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# The role of political ontology for Indigenous self-determination

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## ABSTRACT

In this paper, I defend the claim that addressing dominating ontologies is crucial for achieving Indigenous self-determination. Consequently, the struggle for Indigenous self-determination comprises not only an engagement with political practices, structures, and institutions, but also with political ontology. I first argue that implementing Indigenous self-determination requires an engagement with political ontology. I then introduce Iris Young's conception of self-determination as non-domination as a way to engage with diverging ontologies within the political framework of federalism. In the final section of the paper, I present two constructive proposals concerning how Indigenous peoples and settler states can establish an ontology at the federal level that facilitates Indigenous self-determination.

**KEYWORDS** Self-determination; Indigenous; ontology; federalism; non-domination

## Introduction

Indigenous self-determination is a crucial step in addressing colonial injustices. It is also an important step in establishing Indigenous climate justice (Whyte, 2020) and promoting Indigenous wellbeing (Murphy, 2014). Much of the literature within political philosophy on Indigenous self-determination has focused on its justification.<sup>1</sup> Another question that political philosophers interested in Indigenous self-determination address is how it should be put into practice. This question concerns not primarily the justification of Indigenous self-determination but the political framework in which it is implemented.

However, what is missing in the discussion of Indigenous self-determination within political philosophy is the role of political ontology.<sup>2</sup> Until now, debates about political ontology have primarily occurred in the disciplines of anthropology, Indigenous studies, science and technology studies, and political ecology. Ontologies determine the ontological commitments of

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Indigenous peoples or settler states in governance and decision-making contexts. Consequently, they determine what kinds of entities *exist* for Indigenous peoples or settler states in the political realm and how political institutions and decision-making procedures are viewed by them. If self-determination is implemented without addressing the question of diverging ontologies, there is a risk that the ontology of the settler state will continue to prevail, meaning that colonial domination would continue on the ontological level. Settler ontologies that ignore Indigenous land claims and regard Indigenous territory as an extractable resource would be an example of such ontological domination. If such ontologies remain unchallenged, they will undermine any attempts to implement Indigenous self-determination. Hence, the struggle for Indigenous self-determination comprises an engagement with not only political practices, structures, and institutions but also dominant ontologies.

In this paper, I argue that addressing dominating ontologies is crucial for achieving Indigenous self-determination. I first argue that Indigenous self-determination requires an engagement with political ontology. I then introduce Iris Young's conception of self-determination as non-domination as a way to engage with diverging ontologies within the political framework of federalism. In the final section of the paper, I provide two constructive proposals about how Indigenous peoples and settler states can establish an ontology at the federal level that facilitates Indigenous self-determination.

## What is political ontology?

The notion of political ontology did not originate in philosophy but instead emerged from the interconnections between various academic disciplines such as anthropology, Indigenous studies, science and technology studies, and political ecology (Blaser, 2013a, p. 548). Before I can argue that engagement with diverging ontologies is required to implement Indigenous self-determination, I must first introduce the notion of political ontology and analyse its philosophical presuppositions.

During the last two decades, a new research methodology has emerged in the field of anthropology; this methodology is referred to as the *ontological turn* (Candea, 2011; Henare et al., 2007; Heywood, 2012; Holbraad, 2007; Pedersen, 2001; Viveiros de Castro, 1992, 2015). According to the ontological turn, anthropology should no longer exclusively be concerned with analysing customs, habits, cognitive structures, or symbolic and conceptual meanings; rather, its focus should be ontology. However, the anthropological meaning of *ontology* is quite different from its traditional philosophical meaning (Graeber, 2015, p. 15). Traditionally, in philosophy, ontology referred to reflection on the universal nature of being and was later redefined in terms

of our commitments to what exists (Quine, 1961). John Scott and Gordon Marshall (Scott & Marshall, 2009) provide the following definition of ontology..

Any way of understanding the world, or some part of it, must make assumptions (which may be implicit or explicit) about what kinds of things do or can exist in that domain, and what might be their conditions of existence, relations of dependency, and so on. Such an inventory of kinds of being and their relations is an ontology.

(Scott & Marshall, 2009, p. 531)

According to the anthropologists of the ontological turn, however, ontologies cannot be reduced to a set of ontological assumptions or commitments but are always embedded in a way of life. Local communities produce ontologies and live according to them. According to Martin Palecek and Mark Risjord, ontologies are the 'product of human interpretive interactions with one another and with their environments' (Palecek & Risjord, 2012, p. 18). The authors identify four core commitments common to anthropologists who subscribe to the paradigm of the ontological turn: (a) a focus on the more abstract categories in a culture, (b) a readiness to adopt these local categories into anthropological theory, (c) a rejection of representationalism, and (d) the adoption of the extended mind hypothesis (Palecek & Risjord, 2012, p. 6). By repudiating representationalism, anthropologists of the ontological turn reject the thesis that the function of ontologies is limited to representing the world as it is. By adopting the extended mind hypothesis, they endorse a view of cognition that involves not only brain activity but also bodily interactions with the environment. Ontologies, therefore, need not be mental constructs that represent what exists in the world, nor do ontologies arise exclusively in the interaction between human brains and the world. Rather, ontologies involve both the human body and human relationships. They are often expressed in ways of *being in the world* that are embodied (e.g. the way human beings treat sacred spaces) or relational (e.g. the way human beings relate to non-human animal beings).<sup>3</sup>

