RETHINKING CULTURE AND CULTURAL: THE POLITICS OF MEANING-MAKING

by

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ABSTRACT

In North American contemporary political thought, theorists have increasingly turned their attention to questions of identity/difference. In particular, liberal multiculturalism has emerged as the dominant public and normative site to address such questions, specifically those related to claims of culture. I explore two key aspects of the theoretical and historical lacuna in liberal multiculturalism: a) how (through processes of signification) and b) why (as a result of arrangements of power) members of dominant and subordinated social groups are differentially located within specific socio-historical contexts. Through multidisciplinary critical approaches, I analyze liberal multiculturalism both broadly and specifically; this encompasses a critique of two of the leading liberal multicultural theories in the discourse -- namely those of Will Kymlicka and Charles Taylor -- and an assessment of culture as a central organizing concept. Overall, I explore how and why liberal multiculturalism does not fully grasp the complex terrain of identity/difference politics. At best, I contend, it only partially captures the complexity of issues at stake, and at worst it misunderstands, obscures, and erases multiple dimensions of this politics.

This is, however, more than simply a project of criticism; it also a re-conceptualization of the way in which identity/difference politics should be theorized. Chiefly, I argue that a conceptual shift from culture to cultural has the potential to open up theoretical and political considerations closed off by liberal multiculturalism, especially those related to the constitution of identities, difference, non-difference and power. As such, in political theory what distinguishes this project from other critical analyses is not a revision of the culture concept but a shift to an alternate concept. The central contribution of this shift lies in radically repositioning the analytical focus away from the object of culture to the processes of meaning-making that constitute identities and relations. To illuminate the theoretical insights of the shift to cultural I explore a number of case studies. These focus on the processes that signify Deaf, transsexual, immigrant, and Indigenous women’s identities. The cases demonstrate that the conceptual shift to cultural has the potential to expand, interrogate, and complicate the study of identity/difference politics. The final chapter concludes by considering the political implications of the shift to cultural for liberal-democratic principles and practices.
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PREFACE

My journey with liberal multiculturalism in Canada began when my family and I emigrated from London, U.K. in 1993. Immigrating to Canada was understood by my parents as another move for a better life; they had left Punjab, India to find the roads of ‘progress’ that had been embedded in their imaginations through the capillaries of colonialism. The idea was that the further we moved ‘west’ from India the more likely we were to live a richer life, both materially and emotionally. Moreover, the prospects of immigrating to Canada were motivated by the racism we had all experienced in London. As teenagers, my brothers had both been racially attacked and physically (and emotionally) assaulted, one of them twice; as a young girl I had watched my mother’s skull bleeding after she had been verbally abused and brutally hit by a white skinhead; at university I had watched white professors give preference to white students; as woman of colour I walked fearfully through ‘white neighborhoods,’ even in the daytime; and despite the hard work he did, my father never got promoted at his job. The promised land did not deliver.

Canada pledged more – more jobs, liberal education, and multicultural tolerance. But my mother couldn’t go to a swimming pool without being told to get out of Canada and go back to her own country; my brother couldn’t get a job in a bar because they did not hire Indians (later, he understood that this reference was to Indigenous people as well as people of colour); a white senior professor told me that I was naive and stupid for not realizing that the British needed to go to India to civilize the Indians; my mother and father feared for their physical safety after the attacks on Muslims and Sikhs following the events of 9-11; whilst working for Air Canada (a large commercial corporation) I was physically threatened, verbally abused, and deliberately isolated by work colleagues after speaking up against white privilege and the racism in the working conditions of Hindi, Punjabi, Cantonese, and Mandarin speaking employees, most of whom are people of colour; and I sat on the front steps of my home while a white teenage boy and his family walked by me and called me Osama, as if this was somehow a threat to them and an insult to me.

