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Critical theory and North American indigenous thought

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Abstract

In recent years, critical theorists such as Amy Allen and Robert Nichols have aimed to "decolonize critical theory," by which they mean to make the tradition of critical theory less hostile to, and more compatible with, the ideas and movements of Indigenous peoples. In this article, however, I argue these efforts have failed to consider the relationship of two key elements of critical theory with Indigenous thought: that all normativity is generated *immanently* to historically and socially located struggle, and that normativity is *negatively* defined. These two elements, I argue, are not fully endorsed in the work of many Indigenous thinkers. By drawing on the work of a diverse group of contemporary Indigenous scholars, I show, first, that *nature* is generally a relevant normative category in Indigenous thinking in a way that is irreducible to historical location. Second, I argue that for many Native scholars, right action is not simply a matter of resisting colonialism. While resistance features heavily, of course, I suggest that Indigenous thinking often includes a substantive *positive* vision of living well that has not—as of yet—been considered by critical theorists.

Keywords

Critical theory, North American Indigenous thought, ethics, anishnaabe, natural philosophy

Introduction

It is a mark of great merit for critical theorists that they are among the most committed scholars thinking through the matter of Indigenous peoples, their ideas and actions, and their relationship to non-Indigenous peoples and states.[1] This should be no surprise: Diagnosing domination is the calling card of critical theory, so to speak, and colonialism

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has been and continues to be a form of domination as sure as any.[2] While overt violence may have largely receded in North America—my focus in this essay—many Indigenous peoples and advocates argue it has given way to what Kahnawake political theorist Taiaiake Alfred calls "post-modern imperialism" (Alfred, 2005: 58). Critical theorists have long been sympathetic to the struggles of Indigenous peoples, yet some have recently noticed that much of contemporary critical theory is suffused with assumptions that limit its ability to understand or endorse Indigenous claims (Allen, 2016; Nichols, 2020).[3] Amy Allen, for one, argues persuasively that contemporary critical theory's commitment to Eurocentric progress perpetuates colonial thinking. And Robert Nichols chides critical theorists for simply applying their own concepts on top of Indigenous ones, rather than recognizing that Indigenous struggles are "always already voicing a mode of critique" (Nichols, 2020: 13). Allen recommends returning to first-generation Frankfurter Theodor Adorno and his "other son" Michel Foucault, who she argues offer critical resources that are not dependent on Eurocentric ideas of progress. Nichols, meanwhile, puts Marxism and critical theory in dialogue with voices of Indigenous critique to analyze the historical practise of Indigenous land dispossession.

The work of Nichols, Allen, and others to articulate a critical theory capable of engaging with Indigenous ideas is admirable. In this essay, however, I argue that existing efforts have failed to consider whether two fundamental elements of critical theory—that all normativity is generated *immanently* to historically and socially located struggle, and that normativity is *negatively* defined—are at odds with Indigenous thinking. Indeed, I argue that many North American Indigenous thinkers articulate philosophies that reject these principles. By drawing on the work of a diverse group of contemporary Native American scholars, I show first that *nature* is generally a relevant normative category in a way irreducible to historical location. Second, I argue that for many Native scholars, good action is not simply a matter of resisting colonialism. While *negative* resistance features heavily, of course, I suggest that Native American thinking often includes a substantive *positive* vision of living well.

I proceed in three main parts. First, I outline recent work on critical theory and Indigenous thought and argue that critical theorists remain committed to the historicity and negativity of normative philosophy. Next, I look to the work of North American Indigenous thinkers and argue that many understand there to be a connection between nature and normativity. Finally, I demonstrate that many Native scholars articulate a positive vision of living well based on the practise of certain ethical principles.

Critical theory and (de)colonialism

In this first part of the paper, I argue that while critical theorists have suggested amending their philosophic approach to engage with Indigenous ideas, they remain united around two things: The historical immanence of normativity, and its negativity. I do so by focussing on the recent work of Amy Allen and Robert Nichols, two of the most prominent critical theorists writing on Indigenous issues.

First: What is critical theory? Max Horkheimer, one of the school's first practitioners, calls it a theory that "seeks human 'emancipation from slavery,' acts as a 'liberating …

influence,' and works to create a 'world which satisfies the needs and powers' of human beings" (Quoted in Bohman, 2015). The school is diverse, but generally we can take it to mean thought in the tradition of the original Frankfurt School—committed to the Marxist concepts of dialecticism and historicism, but far from orthodox Marxism on historical teleology and materialism. This is to say that human life, and especially human reason, is fundamentally situated in historical conditions. These historical conditions occur dialectically, meaning that each set at any given point contains certain contradictions that propel its transformation forward in time. Critical theorists focus on culture and other such immaterial matters and do not suggest they are necessarily determined by material conditions. Critical theory is also self-critical in a way that orthodox Marxism is not. Rather than Marx's positive dialecticism (toward a particular end, namely communism), critical theory practises "negative dialectics," wherein the future is uncertain, even as the goal must be identifying and resisting human oppression. That resistance is key, as it is the *negative* part of the dialectic—i.e., it *negates* conditions of oppression.

In her intervention to the literature of critical theory and colonialism, Allen focuses on critical theory's more abstract ideas. By taking as synecdoche three giants of the contemporary Frankfurt School, Jürgen Habermas, Axel Honneth, and Rainer Forst, Allen argues that critical theory remains wedded to a concept of Eurocentric progress. To Allen, Habermas and Honneth rest their normative foundations on this concept of progress, which she considers a left-Hegelian approach (Allen, 2016: 3) not entirely dissimilar to the Classical Marxism that is a non-starter for many Indigenous peoples (Churchill, 1983; Habermas, 1996; Honneth, 2014; Mohawk, 2010). In detailed analyses, Allen shows how Honneth and Habermas both presume their normative standards (intersubjective communication for Habermas, a form of freedom for Honneth) are a product of affirming historical development (Allen, 2016: 66, 92). The colonial issue, Allen argues, is that this historical development is something that occurs in the European tradition, and using European development to produce normative standards means applying these out to non-European peoples such as Native Americans. By applying these standards out, to Allen, critical theorists do not truly engage with Indigenous peoples and ideas, and reproduce a form of colonialism.