According to Mario Blaser, political ontology can be seen as a transdisciplinary research project that analyses the political aspects of ontologies (Blaser, 2013a, p. 552; Escobar, 2017, p. 243).<sup>4</sup> It can be delimited from two other projects, Colin Hay's project of ontological reflexivity within political sciences and John Searle's project of social ontology within philosophy. Hay asks political scientists to reflect on the ontological assumptions that underlie their epistemological and methodological choices to be as transparent as possible about their theoretical approach to political reality (Hay, 2007, 2011). In contrast to Hay, Blaser's political ontology does not refer to the ontological choices of researchers but to the ontologies that are produced by communities. Searle defines his project in strictly philosophical terms as the analysis

of the ontology of social groups and institutions to construct a coherent ontological framework (Searle, 2006). In a similar vein, Philip Pettit uses the term political ontology in the sense of a social ontology of political institutions (Pettit, 2012, p. 288). Blaser's political ontology, however, is not defined by its scope and goes beyond conceptual analysis by examining how ontologies are politically negotiated and determine political procedures and processes. Among other aspects, ontologies comprise the three questions of who governs, who and what is governed, and how governing proceeds.

Political ontology is primarily a research project, but I also use the term ontology in a specifically political sense when referring to ontologies in the context of governance and decision-making. In this section and that which follows, I apply a 'contrastive method' and overemphasise the contrast between Indigenous ontologies and settler ontologies to highlight that Indigenous ontologies provide a real alternative that challenges settler ontological assumptions (Candea, 2012, p. 120). In the final section, this method is replaced by a method of partial overlaps that allows me to acknowledge the complex relationships and partial overlaps between Indigenous and settler ontologies.

An initial example for the contrastive method is the role of groups within political ontology. Whether groups play a significant role within a community's ontology may determine whether that community relies on majoritarian or consensus-based decision-making procedures. Indigenous peoples with a group-focused ontology, within which an individual is constituted by their relationships with the other group members, will most likely prefer a consensus-based decision-making method, while Indigenous peoples with a more individual-focused ontology may prefer majoritarian decision-making procedures.<sup>5</sup> Ontologies are constantly negotiated within communities, are enmeshed with the ontologies of surrounding communities, or are interrupted by oppressive political agents (Blaser & De La Cadena, 2018, p. 6).

An example of an ontological conflict is provided by Utsa Hazarika (2018), who describes the struggle of the Dongria Kondh, an Indigenous people who live in the Niyamgiri Hills in the East Indian state of Odisha, against Vedanta Resources, a multinational mining company. Both the Dongria Kondh and the mining company employ different ontologies with regard to a specific hill. The Dongria Kondh contend that their god, Niyamraja, resides in the hill, whereas the mining company takes the hill to be a 'large, lifeless deposit of bauxite' (Hazarika, 2018, p. 146). In this case, the ontologies do not merely mark a difference between two different ways of interacting with the environment; rather, as I demonstrate shortly, they imply different beliefs about what exists. They also assume an additional political dimension, as the government of Odisha supports the plans of Vedanta Resources (Choudhury, 2016).<sup>6</sup>

The conflict between the Dongria Kondh and Vedanta Resources goes beyond the question of who has access to the hill. Rather, it concerns the question of how the hill is being defined in ontological terms. The Dongria Kondh are not defending their access to or control of the hill. They are defending 'complex webs of relations between humans and nonhumans' (Blaser, 2013b, p. 14), which in this case involve the god Niyamraja. The conflict is also not merely an epistemological conflict about how different stakeholders perceive or interpret the hill. Reducing the conflict between the Dongria Kondh and the mining company to an epistemological conflict would neglect the embodied and relational aspects of relating to non-human beings that are captured by the concept of ontology.<sup>7</sup> Hence, the conflict between the Dongria Kondh and the mining company does not concern diverging interpretations but is instead an ontological conflict about what is there.

