples Hall," both of which were features of the first floor of the museum, and the "Canada Hall," an overview of post-contact Canadian history that took up the Museum's third floor. "Canada Hall" closed for renovation since 2014, and the new exhibit, the "Canadian History Hall," reopened for Canada's sesquicentennial on 1 July 2017. "Behind the Scenes of the Canada Hall Renovations," *CBC News* (2016), http://www.cbc.ca/news/canada/ottawa/canadian-museum-history-renos-1.3446283; Ian Austen, "Canada Letter: Shaping History at a Revamped Museum," *New York Times* (2017), https://nyti.ms/2tSY43x.
[243] "A Living Inheritance: A Guide to the Grand Hall," 1988, Box I-49, folder 5, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection, Canadian Museum of History Archives, Gatineau, Québec.

and used; the 1930s, when the potlatch was actively suppressed by the law but maintained quietly by families;" and "the history and contemporary meaning of the potlatch" in the 1990s.[244] The Hall and its reconstructions were developed in consultation with the groups from which the houses originated, facilitated primarily by extensive discussions by Andrea Laforet, lead curator of the *Grand Hall*, with the groups in question. The reconstructions used many traditional techniques and were completed by artisans from the relevant communities. Though the details were developed through this consultative process, and Laforet in particular deeply considered (in both internal memos and public scholarship) the relationship of the exhibits to the living communities and the relationship between time and authenticity embodied by the hall,[245] the coastal village concept had its origins in George MacDonald's philosophy about education, entertainment, and museology. The concept was part of the very earliest discussions of possible strategies of display for the new museum.

The First Peoples Hall, which opened in 2003, aims to present the history and culture of Canada's Indigenous peoples in their own voices. It opens by welcoming the visitor to the exhibit on behalf of the Algonquin people on whose ancestral land the museum stands, and then declares:

> Welcome!
> We are the First Peoples.
> […] We are connected with one another by our survival as
> Aboriginal peoples through the last 500 years. We also maintain
> our connection with our lands, and strive to keep our languages
> alive and our cultures vital in the modern world.[246]

Fundraising and promotional material for the First Peoples Hall also stressed its desire to present stories of the Indigenous peoples of Canada in their own words, on their own terms, and for their own purposes. A 2001 fundraising appeal cited a range of First Nations representatives and their aspirations for the Hall. For example, representatives were quoted as follows:

> We are taking back, from many sources, information about our
> culture and our history, to help us rebuild our world which was
> almost shattered during the bad times.
> - Gloria Cranmer Webster (Kwakwaka'wakw)

> Only the people who know the metaphors, the symbols, and the
> subtleties of the culture can tell the stories.
> - Lenore Keeshig-Tobias (Anishnaabe)[247]

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[244] Andrea Laforet, *The Book of the Grand Hall* (Hull, Québec: Canadian Museum of Civilization, 1992), 56.
[245] See, eg. "Time and the Grand Hall of the Canadian Museum of Civilization," *Museum Anthropology* 17, no. 1 (1993).
[246] Wall Text, *First Peoples Hall*, Canadian Museum of Civilization, Gatineau, Québec, Canada, visited 15 June 2015.
[247] "First and Forever: The Campaign for First Peoples Hall," c.2001, Box I-227, folder 6. Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 5-6.

The same brochure outlined the CMC's aspirations for the Hall:

> The First Peoples Hall will highlight the achievements, contributions and enduring influence of First Peoples, and will tell the ongoing story of Canada's original inhabitants from time immemorial to the present day. It will also offer its visitors a look at the dynamic achievements of First Peoples in the cultural, economic, political and social spheres, as well as insight into the ongoing influence of aboriginal peoples on Canadian and world culture.[248]

The exhibit that opened in 2003 told three stories. It opened with a celebration of the diversity of Canadian indigeneity and an exploration of different groups' creation stories, and of different ways of knowing. It proceeded to an overview of the variety of ways of life practiced by Indigenous groups. Finally, it turned to an account of colonization ("the arrival of strangers") and the social and political history of the relationship between the settler colonial state and Indigenous peoples, from the time of contact to the present.

The exhibit that was ultimately constructed was a stark contrast to the initial concept for the CMC's "Anthropology Hall," which was the space initially intended to house the Museum's exhibition of indigenous cultures and histories. A 1984 proposal for the "Anthropology Hall" focused on developing a series of exhibits that would showcase the ways in which different indigenous groups adapted to their physical environments, using "an ecological approach that uses full-size camp reconstructions."[249] By 1985 the approach had been further developed, and the goals of the renamed "Native Peoples Hall" clarified. The Hall was understood to be a significant place where Canadians could come to understand "native peoples," and its objectives were:

- To present the history, lifestyles and traditional cultures of Native Canadian groups from all regions of the country, in such a way as to stimulate interest in and appreciation of the native heritage by both Natives and non-Natives.
- To replace stereotypes of native peoples (uniform, primitive, savage, lazy, noble, in harmony with nature) with more informed and understanding views.
- To present anthropology as a research field dedicated to the study of mankind, in order to promote understanding of the context in which native cultures are presented in museum.[250]

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[248] "First and Forever: The Campaign for First Peoples Hall," c.2001, Box I-227, folder 6. Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 7.

[249] "Central Concept Statement: Anthropology Hall" 1984, Box I-49, folder 2, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection, Canadian Museum of History Archives, Gatineau, Québec, 2.

[250] "Native Peoples Hall: Objectives, Themes and Approach" 1985, Box I-50, folder 7, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection, Canadian Museum of History Archives, Gatineau, Québec, 2 (bullets original)

This was already a significant departure from the approach for the "Anthropology Hall," which had focused on depicting Aboriginal groups as encountered by the earliest generations of Western anthropologists in the late nineteenth and early twentieth centuries and equivocated about how and whether to engage with the nuances of post-contact histories and the "contemporary Indian."[251]

But the more substantial shift in the Museum's approach to depicting the histories and cultures of the Aboriginal peoples of Canada was precipitated by three exogenous events. First, changes in popular approaches to museology alongside the increasing popularity of multiculturalism as a guiding Canadian value laid the groundwork for increased focus on consultation and collaboration with the communities whose cultures and histories were featured in exhibits. This emphasis is visible in the MacDonald and Alsford 1989 book, *A Museum for the Global Village* as well as in the development of the Grand Hall exhibit. As discussed above, MacDonald and Alsford viewed the museum as a space where individuals and groups could express and understand their group-based identities and how various groups fit within a broader national history. This required significant engagement with the peoples whose stories were being told; as a result, they asserted that "CMC aims at engaging the participation of representatives of these cultural elements in the presentation of its programmes, as designers, demonstrators, interpreters, [and] performers [.... thus becoming the] point where the paths of cultures cross in time and space, and their representatives trade patterns of understanding."[252]

Second, as these shifts transformed Canadian society and North American museology, the community of museum professionals was confronted with a crisis. To capitalize on increased international attention that came with the 1988 Calgary Olympics, the Glenbow Museum in Calgary organized an exhibit, "The Spirit Sings," that aimed to showcase the diversity of Indigenous cultures and artifacts from across Canada, by borrowing a wide range of objects from international museums. In order to draw attention to their ongoing land claim, the Lubicon Cree mounted a protest of the Calgary Olympics and, in particular, of the Glenbow exhibit. The Lubicon focused on sponsorship of "The Spirit Sings" by Shell Canada, which had been involved in drilling for oil on traditional Lubicon lands.[253] Although it remains somewhat unclear and contested to what extent the Lubicon objected to the *content* of the exhibit, the effect of the protest was to focus public attention and the museological community on the process Glenbow staff had used to develop the exhibit, and prompted a reconsideration of the relationship between Canadian museums and Aboriginal peoples. The Canadian Museums Association and the Assembly of First Nations co-sponsored a national conference, "Preserving Our Heritage: A Working Conference Between Museums and First Peoples," in November 1988.[254] To sponsor ongoing discussions and to develop guidelines for the relationship between museums and Aboriginal peoples, a joint task force, composed of a range of Aboriginal and non-aboriginal members with expertise in the relevant areas, was established. It met periodically in 1990 and 1991 and produced a final set of recommendations in 1992. These included both general

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[251] "Report on the Anthropology Hall Approach Papers" 1985, Box I-50, folder 7, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection, Canadian Museum of History Archives, Gatineau, Québec, 13-4.

[252] MacDonald and Alsford, *A Museum for the Global Village: The Canadian Museum of Civilization*, 61.

[253] Harrison, Julia D. "The Spirit Sings: The Last Song?" *International Journal of Museum Management and Curatorship* 7, no. 4 (1988).

[254] "Task Force Report on Museums and First Peoples" 1992, Box I-227, folder 2, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 1.

principles to guide these relationships and a set of specific recommendations. The principles were as follows:

1. Museums and First Peoples will work together to correct inequities that have characterized their relationships in the past. In particular *the desire and authority of First Peoples to speak for themselves should be recognized and affirmed by museums.*
2. An equal partnership involves mutual appreciation of the conceptual knowledge and approaches of academically-trained workers.
3. First Peoples and museums recognize mutual interests in the cultural materials and knowledge of the past, along with the contemporary existence of First Peoples.
4. First Peoples and museums must accept the *philosophy of co-management and co-responsibility as the ethical basis* for principles and procedures pertaining to collections related to Aboriginal cultures contained in museums.
5. Appropriate *representatives of First Peoples will be involved as equal partners* in any museum exhibition, program or project dealing with Aboriginal heritage, history or culture.
6. First Peoples and museums must recognize a commonality of interest in the research, documentation, presentation, promotion and education of various publics, including museum professionals and academics, in the richness, variety and validity of Aboriginal heritage, history and culture.
7. First Peoples must be fully involved in the development of policies and funding programs related to Aboriginal heritage, history and culture.[255]

As the italicized passages highlight, the principles developed by the task force emphasized the importance of transforming the relationship between Aboriginal peoples and museums, in order to develop museums into places where Aboriginal peoples could speak for themselves, rather than being objectified and spoken *for*. The Task Force was instrumental in encouraging Canadian museums to reexamine their relationships to Aboriginal groups.