While Forst is not guilty of any Hegelianism, Allen indicts him for being a neo-Kantian (Forst, 2014). In suggesting that all normative claims must be based on the right to justification, Allen argues that Forst reifies a European universalism that privileges a certain way of abstract thinking about justice. The right to justification presumes that a rationality in the Kantian tradition of deontology and logic is the universal key to determining moral claims. Citing James Tully's critique of neo-Kantianism, she diagnoses Forst's project as neo-imperialistic because it involves extending that Kantian tradition of ethics into cultural traditions that do not have it (Allen, 2016: 138; Tully, 2008). For Allen, the solution to contemporary critical theory's vestiges of Hegelian and Kantian colonialism is to return to an earlier form of it, which she locates in the work of Adorno and his "other son" Foucault (Allen, 2016: 187). Adorno and Foucault offer a form of critical theorizing that, rather than claiming normative grounds rooted in Eurocentrism, instead focuses on theorizing as "problematizing our historical present" (190).

Allen's critique of contemporary critical theory's normative foundations is a profound one indeed, but her proposed solution is to double down on the supposedly fundamental tenets of critical theory: Historically situated normativity, and that normativity's negativity. She praises Adorno and Foucault for refusing to consider the "right life" as a positive concept, with them only prescribing "resistance to the forms of the bad life that have been seen through and critically dissected by the most progressive minds. Other than this, no guidance can be envisaged" (196) In essence, Allen decolonizes critical theory's "normative foundations" by stripping its "thick" or "positive" normative substance and leaving only its more *critical* attributes remaining. Allen repeatedly describes these attributes as critical theory's "methodological distinctiveness" (xiv, 15, 19, 125).

Robert Nichols, while broadly sympathetic to Allen's work, suggests her approach is overly ideal and abstracted from the realities of colonial oppression (Nichols, 2018). For critical theorists to listen to Indigenous voices and engage in meaningful dialogue, Nichols argues, they must look to these actual practises of colonialism and to the Indigenous thinkers engaged in resistance to them. In his erudite book *Theft is Property!*, Nichols does this himself, putting European critical theory alongside Indigenous work on land dispossession as well as Black thinkers' analysis of bodily dispossession (Hartman, 2007; Nichols, 2020: 120–145). To engage fruitfully with Indigenous thinking and political action, in a non-colonizing manner, Nichols insists that critical theorists recognize that Indigenous struggles are "always already voicing a mode of critique" against domination—and are not simply waiting for European critique to be foisted upon them (Nichols, 2020: 13).

Indeed, he appears to use the terms "Indigenous thought," "Indigenous critique," and "Indigenous critical theory" interchangeably throughout the book. To identify "Indigenous thought" with "Indigenous critique," Nichols holds that the very concept of Indigeneity only comes about via resistance to colonialism and thus is at root a *critical* identity. "Indigenous" is not a single concept, he writes, but rather "a 'family resemblance' of different modes of resistance and forms of normative critique … [that] compose a recognizably distinct grammar of struggle" (112). This means that Indigenous peoples have a shared identity not because they are "of the land, as defined metaphysically" but because they have "two things in common: they have been made the targets of a single global process, and they have resisted it" (115). For Nichols, only individual Indigenous nations can be said to have thick, positive identities consisting of more than shared resistance (113). To be consistent with his definitions, then, Nichols must conceive of *Indigenous thought* as equivalent to *Indigenous critique*, because he thinks that Indigenous thought is something identifiable only insofar as it is shared critique.

Nichols and Allen differ on two important fronts. First, Nichols is concerned with analyzing political history and theory, while Allen focuses almost entirely on textual analysis of critical theory texts. Second, Nichols actually engages with the work of Indigenous scholars, something Allen does not really do—a fact observed by Claudia Leeb, among others (Leeb, 2018). Nichols' work is in many ways stronger because he describes the specifics of colonial history, and he discusses Native American thinking at some length. Yet I focus on both scholars for two reasons. First, because Allen's more

theoretical approach more clearly outlines those "methodologically distinct" elements of critical theory to which Nichols also remains committed: normativity as both located in historical struggles and inherently negative in nature. And second, because commentators on Allen have not considered the implications of these commitments for any potential engagement with Indigenous thinking, nor have they considered whether Nichols' approach has some of the same issues—in a less severe way—as Allen's.

While current critical theorists such as Nichols and Allen are impressively attentive to the failures of critical theory in this regard, they do not consider whether their "stripped down" critical theory still includes certain claims that do not resonate with Indigenous thought—whether critical theory at its most basic level contains elements that might be fundamentally different to Indigenous thinking. Nichols explicitly describes his book as a "contribution to critical theory" (Nichols, 2020: 10), and Allen implies much the same thing (Allen, 2016: xii). They take the lens of critical theory for granted. It is this assumption that I wish to gainsay in the rest of this paper. This is not because I think that critical theory should be entirely abandoned either in general or in the specific context of Indigenous issues. But we do need to be clear about the scope and aims of critical theory and how these differ from the scope and aims of many Indigenous philosophers, a clarity that has been only briefly attempted (McArthur, 2021: 9). I hope my argument is seen as a clarifying contribution by Nichols, Allen, and others doing work like them. In conference proceedings, Nichols himself acknowledged that his project was different from that of some Indigenous thinkers.[4]

Before moving to the two main ways I argue much of North American Indigenous work is different from critical theorists' approach to Native issues, I want to address the matter of "North American Indigenous" as a whole. As I have mentioned, Nichols treats "Indigenous thought" as synonymous with "Indigenous critique" because he suggests that Indigeneity itself arises only in resistance to colonial oppression. (Allen does not really engage with Indigenous work, instead focussing on discussing different generations of critical theory.) From this perspective, Indigeneity arises because peoples have been "made the targets of a single global process and they have resisted it" (Nichols, 2020: 115). This is not to accuse Nichols of being unaware that at least some of the Native thinkers he discusses—and he discusses an impressive range—saw themselves as having a fundamentally alternative paradigm.

For instance, he writes that Chief Joseph in the nineteenth century "was a traditionalist who articulated an external critique from the standpoint of an alternative form of life" (108). Yet, while he is aware of this fact, Nichols does not really investigate what Indigenous alternative forms of life consist of. And when he turns to contemporary Native American scholars, such as Audra Simpson and Glen Coulthard, he describes their work as fundamentally critiques—even though Simpson's argument is about how Mohawk peoples have resisted (or refused) to abide by colonial demands *because* of their commitments to continuing to live as Mohawk, which indicates to me that their critiques are secondary to their commitments to Mohawk-ness (Nichols, 2020: 109; Simpson, 2014). At another point, Nichols explains that some Native thinkers construe land to "involve the necessity of being responsible to something greater than oneself, that is, the Earth itself" (30). Again, though, he sets aside any sustained treatment of

what such a construal means philosophically, at least in part because he argues "not all Indigenous peoples and communities will view their relationship to earth this way" (30).

