

**A non-Aboriginal philosopher searching for a better moral theory and a just relationship between Aboriginal and non-Aboriginal peoples**

by

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My research regarding Aboriginal peoples developed in three philosophical contexts.

1. The human right to property
2. Environmental ethics
3. Non-Aboriginal Canada's oppression of Aboriginal peoples

**1. The human right to property**

My research into Aboriginal issues began in the context of efforts to prove that there is no human right to private property. The only human rights are rights to life and liberty. Seeking better ways to structure our relationships with the non-human world, I began investigating Aboriginal worldviews. Learning that they do not have the notion of private property, especially in land, I wanted to discover the constraints and responsibilities replacing private property entitlements in their world views.

I soon discovered this research requires one to find ways to access Aboriginal philosophy. I still seek solutions to the methodological and epistemological problems which are inescapable in this undertaking as I work to (1) make accurate claims about Aboriginal philosophy and (2) discover what to claim. Both are problematic undertakings because until recently non-Aboriginal scholars were the main sources of Aboriginal views. As Lee Hester and Dennis McPherson explain in their first editorial for *Ayaangwaamizin: The International Journal of Indigenous Philosophy* a non-Aboriginal philosopher ‘...examines Indigenous philosophy by thoughtfully interacting with the Indigenous philosopher.’ (“The Euro-American Philosophical Tradition and its Ability to Examine Indigenous Philosophy,” 9) Without Aboriginal guidance, a non-Aboriginal philosopher likely misunderstands and seriously misrepresents Aboriginal axiology. The consequences go beyond false claims. Misrepresenting Aboriginal philosophy treats Aboriginal peoples unjustly. However, aiming to use Aboriginal sources when there were virtually none, made research difficult. By now, a growing body of work by Aboriginal legal scholars and philosophers makes my research doable.

**2. Environmental ethics**

My research in environmental ethics aims to develop a new moral theory. Early on I discovered the value of using Aboriginal world views to inform moral theory. Aboriginal philosopher Lorraine Mayer informed me in 1997, when I was a visitor at the Native Philosophy Project at Lakehead University, that there is no such thing as environmental ethics. There is just ethics. And, ethics does not only pertain to human beings. Since I was attempting to create an ethic of relationships, -where relationships are with anything

one encounters- I saw in Lorraine's Aboriginal world view based claims an invitation to further explore Aboriginal philosophy. I wanted to uncover Aboriginal reasons supporting the view that there is a prima facie obligation to respect any x.

### **3. Seeking a just relationship**

Three contexts lead me in the direction of Aboriginal philosophy, and the questions are all big questions. However, the urgent question, for me, is the one contained in the third context.

For the past six years I have been struggling to find in the axiology of Aboriginal peoples, a better way to address the questions about just relationship between Aboriginal and non-Aboriginal peoples, namely "What does it look like?", and "How do we get there?" My focus has been on rights, especially the right to sovereignty and how non-Aboriginal accounts of those rights seem to misunderstand them. Aboriginal people have human rights, and these rights have been consistently violated by non-Aboriginal governments in Canada. However, to articulate the injustice experienced by Aboriginal peoples in terms of individual rights seems either to misunderstand what they say about the injustice they are experiencing or to be a dismissal of their understanding of their experience. When Aboriginal people speak of the violation of their inherent Aboriginal rights, they sound as though they are speaking of their rights as peoples, as nations, rather than the rights of Aboriginal persons to life and liberty.

As I used the notion of sovereignty to explain the injustice in the past-present relationship between the federal government and Aboriginal peoples, I have been slowly discovering that this approach has serious disadvantages as well as the advantageous that lead me to pursue it. I wanted to demonstrate the oppression of Aboriginal peoples to non-Aboriginal people, my target audience, -the ones who need to see the injustice and fix it. Therefore, to explain the injustice from within the non-Aboriginal tradition seemed not only easier but more efficient. These arguments would support thinking about the injustices in ways that could most rapidly bring about change. However, because my work on the justice questions was happening while I was researching Aboriginal philosophy, I gradually came to discover important disadvantages to this approach.

As I discovered that the notion of sovereignty is not a part of Aboriginal languages, I came to realize that Aboriginal people could reasonably argue that I was hampering their efforts to communicate their understanding of the injustices, and, as importantly, their recommendations about how to move into a just relationship. To assume that we can understand the injustices and the solution from within the Western philosophical tradition is, perhaps, to assume too much. Obstacles to understanding, reconciliation, mutual respect, peace, and friendship may be in the very axiological conceptual framework in terms of which I am trying to find the solution. It might be necessary to enable non-Aboriginal people to understand the injustice and the solution in ways of thinking not employing the notions of sovereignty.\* If I sound tentative, it is because I am. Until I have a more informed understanding of Aboriginal axiology, I will be unable to

demonstrate the need to avoid the Western tradition's notions of rights and sovereignty in the search for a just relationship.

The current focus of my research in attempting to understand how to implement a just relationship is the treaty relationship. I have discovered that although Canada's non-Aboriginal federal government recognizes Aboriginal people as having treaty rights, it does not see itself as created by and structured by its treaty rights. I see my research as complementing the call to a just treaty relationship by Aboriginal legal scholars such as Leroy Littlebear, Sakej Henderson and John Borrows.

When non-Aboriginal Canada recognizes it is morally and legally bound by a treaty relationship with Aboriginal peoples and understands it has no right to stipulate either its treaty rights or those of Aboriginal peoples, then implementing a just relationship becomes possible. When non-Aboriginal Canada exercises only treaty based sovereignty, Aboriginal peoples will not be oppressed. Exercising treaty based sovereignty is the only way non-Aboriginal Canada can respect the inherent and treaty rights of Aboriginal peoples recognized in Canada's Constitution.

\*Since this presentation, I have discovered Dale Turner's *This Is Not A Peace Pipe: Towards A Critical Indigenous Philosophy* (2006, Toronto University Press). This Aboriginal western-trained philosopher, provides Aboriginal authority for my claims about (i) the poor fit between Aboriginal and non-Aboriginal world views and (ii) Aboriginal understandings of a just relationship.