Third, the CMC confronted budgetary and other resource constraints as the projected opening date for the Museum, July 1, 1989, approached. The combination of the previous two factors with the need to reprioritize the Museum's efforts and come to terms with the fact that not all exhibits would be completed for Opening Day made it appealing to postpone the completion of the (then) Native Peoples Hall. The need to focus efforts on (partially) completing the Grand Hall and the History Hall (later renamed Canada Hall) created the space that allowed Museum staff to acknowledge the need to reexamine their processes for consulting with Aboriginal groups. In response, beginning early in 1992, the CMC organized a series of

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[255] "Task Force Report on Museums and First Peoples" 1992, Box I-227, folder 2, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 7-8, emphasis added.

consultation meetings with a committee of representatives from various Canadian Aboriginal groups. General meetings were held from 1992 to 1994, culminating in the approval of a report and series of principles for the development of the First Peoples Hall in June of 1994.[256] The principles stressed the importance of using the Hall to recognize the diversity of the Aboriginal populations of Canada, of incorporating multiple points of view, of allowing the exhibit to change over time, and of using the Hall as a space to present the stories of Aboriginal peoples in their own words. For example, they affirmed that "the knowledge and perspectives of aboriginal peoples are vital to an understanding of issues in Native history and will be a primary element in initiating and planning the form and content of exhibitions and programmes and the messages they present," that "[t]he Hall will present the history, culture, and current realities of aboriginal peoples in the voice(s) of aboriginal peoples," that it would work to "dispel stereotypes and reinforce the value of aboriginal cultures and traditions," and that "the role of objects will be to illustrate *ideas*."[257] This is also where we see the crystallization of the theme that also appears in the fundraising document discussed above, and originates in the 1992-1994 consultation meetings; that is:

> The Hall will present to the public an opportunity to hear and understand the voice of the First Peoples, proclaiming that "We are still here, still contributing, and still playing our own distinctive part in the modern world, as we always have."[258]

This theme drives the central argument of the Hall as it was eventually elaborated.

After the initial phase of consultation was concluded, a series of sub-committees was established to develop various parts of the hall, and these sub-committees met through the rest of the 1990s. The First Peoples Hall finally opened in January 2003, showcasing content that was dramatically different from the content initially proposed.

Consultation and Recognition

Analysis of the final forms of these two important exhibits and of the processes and practices museum staff used in their development reveals some risks and possibilities of looking to the museum as a location of recognition. Consistent with the promises of the museum outlined in section three of this chapter, both exhibits aspired to represent and recognize the histories and cultures of indigenous peoples of Canada. In addition, both exhibits were developed by teams that worked with representatives of the Indigenous groups whose cultures and histories were

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[256] "Canadian Museum of Civilization *First Peoples Hall* Consultation Committee: Phase I Report," 27 June 1994, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, and "Canadian Museum of Civilization's Current Activities which Address the Concerns Raised by the Task Force on Museums and First Peoples" 20 July 1992, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization, Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec.

[257] "Canadian Museum of Civilization *First Peoples Hall* Consultation Committee: Phase I Report," 27 June 1994, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 3-4, emphasis added.

[258] "Canadian Museum of Civilization *First Peoples Hall* Consultation Committee: Phase I Report," 27 June 1994, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 4.

being exhibited. However, the exhibit teams were given different authorities to define the overall scope and storyline of the exhibits, consultation was used in different ways, and, as a result, there are marked differences in the effect achieved by the Grand Hall and by the First Peoples Hall. Most notably, the emphasis on telling the stories of Canada's Indigenous groups in their own voices was much stronger in the First Peoples Hall.

Nonetheless, the minutes and transcripts of the First Peoples Hall consultations reveal that even a process explicitly designed to incorporate the viewpoints of Aboriginal people was not without conflict. In the transcripts, we can see consultants disagree about what could and should be accomplished by the Hall and about the role of a national museum. Should the national museum aim primarily to communicate to non-aboriginal audiences? Should it be a place for Aboriginal people and groups to see their experiences recognized as part of a broader national narrative? Should it contain space specifically designed for aboriginal groups to access artifacts that originated from their groups? Should that space be a place for "smudging" and other sacred rituals? Consultants varied significantly in their perspectives on these and other questions, and only through an open, iterative, and collaborative process was it possible to negotiate the approach that should guide the First Peoples Hall.

At the same time, we can see that museum staff were unable to be as creative and open in their approaches to potential exhibit content as community representatives were. Staff were cognizant of the many practical constraints on exhibit development and display. For example, though many community representatives were enthusiastic both about having frequently updated portions of the otherwise permanent exhibit and about the potential to have the Hall constantly interpreted by Aboriginal interpreters and performers, museum staff were cautious about their ability to commit to such resource-intensive plans. They cautioned community representatives about the limitations of the museum's budget and about the limitations of the space.

Both staff and community members understood the Hall to serve a recognizing and representative function. Andrea Laforet, lead curator of the Grand Hall and an influential member of the Ethnology division at both the NMM and the CMC posed this question directly:

> Without necessarily intending to do so, museums can play a role in affirming or denying the identity of groups. There can be groups who are completely ignored in exhibits. General themes can be used in such a way that it seems as if some groups do not exist, or no longer exist, or are not important. We have to consider the issue of representation. Is it necessary to ensure that all groups are represented in the hall, and, if so, how can it be accomplished?[259]

Different participants responded to this and similar questions in a variety of ways:

> We are still here; we speak this language; we have done these things; we do these things now; we've changed. It's necessary to link the past to the present. While we are not living in longhouses and tipis, we have retained things of our culture from the past. […]

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[259] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 6.

History makes us what we are, so it is relevant to the present. We are all different, but we are all the same.[260]

I tend to see the First Peoples Hall as not just an exhibition but as a forum for access -- such as repatriation, communal area of ceremonies or practical purposes.[261]

The museum has many resources and should facilitate the consultative process so that we could discuss what we have and what Native communities have to offer. Exhibits can be done through a process of collaboration, using the museum's resources but having Native people tell their story.[262]

Fair representation across the country is important, and there could be a number of temporary exhibits that allow examination of contemporary issues, and the threads which flow through cultures.[263]

There should be opportunity for Native communities or nations to be given the support to tell their story. The size of the population should not hinder the process or the story to be told. Cannot tell the entire story all at once, but it could be done over time. The opportunity to do so is important.[264]

It was important to tell the stories the groups themselves found important, in their own words, and to dispel long-standing stereotypes about the relationship of Aboriginal groups to the past. It was also important to create a space that facilitated access by groups and their members to their artifacts, and to provide a sufficiently malleable and responsive style of storytelling that would allow for change. What we see here most arrestingly is the way that consultation and contestation among community members and with museum staff created the opportunity for the emergence of more complex stories and ideas. The nuance these consultations began to sort through pulled the planned exhibit away from a straightforward telling of the history of different groups' strategies

[260] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 3.

[261] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 5.

[262] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec, 7.

[263] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec.

[264] "First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Canadian Museum of Civilization: Sylvie Morel Collection, Canadian Museum of History Archives, Gatineau, Québec.

of adaptation to the demanding Canadian natural environment and toward the goal of telling a complexly interwoven story of both change and persistence over time.

These examples show that the consultations facilitated a capacious process of negotiation among the promises made by the CMC in 1989. The consultations considered how the museum could function as a space for recognition and representation of Canadian difference and diversity, external constraints on what exhibits can accomplish, important constraints built into the project of recognition, and what those consulted (those whose cultures and histories are being exhibited and recognized) thought was important and defensible. This approach to consultation diverged from the way early museum staff has planned to use consultation.

What we can see in these examples from the history of the CMC is that a range of factors affected the extent to which exhibition development and the final form of exhibits were responsive to communities and recognized their histories and concerns in affirmative ways. In particular, the CMC's institutional structure, the personalities of individual curators and interpreters, the history of the group treated by the exhibit (and its past relationship both to Canadian law and to museology), and the wider social and political context shaped both how exhibits were developed and the final forms they took. The CMC's approach to exhibiting the history and culture of First Nations groups shifted significantly over the period treated in this chapter, moving (in broad strokes) from an approach that portrayed Indigenous peoples as mere objects of knowledge to one that took very seriously the perspectives and contributions of First Nations peoples and representatives. As a group, these changes should prompt consideration of the ways in which practices of consultation and recognition in the museum context may inform more general ideas about how recognition should be practiced by the law, and what objectives it may be able to accomplish.

Ch. 6: Collaborative Curation at the National Museum of the American Indian

   In the previous chapter I examined the development of two major inaugural exhibits at the Canadian Museum of Civilization (CMC). This chapter examines the process of inaugural exhibit development for the National Museum of the American Indian NMAI site on the National Mall in Washington, DC, which opened in 2004.

   Turning to a second museum site has two goals. The first goal of a second museum example is to understand how institutional context affects what practices of recognition are successful. The most relevant difference between the NMAI and the CMC is in their regional and topic focus. The NMAI focuses on the history and politics of Indigenous groups across North America, with a primary focus on groups with origins in the contemporary United States. By contrast, the CMC focuses on human history in contemporary Canada, and discusses Indigenous groups alongside other identity groups, including English and French Canadians, as well as other minority ethnic groups. Another important difference is national context. Examining the two museums together reveals some ways that national institutions affect practices of recognition. Despite differing on these two aspects, the museums are fairly similar; they are both North American state-supported national museums located in their respective national capitals, with aspirations to tell stories about national identity. The similarities of the NMAI's mission to that of the CMC makes it a fruitful place to turn for further examples of recognition in practice. Even more than at the CMC, staff at the NMAI understood the new museum's project to be one of recognition and representation, staking a claim to a place on the National Mall and in American history for Native Americans. They also took seriously the Museum's commitment, expressed in its mission statement, to "recognize and affirm to Native communities and the non-Native public the historical and contemporary cultural achievements of the Natives of the Western Hemisphere…in consultation, collaboration, and cooperation with Natives."[265]

   The second goal of this second museum example is to see how communication between staff of the two museums influenced a second iteration of similar objectives. There was sustained and significant communication between NMAI staff and CMC staff about how to approach the project of exhibiting Indigenous stories. For example, as work to establish the NMAI's inaugural exhibits began, NMAI staff consulted with CMC staff who had developed the CMC's inaugural exhibits and were working on the revised First Peoples Hall.[266] Staff at both museums were concerned about making sure their exhibits were respectful of the people whose histories they were exhibiting and yet needed to ensure the exhibits also catered to a public made up primarily of non-members. We might expect to see more nuanced approaches to the practice of recognition at the NMAI, as staff had the advantage of learning from the CMC's successes and failures. Tracing how the incorporation of community contributions developed over time in both museums should support more nuanced principles for the practice of recognition.

