

Constellations of Indigeneity: The Power of Definition

Abstract: The lack of a clear definition of indigeneity is a problem in both political theory and practice. Defining indigeneity has at least two important consequences: a) it affects *who* has access to resources or rights reserved for indigenous peoples, and b) it shapes the *kinds* of privileges and resources available to indigenous peoples. To address the problem of defining “indigeneity,” I turn to Theodor Adorno’s discussion of nonidentity thinking, which points to those characteristics that cannot be subsumed under the universal and to the place where our understanding encounters limits. I argue that we can draw on Adorno’s theory of the nonidentical to push back against totalizing definitions of indigeneity by highlighting the unique experience and history of different conceptions of indigeneity. To illustrate this argument, I draw on one conception of indigeneity that could be characterized as ‘nonidentity’ thinking in a New Zealand context—a research approach called Kaupapa Maori.

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Comments welcome.

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Indigenous peoples worldwide experience higher rates of poverty, malnutrition, landlessness and internal displacement, and have lower levels of literacy and access to health services than other members of society.¹ While indigenous peoples make up approximately five percent of the world's population, they account for about fifteen percent of the world's poor. In many countries, indigenous people have significantly lower life expectancy than their fellow citizens, are more likely to be engaged in exploitative activities such as sex work, and face marginalization and exclusion from mainstream society and from policy and decision-making.²

The concentration of poverty and loss of rights specific to indigenous peoples is a result of numerous factors, largely stemming from legacies of historical conquest and oppression. The structural discrimination flowing from these histories has resulted in loss of land and resources, as well as the loss of autonomy and ability to determine indigenous ways of life. Recent developments in international and domestic politics indicate an increasing awareness of, and attempts to seek some redress for, the economic and structural inequalities of indigenous peoples resulting from colonial legacies. Such developments include the declaration of the International Decade of the World's Indigenous People from 1995-2004, the creation of the United Nations (UN) Permanent Forum on Indigenous Issues in 2000, commitment to a second International Decade of the World's Indigenous People from 2005-2015, and ratification of the UN Declaration on the Rights of Indigenous Peoples in 2007. Whilst these forums have brought greater international attention to indigenous rights and issues, they have also created new understandings of what it means to be indigenous and what sorts of benefits and resources should be allocated to those who meet these criteria.

¹ These facts and specific figures can be accessed via the International Fund for Agricultural Development, 'Statistics and Key Facts About Indigenous Peoples,' (February 13, 2007), <http://operations.ifad.org/web/guest/topic/statistics/tags/indigenous%20peoples> (accessed April 27, 2012).

² United Nations, 'Training Module on Indigenous Peoples' Issues,' *United Nations* (2010), http://www.un.org/esa/socdev/unpfii/documents/trainingmodule_en.pdf: 10-11 (accessed April 27, 2012).

While the political theory literature on historical injustice often addresses questions of what is owed to indigenous peoples, there is limited direct engagement with how—specifically—being indigenous might influence particular rights or duties.³ Focusing on the ways that indigeneity is defined and used might influence accounts of historical injustice, many of which assume that indigeneity is a legitimate, important feature of rights claims, without fully exploring what indigeneity might entail.⁴ This is problematic, because defining indigeneity has at least two important consequences. First, it affects *who* has access to resources or rights reserved for indigenous peoples. While defining oneself or being defined as indigenous may have negative implications—such as those detailed above—increasingly, it may offer certain privileges in terms of rights, resources, and access to economic and symbolic reparations. Second, it shapes the *kinds* of privileges and resources available to indigenous peoples, including redefining development policies that are culturally appropriate, developing monitoring mechanisms to improve accountability of policies, and promoting non-discrimination and inclusion of indigenous peoples in local, national, and international laws, policies and projects.⁵ Certain conceptions of indigeneity may be driving some of these policies, thus affecting the kinds of programs organizations like the UN choose to support. For example, linking indigeneity to spiritual understandings of the land may require particular kinds of reparations not frequently considered in liberal, Western frameworks, which tend to privilege property rights over non-

³ One notable exception is Jeremy Waldron, ‘Indigeneity? First Peoples and Last Occupancy,’ *Lecture at Victoria University of Wellington Law School* (2002): 55-82.

⁴ Examples of such works include Chandran Kukathas, ‘Responsibility for Past Injustice: How to Shift the Burden,’ *Political Philosophy and Economics*, Vol. 2, No. 2 (2003): 165-190; Chandran Kukathas, ‘Who? Whom? Reparations and the Problem of Agency,’ *Journal of Social Philosophy*, Vol. 37, No. 3 (2006): 330-341; Janna Thompson, ‘Historical Injustice and Reparation: Justifying Claims of Descendants,’ *Ethics*, Vol. 122, No. 1 (2001): 114-135. To some extent, work such as W. C. Bradford’s, ‘Beyond Reparations: An American Indian Theory of Justice,’ *bypress Legal Series*, Paper 170 (2004) does address more specifically what kind of redress is due to indigenous groups, but this is premised on American Indian’s specific interests and grievances, not on an understanding of indigeneity *per se*.

⁵ For example, see the United Nations Forum on Indigenous Issues, ‘Second Decade of the World’s Indigenous People,’ *United Nations Forum on Indigenous Issues* (December 22, 2004), <http://social.un.org/index/IndigenousPeoples/SecondDecade.aspx> (accessed April 26, 2012).

tangible resources or opportunities.

Similarly, more nuanced accounts of historical injustice that are sensitive to how particular conceptions of indigeneity might influence what we understand to be just outcomes have the potential to strengthen contemporary accounts of what is required for justice in indigenous communities. For example, the recent Federal Court case known as *Daniels v. Canada*, in which non-status Indians sought recognition from the government as ‘Indians’ under section 91(24) of the Constitution Act, 1867, might have been strengthened by more expansive understandings of indigeneity, including better appreciation of the particular experience and history of non-status Indians and Métis.⁶

Defining what indigeneity entails, however, has proven to be controversial. Although indigeneity is generally upheld as a weighty, valuable identity grouping in liberal democracies,⁷ its presence in international and local politics is still contested and there is little consensus on what it means to be indigenous.⁸ In this article, to address the problem of defining ‘indigeneity,’ I turn to Theodor Adorno’s discussion of ‘nonidentity’ thinking, which points to characteristics of ideas or objects that cannot be subsumed under universal ideas or concepts. Nonidentity thinking encourages us to avoid relying on single, all-encompassing concepts to understand our

⁶ The plaintiffs in this case sought three declarations from the Federal Court of Canada: 1. that Métis and non-status Indians should be recognized as Indians by the Constitution Act, 1867, 2. that the Queen owes a fiduciary duty to Métis and non-status Indians as Aboriginal peoples, 3. that Métis and non-status Indians have a right to be consulted and negotiated with by the federal government on a collective basis. The court upheld the first declaration, but rejected the second and third. The Canadian government subsequently appealed the decision. For the ruling, see Federal Court of Canada, *Daniels v. Canada*, Docket T-2172-99, January 8, 2013, Citation 2013 FC 6, <http://decisions.fct-cf.gc.ca/en/2013/2013fc6/2013fc6.pdf> (accessed August 8, 2013).

⁷ See Duncan Ivison, Paul Patton and Will Sanders, ‘Introduction,’ in *Political Theory and Indigenous Rights*, eds. Duncan Ivison, Paul Patton and Will Sanders (Cambridge: Cambridge University Press, 2002): 1-24 and Francesca Merlan, ‘Indigeneity: Global and Local,’ *Current Anthropology*, Vol. 50, No. 3 (2009): 303-333.