Nichols clearly wants to avoid any consideration of the positive substance of Indigenous thinking, and limits himself to showing how Native American thinkers critique colonialism, He is followed by other critical theorists (Dei, 2011: 3; McArthur, 2021: 7). Yet a great many North American Indigenous scholars suggest that there are enough similarities in Native understandings of an "alternative form of life" to describe them philosophically. Viola Cordova, for instance, writes that there are "some similar concepts that allow one to speak of Native American thought in general" (Cordova, 2007: 3). Shuswap scholar and activist George Manuel puts it even more plainly: "Were there not already a common understanding of the universe shared by many, if not all, of these people before the coming of the Europeans, the mere fact that we all had a period of foreign domination would not be an enduring link" (Manuel and Posluns, 2019: 5; cf. Alfred, 1999: 13; Pierotti, 2011: 5; Cajete, 2000). We cannot overlook the fact that many Native American thinkers understand their philosophic traditions to include substantive positive substance and that much of this substance is shared among different national traditions.

In the final two sections of this paper, I will look to the work of contemporary North American Indigenous thinkers to show what this "common understanding" might look like. In this first part, however, I have argued that different approaches by critical theorists to Indigenous concerns are united around a commitment to key tenets of critical theory: Normativity is both negative in relation to oppression and solely in generated in historical circumstances. By taking these two claims as first principles and failing to consider whether they are shared by Indigenous thinkers, critical theorists have failed to see the limitations of engagement between themselves and Native American thinking.

Indigenous thought and nature

The first way in which North American Indigenous thinking tends to differ from critical theory is on its sources of normativity. As I outlined last section, critical theorists assume normativity is generated from within specifical historical circumstances—namely struggle against oppression. Critical theorists maintain that this *does not* make them relativists, as Allen repeatedly insists (Allen, 2016: 224). They worry about this issue because if judgment and agency are entirely historically determined, it can be difficult to see how we could have standards to judge historical circumstances. There could conceivably be times when the conditions mean we cannot make judgments at all. Indeed, during "the rise of fascism in the Second World War and the commodified culture afterwards, the Frankfurt School became skeptical of the possibility of agency" (Bohman, 2015); and if there is no agency, there is no morality. But I have no interest in litigating this matter one way or the other here, as would require traveling far afield from my focus on Native American thought and require a deep analysis into the various forms of critical theory.

What I do want to argue is that this is not—or at least not solely—how Indigenous thinkers understand normativity. I am not the first to note this. Jan McArthur observes that Indigenous 'place-based knowing'" contrasts to critical theory's historical focus,

an important point "on which Indigenous thought and critical theory can never converge" (McArthur, 2021: 4). But I build on McArthur's passing observation here by offering a general account of "place-based knowing" as it appears in Native American thinkers' work. "Place-based knowing," I argue, means that human knowledge and ethical guidance do not come simply from human social relations, but from sustained interaction with non-human nature around us. While Native American thinkers of course emphasize the way peoples acquire place-based knowledge through sustained interaction, they also frequently suggest this is dependent upon a moral structure that transcends historical time. Further, unlike critical theory, Indigenous North American thinkers do not focus solely on human life or human freedom.

To begin, Native American thinkers tend to suggest that nature has order or direction that is to some degree independent of human life (Piccolo, 2023: 2–4). Taiaiake Alfred puts this in straightforward terms:

> The land was created by a power outside of human beings, and a just relationship to that power must respect the fact that human beings did not have a hand in making the earth, therefore they have no right to dispose of it as they see fit. Land is created by another power's order, therefore possession by man is un-natural and unjust. The partnership principle, reflecting a spiritual connection with the land established by the Creator, gives human beings special responsibilities within the areas they occupy, linking them in a natural and sacred way to their territories (Alfred, 2002: 470).

Dale Turner writes much the same when he says that many Native American peoples "share an implicit assumption that there is a supreme Creator," who "created the universe and is responsible for sustaining its natural order" (Turner, 2006: 49). While "Creator" is not a term employed by all North American Indigenous thinkers, it is used by a significant number of them.[5] Even those who do not mention a Creator often make some mention of transcending historical conditions. Dene Yellowknives scholar Glen Coulthard, for instance, draws on critical elements of Western philosophy, yet also affirms that he has some commitment to "a spirituality that exists outside of historical time" (Coulthard, 2014: 98).[6] The point is that, generally speaking, North American Indigenous thinkers understand normativity to exist in nature somehow independent of historical circumstances. This is why Native knowledge is often termed in shorthand as "place-based" knowing as opposed to temporal-based Western understandings, as McArthur writes.[7]

What does it mean for Indigenous thinkers to say that normativity can be generated in place or in nature irrespective of human history? Anishnaabe legal scholar John Borrows argues that Native peoples "regulate their behaviour and resolve their disputes by drawing guidance from what they see in the behaviour of the sun, moon, stars, winds, waves, birds, animals, and other natural phenomena" (Borrows, 2016: 94–95). Though Borrows' line is quoted often (Rollo, 2018: 13), less often is its meaning dissected. How can normativity be generated by natural phenomena, and how could they offer guidance to humans? In the rest of this section, I want to connect Borrows' comment with the concept of nature that transcends particular historical circumstances with which I began this section. I argue that the "natural phenomena" (or beings) he alludes to have *purposes*

in North American Indigenous thought, purposes that are comprehensible based on the forms of agency that specific beings have. While these beings are encountered *socially* by humans within history, their moral worth is irreducible to these social encounters because "they were created by another power's order" (Alfred, 2002: 470). The presence of these purposes in physical beings, I later show, demonstrates how morality and values are fundamentally a part of Indigenous worldviews.