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[265] National Museum of the American Indian, "Exhibition Plan, National Mall Museum, Washington, DC, Revised Review Draft," 11 July 1997, Smithsonian Institution Institutional Archives, Accession No. 07-170, Box 6, Folder "Planning 1," p. 10.

[266] Gerald McMaster, who worked as lead curator for the NMAI's *Our Lives* exhibit, had previously worked at the CMC. The main building of each museum was designed by the same architect, Douglas Cardinal, though Cardinal did not contribute to exhibit development at either museum.

Origins of the National Museum of the American Indian

The private collection of George Gustave Heye forms the core of the NMAI's holdings. Heye was a private collector whose fascination with Native American objects reportedly began in the late 1890s, and who founded the Museum of the American Indian (MAI) in 1916 to house his collection in New York City.[267] Heye's approach to collecting was unusual even for his time. He concentrated on acquiring a large number and variety of objects, including archaeological artifacts, from across the Americas, at a time when most collectors focused on acquiring exemplary ethnographic objects directly from the people who used or made them.[268] Heye also kept his museum and its staff relatively isolated from the professionalizing discipline of anthropology and the academic environment.[269] Despite this unconventional approach, the MAI flourished in the 1920s. By the 1930s, however, the MAI had become less prominent, constrained by the loss of generous patrons and the disarray of the Great Depression, and isolated from the disciplinary shift toward universities.[270] Heye continued as director of the MAI until 1956, shortly before his death in 1957.[271] After Heye's death, the MAI was no more able to return to its 1920s reputation than it had been under his leadership, and by the 1970s its board began to consider joining its collections to another institution.[272]

In 1989, the Heye collection was acquired by the Smithsonian Institution, to form the core collection of a new National Museum of the American Indian, which would have an independent board of directors.[273] The NMAI's enabling legislation included provisions for the identification and repatriation of Native American remains and funerary objects throughout the Smithsonian's collections.[274] This founding occurred at a time of rethinking the relationship between museology and Native Americans, and just preceded the passage of the Native American Graves Protection and Repatriation Act (NAGPRA, 1990), which required all federally funded museums to provide information about Native American remains in the collections to the relevant tribe(s), and to repatriate remains upon request.[275] The time around the founding of the Museum was marked by controversy around the effect of NAGPRA requirements on collections of Native American objects, in part because of the passage of the NMAI Act and NAGPRA, there was keen national interest in the status of Native Americans and their place in national histories. The NMAI's enabling legislation provided for the construction of a new museum on the National Mall and for the renovation of the MAI's "Customs House" site in New York City. The Heye collection would be moved from New York City to the capital area into a new storage and collections care facility that would be built to house the collection. The legislation specified that the mission of the new Museum was to be a "living memorial to

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[267] Ira Jacknis, "A New Thing? The NMAI in Historical and Institutional Perspective," *American Indian Quarterly* 30, no. 3/4 (2006): 513.

[268] Ibid., 516.

[269] Ibid., 518-19.

[270] Ibid., 515-21.

[271] Ibid., 511.

[272] Ibid.

[273] *An Act to Establish the National Museum of the American Indian within the Smithsonian Institution, and for Other Purposes*, Public Law 101-185, 101st Congress (28 November 1989); Donald L. Fixico, "Change over Time: The National Museum of the American Indian," *The Public Historian* 28, no. 2 (2006).

[274] *National Museum of the American Indian Act.*

[275] William C. Canby, *American Indian Law in a Nutshell*, 5th ed., West Nutshell Series (St. Paul, MN: West, 2009), 385-86.

Native Americans and their traditions" in order to "advance the study of Native Americans, … collect, preserve, and exhibit Native American objects, … [and] provide for Native American research and study programs."[276]

The founding of a national museum, through Congressional authority, as part of the Smithsonian's unique institutional place in the elaboration of a vision of American history and excellence, should be taken seriously as a practice of recognition. This is especially true in the case of the NMAI given the long history of exclusion of Native peoples and their histories from national narratives. The establishment of the NMAI and its presence on the National Mall can be read as part of a national effort to recognize Native presence and influence as part of a national history and identity. Internally, the Museum was understood to be part of an effort to make space on the national stage for distinctly *Native* voices and to listen to those voices on questions of Native identity. But the Museum was also challenged by the same difficulties of achieving representational adequacy that Tony Bennett identifies as inherent to the project of museums of human history.[277] The process of developing exhibits for a museum turned out to be more complex and fraught than optimistic predictions from the beginning of the museum's life anticipated.

Already in the early days of planning for the new museum, the NMAI was conceptualized as a space that would reform the practice of museology and anthropology to incorporate Native people and to tell Native stories on a national stage. In 1993, then museum president W. Richard West spoke to the American Anthropological Association and outlined some of his goals for the NMAI, including a desire to shift the answer to the question "whose voices are heard in determining cultural 'truth' as it relates to the cultural experience and history of the Native peoples of the Americas?"[278] He asserted that the NMAI would be an institution where "systematically as never before, multiple perspectives must be enlisted in scholarship regarding Native peoples and their cultures. And, most emphatically, those multiple perspectives must include the voices of Native peoples themselves."[279] West's public aspirations for the Museum were aligned with internal goals.

Internal documentation from the time shows that this was a central concern of staff across the museum from the early 1990s.[280] Work in the early 1990s to more precisely define the mission of the Museum focused on its potential to "alter forever the image of Native peoples traditionally presented by museums" and to "serve Indians as it never has before and serve the public as it never could" through a combination of "rigorous scholarship" and "a strong commitment to American Indian cultural conservation and heritage protection as Indians themselves determine it."[281] The aspiration was to "make a difference in the way all Americans understand American Indians, a group of people absolutely central to an understanding of

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[276] *National Museum of the American Indian Act*, §3(a).
[277] Bennett, *The Birth of the Museum: History, Theory, Politics*.
[278] W. Richard West, Jr., "Research and Scholarship at the National Museum of the American Indian: The New "Inclusiveness"," *Museum Anthropology* 17, no. 1 (1993): 6.
[279] Ibid.
[280] Rayna Green, "A Mission For the National Museum of the American Indian: Goals, Opportunities, Responsibilities, Strategies," January 1990, Smithsonian Institution Institutional Archives, Accession Number 10-184, Box 1, Folder "NMAI Vision Statement."
[281] Rayna Green, "A Mission For the National Museum of the American Indian: Goals, Opportunities, Responsibilities, Strategies," January 1990, Smithsonian Institution Institutional Archives, Accession Number 10-184, Box 1, Folder "NMAI Vision Statement," 1.

America's future through a comprehension of the past."[282] These statements embody the Museum's dual commitment to using the Museum as a place to show that Native peoples are integral to a full understanding of the history of the United States and to ensuring that Native stories are told in ways that reflect Native peoples' own understanding of their histories and cultures. This shows a commitment to principles of recognition and an implicit commitment to the principle of self-definition.

In keeping with these ideals, early exhibits at the Customs House site worked explicitly to incorporate Native voices in a new way, to showcase how the approach of the NMAI would be different from that of its predecessor and to demonstrate the commitment to "decolonizing" the Museum's approach publicly. These commitments were reflected in museum planning documents from the time, and in the framing of early exhibits mounted before the main "Mall museum" in Washington. In a companion book to *All Roads Are Good: Native Voices on Life and Culture*, West articulates his goals for the museum in a different register:

> *All Roads Are Good*…represents the important first effort of the National Museum of the American Indian to do precisely what is suggested by the book's title – bring the essential voices of native people themselves to the interpretation of our cultures and the things we have made. […] The contents of this book…mark the public beginning of the museum's determination to include in a systematic way our own voices in this body of cultural representation.[283]

Here, the museum is conceptualized explicitly as a space that will allow Native peoples direct access to the tools of representation and recognition housed at the museum. *All Roads Are Good* sought to accomplish this task by inviting a range of Native experts to choose an object from the NMAI's collection and present it with the context that gave it personal meaning. This kind of approach, in West's view, would allow Native peoples to represent themselves on the national stage, and to claim a justifiably privileged position among those who seek to produce knowledge "about" Native peoples.

Museum staff developed a wide range of strategies to work to ensure exhibits, engagement with community members, and other programming centered the experience of Native peoples . This was not a smooth process. Disagreement among various departments, competing ideas about the purpose of the museum, and logistical difficulties all contributed to a tumultuous exhibit development process. By the time the Museum on the National Mall opened in September 2004, its central exhibits had been reorganized and reformulated multiple times. At opening, the core material of the Museum was organized into three central exhibits, "Our Universes," "Our Voices," and "Our Lives," each of which presented a selection of stories from indigenous communities, around a central "backbone" of interpretive material prepared by the Museum's curatorial staff.

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[282] Rayna Green, "A Mission For the National Museum of the American Indian: Goals, Opportunities, Responsibilities, Strategies," January 1990, Smithsonian Institution Institutional Archives, Accession Number 10-184, Box 1, Folder "NMAI Vision Statement," 4.
[283] W. Richard West, Jr., "Foreward," in *All Roads Are Good: Native Voices on Life and Culture*, ed. Terence Winch (Washington, DC: National Museum of the American Indian, Smithsonian Institution, 1994).