In this paper, I defend the claim that addressing dominating ontologies is crucial for achieving Indigenous self-determination. A presupposition of self-determination in the case of the Dongria Kondh would be that the ontology that is employed for political negotiations with the Dongria Kondh does not simply reproduce an understanding of the hill as a replaceable economic resource. Otherwise, this ontology would replicate the colonial domination of the past, and self-determination would remain an empty thought. Permitting mining activities on the hill would undermine the self-understanding of the Dongria Kondh and their spiritual relationship with the hill. Consequently, the struggle for Indigenous self-determination comprises the reform of not only governance-related practices, structures, and institutions but also governance-related ontologies.<sup>8</sup>

In comparing Indigenous and settler ontologies with regard to their conceptualization of sovereignty, Aileen Moreton-Robinson claims that these ontologies are incommensurable.<sup>9</sup> Within Indigenous ontologies, sovereignty is 'inextricably connected to being in and of our lands' and follows a relational logic (Moreton-Robinson, 2021, p. 259). Within settler ontologies, however, sovereignty is 'disconnected from the life-force that sustains' and is based on an indivisible supreme authority that was inherited from the historical tradition of patriarchal white sovereignty (Moreton-Robinson, 2021, p. 267). A recent example of how the conceptualization of sovereignty can differ between Indigenous ontologies and settler ontologies is found in the Uluru Statement from the Heart, which was issued by Aboriginal and Torres Strait Islander peoples in 2017. The statement invokes a spiritual notion of sovereignty and derives from this sovereignty a call for reform of the Australian Constitution to include a First Nations Voice in Parliament. However, the statement was rejected by the Australian prime minister as contradicting the fundamental principle of equal civic rights (Rubenstein, 2018, p. 28). In this case, different ontologies of sovereignty led to an ontological conflict.

Although I share Moreton-Robinson's analysis that Indigenous ontologies and settler ontologies frequently clash with regard to their conceptualizations of sovereignty, the diagnosis of these clashes can motivate further questions regarding whether communication between clashing ontologies is still possible and whether a political interface could be developed to facilitate communication between Indigenous peoples and settler states. Based on the analysis of the notion of political ontology that I have provided in this section and on my argument that ontologies should be addressed as a crucial part of the Indigenous struggle for self-determination, I suggest that such communication between Indigenous peoples and settler states can happen within the political framework of federalism. More specifically, I argue that Iris Young's federal conception of self-determination as non-domination provides a space in which diverging ontologies can communicate with one another.

### **Self-determination, political ontology, and the framework of federalism**

In the following paragraphs, I follow the UN's definition of self-determination of Indigenous peoples, which is 'autonomy or self-government in matters relating to their internal and local affairs' (UN General Assembly, 2007, article 4), and connect this definition to Iris Young's federal conception of self-determination as non-domination. In her conception, Young adds the crucial qualification that each self-determined community should relate to other political agents through a federal government in which it and the other political agents are represented (Young, 2005, p. 147).<sup>10</sup>

Regarding the conceptualization of self-determination, we can distinguish between two levels, a constitutional level and an institutional level. On the constitutional level, conceptions of Indigenous self-determination can either challenge the constitution of the settler state or integrate elements of it. On the institutional level, conceptions of Indigenous self-determination can either foster autonomous Indigenous institutions or promote institutions that are shared by the Indigenous people and the settler state (Woons, 2013, p. 17). Young's federal conception of self-determination as non-domination challenges the constitution of the settler state and replaces it with a federal constitution but nevertheless confirms the necessity of shared institutions on the institutional level. Hence, Young recommends a federal constitution that is implemented in institutions that are shared by both the Indigenous people and the settler state. Subsequently, I discuss three reasons that Indigenous peoples and settler states might have for adopting a federal conception of self-determination as non-domination, although the way in which these reasons apply to Indigenous peoples may differ from how they apply to settler states. When discussing these reasons, I explain how a federal

conception of self-determination as non-domination operates. A reason in favour of this federal conception that is crucial for the argument of this paper is that it provides a space to deal with the question of diverging ontologies.

A first reason to adopt a federal conception of self-determination as non-domination is that this conception can recognize existing relationships of dependence in which many Indigenous peoples find themselves. There may be economic dependence if an Indigenous state relies on the national infrastructure (Young, 2005, p. 147). There may be political dependence if the settler state is in a position to significantly influence the political context of the Indigenous state. There may be cultural dependence if the survival of the Indigenous culture or language is dependent on the Indigenous state's collaboration with national media organizations and educational institutions. It is therefore necessary to acknowledge the relationships of dependence between the self-determining sub-units and the federal state and organize these relationships in such a way that they do not result in political domination. Within this federal framework, the sub-units can claim of the federal unit that it should enable the realization of their self-determination rights. Young follows James Tully here in conceptualizing federalism as capable of integrating a diversity of peoples so that they can assemble 'the legal and political differences they wish to continue' in the federal association (Tully, 1995, p. 140).