⁸ Notions of indigeneity are controversial not only because of differences in how the concept is defined, but because some scholars have challenged the very notion of indigeneity, claiming that it is a poorly conceived idea with no veritable foundation (for example, see Jeremy Waldron, ‘Indigeneity? First Peoples and Last Occupancy,’ *Lecture at Victoria University of Wellington Law School* (2002): 55-82). In this paper I assume that indigeneity does exist and do not address critics who argue that indigeneity is a flawed or failed concept, though I do address this concern in my work elsewhere.

political and social world, and instead to look to the margins. In particular, it focuses our attention on the sites where our understanding encounters limits and at the ways in which constellations of concepts might illuminate discrepancies in our world-view. These constellations, understood not simply as ranges of concepts, but also constellations of historical processes, mark both the physical and the temporal characteristics of an idea or object. Thinking in constellations not only reveals a more comprehensive appreciation of ideas or objects through more nuanced description or explanation, but also provides insights by bringing attention to the negative space that constellations of concepts cannot exhaustively describe.

I argue that this idea of constellations is fertile ground from which to explore the power and limits of conceptions of indigeneity. I suggest that we can draw on Adorno's theory of the nonidentical to push back against totalizing definitions of indigeneity by highlighting the particular experience and history of different indigenous groups. Recognizing the nonidentical nature of indigeneity enables us to critically engage with constellations of concepts that attend to the distinctive aspects of indigeneity in a particular moment and location. It also opens space to critically reflect on these aspects and ask what might be obscured by their use. This allows for the possibility for nuanced assessments about the nature of indigeneity, encouraging us to question essentialized identities and knowledge.

This paper is divided into four sections. First, I consider ways in which our current conceptions of indigeneity are limiting. In Section II I suggest that reflecting on indigeneity using a lens of 'nonidentity' thinking might avoid these limitations, by pushing back against universal, reified notions of indigeneity and allowing for particularized self-definition by specific communities. To illustrate this argument, in Section III I draw on one conception of indigeneity that could be characterized as 'nonidentity' thinking in a New Zealand context—a research approach called Kaupapa Maori. Finally, having outlined why nonidentity might be promising

for theorizing indigeneity, in Section IV I suggest that characterizing indigeneity in nonidentical terms may also be problematic. However, while there are some limitations to applying Adorno's theory to indigenous identity politics, I argue that nonidentity should not be dismissed as a promising resource for conceptualizing indigeneity, even though it requires further refinement to develop a comprehensive normative framework on which to base definitions of indigeneity.

I. Limitations of current definitions of indigeneity⁹

There are two widely used meanings of the word, one offered by the International Labor Organization's (ILO) Convention 169 (developed in 1989), which distinguishes between 'tribal' and 'indigenous' peoples.¹⁰ This definition states that peoples in independent countries are indigenous:

on account of their descent from populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.... [Further] self-identification as indigenous or tribal shall be regarded as fundamental criterion for determining the groups to which the provisions of this Convention apply.¹¹

The ILO's definition did not grant indigenous peoples the right to self-determination, and explicitly rejects the assumption that legal rights should accompany the definition, despite the use of the word 'peoples'.¹² In contrast, a contemporaneous definition was proposed in 1986 by UN special rapporteur José Martínez-Cobo, framing the international indigenous movement in

⁹ In Chapter 2 of my dissertation, I explore these definitions in more detail.

¹⁰ International Labour Organization, 'Convention 169: Indigenous and Tribal Peoples Convention,' Geneva (June 27, 1989), Article 1, http://www.ilo.org/dyn/normlex/en/f?p=1000:12100:0::NO::P12100_ILO_CODE:C169 (accessed 21 January, 2013). See also Jeffrey Sissons, *First Peoples: Indigenous Cultures and Their Futures* (London: Reaktion Books, 2005), 17. Rebecca Tsosie also notes the importance of the ILO Convention in shaping definitions of indigeneity in 'The New Challenge to Native Identity: An Essay on "Indigeneity" and "Whiteness"', *Journal of Law & Policy*, Vol. 18 (2005): 65.

¹¹ Sissons, *First Peoples*, 18.

¹² See Article 1, Point 3.

terms of human rights.¹³ This definition claimed that:

Indigenous communities, people, and nations are those which, having historical continuity with pre-invasion and pre-colonial societies that have developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.¹⁴

Claiming the inherent human rights of pre-colonial peoples, this definition argues that indigenous peoples should have a legal status that the ILO definition rejects. The contrasting legal status of indigenous peoples in each of these definitions, and their reliance on self-definition, meant that subsequent attempts at delineating clear conceptions of indigeneity in the late twentieth century were areas of disagreement and confusion.¹⁵

In 2002, the newly created United Nations Permanent Forum on Indigenous Issues described indigenous people in this way:

Indigenous peoples are the inheritors and practitioners of unique cultures and ways of relating to other people and to the environment. Indigenous peoples have retained social, cultural, economic and political characteristics that are distinct from those of the dominant societies in which they live. Despite their cultural differences, the various groups of indigenous peoples around the world share common problems related to the protection of their rights as distinct peoples.¹⁶

¹³ Secretariat of the United Nations Permanent Forum on Indigenous Issues, 'Introduction: State of the World's Indigenous Peoples,' *United Nations*, http://www.un.org/esa/socdev/unpfii/documents/SOWIP_introduction.pdf, (accessed February 21, 2013): 2.

¹⁴ José Martínez Cobo, 'Study of the Problem of Discrimination against Indigenous Populations,' *United Nations Document E/CN.4/Sub.2/1986/7 and Addenda 1-4* (1986/7), <http://www.un.org/esa/socdev/unpfii/en/second.html> (accessed January 21, 2013).

¹⁵ Sissons, *First Peoples*, 18. It is important to note, however, that these definitions arose out of the international indigenous rights movements and were not imposed by the ILO or the UN. My claim is not, therefore, that the formation of these definitions was itself exploitative—indeed, they were developed and advanced by indigenous activists over three decades—but that the confusion around these terms leads to problematic applications in national and international legal, social and economic policies.

¹⁶ United Nations Permanent Forum on Indigenous Issues, 'History of indigenous peoples and the international system,' *United Nations*, <http://social.un.org/index/IndigenousPeoples/AboutUsMembers/History.aspx> (accessed March 26, 2012).

This description deliberately avoids providing or using any formal definition of indigeneity.¹⁷ Instead the Forum focuses on self-identification, thus avoiding engaging in complicated debates of classification and, perhaps more importantly, avoiding the charge that through definition the United Nations is perpetuating oppressive practices towards native peoples through removing opportunities for autonomy and self-determination or by offering venues for adjudication and responsibility that its member states would reject or contest. Such a definition, however, fails to offer clarity on questions such as, “are there degrees of indigeneity[?]” and is there “a corresponding sliding scale of obligations and benefits?”¹⁸ These questions, anthropologist Ian McIntosh argues, are fundamental to understanding what might be required for justice and reparations.¹⁹

Contrary to McIntosh’s view, anthropologist and director of the Forest Peoples Programme, Marcus Colchester, agrees with the spirit of the Forum’s decision to retain a loose definition open to self-determination, arguing against “impos[ing] tidy categories” on the “realities” of indigeneity. To do so, he argues, is “not just misguided but positively dangerous.”²⁰ One illustration of such serious effects of definitions of indigeneity is explored by anthropologist Alpa Shah, who warns against what she calls the ‘dark side of indigeneity,’ which she claims is obscured by the global successes of indigenous rights activism.²¹ She contends that the negative implications of global definitions of indigeneity for particular people in specific localities are

¹⁷ See United Nations Permanent Forum on Indigenous Peoples, ‘Data and Indicators,’ *United Nations*, <http://social.un.org/index/IndigenousPeoples/CrossThematicIssues/DataandIndicators.aspx> (accessed April 27, 2012).