"In a Native Voice"

Archival records show that the early days of the museum included a central focus on the question of a "Native voice." Staff worried about how to ensure Native voices were incorporated into the museum in an "unfiltered" way.[284] For example, in 1993 a "Master Facilities Program" declared that:

> The challenge of NMAI is to create a place and an institution
> where cultures are *presented by Native people* to a diverse
> international public, *in ways that reflect their values and
> viewpoints*. The museum must create this place within the physical
> and cultural milieu of the National Mall, a context that offers both
> enormous opportunities and considerable difficulties.[285]

Here we can see museum staff working to make the institution of the NMAI and the broader idea of the museum adjust to accommodate their ethical commitments to representing Native individuals and cultures "in a Native voice."

The desire to present authentic voices animated the new museum from its inception. Director Rick West and his staff aimed to make an explicit break with past practices, both those of the NMAI's predecessor institution and those of typical museum anthropology of the time. Staff used a variety of strategies to reconcile this ethos with typical practices of exhibit development, strategies that should be read as part of the museum's broad practice of recognition. It is helpful to divide these strategies into three kinds of practice: consultation, non-traditional exhibit formats, and community or co-curation. I will discuss each in turn.

As initial plans for the museum were being drawn up, staff conducted a national consultation tour. They convened experts from Native communities at a range of locations across the country. Discussions focused on gathering input from community representations on the appropriate goals for the museum, collaboration with communities, access to collections, and repatriation. There was significant focus on repatriation of human remains as well as objects that had been taken from communities under suspect circumstances, not only in the NMAI's collections, but also in the collections of other Smithsonian Institution museums and in regional museums across the country.[286] Consultations also focused on collecting community and expert advice on how artifacts should be stored, in preparation for the construction of a new facility for housing the collection in the Washington DC area. For example, some objects needed to be stored in the open air, cared for in specific ritual ways that would conflict with standard preservation guidelines, or stored so that they would never be walked over.[287] These

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[284] Archival research was conducted at the Smithsonian Institution's Institutional Archives in March 2016. A limit of this research is that records less than 15 years old were not available to consult. In addition, only the materials that had been transferred to the central Institutional Archives were consulted. The fact that the NMAI maintains its own archives may mean that there is important information at the NMAI's own archives that would be relevant but was not consulted.

[285] "National Museum of the American Indian Mall Master Plan," 29 November 1994, Smithsonian Institution Institutional Archives, Accession No. 08-030, Box 10, Folder 6, "Executive Summary," 15 September 1993, pp. II.2-3, emphasis added.

[286] Smithsonian Institution Institutional Archives, Accession No. 04-138.

[287] "Meeting Minutes – Libraries/Archives/Collections Consultation," 8-9 July 1991, Smithsonian Institution Institutional Archives, Accession No. 04-138, Box 1, Folders 1-3; "Native American Artifacts: Traditional Care and

consultations served as a central guide for plans for the "Cultural Resources Center" that was built in Suitland, Maryland, which was "designed to house the museum's collections in a manner that is sensitive to both tribal and museum requirements for access and preservation."[288]

This strategy of using consultation to make the museum is intuitively appealing. If the NMAI was to be a new museum, distinctively Native, then asking Native people how the museum could accomplish its goals made sense. Should the NMAI be primarily a place for Native people to gather and celebrate their cultures? If not, how should the museum relate to its predicted audience, likely composed mostly of non-Native tourists? Was it responsible for making Native cultures cognizable for others? How could it do that in a way that still represented and recognized the diversity of Native culture without reinscribing the colonial oppression that is fundamental to Native American experience after coloniztion? Surely the right people to answer these questions were community representatives.

Consultations were used as a guide in developing the museum's mission statement. For example, a draft exhibitions policy in April 1994 outlined the following "exhibition philosophy:"

> [E]xhibitions … should arise from the cultural and historical experiences of Indian people and should be guided by native voices. They should educate viewers about the fundamental ideas and ideals in native cultures through the use of objects, interactive video, stories, songs, personal interaction with Native people, and other appropriate cultural resources. Exhibitions should have an intellectually coherent theme, with a strong story line to support it. They should be idea driven, not object driven.[289]

From the consultations, staff drew a more detailed conception of how to accomplish the Museum's goal of being driven by the "Native voice." This applied to the physical form of the Museum itself, which community members had suggested should be easily identifiable as a distinctively "Indian" place, both through its landscaping and by incorporating organically-shaped spaces.[290]

The processes that would be used to develop exhibits for the Museum were also guided by the desire to respect the "Native voice." In the mid-1990s, after the initial round of consultations with community members had been developed, staff further developed the "Exhibition Master Plan." This plan explored ideas for how the Museum would navigate issues

Handling – Ed Ladd," 16-17 March 1992, Smithsonian Institution Institutional Archives, Accession No. 11-025, Box 1, Folders 2-3; "Native American Artifacts – Bob Smith, George Horse Capture, Greig Arnold," April 1992, Smithsonian Institution Institutional Archives, Accession No. 11-025, Box 1, Folders 4-6.

[288] National Museum of the American Indian, "Cultural Resources Center," http://nmai.si.edu/explore/collections/crc/.

[289] "Exhibitions Philosophy & Procedures," Draft 6 April 1994, Smithsonian Institution Institutional Archives, Accession No. 08-028, Box 1, Folder 14, p. 1.

[290] Initial architectural plans were drawn up by Douglas Cardinal, the same architect who was responsible for the CMC building, who works in an architectural style that he explicitly connects to his First Nations (Blackfoot) heritage. Cardinal's firm did not complete all of the architectural work, but the NMAI's distinctive look retains a very similar visual style to Cardinal's other work, including the CMC and the First Nations University in Regina, Saskatchewan. See: Douglas J. Cardinal, "World Views," Slideshow, (2015), https://static1.squarespace.com/static/569408814bf11844ad28dc12/t/56df232522482e5c7f083306/1457464121381/World+Views+Spring+2015.pdf.

of voice and authority within the bounds of the institution and given the collection held by the Museum. Staff sought to answer questions like:

- Who is the museum for? … How can the museum properly serve both its constituency [indigenous peoples of the Americas] and its audience [visitors]?
- What is the museum about? … What ideas and messages will form the basis of the museum's exhibitions?
- For whom does the museum speak? … Considering the rich diversity of Native cultures, philosophy, and thought, how will the museum's exhibitions speak for all Indians? …
- What ways can the museum make the best use of its extraordinary collection even though the collection imperfectly supports the museum's exhibition philosophy? … [and]
- How will the exhibits speak with Native voices, yet still be understood by a non-Native audience?"[291]

As the process moved from conception of the museum to development of particular themes and exhibits, staff developed answers to these questions, but the role of community participants decreased. Many members of the NMAI's staff were, of course, from indigenous backgrounds themselves, so there was an effort to ensure that those staff were consulted, but work began to proceed independently from the process of external consultation. Consultations grounded the museum's outlook but were not central to the initial process of exhibit development.

After the initial round of consultations was concluded, museum staff were also considering the style of exhibit that would be developed. Exhibits in traditional anthropology museums often treated Native Americans as objects of knowledge, rather than co-equal participants in the production of knowledge. But the NMAI insisted that material should be presented in accordance with Native self-understanding and clearly differentiated from the traditional anthropological approach. Movements in the broader context of museology and the rising influence of "identity politics" made this imperative all the more pressing. In the late twentieth century, museology as a discipline was also in the midst of a fundamental shift in orientation, one that insisted that the museum should be more than mausoleum.

Nonetheless, despite a deep ethical commitment to making a new kind of museum by grounding the museum in consultation and expanding styles of display, initial exhibit plans did relatively little to center the voices of Native contributors. Museum staff struggled to make a museum both not traditionally didactic and digestible for the public.

Jennifer Shannon's ethnography of the NMAI in the early 2000s provides some insight into these struggles.[292] Shannon argues that the Museum's initial consultations and its founding ideas took the ethics of representation seriously, for example by conducting nationwide consultations with Native people. Nonetheless, official plans and planning documents adopted this outlook only to a limited extent. A master planning document produced in 1997, after

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[291] "Exhibition Master Plan Phase II Interim Report," 21 September 1995, Smithsonian Institution Institutional Archives, Accession No. 04-137, Box 14, Folder 8, §1.1 "Executive Summary."
[292] Jennifer Shannon, *Our Lives: Collaboration, Native Voice, and the Making of the National Museum of the American Indian* (Santa Fe, NM: School for Advanced Research Press, 2014).

several rounds of revision, was "widely trashed in vetting sessions with scholars, museum professionals, and tribal leaders"[293] despite having been conceived explicitly as an attempt to center the Native voice. Shannon reports these critiques through the voice of an assistant director: "[communities] thought the method of interpretation was correct, although there was not really community involvement as the museum promised."[294] The museum changed course, "throw[ing] out" the early work to find a "community-centered approach to exhibit making."[295]

Shannon's ethnography recounts a process of reconsidering and reorienting staff efforts to plan exhibits and, importantly, engaging with Native communities in a different way that aimed to reform the relationship between communities and the exhibits. Her account of how this transition was managed provides rich detail on the institutional tensions that shaped the eventual form of the exhibits. Most interesting from the perspective of the politics of recognition is Shannon's account of disputes between the Curatorial department and other departments (particularly the designers) over what it meant to co-curate an exhibit, and the extent to which the Museum would have to bend to accommodate the perspectives of its co-curators. Shannon narrates this as a challenge of getting staff who were not directly engaged with the communities whose stories would be represented to understand those stories as authoritative, rather than treating them merely as evidence. I think this challenge highlights a fundamental difficulty in the project of recognition and representation. It indicates a mismatch between what is a candidate for being represented or recognized and existing institutional hermeneutical categories. Despite a formal commitment to presenting Native culture in a "Native voice," the institution was not set up in a way that enabled the Native communities' perspectives to be easily cognizable.

By the time of opening, the orientation of the Museum to providing a platform for Native peoples to speak "in a Native voice," had become much more explicit.[296] In a book introducing the museum and its inaugural exhibits, curators Gerald McMaster and Clifford E. Trafzer explain that "[i]n presenting this book, the authors and editors have recognized and affirmed Native communities by authentically portraying historical and contemporary cultural knowledge in consultation with Native people."[297] This is important because

> Native peoples want to remove themselves from the category of
> cultural relics and, instead, be seen and interpreted as peoples and
> cultures with a deep past that are very much alive today. They
> want the opportunity to speak directly to our audiences…to
> articulate in their own voices and through their own eyes the
> meaning of the objects in our collection and their import in Native
> art, culture, and history.[298]

When the museum opened, its inaugural exhibits were indeed of a different kind, in a new voice, and for a new museum.