Although a federal conception of self-determination as interdependence and relationality has been recognized by Sámi scholar Rauna Kuokkanen as reflecting 'many indigenous women's views and understandings of self-determination' (Kuokkanen, 2009, p. 230), it has not been discussed much by Indigenous scholars. A problematic aspect of Young's account is that it could be interpreted as affirming the political status quo. Young argues that her federal solution can accommodate the multiple dependencies of smaller peoples or communities on settler states in economic, political, and cultural terms. However, these relationships of dependence are merely factual and neither necessarily just nor legitimate. They are often a consequence of what Kyle Whyte calls 'parasitic settler colonialism', in which the settler nations enjoy privileges because of the dispossession of Indigenous lands, the violation of Indigenous rights, and the denial of Indigenous self-government (Whyte, 2018, p. 279). I therefore want to argue for an interpretation of Young's account in which the federal framework is not considered an endorsement of these relationships of dependence. Rather, federalism should be interpreted as providing a framework within which these relationships of dependence can be challenged.<sup>11</sup>

If we interpret Young's account in this way, a second reason in favour of a federal conception of self-determination emerges, namely that it can help to address three wrongs of colonialism: cultural imposition, political domination, and the taking of land (Moore, 2016). With regard to the first wrong of



colonialism, cultural imposition, self-determination can be an important step for Indigenous peoples to reassert their cultural identity as self-determined sub-units within the federal structure. With regard to the second wrong of colonialism, political domination, self-determined Indigenous peoples can reassume the collective political identity they had prior to colonial domination (Moore, 2016, p. 454). Finally, with regard to the third wrong of colonialism, the taking of land, a deliberative forum can be set up at the federal level on which the land claims of Indigenous peoples can be discussed.

A fourth wrong of colonialism is the lack of recognition of oppressed groups. Not acknowledging the worth of another culture 'can inflict harm, can be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being' (Taylor, 1994, p. 25). While a lack of recognition can indeed be harmful and should be redressed by self-determination, Indigenous scholars have identified two caveats against an exclusive focus on the paradigm of recognition. First, a politics of recognition should not replace a politics of redistribution and consequently ignore land claims by Indigenous peoples. Instead, recognition and redistribution should go hand in hand (Coulthard, 2014). Second, a politics of recognition should avoid essentialist notions of identity that exclude community members who have left their Indigenous territory or abandoned their Indigenous language. Instead, a politics of recognition should challenge such implicit assumptions and be as inclusive as possible (Sylvain, 2014).<sup>12</sup>

I now introduce a third reason to adopt a federal conception of self-determination as non-domination that is crucial for the argument of this paper. This reason is that such a conception provides a space to deal with the question of diverging ontologies. Secessionist conceptions of self-determination leave merely an either-or choice as to which ontology is employed: either the ontology of the self-determined, independent Indigenous state or the ontology of the settler state. For each political question, the two stakeholders would have to renegotiate which ontology they will employ. However, a federal conception of self-determination adds an additional political level, the federal level, on which a new ontology could be developed. This federal level provides an opportunity to develop a new ontology in such a way that it does not reproduce colonial domination.

Without such a new ontology at the federal level, a federal conception of self-determination will not succeed in establishing non-dominating relationships between the federal level and self-determined sub-units. In his review of the U.S. law and system of government with regard to the treatment of Indigenous peoples, Robert Miller concludes that 'American Indian nations and peoples exercise perhaps the highest level of Indigenous sovereignty in the world' (Miller, 2021, p. 359). However, he immediately qualifies his assertion and quotes the Supreme Court's statement that this sovereignty exists 'only at the sufferance of Congress' and can be revoked by Congress at any

time (US Supreme Court, 1978). Based on my previous arguments, I would add another problem for Miller's conclusion: Within U.S. law and the U.S. system of government, American Indian ontologies continue to be dominated by settler ontologies. Evidence for this claim is provided by Jeff Corntassel and Richard Witmer, who argue that since 1988, Indigenous nations have become more involved in the U.S. political system but, as a result, have been forced to deal directly with local governing bodies rather than having an exclusive relationship with the federal government. As the underlying settler ontology remained unchanged, Indigenous nations had to emulate the behaviour of other actors in the U.S. political system (e.g. by lobbying and donating to parties) and became just another interest group and economic competitor in U.S. and state politics, thus blurring their extra-constitutional status as distinct Indigenous nations (Corntassel & Witmer, 2008).<sup>13</sup> In addition, Sheryl Lightfoot's analysis of the Indigenous rights situation in the United States shows that the federal government only endorses and promotes a selection of soft rights, such as those relating to culture, language, religion, and education, and reinterprets hard rights, such as those concerning land and self-determination, in a way that is compatible with its current legal and policy status so that they do not require further action (Lightfoot, 2012, p. 119).

Hence, Indigenous self-determination within the political framework of federalism can still be undermined by dominating settler ontologies. In the final section of this paper, I demonstrate the way in which a federal conception of self-determination as non-domination provides a space to engage with dominating ontologies. In addition to establishing the self-determination of Indigenous peoples within a federal framework, the ontologies of Indigenous peoples should be considered and activate the introduction of a new ontology at the federal level.