¹⁸ These questions are posed by Ian McIntosh, ‘Defining Oneself and Being Defined As, Indigenous,’ *Anthropology Today*, Vol. 18, No. 3 (2002): 23.

¹⁹ See also his response to Francesca Merlan in ‘Reconciliation: The Peoples Choice?’, *Anthropology Today*, Vol. 17, No. 1 (2001): 21 with regard to the Council for Aboriginal Reconciliation in Australia.

²⁰ Marcus Colchester, ‘Response: Defining Oneself and Being Defined As, Indigenous,’ *Anthropology Today*, Vol. 18, No. 3 (2002): 24.

²¹ Alpa Shah, ‘The Dark Side of Indigeneity? Indigenous People, Rights and Development in India,’ *History Compass*, Vol. 5, No. 6 (2007): 1806-1832.

rarely considered, and that “the local appropriation and experiences of global discourses of indigeneity can maintain a class system that further marginalises the poorest.”²² For example, in Madhya Pradesh in India, the homes and crops of the *adivasi* (an indigenous group) are being destroyed by elephants. However, they cannot address the problem by either killing the elephants or removing the forests which bring the elephants into their villages, because to do so would be to reject the image of ecological harmony required by their community for their status as indigenous peoples. In outlining this case Shah asks two important definitional questions: not simply “who were the *adivasis*?” but “who wants to define them?”²³

Instead of static, universal notions of indigeneity such as those Shah cites as potentially problematic for local communities, Colchester advocates for a “flexible framework” that allows for indigenous peoples to respond to “real life issues.”²⁴ While flexibility of these definitions of indigeneity may offer opportunities for indigenous autonomy, the elusiveness of specific understandings makes the effects of international definitions harder to trace. Though Colchester might be right that asserting particular definitions onto indigenous communities might cause more harm than good, he doesn’t contemplate the alternatives—that certain conceptions might provide greater, not fewer, opportunities for indigenous advancement, *or* that ill-defined, elusive notions of indigeneity might be detrimental to rights claims. It might also be the case that some combination of both might be unavoidable.

Further complicating these debates is that attempts at definition are often seen as a method of subtly controlling or oppressing indigenous peoples. Manahua Barcham writes that “the creation of a voice for ‘authentic’ indigenous claims... has also led to the coterminous silencing of the ‘inauthentic’” and that reified notions of indigeneity are harmful to those who do

²² Shah, ‘The Dark Side of Indigeneity,’ 1825.

²³ Crispin Bates, cited in Shah, ‘The Dark Side of Indigeneity,’ 1821.

²⁴ Colchester, ‘Response: Defining Oneself,’ 24.

not fall within prescribed bounds.²⁵ In New Zealand, for example, discussions about indigenous reparations are conducted between the Crown (government) and Maori *iwi* (tribes). While this process of reparations is often regarded as progressive (though it is by no means without its critics), from the outset the process defines Maori in relation to their *iwi*, meaning that a large percentage of Maori who have lost contact with their tribe—often as a result of colonial intervention—are not beneficiaries of these policies. The exclusion of what has come to be known as ‘urban Maori’ in the formal reparations process is an issue that is rarely discussed in mainstream politics, but is often a subject of concern amongst indigenous activists within New Zealand. As Barcham cautions, the process of determining who constitutes an ‘authentic’ indigenous voice may disenfranchise peoples with a legitimate claim to redress.

Internationally, some indigenous groups, such as the Ecuadorian contingent at the 2001 UN Permanent Forum on Indigenous Issues, have also pressed back against the use of the term ‘indigenous,’ arguing that it is an outdated way of presenting otherness. Instead, the Ecuadorian delegation advocated using specific tribal names instead of a singular, universal categorization of indigeneity.²⁶

On the basis of these debates about what it means to be indigenous, it seems we are faced with two horns of a dilemma. Either there is the promotion of clear, unequivocal statements of what it means to be indigenous by global or national groups—thus allowing for its relative uses and abuses—or a range of meanings, self-determined by different groups in their local contexts, are accepted, which may generate autonomy and self-determination for indigenous communities, but also reduces the ability to account clearly for acknowledgement of and restitution for

²⁵ Manahua Barcham, ‘(De)Constructing The Politics of Indigeneity,’ in *Political Theory and the Rights of Indigenous Peoples*, eds. Duncan Ivison, Paul Patton and Will Sanders (Cambridge: Cambridge University Press, 2002): 138.

²⁶ Ian McIntosh, ‘UN Permanent Forum on Indigenous Issues,’ *Anthropology Today*, Vol. 27, No. 6 (2001): 23, see also Sissons, *First Peoples*, 17.

grievances. These diverse definitions may also reduce the possibility of collective action and power through deemphasizing shared histories, identities, and characteristics of indigenous peoples. While these identities might not be the only basis for collective action—coalition politics, for example, might be alternative strategies to gain political power—they currently play a crucial role in the international indigenous rights movement.

Shah's case study illustrates the high stakes in defining indigeneity. The importance of these definitions is confirmed not only by recent developments within the UN formally acknowledging the presence and rights of indigenous populations worldwide,²⁷ but by critical research exploring the powerful effects of definitions and labels on group identity, power relations within and between groups, and the subsequent effects of these on local, national, and international policies and politics.²⁸ I follow Shah in wanting to explore more carefully what we mean by indigeneity, not only to avoid the overtly harmful effects experienced by the *adivasi*, but to make transparent the reasons why certain forms of acknowledgement or reparation should be provided over others in the case of indigenous peoples. At the same time, I am sensitive to the power of definitions to not only be a source for positive policy-making or cultural understanding, but also to oppress or dominate not only through their substantive content, but simply through the very process of definitional discussion.²⁹

One justification for exploring more fully what is meant by indigeneity in the face of

²⁷ This is exemplified in the ratification of the United Nations Declaration on the Rights of Indigenous Peoples in 2007.

²⁸ The literature on this general assumption is extensive, but three particularly noteworthy examples are: Charles Taylor, 'The Politics of Recognition,' in Amy Gutman (ed.), *Multiculturalism and the Politics of Recognition: An Essay by Charles Taylor* (Princeton: Princeton University Press, 1992): 25-74; Iris Marion Young, 'Equality of Whom? Social Groups and Judgments of Injustice,' *Journal of Political Philosophy*. Vol. 9, No. 1 (2001): 1-18; and Will Kymlicka, *Multicultural Citizenship*, (Oxford: Oxford University Press, 1996). For examples where definitions of indigeneity in particular have had a powerful impact on political outcomes, see: Shah, 'The Dark Side of Indigeneity?': 1806-1832; and Michaela Pelican, 'Complexities of Indigeneity and Autochthony: An African Example,' *American Ethnologist*, Vol. 36, No. 1 (2008): 52-65.