Indeed, "purpose" is the most common term that Indigenous thinkers use to describe these immaterial, qualitative elements of beings. Lakota writer Joseph Marshall III, for instance, writes emphatically that every "form of life" has a "*place* and a *purpose*" (Marshall III, 1995: 228). Raymond Pierotti uses similar language (Pierotti, 2015: 81). What they mean by "purpose" is that the actions of agents do not represent a merely random output of energy. It rather means that individuals of a species have a "structure, behavior, and lifestyle particular to" their kind, and that the specific agency of beings is oriented toward the maintenance of their way of life (Marshall III, 1995: 228). Because action is always relative to particular types of being, Native American thinkers tend not to think of agency (or even personhood) in the abstract. Marshall explains that the Lakota refer to species as "clans" or "nations," such as the bear nation or the elk nation, in the same way that they might refer to the Potawatomi nation or to other Indigenous peoples (Marshall III, 1995: 227; Cf. Simpson, 2017: 24). Marshall's point is similar to that of John Mohawk when Mohawk writes about oak trees: Only the spirit (or nature, or essence) of an oak tree has the power to become an oak—to begin as an acorn, exist in the right environment and in the right relations with it, and to achieve its potential by growing into an oak (Mohawk, 2010: 8).

While Mohawk explains the particular capacities of the oak tree in terms of the power of its spirit, Jicarilla Apache scholar Viola Cordova and Tewa thinker Gregory Cajete explain that humans also have particular capacities unique to our kind. Cajete writes that humans "share a species-specific experience and knowledge of nature," based on the fact that "our perceptions are different from other species due to our unique physical biology" (Cajete, 2000: 25). In Cajete's telling, for Native science all living things interact with and have perceptions of the external world, but the particular capacities of each being—i.e, their potentials—differ based on the characteristics of their kind. It is in the nature of different beings to perceive and act based on these characteristics. In speaking about humans' capacities, Cordova concurs with Cajete about the distinctiveness of natural kinds' powers. One of our species' potentials—one of our purposes—is a capacity to change our behavior, a capacity which is present for other beings, but which humans possess to the greatest degree (Cordova, 2007: 151). Using her study of Navajo philosophy as a particular example, Cordova draws a distinction the potentiality and actuality of human purpose. "The normal state of affairs of a human being is to act correct, i.e., to act in such a manner that he is seen by others as leading a balance and harmonious life," she writes (Cordova, 1992: 105). In actuality, humans might not use their extraordinary capacities to control their behavior properly, but their purpose—to act correctly—remains, meaning that such humans have failed to achieve their right potential.

In the same sense, non-human beings may fail to achieve their purposes or potential. For the beings that can control their behavior, this may come about through their own

actions, while others may be interrupted by external intervention. In writing about dams, Ojibwe writer and activist Winona LaDuke quotes from an Innu traditionalist, who laments that "soon there will be no great and beautiful wild rivers left in Quebec" because of the many dams installed to block them (LaDuke, 1999: 59–60). The traditionalist's claim—and LaDuke's—involves the fact that the river's purpose is to run free on its course as a river. When it is kept from achieving this purpose, other consequences arise, and LaDuke explains how the flooding from the Churchill River dam killed an enormous black spruce forest, which she argues pulled mercury from the soil and contaminated the reservoir. In Indigenous thought, rivers are almost universally considered to be natural beings with spirit, and thus also beings with corresponding purposes, powers, and potentials to be actualized (Napoleon, 2009: 126). Blocking a river with a dam prevents it from achieving its purpose, and unsurprisingly the interruption of this purpose has consequences in the larger environment since other beings had previously existed in such a way that account for the river reaching its potential.

Because the range of potential for humans is so vast, a result of our immense capacity to alter our behavior, it is far more difficult to determine what is, precisely, the purpose of humans (Burkhart, 2019: 284). With other beings this is less difficult. Deloria writes that beings have a relatively stable "set of relationships with other entities," with all these relationships arranged in a pattern intelligible to the attentive onlooker. "When a plant or animal was found in a place where it should not be," he writes, recounting his nation's traditions, people became concerned because it suggested that a thing was not acting in accordance with its purpose, and that something may be wrong (Deloria Jr., 1999b: 55). This is consistent with the general principle I have been delineating from North American Indigenous natural philosophy: That the entities in the world that make it intelligible are natural beings with essences or spirits distinct to their kind. Kinds, consequently, have their own particular potentials and capacities, and these capacities are associated with certain purposes or ways of being. By being embedded in an environment and paying close attention to beings' behavior, human can understand—at least in large part—these purposes.

The presence of purposes in other beings, purposes which are not themselves dependent on historical circumstances, means that there is morality and normativity in those beings too. As Vine Deloria Jr. explains, "The universe is a moral universe … In the moral universe, all activities, events, and entities are related,"—related by their shared participation in the world's moral direction (Deloria Jr., 1999b: 46–47). Understandably, Deloria's account links the idea of moral naturalism to Indigenous understandings of purpose. The achievement of these purposes is a *good* thing—the world *should* be a place in which agents can achieve their purposes, which is why it is a bad thing when rivers are polluted, or animals are driven to extinction.

Because the non-uman world is fundamentally moral, it is a place where humans can look to better understand morality, and to learn lessons and practises that will better help them act in the proper manner, which is how Native peoples draw guidance from "what they see in the behavior of the sun, moon, stars, winds, waves, birds, animals, and other natural phenomena" (Borrows, 2016: 94–95). Drawing guidance from the world is *possible* because morality pervades it, but it is *desirable* because humans are bound up in this moral order and have a particular role to play in it. The reason why humans should

understand the world is because it helps us understand "the proper road along which … individuals [are] supposed to walk" (Deloria Jr., 1999b: 46, cf. 1999a: 47).

This means that engaging with the natural world and non-human beings does not simply provide humans with abstract or instrumental knowledge of their surroundings, but how to act correctly in relationship with human and non-human nature alike (Simpson, 2017: 150–154). Glen Coulthard and Leanne Simpson have articulated an account of Indigenous ethics which they term "grounded normativity" (Coulthard and Simpson, 2016). The "grounded" part emerges from engagement with the natural world—and in Coulthard's words, this is so because understanding land provides "an ontological framework for understanding relationships" (Coulthard, 2014: 60). While Coulthard does not get into precise specifics, Brian Burkhart also writes that "Native science founds Native morality," and explains himself with reference to the James Bay Cree nation's effort to prevent an enormous power plant from being constructed (Burkhart, 2019: 293). The Cree people insisted that the beavers they lived alongside ought to be able to go on building their dams and living as they should. Burkhart is clear that this was not meant as a moral injunction about all humans and beavers, but a reflection of the relationship between the James Bay Cree and the beavers. The Cree had spent countless generations living alongside the beavers, observing them and their way of life, coming to understand their purpose and contribution to the ecosystem, and understood the beavers' living in that way as a good—in short, countless generations practising "Native science." Thus when they insisted that the beavers be allowed to continue to achieve this good, they were making a "moral claim" both about the beavers *and* about their relationship with them (Burkhart, 2019: 299). Though this was a social relationship within historical circumstances, it was only possible because the beavers were inherently moral beings, in Alfred's words created by a power outside of human beings (Alfred, 2002, 470).