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[293] Ibid., 38.

[294] Ibid.

[295] Ibid., 39.

[296] Gerald McMaster and Clifford E. Trafzer, "Introduction: A New Journey," in *Native Universe: Voices of Indian America*, ed. Gerald McMaster and Clifford E. Trafzer (Washington, DC: National Museum of the American Indian, Smithsonian Institution, 2004), 14.

[297] Ibid., 17.

[298] Ibid.

Reception

      The degree to which Native communities and general audiences found the inaugural exhibits effective varied. Many reactions in the mainstream press focused on a perceived lack of coherence in the exhibits as a group and in each individual exhibit, and the absence of appropriately scholarly, *expert* contribution to exhibits. In the *Washington Post*, reviewers condemned the NMAI for "accept[ing] the trendy faux-selflessness of today's historians and let[ting] the Indians present themselves as they wish to be seen"[299] and argued that it didn't "nourish thought,"[300] as it failed to tell the stories that the reviewers wished to read. Reviewers seemed to grasp that the goal of the museum was to tell Native stories in a distinctively Native way but they chafed at the idea that the museum might "let the Indians present themselves as they wish to be seen." The issue here is a fundamental disagreement about the purpose of the museum. Reviewers expected a style of scholarship and knowledge that adhered to typical Western practice. They demanded that museums be used to tell narrowly focused stories using extensive labels and the selection of extraordinary objects that clearly "deserved" preservation and care. The reviewers met the exhibits that had actually been mounted with these expectations and were baffled by their approach.

      Though some of the specific critiques of the Museum's exhibits surely had merit, what most critical reviewers displayed most forcefully was a fundamental misunderstanding of the Museum's project. The NMAI's presence on the National Mall was provocative and political, designed to assert that the kind of knowledge Native people could bring to the national story was both authoritative and worthy of recognition.

      Reactions from scholars of museology, including Native scholars, were mixed, but for different reasons. Native scholars did not misunderstand the significance of the mere presence of the NMAI on the National Mall. Former curator Douglas Evelyn argued that the Museum's new approach significantly shifted the possibilities for the display and interpretation of Native cultures and histories:

> The NMAI seeks to enhance dialogues about Native peoples and cultures by adding Native voices […]. Taken collectively, the NMAI's programs, collections, and collaborative initiatives with Native communities frame a new and dynamic international institution of living cultures. The NMAI is already stretching the boundaries within which museums traditionally define their roles and engage their publics. It welcomes the challenge and the participation of all as it charts its course.[301]

Amanda Cobb argued that the NMAI's approach mattered not only because it privileged Native voices and used a new methodology of collaboration to determine what stories were told in the museum, but also because its style of presentation demanded a different kind of engagement

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[299] Marc Fisher, "Indian Museum's Appeal, Sadly, Only Skin-Deep," *Washington Post*, 21 September 2004.
[300] Paul Richard, "Shards of Many Untold Stories; in Place of Unity, a Melange of Unconnected Objects," *Washington Post*, 21 September 2004.
[301] Douglas E. Evelyn, "The Smithsonian's National Museum of the American Indian: An International Institution of Living Cultures," *The Public Historian* 28, no. 2 (2006): 55.

from its audiences. At the NMAI visitors were required to adapt in order to gain access to Native knowledge. That is, "the NMAI exhibits signal a theme but offer visitors a decidedly different interpretive framework—one in which they must actively work to gain understanding. The community installations lay out symbols, objects, photographs, and various points to consider, but they do not offer discrete, single lessons."[302] It is worth teaching visitors to read a new kind of exhibit because it will demonstrate what it means to share authority. On Cobb's reading, despite its hostile reception by mainstream critics, the Museum was a success as a statement of the persistence of Native culture and presence.

Not all scholars approved of the result of the many years of consultation and collaboration. Amy Lonetree recognized the importance of the "community-based" model of museology that the NMAI worked to embody but remained critical of its outcomes. She argued that it is disingenuous to attribute the difficulty in interpreting exhibits to the "Native voice," reminding us that the NMAI's curatorial department shaped the content and form of the exhibits, and that the Museum undermines its own mission when it makes it too difficult to read its representation of Native cultures.[303] More recent reactions have struggled with the failure of the NMAI to thoroughly decolonize the institution, and worried that the presentation of Native stories in this context merely reproduces the violence of the colonial encounter.

Implications

What implications does this study of the practice of recognition at the NMAI have for the political theory of recognition and its practice more generally? How do these implications relate to those drawn from the CMC example in the previous chapter?

First, this story shows that alone, an *ethos* of collaboration and recognition is insufficient to achieve the promise of recognition. Even though the NMAI from its inception was conceived of as a way for Native groups to be recognized and represented as part of a broader American identity, and despite the early focus on extensive consultation with community representatives, early exhibit plans did not reflect that emphasis. Early plans reproduced dynamics from museology and anthropology which the NMAI had expressly sought to avoid and failed to center the communities' experiences with minimal intervention. Explicit course correction was required, and even after extensive revision the exhibits did not satisfy all their constituencies. CMC staff similarly revised their processes for community consultation. Reactions to the Glenbow Museum's exhibit "The Spirit Sings" prompted the Canadian Museums Association to explicitly reconsider professional guidelines for how museum sand their staff should relate to Indigenous groups. CMC staff incorporated the Canadian Museums Association's insights into their processes for exhibit development and convened a series of consultation that made the First Peoples Hall a more successful example of recognition than the Grand Hall, its precursor. Both at the CMC and at the NMAI staff practiced recognition most successfully when they iteratively adjusted their practices to fulfill the demands of the politics of recognition. These struggles also highlight the importance of working to revise processes, even as they are at work. Choices about the ethos a practice should embody are made repeatedly, and choices about *how* that ethos can be

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[302] Amanda J. Cobb, "The National Museum of the American Indian: Sharing the Gift," *American Indian Quarterly* 29, no. 3/4 (2005): 367-77.

[303] Amy Lonetree, "Missed Opportunities: Reflections on the NMAI," *American Indian Quarterly* 30 (2006).

effectively expressed in practice are too. We must therefore understand recognition not only to be a practice, but also to be a necessarily *ongoing* practice.

Second, this story demonstrates the importance of the practice of collaboration and consultation as part of efforts to recognize difference. Collaborative practices make visible the essentially contested nature of identity, outlining the contours of disagreement. Practices of recognition must work to accommodate the way that identities change over time, as they are contested by a changing membership. Just as at the CMC consultation with Indigenous representatives was central to the success of the First Peoples Hall, at the NMAI co-curation was essential to the structure and content of its inaugural exhibits. Despite both museums' emphasis on consultation, neither has lived up to the obligation to adjust how it represents Indigenous identities as those identities change. Practices of recognition are more successful when they support and recognize the ongoing contestation and change in group-based identities.

Finally, all the stories examined in the course of this dissertation suggest that we should expect that every project of recognition will fail in at least some ways. What is recognized might not be cognizable by all who need to understand it. The form that recognition takes will almost certainly be both over- and under-inclusive. But this does not mean that the project of recognition isn't worth the effort. Rather, it only makes the demand for principles we can use to guide these practices more pressing.

Conclusion: Principles for the Practice of Recognition

It is possible, though not simple, to pursue the politics of recognition through public policy without distorting recognition into an oppressive, rather than freedom-supporting, practice. The risks identified by critics of the politics of recognition are real. Ill-conceived and poorly executed policies of recognition can overlook the complexity of cultural and other group-based identities, flatten internal diversity, and bind groups and individuals to misunderstood, static, or otherwise inappropriate conceptions of their cultural identities. These shortcomings can cause real harm both to individuals who belong to these groups and to the groups themselves. For example, when efforts to recognize indigenous groups insist that the only "valid" indigenous identity is one that can be tied to "pre-contact" practices, they discount the real lived experiences of Indigenous people and groups in favor of a static version of a culture that is, like all social objects, subject to contestation and change. In this form, recognition fails on its own criteria. It fails to respect cultural and other differences or adapt to contested meanings in order to better meet the needs of those who don't conform to expectations about the "typical" citizen, and as a result fails to further political and social equality. Such misrecognition risks reproducing the kind of unjust or differential effects that prompted initial efforts to resolve the harms of misrecognition.

However, these risks do not mean that efforts to practice recognition should be abandoned. In the preceding chapters, I have argued that practices of recognition can better avoid these risks and achieve the promise of the politics of recognition by working to support the practice of individual and collective self-definition in groups that seek recognition. Individual and collective self-definition matter because they respect the freedom of individuals and groups to shape their own identities. As proponents of feminist and relational conceptions of autonomy argue, we must support legal and other social relations that encourage the "ongoing, interactive creation of our selves—our relational selves, our selves that are constituted, yet not determined, by the web of nested relations within which we live."[304] Self-definition is a creative, interactive, and unbounded process, and practices of recognition that aim to realize the aspirations of theories of recognition must understand and encourage that.

This dissertation has demonstrated the importance of self-definition for achieving genuine recognition. Through three examples, it has explored how practices of recognition can promote or undermine self-definition. I have argued that practices of recognition are more successful when they support individual and collective self-definition through processes of democratic contestation. Here I offer three interrelated principles that should guide practices of recognition in order to avoid the risks identified above and in the first chapter of the dissertation.

I have argued, first, that self-definition is a central value that can support a genuinely freedom-enhancing politics of recognition and that it should be used as a guiding value for practices of recognition. We can call this the *principle of self-definition*. Self-definition is a part of the value of freedom itself. It demands that people should be free to shape and express their identities on their own term. This applies with particular importance to historically marginalized groups and their members. Part of marginalization is often a loss of control over the ability to self-define, both as an individual and as a participant in a group-based identity. The value of self-

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[304] Nedelsky, *Law's Relations: A Relational Theory of Self, Autonomy, and Law*, 45.

definition centers both the individual who works to define her own identity and the contestation and negotiation that are inherent to collective efforts at self-definition.