²⁹ I am grateful to Maria Bargh for bringing this issue more acutely to my attention.

these concerns is a call from indigenous scholars to embrace the definitional debate in order to more fully explore what implications being indigenous has on policy, actions, and culture. As Paul Whitinui puts it, “we need to unpack what indigeneity is—and act on it, act as it.”³⁰ Similarly, Manahuia Barcham’s post-structuralist response to reified notions of indigeneity does not reject the very act of defining indigeneity, but seeks to more critically scrutinize the language of being and non-being compared with the language of becoming.³¹ In this paper, rather than dwell on the particular ways that indigeneity has been defined internationally, nationally, and locally, I want to focus instead on one possible approach to avoiding some of the negative consequences produced by definitions such as those created by the ILO and the UN, regardless of the motivation behind the formation of such definitions.

II. A non-identical approach to conceptions of indigeneity

For such a task, I suggest turning to Adorno’s conception of nonidentity as a more fruitful way of considering and producing definitions of indigeneity. First, I briefly outline what nonidentity entails, before explaining why I think it has potential for thinking about indigeneity. In particular, I focus on an indigenous research approach—Kaupapa Maori—as one example of a nonidentical understanding of indigeneity.

a. What is nonidentity?

Adorno’s use of the word ‘identity’ is potentially confusing, since he does not employ it as political scientists often do—in order to classify groups with shared characteristics or to tell stories of peoplehood. For Adorno, identity thinking is *classificatory*—we use it to conceptualize how some objects or ideas are similar to others. For example, if I think of a cat, I am drawn to

³⁰ Paul Whitinui, quoted from a presentation entitled ‘Indigenizing the Disciplines,’ *International Indigenous Development Conference*, New Zealand (June 28, 2012).

³¹ Barcham, ‘(De)Constructing the Politics of Indigeneity,’ 138.

those things about it that make it similar to other cats, such as its whiskers, ears, and paws.

Identity thinking therefore presents an object in representational terms and does little to examine the particulars of said object. While identity thinking might be useful as a cognitive shortcut, Adorno argues that it is problematic to rely on identity thinking. In focusing on the ways in which one object is similar to another, we lose sight of what is unique to any particular object. In other words, in thinking of a cat as a creature with whiskers, ears and paws, we overlook its unique characteristics such as its squint or its personality.

The problem is that this kind of conceptual thinking enables us to dominate those things that we think we have mastered conceptually.³² It is a kind of intellectual hubris, for it allows us to think that our portrayal of ideas or objects captures the entirety of those things, and as a consequence we think that it is within our intellectual capacity to fully comprehend the world around us. In doing so, we reduce things to what we understand of them, and their particularities are lost within the overarching categorical framework that we have created. The result is that we experience what Adorno considers a ‘withered’ form of contemporary life.³³ Rather than our experiences with objects or ideas being meaningful and engaging, we are drawn to unreflectively accept that objects and others are simply representative of certain categories or ways of thinking. Accepting the norms of identity thinking makes us vulnerable to a latent totalitarianism that is embedded within identity thinking.

Adorno’s refutation of identity thinking is most clearly developed in *Negative Dialectics*, in which he adopts many terms for what he thinks is the alternative to identity thinking, including: the nonconceptual, the conceptless, the heterogeneous, the irreducible, the qualitative,

³² Alison Stone, ‘Adorno and Logic,’ in *Theodor Adorno: Key Concepts*, ed. Deborah Cook (Stocksfield: Acumen Publishing Limited, 2008): 55.

³³ Brian O’Conner, *Adorno’s Negative Dialectic: Philosophy and the Possibility of Critical Rationality* (Cambridge: The MIT Press, 2004): 46.

the alien, the open, the undistorted, and the unidentical.³⁴ I focus on the term *nonidentity* to convey Adorno's argument that we should look beyond similarities and instead look to the particularities of an object or idea. Rather than focusing on identifying objects or ideas by classifying them according to similarities with other such objects or ideas, thinking in nonidentical ways encourages us to look at those characteristics that cannot be subsumed under the universal. As Adorno suggests, "A matter of urgency to the concept would be what it fails to cover, what its abstractionist mechanism eliminates, what is not already a case of the concept."³⁵

A tension in Adorno's concept of nonidentity is that he does not want to convey a positive concept—this would be self-defeating, since doing so would be practicing the very activity that he is critiquing—yet this concept necessarily requires definition. As he states at the outset in *Negative Dialectics*, "To think is to identify."³⁶ As such, the condition of nonidentity is "an antagonistic system in itself—antagonistic in reality, not just in its conveyance to the knowing subject that rediscovers itself therein."³⁷ It is using this defence that Adorno insists that he is not providing a general concept or definition of nonidentity or singular individuality.³⁸ As such, Alison Stone suggests that Adorno's nonidentity be viewed as a *limit-concept*, which does not offer positive information about the things around us, but indicates the place where our understanding encounters limits.³⁹ To know what our limits are, we might employ a range of concepts to understand what something is—a cat, for instance, might include: white, furry, blue eyes, friendly. Nonidentical thinking then requires us to think more critically about what these concepts fail to explain about the cat in order to more accurately grasp what it is. In Adorno's

³⁴ These terms are listed by Anke Thyen, cited in Brian O'Conner, *Adorno's Negative Dialectic*, 49.

³⁵ Theodor Adorno, *Negative Dialectics* (London: Routledge, 2000): 8.

³⁶ Adorno, *Negative Dialectics*, 5.

³⁷ Adorno, *Negative Dialectics*, 10.

³⁸ Stone, 'Adorno and Logic,' 55.

³⁹ Stone, 'Adorno and Logic,' 56.

words, “In that sense, the nonidentical would be the thing’s own identity against its identifications.”⁴⁰

This conception of nonidentity seems to focus on understanding objects rather than on understanding people’s identities, but Adorno indicates that such a distinction is flawed.⁴¹ In *Dialectic of Enlightenment*, Adorno and Horkheimer challenge the Enlightenment’s privileging of instrumental reason that encourages individuals to think of themselves as superior to the natural world. In so doing, Enlightenment thinking creates a split between subject and object that subordinates matter to mind, and in so doing alienates individuals from their “human sensuality and affectedness.”⁴² In other words, the Enlightenment idea of the unitary self—with the capacity to dominate nature—detrimentally directs individuals to distinguish between the thinking subject and matter.⁴³ In contrast, Adorno understand the self as “decentered and multiple,”⁴⁴ and rejects the dichotomy of object and subject. Through this rejection of a unitary self, Adorno’s nonidentity thinking can therefore be understood as applying not only to the classification of objects, but to the understanding of identities.

Fleshing out how we might recognize the nonidentical, Adorno suggests setting concepts in constellation, for this “illuminates the specific side of the object, the side which to a classifying procedure is either a matter of indifference or a burden.”⁴⁵ In attempting to understand a particular object, any one concept is limited in what it can tell us about that object. Instead, we look to constellations of concepts—a range of different concepts that come together

⁴⁰ Adorno, *Negative Dialectics*, 161.

⁴¹ Max Horkheimer and Theodor W. Adorno, *Dialectic of Enlightenment*, trans. John Cumming (New York: Continuum Publishing Company, 1991): 275-6.

⁴² Fred Dallmayr, ‘The Underside of Modernity: Adorno, Heidegger, and Dussel,’ *Constellations*, Vol. 11, No. 1 (2004), 105.

⁴³ Dallmayr, ‘The Underside of Modernity,’ 104.

⁴⁴ Edwina Barvosa, *Wealth of Selves: Multiple Identities, Mestiza Consciousness and the Subject of Politics* (College Station: Texas A&M University Press, 2008), 5. As Barvosa notes, he does not, however, theorize how these different elements might be organized within the self, see 5-6.