Why is Indigenous thought's account of the normativity of nature not consistent with critical theory? Foremost, Indigenous thinkers' attention to non-human nature is not recognizable to critical theorists as something "social." As McArthur suggests, social theory requires some analysis of historical conditions of struggle, whereas Indigenous thinking centers on places and the nature and relationships of the beings existing there. Critical theorists, of course, have always paid attention to the way in which political domination extends to the domination of nature, but generally do not accept that non-human natural beings could have some inherent meaning or purpose independent of human society (Adorno and Horkheimer, 2002). The domination of nature, for them, is only significant insofar as it reflects back on human life, and in particular how it reflects the structure of domination that exist under modern capitalism—or, in Nichols case, capitalist-colonialism (Cassegård, 2017). Native American thinkers' commitment to moral meaning in the world outside of human society implies a kind of transcendence of historical situations (as Coulthard puts it, "spirituality outside of historical time") that is troublesome for critical theorists who affirm Hegel's account of the historicity of understanding (Allen, 2016: 217). As I have said repeatedly, Native American accounts of normativity do not discount social relations or history, but they show how normativity cannot be reduced to history.[8]

Nichols, unlike Allen, does write briefly of the positive substance of Indigenous philosophies of nature. At the close of *Theft is Property,* he sketches out Coulthard and Simpson's account of grounded normativity as well as several other Indigenous thinkers (Nichols, 2020: 144–160). He describes also how Indigenous Māori efforts in New Zealand have led to Māori understandings of land being approximated in law, such that parts of the natural world have been recognized as legal persons. Again, this section of Nichols' book is another where he demonstrates his commitment to reading the substantive work of Indigenous thinkers. But Nichols does not consider the relationship between these understandings and critical theory as he describes it in the book. For even in his account of Indigenous philosophies of nature, their aim appears primarily not to be—as he describes critical theory—"human emancipation in circumstances of domination and oppression" but rather humans living with the rest of the world in an ethically good way (10). Of course, living in an ethically good way means emancipation from domination and oppression, but this emancipation is a secondary feature, not primary, since the philosophies of nature in question are part of a tradition that predates the experiences Native peoples have had in the past several centuries of colonialism.

In this section, I have tried to outline what exactly Indigenous "place-based" ethics entail, and why this is at odds with critical theory's commitment to historically situated knowledge. In assailing the neo-colonial implications of contemporary critical theory's progress narratives, one of Amy Allen's main targets is the neo-Hegelian strategy for establishing normative claims—namely that history's progression has affirmed certain (Eurocentric) concepts such as individual freedom as universal. Allen objects to this sort of neo-Hegelian critical theory because it means European history can be used to normatively justify the dominance of European cultures and politics. Yet at the same time as they attempt to jettison this sort of neo-Hegelian, they always accept the fundamentally Hegelian assertion that all knowledge is *historically* located. In accepting this assumption, and failing to consider whether Native peoples might object to it, critical theorists fails to reckon with the content of Indigenous thought and the limits of engagement with non-Indigenous critical theory. As I have argued in this section, Indigenous accounts of nature and normativity appear to be inconsistent with critical theory's *critical* grounds.

The good life in bad circumstances

While in section two I focused on how critical theory's lasting insistence on normativity's emergence from historical struggle may be at odds with Indigenous place-based knowing, in this section I want to challenge the second element of critical theory's so-called "methodological distinctiveness": negativity. To Nichols, as I have already explained, resistance and "struggle" against oppression are the grounds of normativity (Nichols, 2020, 12, 130), and for him these are foundational to critical theory. Allen examines these theoretical foundations at greater length. In part of her endorsement of Adorno and Foucault's decolonial substance, she says critical theory is at its best when it does not offer a deep positive vision of the good life. To those two, "life under modern capitalism is so deformed and distorted that moral philosophy today cannot provide plans or blueprints for living the good life" (Allen, 2016: 196).

Instead, Allen writes, quoting Adorno, the "most one could say about the good life under current conditions is that it 'would consist in resistance to the forms of the bad life that have been seen through and critically dissected by the most progressive minds'" (Allen, 2016: 196).[9] I want to lay aside any detailed consideration of whether this account of the good life is coherent, though I must note that it does not seem to fully hold together. In addition to endorsing Adorno's account of the good life as resistance to the current bad, Allen also cites his claim that "progress occurs where it ends" (Allen, 2016: 198). Allen and Adorno's point is apparently that "progress" is only possible when we stop looking backward for development, and use our faculties to critically dissect the present, to destabilize the bad forms of life. Yet they claim that this resistance is based on analysis by the "most progressive minds." How can we tell which are the most progressive minds if we cannot use anything historical to judge them? The only other option is an ahistorical philosophy to judge them, and Allen rejects this option too. Allen and Adorno seem to be using "progressive" as both an input and output to their theory, and it is unclear how they avoid circularity.

But this issue is distinct from the point I want to make here. My argument in this section is that North American Indigenous thought has an understanding of the "good life" that is more than simply a negation of colonial oppression. This marks a second key difference of Indigenous thought from critical theory—not only from Allen and Adorno's account of the good life, but also from Nichols' insistence that Indigeneity is the "negation of the negation" of land dispossession and colonialism (Nichols, 2020: 115). Even as the lives of Indigenous people in North America have indeed been deformed and distorted, in the rest of this section I show that Native moral philosophy does offer guidance on how to live a good life, even if "blueprint" is probably too strong a word to describe this counsel. This is precisely the point on which Inuvialuit law professor Gordon Christie distinguishes Indigenous thought from critical legal theory, writing that, "While some experimentation in living is both inevitable and worthwhile, within Aboriginal societies the broad strokes of how to live the good life have been worked out" (Christie, 2003: 91).