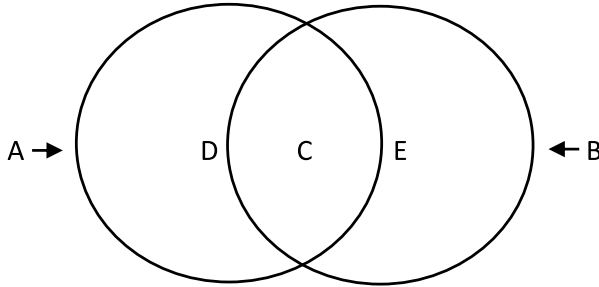
### **A new ontology for the federal level**

Indigenous self-determination in which Indigenous peoples are sub-units in a federal system is a first step to establish self-determination as non-domination. A second step is to develop a new ontology for the federal level. This can be done in two different ways: (a) by co-constructing a minimal ontology based on the partial overlaps between the Indigenous ontology and the ontology of the settler state or (b) by co-creating a comprehensive ontology.<sup>14</sup>

In both cases, the stakeholders could make use of a method of partial overlaps (Ludwig, 2016). As ontologies are expressed in ways of being in the world, they remain dynamic, and there can be a diversity of ways in which members of a group embody ontological commitments. Where two ontologies meet, there is no strict demarcation but partial overlap. By employing a

method of partial overlaps, the stakeholders can consider their two ontologies and the partial overlaps between these ontologies as illustrated in Figure 1.

*Partial Overlap Between two Ontologies*



**Figure 1.** Partial overlap between two ontologies.

In this diagram, we can distinguish between five different areas: the ontology of the Indigenous people (A), the ontology of the settler state (B), an area of partial overlaps (C), and two areas (D and E) that do not or do not yet form part of these partial overlaps. The different areas in the diagram comprise different sets of ontological commitments that are embedded in communal ways of being in the world, which can also be embodied or relational.

The area of partial overlaps, C, constitutes the basis of a new ontology at the federal level. For areas D and E, which lie outside the overlapping area, the stakeholders can determine whether they can be included or not. Partiality can be (a) complementary or (b) competing. In the case of (b) competition, the stakeholders can investigate why elements of D and E compete with one another and investigate hypotheses as to why there is competition. One example would be a contradiction between a group-focused ontology and an individual-focused ontology. In this case, the ontology at the federal level could not simply adopt one of these two options without incurring the risk of domination. In the case of (a) complementarity, there is no contradiction between elements of D and elements of E. These elements of D and E can then be added to the overlapping area, C, as optional modules. An example would be the complementarity between a family-focused ontology and a kinship-focused ontology. Here, the ontology at the federal level could integrate both options.

As already mentioned, there are two ways in which an ontology at the federal level could be co-constructed. The first option is a minimal ontology that is based on the partial overlaps between the Indigenous ontology and the ontology of the settler state as depicted in area C of the diagram above. The second option is the co-creation of a comprehensive ontology based on areas C, D, and E of the above diagram in which both the Indigenous people and the settler state participate.

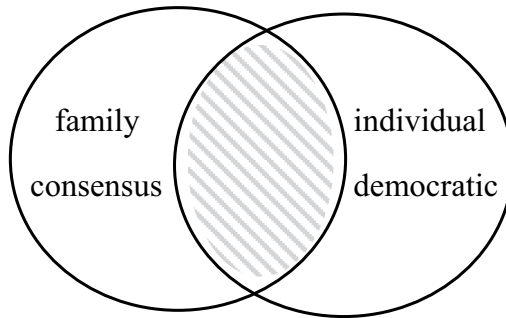
I begin with the first option. To co-construct a minimal ontology for the federal level, both stakeholders would have to identify the partial overlaps between their two ontologies in C and use these partial overlaps as a basis for the ontology at the federal level.

A case study that could illustrate such a minimal ontology is the case of the Scandinavian Sámi parliaments. The Sámi are an Indigenous people who inhabit the cultural region Sápmi, which comprises territories in Norway, Sweden, Finland, and Russia. Sámi parliaments have been established in Finland (1973), Norway (1989), and Sweden (1993); this political tradition is therefore a relatively recent one (Henriksen, 2008, p. 29). The main justification for the implementation of the Sámi parliaments is political and based on the self-determination rights of the Sámi, although they have been established 'as mainly consultative or advisory bodies rather than self-governing institutions' (Kuokkanen, 2019, p. 79).

Historically, Sápmi was organized into numerous *siidas* and land was allocated to the use of individual families. The ontology of the *siida* governance system was consequently family-based. According to this ontology, individuals were identified by their relationships within their respective families and their relationship to the land on which they lived. However, the settler colonial administrative systems of Finland, Norway, and Sweden that were imposed from the 19<sup>th</sup> century onwards were and are still based on an ontology that focuses on the individual and on democratic deliberation. The *siida* governance system was never formally abolished but has rather been 'increasingly overlooked and eroded' (Kuokkanen, 2021, p. 319).