The principle of self-definition demands flexibility and attentiveness from practices of recognition. Identities are not fixed, but fluid, and collective identities must be negotiated through contestatory processes in order for them to emerge as defined by the collective self. This both complicates how we ought to approach practices of recognition and points the way to a revised politics of recognition that will be able to fulfill the promises of recognition and avoid its perils. When we understand recognition as dependent on actual practices, we can better identify the nuances of how different approaches support or foreclose both self-definition and the freedom recognition promises. As a consequence, we can also better identify the ways practices of recognition should be shaped in order to support self-definition and achieve its aims. Foregrounding the importance of supporting self-definition will produce practices of recognition that do more to advance social and political equality.

The dissertation as a whole also serves as an argument for the importance of revaluing both self-definition and autonomy through the situated models of autonomy that come from feminist theories of autonomy. Self-definition has proven to be a fruitful guiding light through practices of recognition, and so we should ask in what other contexts it can be useful. These are capacious values that can support emancipatory policies in conclusions in a wide range of contexts.

Following from the principle of self-definition, I have argued that practices of recognition must closely attend to the needs and demands of the communities they seek to recognize. We can call this the *principle of responsiveness*. Recognition is not a one-size-fits-all enterprise. It requires sincere communication between the community in question and the body that seeks to extend recognition. It follows from the theoretical framework that recommends recognition that efforts to encourage political and social equality ought to respond to the barriers thereto as experienced and identified by those whose political and social inequality is at issue. Efforts to recognize group-based identities go awry when they attempt to perform that recognition on terms that are not congruent with the terms on which recognition is being demanded, negotiated, or requested.

Nevertheless, as the apology to Japanese Canadians for wartime injustices demonstrates, it is not uncommon for recognizing authorities to attempt recognition in ways that suit them, rather than in ways that respond to the demands of the relevant community. Having promised Japanese Canadians redress as part of the 1984 campaign, the Mulroney government then sought to resolve the question quickly, without genuine negotiation with the Japanese Canadian community or its representatives. This might have enabled the Mulroney government to reap the electoral and political benefits of being able to claim victory over the Trudeau/Turner Liberals and being able to represent themselves as responsive to the claims of Canada's visible minority communities. But it would *not* have constituted a genuinely freedom-enhancing practice of recognition. Without allowing for the process of internal consultation and contestation about the kind of recognition the community would find valuable, apology, acknowledgement, and even reparation would have rung hollow. It would have imposed outside ideas of what mattered about the wartime experiences of Japanese Canadians. In so doing, it would have curtailed community efforts to work through the meaning of the experience and what it thought was a just form of compensation. It would have reinforced the lessons of internment, that Japanese Canadians did not hold full membership in Canada, and did not deserve to have their voices listened to by those in power. It would have only reproduced the political inequality that a properly formulated

practice of recognition would have aimed to correct. The actual redress settlement, forced by the activism of the Japanese Canadian community to correspond to the demands of the community, demonstrates that recognition is more successful, avoiding its own perils, when it attends to community demands.

Similarly, the development of the Canadian Museum of Civilization's opening exhibits shows that inclusion is not useful as a practice of recognition unless it takes place on the terms of the community in question. The depiction of First Nations groups and cultures as primarily historical, rather than current and vital, in the proposed Native Peoples Hall would have represented First Nations groups as they were understood by primarily non-Aboriginal curators and anthropologists. The cultures that would have been recognized as part of Canadian history would not have been included in the language and with the motivations of the communities such an exhibit had the potential to recognize. By contrast, the years of consultation with First Nations people that undergirded the First Peoples Hall allowed the Hall to be more representative of the diversity of the Aboriginal experience in Canada. As a result, the First Peoples Hall functions successfully as a practice of recognition.

Finally, processes of developing practices of recognition should be designed to accommodate and acknowledge internal contestation within and about identity groups, including contestation over time. We can call this the principle of *internal contestation*. The goal of "final" resolution to questions of social and political inequality, of, in the terms of the Government of Canada, "certainty"[305] about the relationship between the majority culture and minority cultures, or of a clear and static version of the cultural identity to be recognized, is unreasonable. Both individual and collective identities change over time, and that change does not render later instantiations of those identities invalid. A particular conception of identity is authorized by its origins in the self whose identity is being expressed, whether this self is individual or collective. Efforts to recognize identity must allow that a self-defined collective identity will necessarily change over time. Recognition must be practiced in ways that support ongoing and future self-definition of the groups in question and allow for future dissent.

The First Peoples Hall made initial steps toward accommodating internal contestation by incorporating the voices and suggestions of its diverse consultative committee. It tried to show visitors the diversity of the aboriginal experience in Canada and to represent Aboriginal people and groups as contemporary, and changing, members of Canadian society rather than fossilized artifacts from an ancient history. However, promises to refresh parts of the hall as the exhibit aged have not been borne out, and the content remains nearly identical to its state at opening in 2003. As a site of recognition, then, the First Peoples Hall has fallen short of the need to support ongoing and future self-definition. The initial portrait it presented codifies Aboriginal identities for visitors in a form that felt valid in 2003 but may no longer reflect Aboriginal identities as they are being negotiated today.

The National Museum of the American Indian provides a different model of recognition at the museum. The National Museum of the American Indian used a model that it called "co-curation" and invited curators from outside the museum staff to work with museum staff to mount both long- and short-term exhibits. Rather than insisting that the picture of Native identity be containable within a metanarrative presented in a small number of permanent exhibits, this

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[305] In negotiations with First Nations groups over treaty and aboriginal rights as well as title over land, the Government of Canada's objective is "certainty over lands and title," a goal that forecloses the possibility of future contestation and shifts in identity.

model seeks out new and changing sources of Native American input. The juxtaposition of the differing and conflicting approaches of various curators acknowledges dissent and contestation within the communities in question. The use of shorter-term exhibits allows the museum as a whole to function as a site of recognition of ongoing change in the content and expression of Native American identities.

This dissertation has made two central arguments. First, I have argued that there are distinctive reasons of freedom, in addition to reasons of equality, that justify policies of recognition. Most liberal democratic theorists of the politics of recognition rely on reasons of equality to justify group-differentiated treatment. In order to treat all as equals, it is sometimes necessary to depart from strict uniform treatment by accommodating minority cultural practices. Critics of this approach point out that when recognition is practiced carelessly, it can have negative consequences for freedom. For example, codifying a particular version of any given collective identity risks forcing members of that collective identity group to adhere to the codified version of the identity, which may not fit with their individual identities. To resolve this impasse, I have proposed a conception of self-definition. My conception of self-definition has three parts (individual self-definition, collective self-definition, and democratic contestation) that work together to show that the politics of recognition can both respect equality and advance freedom. Second, I have argued that to achieve a politics of recognition that respects both equality and freedom, it is necessary to develop intermediate principles to guide the practice of recognition. To develop these principles, I have employed a contextual method. I have examined three detailed examples of recognition in practice in order to discover the characteristics of practices of recognition that support both equality and freedom. Based on these examples, I have proposed the intermediate principles of self-definition, responsiveness, and internal contestation. Although we should expect that every practice of recognition will fail to some extent, it is nonetheless important for practitioners to strive to adhere to these principles for practice.

Bibliography

PRIMARY SOURCES

Canada House of Commons Debates

33rd Parliament, 2nd Session, Volume 15, (22 September 1988).

Canadian Museum of History Archives, Gatineau, Québec, Canada

"A Living Inheritance: A Guide to the Grand Hall," 1988, Box I-49, folder 5, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection.

"Canadian Museum of Civilization *First Peoples Hall* Consultation Committee: Phase I Report" 27 June 1994, Box I-227, folder 1, Institutional Archives, Sylvie Morel Collection.

"Canadian Museum of Civilization's Current Activities which Address the Concerns Raised by the Task Force on Museums and First Peoples" 20 July 1992, Box I-227, folder 1, Institutional Archives, Sylvie Morel Collection.

Canadian Museum of Civilization "Vision Statement," 20 May 1987, Box H-449, folder 4, Canadian Museum of Civilization History Division Collection.

"Central Concept Statement: Anthropology Hall," 1984, Box I-49, folder 2, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection.

"First and Forever: The Campaign for First Peoples Hall," c.2001, Box I-227, folder 6. Institutional Archives, Sylvie Morel Collection.

"First Peoples Hall Consultation Meeting January 17, 18, 1993," 17-18 January 1993, Box I-227, folder 1, Institutional Archives, Sylvie Morel Collection.

Graham, Karen and Heather Nikischar, "A Summative Evaluation of the 'Canada Hall' Exhibition," 4 February 2003, Box I-575, folder 10, Institutional Archives, Chantal Amyot Collection.

"Native Peoples Hall: Objectives, Themes and Approach," 1985, Box I-50, folder 7, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection.

"Report on the Anthropology Hall Approach Papers," 1985, Box I-50, folder 7, Institutional Archives, Canadian Museum of Civilization: Grand Hall Collection.

"Task Force Report on Museums and First Peoples" 1992, Box I-227, folder 2, Institutional Archives, Sylvie Morel Collection.

Fonds Roger Obata, Library and Archives Canada, Ottawa, Ontario, Canada

Hirabayashi, Gordon. "Re: Some factors in the redress issue," Memo to "Art Miki and the Negotiating Team," 27 December 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)").

"Majority Prefer Individual Compensation or Both Individual and Community Compensation," 1986, R9332, volume 6, folder 31 ("Redress Questionnaire (1986)").

NAJC Leadership Conference Report, 1989, R9223, volume 5, folder 1 ("NAJC – Leadership Campaign Conference (1989)").

National Association of Japanese Canadians, "Press Release," 1985, R9223, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)").

"Press Release: The National Association of Japanese Canadians (NAJC) regrettably announces…," 1985, R9332, volume 4, folder 8 ("NAJC - Negotiation Committee - Redress - Correspondence - Meetings - Reports (1984-85)").