These broad strokes cannot be reduced to rules; in North American Indigenous ethics "there are not abstract values, duties, or obligations to which one must conform" (Burkhart, 2019: 241). Instead, I will argue here that Native American philosophy emphasizes the harmonization of right action and desire, moral education through habituation, and the exercise of certain "values" or "gifts" to behave well. Native American thinkers stress the importance of humans desiring to act well. Ethical teachings, Anishnaabe scholar John Borrows writes, are not beneficial if we are not "striving to be good" as individuals (Borrows, 2008: 8). Striving to be good indeed involves attention to certain external rules, guidelines, or legislation, in Borrows' account, but simply knowing this moral guidance is not enough. Any effort to drill in obedience to abstract ethical rules by means of coercion or punishment is widely rejected in Native American philosophy, since people should learn to act well *because* they should want to do so (Alfred, 1999: 47; Simpson, 2011: 131). Humans have the natural capacity to be good, and this element of natural goodness is not limited to human rationality's ability to think logically (Cordova, 1992: 99). Abstract principles such as the categorical imperative may exist

somewhere in "our minds," but these rational principles are not enough: humans must practise acting well in order to be habituated into being good (Borrows, 2010b: 212; cf. Burkhart, 2019: 86; Deloria Jr., 1998: 28).

What are the habits or behaviors that must be practised or habituated to inculcate moral goodness? Some Native American thinkers use the term "virtue" (Marshall III, 1995: 195; Deloria Jr., 1998: 28; Borrows, 2019: 23). Others describe them as "values" (Whirlwind, 1996; Little Bear, 2000: 79) or simply as "gifts" or good teachings passed down from the ancestors (Benton-Banai, 1988; Borrows, 2008, 2019: 14). Practising these Indigenous "values" or "gifts" is central to living an ethical life. And these ideas of values or gifts as central to ethics appear in different North American Indigenous traditions.

Lydia Whirlwind Soldier and Leroy Little Bear are two thinkers who write about Plains Indigenous ethics. According to Whirlwind Soldier, generosity is a cardinal virtue in Lakota ethical life, along with bravery, fortitude, and wisdom (Whirlwind, 1996: 13). Lakota scholar Joseph Marshall III writes about the value of courage (Marshall III, 1995: 196). Little Bear, meanwhile, lists "strength, sharing, honesty, and kindness" as the values at the core of "Aboriginal philosophy" (Little Bear, 2000: 79). The ethical principles that operate in society should, to Little Bear, encourage the inculcation of these values. Those practising the values, especially children (since they are so impressionable), should be encouraged, praised, and recognized. The practise of these values is easier within a certain environment. Little Bear suggests that an atmosphere in which the values are consistently practised greatly helps their development in children (81). "Aboriginal cultures attempt to mold their members into ideal personalities," he elaborates (83). Little Bear suggests that Indigenous values can be practised in degrees—and that humans ought to aim at practising the values so as to become ideal practitioners of them, without being judged by some sort of absolute, abstract standard of perfection (Simpson, 2011: 42).

But the most outright articulation of "values" in Native American thought comes out of Anishnaabe philosophy, though Indigenous peoples beyond the Anishnaabe have come to use these ideas.[10] For the Anishnaabe, ethical life is organized around seven "grandfather" (or "grandmother") teachings. There is a narrative source to these teachings in the nation's tradition: according to oral histories, there was a time when the Anishnaabe were not living well and were afflicted with disease and discord. A young boy, not yet corrupted by the world, was tasked with re-learning the traditional ways of life to return the Anishnaabe to the right path. From the seven grandfathers who looked over the Anishnaabe, this boy acquired the seven teachings or "gifts" that would allow the Anishnaabe to live well. These gifts are wisdom, love, respect, bravery, honesty, humility, and truth (Benton-Banai, 1988: 60–64). These teachings are not rules. In his book *Law's Indigenous Ethics,* John Borrows describes ways in which all seven of the gifts could be applied to contemporary Canada—especially to legal relations between Indigenous and non-Indigenous peoples. But these gifts do not generate overly prescriptive commands; rather, as Borrows makes clear, they are ethical teachings that, if practised, will result in changes in the way we think ethical and political life and the laws that govern both.

In his chapter on the gift of humility, Borrows suggests that exercising it would incline us to abandon certain absolute legal principles, such as ownership of land (cf. Borrows, 2008: 20–22, 2019: 127). A humble individual, in Anishnaabe philosophy, understands that humans are not the only beings with ends or goods—and that in exercising absolute ownership over land she is failing to acknowledge she shares that land with other beings that have ends, goods, and moral worth. These seven gifts teach Anishnaabeg how to be good people; in Borrows' etymology of the term, "Anish-naabe" quite literally means "good-man," with "Anishinabequae" meaning "good woman" (Borrows, 2008: 10). Borrows notes that the number of gifts is sometimes greater or fewer. It is not wholly "traditional" to organize the gifts into seven distinct categories, insofar as not all Anishnaabe always have or do organize the gifts in this way. But, Borrows insists, the seven-fold structure is consistent with Anishnaabe ideas (Borrows, 2019: 14).

These values or gifts are encouraged in Native American philosophy because practising them allows us to live a "good life," which is the human end. In the work of many different Indigenous philosophers from many different backgrounds, the concept of living a "good life" appears repeatedly. For the Innu, a people of the sub-Arctic, the aim of living is "*Pimaatisiiwin,*" typically translated directly as "good life" (LaDuke, 1999: 51). Anishnaabeg thinking, meanwhile, uses the term "*minobimaatisiiwin*," also translated as the good life, a good life achieved by the practise of the grandfather/grandmother teachings (LaDuke, 1999: 132; cf. Simpson, 2011: 20,27,91).