The Sámi parliaments can be interpreted as an attempt at a minimal ontology that is based on the overlaps between the ontology of the *siida* governance system and the ontology of democratic settler states. In the encounter between these two ontologies, families and groups of individuals are considered two poles of a continuum. Likewise, consensus-based decision-making and democratic decision-making are reinterpreted as two positions on a continuum of political procedures. In this way, a minimal ontology can be developed based on the partial overlap between the two ontologies. This ontology combines elements of a family-based ontology with democratic decision-making procedures. Although a Sámi parliament does not directly represent Sámi families, it represents a political association of families and the land on which they live as shown in [Figure 2](#).

### *Example of a Minimal Ontology*



**Figure 2.** Example of a minimal ontology.

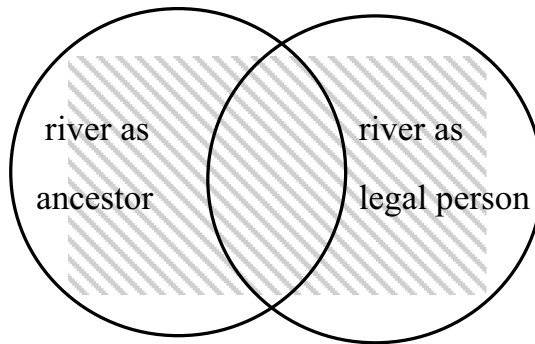
However, this solution still has its shortcomings, as this minimal ontology continues to be dominated by elements of the ontology of the settler states. The Norwegian Sami Parliament is modelled on a party system, and in Finland elections are held on the basis of individual ballots (Kuokkanen, 2011, pp. 51–52). In both cases, deliberation is not consensus-based as it most probably was in the traditional *siida* structures. The danger of basing a minimal ontology exclusively on the area of partial overlaps, C, is that the resulting ontology remains underdetermined and is supplemented by the ontology of the dominant stakeholder to be politically applicable.

After discussing the first option, I now continue with the second option for co-constructing an ontology at the federal level. To co-create a comprehensive ontology, both stakeholders would have to identify not only the partial overlaps in C but also the complementary partialities between D and E. In a process of co-creation, the two stakeholders could then build a new ontology for the federal level. In addition, both stakeholders could also examine the competing partialities between D and E and investigate whether there are political solutions that could manage these competing partialities.

Aotearoa New Zealand can serve here as a case study illustrating what such a comprehensive ontology could look like. In recent years, the New Zealand government has made several attempts to integrate the ontology of the Māori into local decision-making procedures. One example is the Whanganui River, which was assigned legal personhood in 2017 and is currently represented by two guardians: one from the Whanganui Iwi and one from the New Zealand government. In the Te Awa Tupua Act of 2017, the Parliament of New Zealand built on the Māori notion that the river is an ancestor with intrinsic value and not merely a replaceable economic resource (New Zealand Ministry of Justice, 2017). In this way, Parliament introduced a new ontology that surpasses a mere focus on the overlapping elements

between Māori and settler ontologies. The partial overlap between the notion of ancestor and the notion of legal personhood does not provide a sufficient basis for a new ontology.<sup>15</sup> Instead, the new ontology integrates both the ontology of the Māori (river as an ancestor) and the ontology of the New Zealand government (river as a legal person) into a comprehensive ontology based on which the two guardians can make decisions with regard to the Whanganui River's wellbeing. This comprehensive ontology is illustrated in [Figure 3](#).

### *Example of a Comprehensive Ontology*



**Figure 3.** Example of a comprehensive ontology.

However, these attempts are still open to improvement. There is one specific area where Māori ontology clashes with the liberal, democratic ontology of the New Zealand government. This area concerns the question of who should be included in deliberation. While the New Zealand government restricts this scope to human beings, the Māori would include *all* ancestors, including human beings (both living and dead), non-human animals, and nature. To not reproduce colonial domination, a new ontology based on Māori philosophy would therefore have to extend the scope of those who deliberate beyond human beings. Consequently, the question of how the respective interests of human beings, non-human animals, and nature should be weighed and represented would emerge (Kramm, 2020; Celermajer et al., 2021, pp. 131–132). Furthermore, this comprehensive ontology would have to reserve a place for the deceased ancestors within deliberation. This would prompt further questions, such as whether deceased ancestors have moral interests and rights or whether they can be harmed or wronged (Mulgan, 1999, p. 61; Mutu, 2021).<sup>16</sup>

For the minimal or comprehensive ontology to be politically legitimated at the federal level, it would have to be supported by both the Indigenous people and the settler state. To do so, the two stakeholders would not have to appeal to shared reasons but could each appeal to reasons that are embedded in their respective ontologies (Vallier, 2011). The result would resemble a Rawlsian ‘overlapping consensus’, in which the ontology at the federal level would be justified by reasons that are based on radically different ontological commitments (Taylor, 1999, p. 143).<sup>17</sup> By mutually acknowledging that support for the ontology at the federal level by the other stakeholder is based on reasons, the stakeholders would be able to ensure that the ontology at the federal level was justifiable for each of the stakeholders within their respective ontologies or at least did not contradict them.