⁴⁵ Adorno, *Negative Dialectics*, 162.

to tell us about the object in question—to tell us more. For example, to describe a cat, we bring together concepts such as furry, small, and friendly, to get a better sense of what a cat is. Adorno is not, however, suggesting that we should just stop at bringing together a range of concepts to give us a richer sense of the object about which we are talking. While this might be helpful, he thinks that we are going to remain confined by pre-existing ideas and structures that have the potential for domination. Rather, Adorno is pushing us towards the aspects of an object that are *not* described by a constellation of concepts. Resisting definition by concepts pushes back against conditions that attempt to define and control our experiences.

Constellations have one further characteristic that Adorno draws on to develop a more comprehensive sense of nonidentity thinking. For him, constellations are not simply sets of concepts, but also constellations of historical processes, that “can only be delivered by a knowledge mindful of the object in its relation to other objects... Cognition of the object in its constellation is cognition in the process stored in the object.”⁴⁶ Constellations therefore mark not only the physical, but also the temporal characteristics of an object. Returning to the cat example, while a description might include commenting on her long whiskers, pointed ears, and blue eyes, I might also note the events she has participated in or encountered in her life—getting scared by a car, sitting in the sun on the porch, or exploring the botanic gardens. While these constellations of historical events can never fully grasp an object, they move us towards understanding the particularity of that object.

In short, focusing on the moment of nonidentical experience allows us to avoid a ‘withered’ engagement with the world and to embrace feeling, emotion and suffering in ways that enrich our lived experiences. It reminds us that no matter how complex a concept might be,

⁴⁶ Adorno, *Negative Dialectics*, 163.

its universalizing nature prevents us from accessing the particularity of things. It is this particularity that is essential for our conscious, critical and autonomous response to the world.

b. How might nonidentity be useful for thinking about indigeneity?

The dual sense of these constellations—historical and conceptual—make nonidentity thinking particularly appealing as a method for approaching questions of indigeneity. Indigeneity is often defined either in criterial terms—such as being first inhabitants of a territory, or having a particular relationship with the land—or relational terms—such as the power dynamics between colonializers and indigenous communities or between indigenous groups and the state. Thinking in constellations would require definitions of indigeneity to engage with both criterial and relational definitions of indigeneity and to critically engage through negative space with the distinctive aspects of indigeneity in a particular moment and location.

This contrasts with approaching indigeneity from the perspective of identity thinking, which Adorno claims is intimately related to, and expressive of, the relations of domination and exploitation that define global capitalism.⁴⁷ Identity thinking not only captures the oppressive nature of capitalism, but is indicative of the relationships of domination and exploitation imposed on indigenous communities by colonial powers. The malevolence Adorno detects in identity thinking bears strong resemblance to Maori scholar Linda Tuhiwai Smith's critique of Western approaches to knowledge and thinking, which she argues perpetuate the domination of indigenous communities through forcing indigenous groups to conform to standards of research that were—and continue to be—oppressive.⁴⁸ Adorno's abhorrence of conformity, as seen in his critique of the culture industry, points to his theory as a promising resource for thinking about the ways in which indigenous groups may be disempowered by 'identity thinking'—that is, by

⁴⁷ Bradley Macdonald, 'Theodor Adorno, Alterglobalization, and Non-identity Politics,' *New Political Science*, Vol. 34, No. 3 (2012): 328.

⁴⁸ Linda Tuhiwai Smith, *Decolonizing Methodologies* (London: Zed Books, 1999).

classificatory thinking.

His theory charges us to consider more carefully whether we should characterize indigeneity in such ways that it is not determined by, and struggling against, an external regime of power. This mindfulness of the dangers of identity politics can be seen in Wendy Brown's argument that certain emancipatory aims of identity politics are subverted by their 'wounded attachments.'⁴⁹ Brown argues that identity politics is shaped by Nietzschean *ressentiment*—rather than creating an identity internally, groups tend to create an identity in opposition to the group that has exploited or dominated them in the past. In doing so, each identity-based group is buying in the hegemonic values and beliefs of history and the present culture. According to Brown, this is adding insult to injury—worse, it is adding injury to injury—insofar as it is further wounding an already wounded history. While Adorno theorizes identity more broadly than Brown, there are key similarities between the two approaches—namely, that identity is dangerous because it disguises the uniqueness of objects, people, or concepts. Brown's theory not only reinforces Adorno's concern that identity thinking is oppressive, but highlights the insidious nature of that oppression by showing its deceptive appearance of emancipation. Similarly, Adorno argues that identity thinking cloaks itself in the language of liberation, but reinforces oppressive norms and actions. His commitment to nonidentity thinking stems from his hope that it helps “to retain a sense of its specificity as an intellectual act, separate from the political practices of the current period, that can also allow it to attend better to the realization of a future world in which domination and human suffering are no longer defining features.”⁵⁰

For this reason, I propose drawing on Adorno's suggestion that we 'think in constellations' to highlight the unique experience and history of different conceptions of

⁴⁹ Wendy Brown, 'Wounded Attachments,' *Political Theory*, Vol. 21, No. 3 (1993): 390-410.

⁵⁰ Macdonald, 'Theodor Adorno, Alterglobalization, and Non-identity Politics,' 329.

indigeneity. Rather than focusing solely on identifying specific features of indigeneity, I suggest that we look to the constellations of concepts that evoke indigeneity in order to reconsider the possibilities of indigenous rights and politics. This allows us to avoid totalizing definitions of indigeneity—such as those experienced by the *adivasi* in India—or exclusionary definitions—such as those experienced by urban Maori in New Zealand—and move towards more recognition of the unique experience, history and culture of indigenous peoples.

This approach recommends questioning international descriptions of indigeneity such as those provided by the United Nations Permanent Forum on Indigenous Peoples. Although the Forum deliberately avoids providing or using any formal definition of indigeneity (instead focusing on self-identification), it is clearly advocating for some sort of understanding of indigeneity that allows for the kinds of strategic alliances that would enable aboriginal groups to promote policies based on general agreement around the concept of indigenous peoples. My suggestion is that we should trouble this international notion of indigeneity—however loosely defined—by thinking more carefully about the particular space, history, and experience of the peoples it is attempting to represent.

For example, in the case of the *adivasi* in India, embracing notions of ecological harmony might fit with an international view on what it means to be indigenous, but this imposes a definition on the *adivasi* that does not withstand changes in the environment or the group's values. Drawing on Adorno's theory of nonidentity allows us to construct a much more nuanced picture of what it means to be indigenous in that specific location and time in history, without requiring the community to conform to a static, pre-conceived, Western notion of environmental spirituality. In particular, we can pay attention to the ways in which criterial definitions, such as a community's connection with the land, might change in relation to their current context.

III. Case study: Kaupapa Maori as non-identical indigeneity

One example of a way in which nonidentity thinking might be applied to cases of indigenous identity is seen in the Kaupapa Maori⁵¹ research approach developed by indigenous scholars and activists in New Zealand. Explaining the genesis of Kaupapa Maori, Linda Tuhiwai Smith—an early and prominent advocate for the approach—argues that: “The word itself, ‘research’, is probably one of the dirtiest words in the indigenous world’s vocabulary. When mentioned in many indigenous contexts, it stirs up silence, it conjures up bad memories, it raises a smile that is knowing and distrustful.”⁵² Identifying the ways that Western research has damaged and oppressed Maori people, Tuhiwai Smith advocates for an approach that “bring[s] to the centre and privilege[es] indigenous values, attitudes and practices rather than disguising them within Westernized labels such as ‘collaborative research’.”⁵³ The resulting approach is known as ‘Kaupapa Maori’, ‘Kaupapa Maori research’ or ‘Maori-centered research’.