But why are specific teachings or values needed for living the good life? John Borrows explains explicitly that they are needed because of the sorts of beings that we are. They are needed "*not only* because we are good people with life-affirming values and behaviours. We also require these [teachings] because we are 'messed up.'" The laws that emerge from these teachings do "not flow just from what is beautiful in Anishnaabe or Canadian life," but emerge also "from our responses to real-life needs, which are often rooted in violence, abuse, exploitation," and other troubles endemic to human life (Borrows, 2019: 239). In other words, Anishnaabe people need the seven teachings because of who they are—because they possess great inherent goodness, or natural dispositions toward it, and simultaneously because they have gaps in that goodness, gaps which often fill with its opposite. But these teachings, Borrows quickly says, are not just for the Anishnaabe, because it is not just the Anishnaabe who have natures that require them. Good living and the law that guides it, Borrows writes, "comes from good and wise practitioners inside *and* outside of our communities." The purpose of one of his recent books is to argue that "further extension of the Seven Grandmother teachings could help us develop better relationships" (Borrows, 2019: 239).

North American Indigenous understandings of the good life that values such as the seven teachings help us reach are not overly narrow, and thinkers tend to be especially concerned about overly prescriptive understandings of how humans should live. No doubt this is partly because of the ways in which colonialism's main message to Indigenous peoples was (and is): you are living wrong; your ways are backward; you should be living like us. From political organization, to education, to economics, Indigenous people have been told for centuries that their ways of life are not good, and so naturally Indigenous thinkers are wary of being too narrow in their articulations

of the good life (Joseph, 2018). Leanne Simpson, for instance, mentions that there are "many ways to live the good life" in Anishnaabeg society (Simpson, 2011: 27). Borrows, too, for all his emphasis on the ways in which the seven teachings help us to be "good" (Borrows, 2010b: 104), writes that "society cannot be built on any single version of the good life," at least in part because practising the value of freedom means that there will be some "degree of diversity about the good life" (Borrows, 2019: 251). For Simpson and others, it is important that this freedom in Indigenous life extends to individuals on certain questions of gender and sexuality (Coulthard, 2014: 157; Simpson, 2017: 119–144).

Yet Native American thinking points us toward a human good that is not entirely open-ended. Simpson caveats her discussion of the plurality of truths and ways of living for individuals by clarifying that this is not the same as a "plurality … in a post-modern context … perspectives that violated the fundamental principles and values of Nishnaabeg society were not respected" (Simpson, 2011: 138). Indigenous philosophy maintains that humans are a part of nature and part of the good human life is identifiable in it too. Most strikingly, Indigenous thinkers often decry various elements of Western/European life for failing to embody a genuine human good. Taiaiake Alfred, one of the most critical, writes that "hardly anything of lasting worth for the betterment of the human race" has come out of European civilization (Alfred, 2005: 102).

There are ways of using freedom that are not constitutive of a good life in Indigenous thought, and practising the values (or teachings) helps us from falling into these ways. Some of these concern a single person's good life qua that single person. In discussing the matter of substance abuse, Borrows shows one such way—and while addiction can be seen as a violation of reciprocal and ethical relationships with others, he underlines how it makes impossible living a good life even without reference to others. In his work, Borrows often writes narratively, and here he references one "Mishomis," who suffers from alcoholism.[11] "His addiction had become a shameful affront to his grandmother's teachings," writes Borrows. "He couldn't think of anything that took him further away from Anishnabek law. It was a breach of the worst kind because it repudiated the mindfulness Anishnaabek teaching promoted" (Borrows, 2010b: 103; cf. Alfred, 2005: 182). The seven teachings help us learn how to live a good life, and abusing substances prevents us from practising these teachings, even before we begin thinking about the ways in which addictions harm others. Those practising the teachings in the community should be trying to prevent others from falling so far away from living a version of the good life.

But the way in which Indigenous ethics conceives of the good life is even easier to see when considering human relationships to non-human nature. "Grounded normativity" is the phrase coined by Coulthard (and Leanne Simpson) to describe a way of life "based on deep reciprocity" to land and the other beings living on it (Coulthard, 2014: 13,172; Coulthard and Simpson, 2016: 254). To be living a good human life in a frame of "grounded normativity" requires having an awareness of, and relationship with, the surrounding land and nature. For Coulthard, to be ignorant of—or uninterested in—the land is at once to fall short of living the good life, *and* to deprive oneself of the teachings that the land provides. "Ethically," Coulthard writes, humans hold "certain obligations to the

land, animals, plants, and lakes in much the same way that we hold obligations to other people" (Coulthard, 2014: 61). Failure to consider the land, animals, and plants is thus a failure to lead a good human life.

Further, some North American Indigenous thinkers outline the way in which understanding nature is a part of the human good. Thinking and reflection are themselves part of the human good, as Leanne Simpson underscores in her commentary on the relationship between thought and action. Indigenous thought, she writes, rejects the idea that thinking about ethics can be separated from living it. It is an "artificial division between thought and embodiment. For Indigenous peoples, thought is fully integrated into living, being, and performance of our traditions" (Simpson, 2011: 44). Thinking is a part of the good human life, but thinking well is only possible when one is well habituated by good practises. "Meaning and understanding," certain types of thinking, are indeed the primary aims of Native philosophy (and science), according to Gregory Cajete (Cajete, 2000: 67).

Understanding ourselves and our relations to other beings allows humans to know what sort of place they should occupy in an environment; as Brian Burkhart writes, "An understanding of who I am in the context of my particular place helps determine what sorts of actions are respectful and what sorts are not" (Burkhart, 2019: 287). Burkhart's point, and a broader point in Indigenous thinking, is that the goodness of any human action—and human life—is in a large way dependent upon circumstances. This is why Indigenous thought emphasizes the practise of values, rather than "universal statements of moral relationship," since in practising values (or gifts) we learn to be good in any situation, rather than simply applying rules learned for one context to another indiscriminately (Burkhart, 2019: 287). We must understand who we are and our role in any given situation because our good requires that we understand the goods of others. This is true for humans vis-à-vis non-human nature, and why Indigenous traditions require contemplation and understanding of nature for all people, not merely an elite intellectual class (Simpson, 2017: 154). These accounts seem at odds in some significant way with the claim that the good life consists entirely in relation to the bad. In Gordon Christie's words: "Critical alternatives … suggest that the relationship between Aboriginal peoples and the law is nothing more than a struggle over power … Yet below the struggle [for Aboriginal peoples] lies an Aboriginal vision irreconcilable with the epistemic foundations of critical alternatives" (Christie, 2003: 110). Christie's point is that critical theorists make identification of—and resistance to—power and domination their universal subjects of study; while Native American thinkers are generally also concerned with recognizing domination, they do so because they have a vision of how their people should be living that is not simply based on negating their domination. It is thus unsurprising that some American scholars and activists now describe their political project as a "resurgence" of Indigenous ways of life, which includes but is far from limited to resistance to colonialism (Simpson, 2017).