However, what is still lacking is a procedural framework for co-constructing such a minimal or comprehensive ontology for the federal level. Such a framework would need to ensure that dominant settler ontologies would be made explicit to guarantee an equal dialogue between different ontologies (Flynn, 2014, p. 125). This would require an awareness of one’s positionality and involvement in colonial practices on the part of the stakeholders (Bradfield, 2019).<sup>18</sup> The dialogue rules that govern the co-construction of a minimal or comprehensive ontology could not simply be derived from one specific ontology but would have to be co-constructed as well (Evanoff, 2004, p. 456). Such a set of rules could be developed in an iterative procedure in which a minimal set of dialogue rules – preferably a set of rules that had been designed for a dialogue without domination – was gradually modified and extended by the two stakeholders.

For example, the following minimal set of rules could be adopted from Robert Alexy’s work on discourse ethics: (1) Anyone who can speak may take part in discourse. (2a) Anyone may render any assertion problematic. (2b) Anyone may introduce any assertion into the discourse. (2 c) Anyone may express their opinions, wishes, and needs. (3) No speaker may be prevented by constraint within or outside the discourse from making use of their rights established in (1) and (2) (Alexy, 1990, pp. 166–167). This set of rules could then be enriched by culturally specific rituals of greeting, rhetoric, and storytelling to ensure that the dialogue was appreciative of local knowledge, values, and social perspectives (Young, 1996). For example, the Māori tradition of *Hui* involves an elaborate ritual of greetings and speechmaking as an expression of mutual recognition, followed by a period when community members express a broad diversity of views, listen to each other, and attempt to reach consensual outcomes (Nikora et al., 2012, p. 403).

Once there was an agreement on a minimal set of dialogue rules, both stakeholders could engage in a dialogue and co-construct a minimal or comprehensive ontology for the federal level.<sup>19</sup> While the resulting ontology would merely require an ‘overlapping consensus’ based on radically different

ontological commitments and would not presuppose that both stakeholders understood each other's ontologies, attempts at mutual understanding could strengthen the trust in the minimal or comprehensive ontology as a basis for future political deliberation and decision-making (Taylor, 1999, p. 138).

## Conclusion

In this paper, I have defended the claim that addressing dominating ontology is crucial for achieving Indigenous self-determination. Only by addressing the problem of diverging ontologies is it possible to avoid that colonial domination continues on the ontological level. I first introduced the notion of political ontology and discussed the case of the Dongria Kondh to demonstrate that Indigenous self-determination must challenge dominant ontologies. I then provided three reasons for Indigenous peoples and settler states to adopt a federal conception of self-determination as non-domination. A crucial advantage of such a conception is that it provides a way to engage with diverging ontologies within the political framework of federalism. In the final section of the paper, I provided two constructive proposals as to how Indigenous peoples and settler states can establish a new ontology at the federal level and illustrated these proposals with two case studies: the Sámi parliaments in Scandinavia and the Te Awa Tupua Act in New Zealand.

## Notes

1. Indigenous self-determination can be justified in a variety of ways. Margaret Moore (2015) distinguishes between non-statist justifications (e.g. based on ethnogeographic theory or cultural nationalist theory), statist justifications, and hybrid justifications.
2. In the next section, I present a detailed analysis of the notion of political ontology.
3. An analysis of different thinkers of the ontological turn and their anti-representationalist stance is provided by Mark Risjord (2020).
4. The political aspects of ontologies are also highlighted by Zoe Todd. She criticises Euro-Western scholars for treating Indigenous thinking as 'a well of ideas to draw from', thereby neglecting the corresponding political reality of Indigenous peoples (Todd, 2016, p. 17). In addition, Vanessa Watts criticises that Indigenous thinking is often 'mythologized' and relegated to the epistemological realm as one way of interpreting the world (Watts, 2013, p. 26). As a non-Indigenous scholar operating out of a Western academic institution, I hope that the project of political ontology can avoid such epistemological extractivism, although my ability to identify such instances remains limited due to my positionality.
5. However, this connection between an Indigenous people's ontology and an Indigenous people's preferred decision-making procedure is not a necessary one.