The Kaupapa Maori approach differs from traditional Western research methodologies and corresponds to Adorno’s call for nonidentity in at least two ways. First, its very name denies an appeal to universality, instead drawing specifically on the terminology of ‘Maori’ or tangata whenua⁵⁴ rather than that of ‘indigeneity’ more broadly. The word ‘Maori’ is itself an indigenous term that was used prior to European settlement, but in current usage it evokes a colonial history in which Maori—the indigenous population—are contrasted with ‘Pakeha’⁵⁵—the non-

⁵¹ It is difficult to define Kaupapa Maori briefly, and the following paragraphs are intended to flesh out in more details the variety of meanings of Kaupapa Maori, but the literal meaning of Kaupapa is: proposal, subject, matter for discussion, theme (see <http://www.maoridictionary.co.nz/word/2439>). Maori refers to the indigenous peoples of New Zealand.

⁵² Tuhiwai Smith, *Decolonizing Methodologies*, 1.

⁵³ Tuhiwai Smith, *Decolonizing Methodologies*, 125.

⁵⁴ Tangata whenua is roughly translated as ‘people of the land.’

⁵⁵ Pakeha is a controversial term, as it originally referred only to the first white settlers in New Zealand and their descendants, but is now more broadly used to refer to non-indigenous white people in New Zealand. Because of the negative connotations originally associated with term, some white New Zealanders now prefer the classification ‘European’ or ‘New Zealander,’ claiming that it is incorrect to label them Pakeha if they are not descended from the

indigenous settler population.⁵⁶ The importance of this naming of research as specifically and uniquely Maori rejects a generalized discourse that assumes oppression has universal characteristics. By focusing on the particularity of Maori experiences, customs and perceptions, Kaupapa Maori displays a nonidentical approach to knowledge, research, and definition that allows for more nuanced and accurate understandings of what it means to be indigenous in New Zealand.

Kaupapa Maori also parallels Adorno's call for nonidentity thinking by demonstrating how constellations of concepts might be employed to create a dynamic understanding of indigeneity. It is not based on a set of prescriptive principles that aim to transcend cultural and historical boundaries, but rather it is embedded in local context, time and communities. Thus, the second way in which Kaupapa Maori differs from conventional Western research methodologies is in its practice. While Kaupapa Maori research acknowledges that guidelines required by formal university ethics committees may be important as background conditions for Kaupapa Maori, these universal guidelines do not comprehensively outline what ethical conduct within Maori communities consists of. In particular, the Western focus on confidentiality and individual consent fails to recognize certain cultural features that may be specific to particular populations.⁵⁷ For example, the Institutional Review Board (IRB) guidelines at the University of Virginia maintain that respect for persons involves "protecting the autonomy of all people and

original settlers. In my usage here, I am reverting to the terminology of 'Pakeha' given that I intend to draw upon associations with colonial history.

⁵⁶ Tuhiwai Smith, *Decolonizing Methodologies*, 6.

⁵⁷ Two examples of university ethics committees with such foci are the federally mandated Institutional Review Board (IRB) in the United States (see, for example, the IRB protocol details at the University of Virginia: <http://www.virginia.edu/vpr/irb/>) and the university ethics committees in New Zealand (see, for example, Martin Tolich, 'Pākehā "Paralysis": Cultural Safety for Those Researching the General Population of Aotearoa,' *Social Policy Journal of New Zealand*, Is. 19 (2002): 164-178). One notable exception to this 'Western' model is the Canadian Government's ethics committee—the Panel on Research Ethics (PRE)—which requires indigenous community consent along with individual consent (see <http://pre.ethics.gc.ca/eng/policy-politique/interpretations/research-recherche/>).

treating them with courtesy and respect and allowing for informed consent.”⁵⁸ While this might be a laudable objective, the focus on individual autonomy fails to adequately address the ethical obligations for communally-located knowledge and consent. As such, these universal ‘objective’ ethical guidelines are not only a poor guide to conducting certain kinds of research, but they may perpetuate oppressive research practices that indigenous groups have faced.

Kaupapa Maori therefore asks researchers to extend their research ethics beyond such ‘universal’ principles. Unlike conventional Western research methods, the Kaupapa Maori approach does not prescribe one set of ethical guidelines for researchers to follow. Instead there is a dynamic set of guidelines for engagement with Maori populations that are consistently being amended to ensure they reflect local community traditions or expectations. One example of such guidelines for Kaupapa Maori research is:

Aroha ki te tangata (a respect for people)
 Kanohi kitea (the seen face, that is present yourself to people face to face)
 Titiro, whakarongo ... korero (look, listen ... speak)
 Manaaki ki te tangata (share and host people, be generous)
 Kia tupato (be cautious)
 Kauga e takahia te mana o te tangata (do not trample over the mana⁵⁹ of people)
 Kauga e mahaki (don't flaunt your knowledge).⁶⁰

These guidelines are discussed, debated, and altered depending on the context in which they will be employed, following one of the principle tenets of Kaupapa Maori that “writers do not tell you *how to do* Kaupapa Maori research.”⁶¹

⁵⁸ University of Virginia Institutional Review Board of Social and Behavioral and Sciences, ‘IRB: A Brief History,’ http://www.virginia.edu/vpr/irb/sbs/about_history.html (accessed March 15, 2013).

⁵⁹ Mana is roughly translated as spiritual power/prestige/authority.

⁶⁰ These guidelines are acknowledged by the New Zealand Ministry of Social Development as critical practices for Maori Research, see Kataraina Pipi et al., ‘A Research Ethic for Studying Māori and Iwi Provider Success,’ *Social Policy Journal Document*, Is. 23 (2004): 144.

⁶¹ Walker, Eketone and Gibbs, ‘An Exploration of Kaupapa Maori Research, Principles, Processes and Applications,’ 335 (italics in original).

Therefore, while the IRB approach is intended to broadly protect populations being studied, their universal approach to ethics consent means that they fail to fully acknowledge some of the key principles for acting ethically in particular contexts with specific populations. The same is true of New Zealand university ethics committees—their focus on impartial, universal ethical tenets are deficient for research in a Maori context. These ethics committees could be characterized as a form of identity thinking—we are encouraged to unreflectively accept that confidentiality and individual consent are the important tenets of ethical research, rather than explore the ways in which those assumptions might fail to recognize other ethical commitments to particular communities and thus work as oppressive forces.

In contrast, Kaupapa Maori attempts to address these shortcomings by repositioning researchers “in such a way as to no longer need to seek to give voices to others, to empower others, to emancipate others, to refer to others as subjugated voices, but rather to listen to and participate with those traditionally ‘othered’ as constructors of meanings of their own experience and agents of knowledge.”⁶² The Kaupapa Maori approach is emancipatory not because it deliberately sets out to liberate Maori from their colonial history, but because its attentiveness to the ‘othering’ process of Western styled research. It addresses the failure of Western researchers to understand that “...it has been taken for granted that indigenous peoples are the ‘natural objects’ of research. It is difficult to convey to the non-indigenous world how deeply this perception of research is held by indigenous peoples.”⁶³ As such, even when complying with

⁶² Russell Bishop, ‘Freeing Ourselves from Neocolonial Domination in Research: A Kaupapa Maori Approach to Creating Knowledge,’ *Cultural Studies and Education*, Vol. 11, No. 2 (1998): 207.