In this section, I have argued that North American Indigenous thinkers offer a moral philosophy that is not simply a negation of "bad forms of life" or colonial oppression. Even those who emphasize resistance to colonialism, such as Mohawk anthropologist Audra Simpson, show how that resistance is founded on continually *being* Indigenous and practising traditional forms of life (Simpson, 2014). Based on a substantive idea

of a good life for humans—though not a restrictive blueprint—Native American thinkers describe a moral philosophy centered around certain moral values or practises. These moral practises are good for humans not because of conditions of oppression: If anything, it is the practises of colonial oppression that are parasitic upon these goods, insofar as they are the negation of the good. While this account is by no means universal among Indigenous thinkers, I have drawn from a wide range of sources to suggest that it at least widely shared.

Conclusion

I have had two main aims in this article. First, I have shown the limits of dialogue between work in critical theory and Indigenous thought. Though others have noted these differences in passing, I have offered a detailed account of how critical theory retains at least two key principles at odds with Indigenous understandings (McArthur, 2021). Second, I have outlined the substance of North American Indigenous thinking to bring attention to aspects of it that are often overlooked by non-Indigenous scholars in their focus on critique of Western theory. As Adom Getachew and Karuna Mantena observe of postcolonial theory in general, such oversight means reducing non-Western thinkers to a "critique of European political thought and practises," and in losing track of the "primary aspiration of anticolonial argument: to reconstruct viable political futures" (Getachew and Mantena, 2021: 360–361). My aim in the "Indigenous thought and nature" and "The good life in bad circumstances" sections was in part to analyze the work of Indigenous thinkers in a way that does not reduce them to critics of Western thought and praxis.

This is not to suggest that critical theory should be abandoned altogether, either in general or in the specific matter of Indigenous politics and philosophy. Critical theory is an extremely useful lens from within the Western tradition, to point out blind spots, diagnose failures, and generally to observe the ways in which a certain type of freedom is oppressed. But my point is that when critical theory takes the *vision* produced by its lens of "methodological distinctiveness" approach to be constitutive of *reality*, it makes assumptions that are incompatible with many Indigenous accounts of the world. Not only should this give us pause from a political perspective, but also a philosophic one.

That Indigenous thought offers an alternative account of the world in at least two key areas —place-based knowing, and positivity—gives us reason to be circumspect about critical theory's claims on these fronts. In addition to Adorno and Foucault, Allen praises Anthony Laden's contemporary critical theory for exemplifying a decolonized approach. "Reasoning well demands a particular set of virtues," Allen explains, "not only a willingness to make oneself vulnerable and an openness to change, but also a 'receptivity to unfamiliar lines of criticism'" (Laden, 2012: 129; Allen, 2016: 223). Among those virtues Allen numbers "vulnerability, openness, and receptivity" (Allen, 2016: 223). Here Allen prescribes an orientation toward the world based on positive practise of virtues, virtues that would seem to hold whether or not we are in conditions of oppression.

I mention this only because it appears that, at times, even Allen—who praises negativity—makes recourse to a positive understanding of moral philosophy. As critical theorists, then, that Indigenous thinkers offer a positive understanding of moral philosophy might prod us

to recognize when critical theorists also have positive understandings of philosophic concepts —and not to recoil from such recognitions. North American Indigenous thinkers, in bringing their philosophic traditions from their communities to the academic world, are inviting scholars to participate in fundamental philosophical conversations. The invitation is for a form of thinking, especially political thinking, which is "rooted" yet wary of fundamentalism, especially oppressive fundamentalism (Borrows, 2008; Mills, 2019). While it is true that many Western forms of positive philosophy have acted to oppress others, perhaps Native American accounts indicate that it need not be that way. As Mohawk scholar Vanessa Watts writes about critiques of Indigenous essentialism, which mirror critical theorists' worries about moral foundationalism, just because Western forms of essentialism have been harmful does not mean that all forms are (Watts, 2013: 29–30); just because critical theorists are sceptical of the West's moral foundations does not mean that they should be as worried about all foundations—perhaps especially those which colonialism tried so hard to eliminate.

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Notes

1. I use the terms 'Indigenous North American' and 'Native American' interchangeably to refer to the first peoples of North America. This follows common scholarly usage (Allard-Tremblay, 2019: 1).
2. For a brief account of the effects of colonialism in the Canadian context, see: (Joseph, 2018).
3. Allen and Nichols are not the only ones working in this realm, as I shall show, but I use them here because they are probably the most thorough and prominent.
4. This occurred at the 2021 Western Political Science Association annual (virtual) conference.

5. For just a few mentions of the "Creator" by Indigenous thinkers, see: (Borrows, 2010a: 26,28; Fixico, 2003: 7; Gilbert, 2019: 288; Kawagley, 2009: 35; LaDuke, 1999: 27; Manuel, 2015: 4; Manuel and Posluns, 2019: 10; Mohawk, 2010: 3; Stark, 2017: 252).
6. This line is Arlif Dirlik's, but Coulthard applies it to himself (Dirlik, 2001: 207).
7. Vine Deloria, Jr., offers a lengthy comparison of place and time-based understandings, though Deloria focuses more on the temporality of Christian—especially Protestant—eschatology (Deloria Jr., 1990).
8. For an interesting recent discussion of grounded normativity and social history in the context of Indigenous relations with other anti-oppression efforts, see Leanne Simpson and Robyn Maynard's book that in part covers Indigenous and Black relations (Simpson and Maynard, 2022). In his very first book, Vine Deloria Jr. argued that one major difference between Native American and Black struggles is that Black Americans did not have the same rootedness in place as Native peoples (Deloria Jr., 1969: 185–190). bell hooks, among other Black scholars, has written on the question of place (hooks, 2008).
9. I do not examine Allen's interpretation of Adorno on this point, which is not uncontroversial.
10. The best example of this is the 2015 Truth and Reconciliation Commission in Canada, which sought to address the history of residential schools in Canada. The Seven Anishnaabe values served as themes for various events that were a part of the commission ('Honouring the Truth, Reconciling for the Future: Summary of the Final Report of the Truth and Reconciliation Commission of Canada.', 2015: 30).
11. Mishomis means "grandfather" in Anishnaabe.

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