Smithsonian Institution Institutional Archives, Washington DC

"Exhibition Master Plan Phase II Interim Report," 21 September 1995, Accession No. 04-137, Box 14, Folder 8.

"Exhibitions Philosophy & Procedures," Draft 6 April 1994, Accession No. 08-028, Box 1, Folder 14.

Green, Rayna, "A Mission For the National Museum of the American Indian: Goals, Opportunities, Responsibilities, Strategies," January 1990, Accession No. 10-184, Box 1, Folder "NMAI Vision Statement."

"Meeting Minutes – Libraries/Archives/Collections Consultation," 8-9 July 1991, Accession No. 04-138, Box 1, Folders 1-3

National Museum of the American Indian, "Exhibition Plan, National Mall Museum, Washington, DC, Revised Review Draft," 11 July 1997, Accession No. 07-170, Box 6, Folder "Planning 1."

"National Museum of the American Indian Mall Master Plan," 29 November 1994, Accession No. 08-030, Box 10, Folder 6.

"Native American Artifacts – Bob Smith, George Horse Capture, Greig Arnold," April 1992, Accession No. 11-025, Box 1, Folders 4-6.

"Native American Artifacts: Traditional Care and Handling – Ed Ladd," 16-17 March 1992,
        Accession No. 11-025, Box 1, Folders 2-3

SECONDARY SOURCES

An Act to Establish the National Museum of the American Indian within the Smithsonian
        Institution, and for Other Purposes. Public Law 101-185. 101st Congress, 28 November
        1989.

Adachi, Ken. *The Enemy That Never Was: A History of the Japanese Canadians.* Toronto:
        McClelland and Stewart, 1976.

Allais, Lucy. "Restorative Justice, Retributive Justice, and the South African Truth and
        Reconciliation Commission." *Philosophy & Public Affairs* 39, no. 4 (2012): 331-63.

Ames, Michael M. "Biculturalism in Exhibitions." *Museum Anthropology* 15, no. 2 (1991): 7-15.

———. *Cannibal Tours and Glass Boxes: The Anthropology of Museums.* 2nd ed. Vancouver,
        BC: University of British Columbia Press, 1992.

Appiah, Kwame Anthony. *The Ethics of Identity.* Princeton, NJ: Princeton University Press,
        2005.

Ashley, Susan. "State Authority and the Public Sphere: Ideas on the Changing Role of the
        Museum as a Canadian Social Institution." *Museum and Society* 3, no. 1 (2005): 5-17.

Austen, Ian. "Canada Letter: Shaping History at a Revamped Museum." *New York Times*
        (2017). Published electronically 7 July. https://nyti.ms/2tSY43x.

Austin, J. L. *How to Do Things with Words.* Oxford: Clarendon Press, 1962.

Bachvarova, Mira. "Multicultural Accommodation and the Ideal of Non-Domination." *Critical
        Review of International Social and Political Philosophy* 17, no. 6 (2014): 652-73.

Barkan, Elazar, and Alexander Karn, eds. *Taking Wrongs Seriously: Apologies and
        Reconciliation*, Cultural Sitings. Stanford, CA: Stanford University Press, 2006.

Barry, Brian M. *Culture and Equality: An Egalitarian Critique of Multiculturalism.* Cambridge,
        MA: Harvard University Press, 2001.

"Behind the Scenes of the Canada Hall Renovations." *CBC News* (2016).
        http://www.cbc.ca/news/canada/ottawa/canadian-museum-history-renos-1.3446283.

Bennett, Tony. *The Birth of the Museum: History, Theory, Politics.* London: Routledge, 1995.

———. "The Political Rationality of the Museum." *Continuum* 3, no. 1 (1990): 35-55.

Bilder, Richard B. "The Role of Apology in International Law and Diplomacy." *Virginia Journal of International Law* 46, no. 3 (2006): 433-73.

Boxill, Bernard R. "The Morality of Reparation." *Social Theory and Practice* 2, no. 1 (1972): 113-23.

Brown, Wendy. *States of Injury: Power and Freedom in Late Modernity.* Princeton, NJ: Princeton University Press, 1995.

Cameron, Duncan F. "The Museum, a Temple or the Forum?" *Curator: The Museum Journal* 14, no. 1 (1971): 11-24.

Canby, William C. *American Indian Law in a Nutshell.* West Nutshell Series. 5th ed. St. Paul, MN: West, 2009.

Cardinal, Douglas J. "World Views." Slideshow, 2015. https://static1.squarespace.com/static/569408814bf11844ad28dc12/t/56df232522482e5c7 f083306/1457464121381/World+Views+Spring+2015.pdf.

Carens, Jospeh H. *Culture, Citizenship, and Community: Contextual Political Theory and Justice as Evenhandedness.* Oxford: Oxford University Press, 2000.

———. "A Contextual Approach to Political Theory." *Ethical Theory and Moral Practice* 7, no. 2 (2004): 117-32.

Celermajer, Danielle. *The Sins of the Nation and the Ritual of Apologies.* Cambridge: Cambridge University Press, 2009.

Cobb, Amanda J. "The National Museum of the American Indian: Sharing the Gift." *American Indian Quarterly* 29, no. 3/4 (2005): 361-83.

Coffee, Kevin. "Cultural Inclusion, Exclusion and the Formative Roles of Museums." *Museum Management and Curatorship* 23, no. 3 (2008): 261-79.

Cohen, Joshua. *Philosophy, Politics, Democracy: Selected Essays.* Cambridge, MA: Harvard University Press, 2009.

Communications Canada. *Challenges and Choices: Federal Policy and Program Proposals for Canadian Museums.* 1989.

Cornell, Drucilla. *At the Heart of Freedom: Feminism, Sex, and Equality.* Princeton, NJ: Princeton University Press, 1998.

Corntassel, Jeff, and Cindy Holder. "Who's Sorry Now? Government Apologies, Truth Commissions, and Indigenous Self-Determination in Australia, Canada, Guatemala, and Peru." *Human Rights Review* 9, no. 4 (2008): 465-89.

Darnell, Regna. "History of Anthropology in Historical Perspective." *Annual Review of Anthropology* 6 (1977): 399-417.

Denbow, Jennifer M. *Governed through Choice: Autonomy, Technology, and the Politics of Reproduction.* New York: New York University Press, 2015.

Dewing, Michael. "Bill C-7: An Act to Amend the Museums Act in Order to Establish the Canadian Museum of History and to Make Consequential Amendments to Other Acts." Parliamentary Information and Research Service Legal and Social Affairs Division. Ottawa, Ontario: Library of Parliament, 2013.

Dworkin, Ronald. *Taking Rights Seriously.* Cambridge, MA: Harvard University Press, 1977.

Dyzenhaus, David. "Survey Article: Justifying the Truth and Reconciliation Commission." *Journal of Political Philosophy* 8, no. 4 (2000): 470-96.

Dyzenhaus, David, and Mayo Moran. *Calling Power to Account: Law, Reparations and the Chinese Canadian Head Tax Case.* Toronto: University of Toronto Press, 2005.

Eriksen, Thomas Hylland. *Small Places, Large Issues: An Introduction to Social and Cultural Anthropology.* 3rd ed. London: Pluto Press, 2010.

Evelyn, Douglas E. "The Smithsonian's National Museum of the American Indian: An International Institution of Living Cultures." *The Public Historian* 28, no. 2 (2006): 51-55.

Feinberg, Joel. "Collective Responsibility." *The Journal of Philosophy* 65, no. 21 (1968): 674-88.

Fisher, Marc. "Indian Museum's Appeal, Sadly, Only Skin-Deep." *Washington Post*, 21 September 2004, B01.

Fixico, Donald L. "Change over Time: The National Museum of the American Indian." *The Public Historian* 28, no. 2 (2006): 81-84.

Fraser, Nancy, and Axel Honneth. *Redistribution or Recognition? A Political-Philosophical Exchange.* New York: Verso, 2003.

Friedman, Marilyn. *Autonomy, Gender, Politics.* Oxford: Oxford University Press, 2003.

Garroutte, Eva Marie. *Real Indians: Identity and the Survival of Native America.* Berkeley: University of California Press, 2003.

Gibbon, John Murray. *Canadian Mosaic: The Making of a Northern Nation.* Toronto: McClelland & Stewart, 1938.

Gibney, Mark, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud, and Niklaus Steiner, eds. *The Age of Apology: Facing up to the Past*. Philadelphia: University of Pennsylvania Press, 2008.

Golding, Viv, and Wayne Modest, eds. *Museums and Communities: Curators, Collections, and Collaboration*. London: Bloomsbury, 2013.

Gover, Kirsty. *Tribal Constitutionalism: States, Tribes, and the Governance of Membership.* Oxford: Oxford University Press, 2011.

Haney-López, Ian. *White by Law: The Legal Construction of Race.* New York: New York University Press, 2006.

———. ""A Nation of Minorities": Race, Ethnicity, and Reactionary Colorblindness." *Stanford Law Review* 59 (2007): 985-1063.

Harrison, Julia D. "The Spirit Sings: The Last Song?" *International Journal of Museum Management and Curatorship* 7, no. 4 (1988): 353-63.

———. "Ideas of Museums in the 1990s." *Museum Management and Curatorship* 13 (1993): 160-76.

Henderson, Jennifer, and Pauline Wakeham, eds. *Reconciling Canada: Critical Perspectives on the Culture of Redress*. Toronto: University of Toronto Press, 2013.

Hing, Bill Ong. *Making and Remaking Asian America through Immigration Policy, 1850-1990.* Stanford, CA: Stanford University Press, 1993.

Hiraki, Stan, Yukihara Mizuyabu, and Harry Honekura. "Our Expulsion Stories." In *Japanese Canadian Redress: The Toronto Story*, edited by Ad Hoc Committee for Japanese Canadian Redress, 19-62. Toronto: HpF Publishing, 2000.

Hoe, Ban Seng. *Beyond the Golden Mountain : Chinese Cultural Traditions in Canada.* Hull, Québec: Canadian Museum of Civilization, 1989.