⁶³ Tuhiwai Smith, *Decolonizing Methodologies*, 18.

university ethics requirements, researchers who hope to study indigenous issues may be implicated in such oppressive practices.⁶⁴

Challenging this universal approach, Kaupapa Maori asserts itself as an activist methodology that is “used as both a form of resistance and a methodological strategy, wherein research is conceived, developed, and carried out by Maori, and the end outcome is to benefit Maori.”⁶⁵ Kaupapa Maori does not claim to be objective or universal in its implementation. It is described as transformational, as a methodology of resistance, as an intervention strategy and, perhaps most significantly, as dynamic.⁶⁶ These attributes—rejection of universal values, a focus on a particular time, context, and culture, and approaching research through thinking in constellations—are mirrored in Adorno’s call for nonidentity thinking.

Despite Kaupapa Maori’s strengths as a useful illustration of what nonidentity thinking might look like in indigenous politics, there are some ways in which it is not a perfect exemplar of such thinking. While Adorno criticizes privileging the universal over the particular, it is unclear to what extent he would be accepting of an approach that in some cases explicitly denies non-Maori involvement. In some descriptions, Kaupapa Maori requires that research that is conducted solely by and for Maori: “It is the process by which the Māori mind receives, internalises, differentiates, and formulates ideas and knowledge exclusively through re reo Māori. Kaupapa Māori is esoteric and tuturu Māori. It is knowledge that validates a Māori world view and *is not only Māori owned but also Māori controlled*,”⁶⁷ it is “an attempt to ‘retrieve some space’ to plan, organise, conduct, analyse and give back culturally responsive research primarily

⁶⁴ Rachael Fabish, ‘The Impact of Tā Te Māori Rangahau / Methodologies of Māori Research on My Work,’ *Te Kāhui Kura Māori*, Vol. 1, No. 2 (2012), http://nzetc.victoria.ac.nz/tm/scholarly/tei-Bid00_2Kahu-t1-g1-t3.html (accessed January 30, 2013).

⁶⁵ Shayne Walker, Anaru Eketone and Anita Gibbs, ‘An Exploration of Kaupapa Maori Research, Principles, Processes and Applications,’ *International Journal of Social Research Methodology*, Vol. 9, No. 4 (2006): 331.

⁶⁶ See Kaupapa Maori, ‘Definitions,’ <http://kaupapamaori.com/theory/6/> (accessed January 30, 2013).

⁶⁷ Tuakana Nepe, ‘Te Toi Huarewa Tipuna: Kaupapa Maori, An Educational Intervention Systeem,’ *Unpublished MA Thesis*, Auckland, NZ: University of Auckland (1991) (my italics).

by Māori, and for Māori,”⁶⁸ and it is “research by Māori for Māori with Māori.”⁶⁹ While it could be argued that this is one manifestation of particularity—recognizing that individuals are not all the same and that some have greater legitimacy or right to talk on some matters than others—it is troublingly exclusionary.

This concern is further complicated by the fact that some activists and scholars define Kaupapa Maori as an enterprise that actively *requires* non-Maori involvement under the conditions of the Treaty of Waitangi.⁷⁰ For example, Martin Tolich and Russell Bishop argue that far from non-indigenous New Zealanders being excluded from Kaupapa Maori research, they have not only a right but an obligation under the Treaty of Waitangi to be involved.⁷¹ This understanding of Kaupapa Maori, in which non-indigenous researchers are not only invited but obligated to be involved in Kaupapa Maori research, reduces the concern that particularity emanating in part from the identity of the researcher might be exclusionary or inappropriate.

Even if there is disagreement about the extent to which non-indigenous researchers can or should be involved in Kaupapa Maori, I argue that the problem of particularity based on identity is somewhat mitigated by the contingency of these definitions. As a result of the oppressive experiences and effects of Western research for Maori in New Zealand, most scholars and activists have deliberately avoided offering intransigent defining principles for Kaupapa Maori.

⁶⁸ J.B.J Lee, ‘Ngā Tohutohu: A Purākau Approach to Maori Teacher Narratives,’ in *Informing Our Practice, Special Volume: Selections from the 2002 TEANZ Conference*, Deborah Fraser and Roger Openshaw eds. (Palmerston North: Kanuka Grove Press, 2003) (my italics).

⁶⁹ Huia Tomlins Jahnke and Julia Taiapa, ‘Māori Research,’ in *Social Science Research in New Zealand: Many Paths to Understanding*, Carl Davidson and Martin Tolich, eds. (Longman: Auckland, 1999): 45 (my italics).

⁷⁰ The Treaty of Waitangi was signed between the Crown and around 500 Maori chiefs in 1840 to establish New Zealand as British territory, and extended rights to Maori as British citizens. The Treaty is controversial because two copies were produced—a Maori version and an English version—with each differing in meaning. In 1975, a tribunal was created to offer formal acknowledgement of and reparations for the harm caused by failure to meet the obligations outlined in the Treaty.

⁷¹ Russell Bishop, ‘Initiating Empowering Research?’, *New Zealand Journal of Educational Studies*, Vol. 29, No. 1 (1994): 175; Tolich, ‘Pākehā “Paralysis.”’

As Leonie Pihama states, “Kaupapa Māori theory is evolving, multiple and organic.”⁷² As such, the problem of whether the particularity of participants creates as many or more problems than it resolves, relies to some extent on whether the definition includes or excludes non-indigenous individuals. This is clearly a somewhat unsatisfactory resolution to the question of whether this kind of particularity in Kaupapa Maori has positive or negative effects; however, it does highlight one benefit of nonidentity thinking, that particularity might induce contingency that requires constant assessment of the relative advantages and disadvantages of particular definitions, as I detail below.

Though Kaupapa Maori is a research approach rather than a political policy or practice *per se*, I argue that it is a close approximation of what nonidentity thinking might look like in a more overtly political context. A regular criticism of Adorno’s work is that he provides few resources for concrete, positive action. Outlining the ways that Kaupapa Maori reflect a nonidentical approach to an indigenous problem may not comprehensively show how such an approach might be used in the halls of government or in producing policy, but I do think that it gestures towards ways that such an ethos might significantly alter the status quo.

IV. Challenges to nonidentity thinking

Having outlined its potential for thinking about indigeneity, I want to recognize three challenges raised by embracing nonidentity. These challenges are not serious enough to undermine the value of considering nonidentity as a path towards more fruitful engagement with questions of indigeneity and the myriad problems facing indigenous peoples. However, by raising these concerns, I acknowledge that this approach is not the ultimate or final resolution for

⁷² Leonie Pihama, ‘Tehei Mauri Ora, Honouring Our Voices: Mana Wahine As Kaupapa, Māori Theoretical Framework,’ *Unpublished PhD Thesis*, Auckland, New Zealand: The University of Auckland (2001): 113.

defining indigeneity, although it is an important starting point for more nuanced conversations about how to approach such questions.

One concern with this approach is that it might be seen as distorting Adorno's commitment to championing self-conscious, critical reflection of autonomous individuals. While this commitment may sound compelling for indigenous communities seeking self-determination, Adorno's individualistic approach may not provide space for *community* self-determination, which is often an important feature of indigenous discourse and development. Adorno's abhorrence of the universal at the cost of the particular suggests that it is not possible to simply extend Adorno's ideas of critical self-reflection to communities without undermining one of his key critiques of the culture industry: that it encourages conformist behavior and thought.