6. An April 2013 Supreme Court judgment instructed the government of Odisha to hold *gram sabhas* (village meetings) in the Niyamgiri Hills to determine whether religious rights were violated by the mining proposal. All 12 *gram sabhas* that were invoked opposed the mining proposal, so the proposal was rejected by the Ministry of Environment, Forest, and Climate Change in 2014. Since then, the government of Odisha has repeatedly attempted to reintroduce the proposal (Tatpati et al., 2018).
7. Believing or knowing something about a divine being such as the god Niyamraja presupposes an ontological commitment that this god exists and that human beings can relate to this god. This ontological commitment is expressed in a certain relationship and an embodied respect for the dwelling place of this god.
8. In developing an Australian Indigenous women's standpoint theory, Aileen Moreton-Robinson describes a specific ontology of Indigenous women (Moreton-Robinson, 2013, p. 340). When I refer to Indigenous peoples' ontologies in general, this is not meant to conceal the fact that there are differences between gendered ontologies.
9. The use of the notion of incommensurability in anthropology differs from its use in philosophy of language. In philosophy of language, incommensurability is often discussed in the context of translatability and interpretability (Davidson, 1984), whereas, in anthropology, it usually refers to the insight that two cultures cannot be compared and ranked in a definite order (Handler, 2009).
10. The following discussion of self-determination within a federal framework, however, does not cover cases in which Indigenous peoples exclude a federal framework as a political option for historical and political reasons and therefore strive for self-determination as autonomous Indigenous states or municipalities. An example is the Zapatista movement, which combines the struggle of various Ch'ol, Mam, Tojolabal, Tzeltal, Tzotzil, and Zoque communities with a more general rejection of the neoliberal politics of the Mexican state and economic globalization (Casanova, 2005, p. 85).
11. From a historical point of view, Indigenous experiences with federal frameworks have been highly ambiguous. Jean Dennison cites, among other things, 'failed treaty promises', 'altered governance structures', 'forced minerals extraction', 'a murderous system of legal guardianship', and 'ongoing mismanagement of lands, funds, and resources' as examples that have been distorting the trust between Indigenous peoples and federal governments (Dennison, 2021, p. 295). Because of these historical abuses, Taiaiake Alfred even recommends that Native nations should abandon 'sovereignty' within a federal framework as a political objective (Alfred, 2005, p. 38).
12. Jeff Corntassel recommends that Indigenous peoples should not wait for state recognition but should instead encourage local, Indigenous-centred, responsibility-based movements and build diplomatic and trade relationships with other Indigenous nations to reassert their cultural identity, their collective political identity, and their land claims (Corntassel, 2008).
13. Michelle Daigle makes a similar case for Canada when she points to the differences between the dominating settler ontology that focuses on the spatio-legal identity of Indigenous peoples and Indigenous ontologies that comprise an intimate relationship with one's land, kinship relations, and relations with other Indigenous nations, animal nations, and plant nations (Daigle, 2016, p. 267).

14. Jacob Levy criticizes that in a federal conception of self-determination as non-domination, the decision-making authority at the federal level wields excessive authority because deciding which units should have a voice in making a decision can influence the direction the decision will take (Levy, 2008, p. 71). He also comments that it leads to a certain 'jurisdictional instability', as the allocation of authority can always be renegotiated (Levy, 2008, p. 75). However, he does not consider these objections fatal for Young's project. In my view, developing a minimal ontology or co-creating a comprehensive ontology can contribute to clarifying the allocation of authority and thereby reduce jurisdictional instability.
15. There are very few ontological requirements to declare the river a legal person, whereas the Māori notion of the river as an ancestor requires a fully developed relational ontology (Watene, 2016, p. 292).
16. Potawatomi biologist Robin Wall Kimmerer describes the difference between settler ontologies and Indigenous ontologies as the difference between considering land a commodity and considering land a gift (Kimmerer, 2013, p. 17). Based on this ontology of gift reciprocity, James Tully suggests building gift-reciprocity relationships between Indigenous peoples and settlers and between settlers and the living earth as a supplement to formal reconciliation processes (Tully, 2018). In many cases, however, such reconciliation efforts require that ontological and political domination be addressed beforehand.
17. An alternative would be a *modus vivendi* arrangement in which both sides accept the minimal or comprehensive ontology at the federal level as a second-best solution because political negotiations based on a settler ontology would be dominating from an Indigenous perspective and political negotiations based on an Indigenous ontology would be challenging from a settler perspective (Wendt, 2016). However, a *modus vivendi* arrangement would remain politically fragile and could undermine efforts to address cultural imposition, political domination, and the taking of land at the federal level. Moreover, co-constructing a minimal ontology or co-creating a comprehensive ontology requires a degree of collaboration that goes beyond the cooperation that a *modus vivendi* arrangement would facilitate.
18. Walter Mignolo (2011) suggests the epistemic attitude of 'border thinking' as a method of abandoning the colonial assumption that one's own epistemology or ontology is central and of focusing on a space of partial overlaps.
19. Here, the question emerges of whether this procedural framework implies an infinite regress, as a dialogue about dialogue rules presupposes a previous agreement on a set of dialogue rules and so on *ad infinitum*. However, we could assume with Jürgen Habermas that there is some overlap between both stakeholders regarding their 'tacit presuppositions of any discourse aiming at reaching mutual understanding' and that this overlap can serve as a starting point to develop dialogue rules (Habermas, 2003, p. 291).

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