Hooper-Greenhill, Eilean. *Museums and the Shaping of Knowledge.* New York: Routledge, 1992.

Jacknis, Ira. "Franz Boas and Exhibits: On the Limitations of the Museum Method of Anthropology." In *Objects and Others: Essays on Museums and Material Culture*, edited by George W. Stocking, 75-111. Madison: University of Wisconsin Press, 1988.

———. "A New Thing? The NMAI in Historical and Institutional Perspective." *American Indian Quarterly* 30, no. 3/4 (2006): 511-42.

James, Matt. "Wrestling with the Past: Apologies, Quasi-Apologies, and Non-Apologies in Canada." Chap. 9 In *The Age of Apology: Facing up to the Past*, edited by Mark Gibney, Rhoda E. Howard-Hassmann, Jean-Marc Coicaud and Niklaus Steiner, 137-53. Philadelphia: University of Pennsylvania Press, 2008.

Knowles, Valerie. *Strangers at Our Gates: Canadian Immigration and Immigration Policy, 1540-2015.* Fourth edition. Toronto: Dundurn, 2016.

Kobayashi, Cassandra, Roy Miki, and National Association of Japanese Canadians. *Spirit of Redress: Japanese Canadians in Conference.* Vancouver, BC: JC Publications, 1989.

Kogawa, Joy. *Obasan.* New York: Anchor Books, 1994.

Kymlicka, Will. *Liberalism, Community, and Culture.* Oxford: Clarendon Press, 1991[1989].

———. *Multicultural Citizenship: A Liberal Theory of Minority Rights.* Oxford: Oxford University Press, 1995.

Laforet, Andrea. *The Book of the Grand Hall.* Hull, Québec: Canadian Museum of Civilization, 1992.

———. "Time and the Grand Hall of the Canadian Museum of Civilization." *Museum Anthropology* 17, no. 1 (1993): 22-32.

Levitt, Peggy. *Artifacts and Allegiances: How Museums Put the Nation and the World on Display.* Oakland, CA: University of California Press, 2015.

Lonetree, Amy. "Missed Opportunities: Reflections on the NMAI." *American Indian Quarterly* 30, no. 3/4 (2006): 632-45.

Lovett, Frank. "Cultural Accommodation and Domination." *Political Theory* 38, no. 2 (2010): 243-67.

———. *A General Theory of Domination and Justice.* Oxford: Oxford University Press, 2010.

Low, Theodore. "What Is a Museum?" Chap. 2 In *Reinventing the Museum: The Evolving Conversation on the Paradigm Shift*, edited by Gail Anderson, 34-47. Lapham, MA: AltaMira Press, 2012[1942].

MacDonald, George F., and Stephen Alsford. *A Museum for the Global Village: The Canadian Museum of Civilization.* Hull, Québec: Canadian Museum of Civilization, 1989.

MacDonald, Sharon J. "Museums, National, Postnational and Transcultural Identities." *Museum and Society* 1, no. 1 (2003): 1-16.

Mackenzie, Catriona, and Natalie Stoljar. *Relational Autonomy: Feminist Perspectives on Autonomy, Agency, and the Social Self.* New York: Oxford University Press, 2000.

Macklem, Patrick. *Indigenous Difference and the Constitution of Canada.* Toronto: University of Toronto Press, 2001.

Markell, Patchen. *Bound by Recognition.* Princeton, NJ: Princeton University Press, 2003.

Marstine, Janet. *Routledge Companion to Museum Ethics: Redefining Ethics for the Twenty-First Century Museum.* New York: Routledge, 2011.

McLean, Fiona. "Museums and National Identity." *Museum and Society* 3, no. 1 (2005): 1-4.

McLuhan, Marshall. *Understanding Media: The Extensions of Man.* London: Routledge, 1994.

McMaster, Gerald, and Clifford E. Trafzer. "Introduction: A New Journey." In *Native Universe: Voices of Indian America*, edited by Gerald McMaster and Clifford E. Trafzer. Washington, DC: National Museum of the American Indian, Smithsonian Institution, 2004.

Meyers, Diana T. *Gender in the Mirror: Cultural Imagery and Women's Agency.* New York: Oxford University Press, 2002.

Miki, Roy. *Redress: Inside the Japanese Canadian Call for Justice.* Vancouver, BC: Raincoast Books, 2004.

Miki, Roy, Cassandra Kobayashi, and National Association of Japanese Canadians. *Justice in Our Time: The Japanese Canadian Redress Settlement.* Vancouver, BC: Talonbooks, 1991.

Moss, Wendy, and Elaine Gardner-O'Toole. *Aboriginal People: History of Discriminatory Laws*. Ottawa, Ontario: Parliament of Canada, Library of Parliament, 1991. http://publications.gc.ca/Collection-R/LoPBdP/BP/bp175-e.htm.

National Museum of the American Indian. "Cultural Resources Center." http://nmai.si.edu/explore/collections/crc/.

Nedelsky, Jennifer. *Law's Relations: A Relational Theory of Self, Autonomy, and Law.* New York: Oxford University Press, 2011.

———. "Reconceiving Autonomy: Sources, Thoughts and Possibilities." *Yale Journal of Law and Feminism* 1 (1989): 7-36.

Ngai, Mae M. *Impossible Subjects: Illegal Aliens and the Making of Modern America.* Princeton, NJ: Princeton University Press, 2004.

Nobles, Melissa. *The Politics of Official Apologies.* Cambridge: Cambridge University Press, 2008.

Okin, Susan Moller. *Is Multiculturalism Bad for Women?* Princeton, NJ: Princeton University Press, 1999.

Owen, David. "Tully, Foucault, and Agonistic Struggles over Recognition." In *Recognition Theory and Contemporary French Moral and Political Philosophy: Reopening the Dialogue*, edited by Miriam Bankovsky and Alice Le Goff, 88-108. Manchester: Manchester University Press, 2012.

Parents Involved in Community Schools v. Seattle School District No. 1, 551 US 701 (2007).

Patten, Alan. "Rethinking Culture: The Social Lineage Account." *The American Political Science Review* 105, no. 4 (2011): 735-49.

Pettit, Philip. *Republicanism: A Theory of Freedom and Government.* Oxford: Oxford University Press, 1997.

Poy, Vivienne. *Passage to Promise Land: Voices of Chinese Immigrant Women to Canada.* Montreal: McGill-Queen's University Press, 2013.

Reed, Adolph L. *Stirrings in the Jug: Black Politics in the Post-Segregation Era.* Minneapolis: University of Minnesota Press, 1999.

Richard, Paul. "Shards of Many Untold Stories; in Place of Unity, a Melange of Unconnected Objects." *Washington Post*, 21 September 2004, C01.

Roberts-Moore, Judith. "Establishing Recognition of Past Injustices: Uses of Archival Records in Documenting the Experience of Japanese Canadians During the Second World War." *Archivaria* 53, no. 1 (2002): 64-75.

Salyer, Lucy E. *Laws Harsh as Tigers: Chinese Immigrants and the Shaping of Modern Immigration Law.* Chapel Hill: University of North Carolina Press, 1995.

Shannon, Jennifer. *Our Lives: Collaboration, Native Voice, and the Making of the National Museum of the American Indian.* Santa Fe, NM: School for Advanced Research Press, 2014.

Simpson, Moira G. *Making Representations: Museums in the Post-Colonial Era.* Rev. ed. London: Routledge, 2001.

Smith, Rogers M. *Civic Ideals: Conficting Visions of Citizenship in U.S. History.* New Haven: Yale University Press, 1997.

Šola, Tomislav. "The Concept and Nature of Museology." *Museum International* 39, no. 1 (1987): 45-49.

Song, Sarah. *Justice, Gender, and the Politics of Multiculturalism.* Cambridge: Cambridge University Press, 2007.

Stocking, George W. "The Ethnographic Sensibility of the 1920s and the Dualism of the Anthropological Tradition." In *Romantic Motives: Essays on Anthropological Sensibility*, edited by George W. Stocking, 208-76. Madison: University of Wisconsin, 1989.

Tang, Barbara L. "The Japanese Internment and Reparations: Creating a Judicial or Statutory Cause of Action against the Federal Government for Constitutional Violations." *Loyola of Los Angeles Law Review* 21 (1988): 979-1044.

Tavuchis, Nicholas. *Mea Culpa: A Sociology of Apology and Reconciliation.* Stanford, CA: Stanford University Press, 1991.

Taylor, Charles. "The Politics of Recognition." In *Multiculturalism: Examining the Politics of Recognition*, edited by Amy Gutmann, 25-73. Princeton, NJ: Princeton University Press, 1994.

Thompson, Janna. *Taking Responsibility for the Past: Reparation and Historical Injustice.* Cambridge: Polity Press, 2002.

Tully, James. *Strange Multiplicity: Constitutionalism in an Age of Diversity.* Cambridge: Cambridge University Press, 1995.

Waldron, Jeremy. "Minority Cultures and the Cosmopolitan Alternative." *University of Michigan Journal of Law Reform* 25 (1991): 751-93.

Walker, William. "Japanese Canadians' Tears Flow as Historic Redress Deal Signed." *Toronto Star*, 23 September 1988.

Weil, Stephen E. "From Being About Something to Being for Somebody: The Ongoing Transformation of the American Museum." *Daedalus* 128, no. 3 (Summer 1999): 229-58.

West, W. Richard, Jr. "Foreward." In *All Roads Are Good: Native Voices on Life and Culture*, edited by Terence Winch. Washington, DC: National Museum of the American Indian, Smithsonian Institution, 1994.

———. "Research and Scholarship at the National Museum of the American Indian: The New "Inclusiveness"." *Museum Anthropology* 17, no. 1 (1993): 5-8.

Wood, Alexandra L. "Rebuild or Reconcile: American and Canadian Approaches to Redress for World War II Confinement." *American Review of Canadian Studies* 44, no. 3 (2014): 347-65.

Young, Iris Marion. *Inclusion and Democracy.* Oxford: Oxford University Press, 2000.

———. *Justice and the Politics of Difference.* Princeton, NJ: Princeton University Press, 1990.