In Kaupapa Maori, for instance, despite the lack of specificity about guiding principles for research, there are some scholars and activists who are relatively prescriptive about who can conduct such research and what it might entail. For example, Russell Bishop explains that "Kaupapa Māori research is collectivistic and is oriented toward benefiting all the research participants and their collectively determined agendas, defining and acknowledging Māori aspirations for research, while developing and implementing Māori theoretical and methodological preference and practices for research."⁷³ This 'collectivistic' approach defined by 'Maori' is problematic insofar as it is unclear who determines what the collective wants and who counts as Maori. There are a number of possible responses to such questions that are beyond the scope of this paper⁷⁴, but defining indigenous research methods through collective decision-

⁷³ Russell Bishop, 'Freeing Ourselves from Neo-Colonial Domination in Research: A Kaupapa Māori Approach to Creating Knowledge,' in *The Sage Handbook of Qualitative Research*, Norman K. Denzin and Yvonna S. Lincoln (Thousand Oaks: Sage Publications, 2005): 114.

⁷⁴ I address some of these concerns in my other work, considering the democratic deliberation and decision-making processes that Maori *iwi* (tribes) commit themselves to. These processes support respectful and equal treatment of all community participants, although they still tend to favor the voices of hereditary leaders and elders over other community members.

making is clearly antithetical to Adorno's theory. While Adorno's individualistic approach does not necessarily prevent us from applying his ideas to indigeneity, it requires further theorizing to address whether it might be possible to reconcile his aversion to conformity with group rights and collective action.

The second challenge is that in moving away from totalizing definitions of indigeneity—such as those Shah identified in India—we may be faced with the opposite problem: how do we hope to pin down any kind of workable definition if we must take the particular into consideration for each group, location, and moment in time? Does the differentiation required by thinking in constellations mean that definitions will be too unwieldy to use in any practical sense? Psychologists have studied people's use of concepts, and show that we classify and generalize for a reason: if we did not, there would be too much information for us to recognize and respond to.⁷⁵ If we are to focus on the singularity of each definition of indigeneity, we might lose ourselves in detail and fail to be able to act on a broader picture. Being unable to settle on an action means that this kind of approach might also be unsuited to democratic decision-making due to difficulties in agreeing on actions related to complex definitions.

One tentative response to this is to turn more broadly to Adorno's negative dialectics as a tool for moderating critical reflection on definitions. While Adorno follows Hegel's dialectic to some extent, he is clear that his dialectic will not result in a final 'synthesis' moderating between the original thesis and its antithesis.⁷⁶ Instead, Adorno seeks an open-ended questioning "that

⁷⁵ For example, see Takashi Yamauchi and Arthur B. Markman, 'Category Learning by Inference and Classification,' *Journal of Memory and Language*, Vol. 39 (1998): 124-148 and Takashi Yamauchi and Arthur B. Markman, 'Inference Using Categories,' *Journal of Experimental Psychology*, Vol. 26, No. 3 (2000): 776-795.

⁷⁶ This is a simplistic summary of Hegel's theory, but I use it to emphasize Adorno's rejection of some final conclusion. He says: "We are concerned here with a philosophical project that does not presuppose the identity of being and thought, nor does it culminate in that identity. Instead, it will attempt to articulate the very opposite, namely the divergence of concept and thing, subject and object, and their unreconciled state." Theodor Adorno, 'Lecture 1: The Concept of Contradiction,' *Lectures on Negative Dialectics* (Cambridge: Polity Press, 2010): 6.

does not presuppose the identity of being and thought.”⁷⁷ This kind of questioning does not require us to never reach provisional conclusions about objects and ideas, instead it requires us to be attuned to our inability to fully and coherently render the world, and to be attentive to the particularity of things. Provisional agreement can lead us to recommend or accept a compromise, not just as a result of bitter agreement to find a workable solution to the challenges facing indigenous peoples, but based on recognition that there are multiple plausible interpretations of concepts of indigeneity that might yield entirely different, but still valid, conclusions. Further, discussion about different interpretations might allow for clarification of the inadequacies of one interpretation over another. While nonidentity thinking encourages complexity that might stymie quick or easy action, it also encourages discussion that might improve the quality of eventual decisions. In practical terms, there are still obstacles to creating workable definition of indigeneity—what fora or methods are most likely to yield the most democratic, just results?—but approaching conclusions from nonidentity thinking as provisional in nature is a promising avenue to explore.

Kaupapa Maori demonstrates both the complexities of such an approach and its potential rewards. On the one hand, definitions of Kaupapa Maori are contingent on local settings, experiences and the scholars and activists who are involved in such communities or research. As such, there is ample opportunity to challenge or revise definitions to suit a particular moment, place, or group. On the other hand, these contingencies may at times slow down deliberation and decision-making or even result in trenchant disagreement.

One final problem with nonidentity thinking is in its ability to broadly affect indigenous politics. The nature of particularity is that conclusions cannot be easily generalized from one community to another, thus successes in one area might not be transferrable to others and the

⁷⁷ Adorno, ‘Lecture 1,’ 6.

potential for coalition politics might be compromised. Against this view, Pihama argues that Kaupapa Maori is not only particular in character, contending that “Kaupapa Māori theory is simultaneously local and international. Local, in that it is necessarily defined by Māori for Māori, drawing on fundamental Māori values, experiences and worldviews. International, in that there are many connections that can be made through a process of sharing Indigenous Peoples theories.”⁷⁸ Though in general Adorno’s call for attentiveness to particularity should not be simply understood as a ‘local’ rather than an ‘international’ approach, in this context, there are similarities between the two as described by Pihama. Drawing on specifically Maori experiences and values allows Kaupapa Maori to interpret events in the context of Maori culture with reference to a violent colonial history and oppressive policies and practices that have continued through to contemporary society. This might—and should—include assessment not only of the kinds of practices that indigenous groups might get involved in (such as Kaupapa Maori), but also who has the right to be involved in such practices. More broadly, indigenous groups worldwide might take lessons from such an approach and its effects. Nevertheless, the potential for general conclusions to be drawn from specific contexts and conditions is significantly compromised in nonidentity politics.

Despite these challenges, there is much to recommend Adorno’s theory of nonidentity for indigenous politics, especially given that defining indigeneity is an important question for understanding indigenous politics. Failing to understand what indigeneity entails means that accounts of historical injustice are likely to misidentify *who* should be included in policies of acknowledgment or restitution and *what kinds* of resources or rights should be available to

⁷⁸ Pihama, ‘Tehei Mauri Ora, Honouring Our Voices,’ 102. Julie Cruikshank makes a similar claim about Yukon Athabaskan and Tlingit speaking peoples in the Yukon Territory, suggesting that “local knowledges” could respond to and alter global conceptual narratives, see *The Social Life of Stories: Narrative and Knowledge in the Yukon Territory* (Lincoln: University of Nebraska Press, 1998). While not explored fully here, this argument also raises the possibility of some similarities or connections across indigenous groups.

indigenous peoples. Even when indigeneity is defined, however, this can lead to problems, as seen in the example of the *adivasi* in India. Embracing Adorno's concept of the nonidentical is a promising way to move beyond totalizing definitions of indigeneity and towards the possibility for more flexible and just policy-making on indigenous issues through more nuanced assessments about the nature of indigeneity.

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