In amongst the racism is liberal multiculturalism, the celebration of diverse cultures and their festivals, clothes, food and music. The symbol of mosaic multiculturalism serves to distinguish Canadians from Americans. It is a marker of tolerance and accommodation, one that attempts to make Canadians feel good about Canada. This model of multiculturalism is
widely appealing in which there are good multicultural television programs; an exchange of knowledge and art forms and food; there are more ethnic ‘minorities’ hired by state institutions (such as the police) in the name of multiculturalism; and there is a growing dialogue about institutionalizing culture-based practices (e.g. days off school for religious holidays, such as Eid, Chinese New Year, and Guru Nanak’s birthday). And yet the histories of oppression experienced by people of colour and Indigenous peoples are virtually absent in celebrations of multiculturalism; there is little talk of colonialism, racism, white privilege, sexism, patriarchy or capitalism, as if multiculturalism now makes up for the past. It is all about diversity, not anti-racism, decolonization, or power. Multiculturalism does not name the oppressors but focuses on softening the edges that mark Otherness. And it does not acknowledge the ways in which people of colour and Indigenous people resist white hegemony.

My subjective experience of Canadian liberal multiculturalism has not been as physically violent as it was in the UK (which is not to negate the ways in which Canadian history and experience has been violent against Chinese male workers who worked on the railways, Japanese people during WWII, Muslims in a post-911 world, and Indigenous people through the denial and attempted eradication of Indigenous knowledge and bodies). At the same time, for me the violence is somehow more dangerous in Canada than the UK. In the UK I lived with direct racism, with white people calling me a ‘paki’ to my face and directly threatening my existence. In Canada, the violence is not usually direct but more subtle, more insidious, and therefore more difficult to name and resist.

All of this has characterized my journey with Canadian liberal multiculturalism, leaving me with a number of questions. Do I really want to be tolerated and accommodated without considering what I am being included into? Why is there a growing discourse of multiculturalism at this particular time in Canadian politics? Is the state effective in dismantling oppressive relations of power? Who else in society disrupts power, why and how? Can claims of culture be understood outside the scope of liberal multiculturalism, and should they be? In a post-911 world, is it dangerous to challenge the discourse of culture, which seems to be the only way to get racial issues on the political agenda? Where is the anti-racism in multicultural politics? Why is there so much talk about culture and not race? Do all women, sexual minorities, the disabled, and the poor benefit from multiculturalism?
Why is culture-talk the basis of framing the concerns of ‘multicultural groups,’ and how does this affect an understanding of other aspects of identity such as my gender? What is the effect of coupling liberalism with multiculturalism? What conceptual tools would bring to light my own lived experiences as well the experiences of o/Others who are increasingly becoming the subjects of Political Theory but who are usually examined through a hegemonic gaze?

In Political Theory, many of the answers to these questions seemed incomplete or simply unsatisfactory. Though there is a burgeoning literature on radicalizing inclusion, responding to issues of individual and collective identities, and analyzing the role of the state in managing diversity, liberal multiculturalism has almost exclusively focused on culture, ethnicity, and language and not racism or colonialism. This diminishes analysis of power, which has been significant in determining my social and political relations, contexts, and positions. This approach has also served to erase other aspects of my identity, including my gender, class, and sexual orientation.

Other bodies of literature, in particular some feminist and gender theory, post-colonial and anti-racist thought, anthropology, and cultural studies, have been better equipped to answer many of my questions. These fields of study encompass writings from many more Othered peoples, including women of colour, and tend to directly problematize the existing order, practically and discursively. As such, my central goal is to engage in conversations across disciplines in order to explore what lessons political theorists can learn. This project thus begins with my interjection into identity/difference politics.
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I would like to thank my committee members, Barbara Arneil, Laura Janara, and Leonora Angeles for their time, insights, kindness, support, and thought-provoking comments. Each exposed me to new literatures and ideas, opened up intellectual possibilities, helped me to clarify my thoughts, and always enabled me to take my own thoughts further. My heartfelt gratitude goes especially goes to Barbara Arneil, my supervisor, who has provided incredible care, stimulation and guidance during my entire Ph.D. program. You have encouraged me to find my own intellectual voice in ways that will always stay with me.

This work has been enriched with conversations and comments from numerous wonderful people. My deep appreciation goes to Amal Rana for her love and wisdom, Nomi Mandell for reminding me how deep friendship can go, Bruce Baum for challenging me and helping me to clarify the turning point of this work, Helena Kajlich for reading and commenting on early drafts, Sarah Pemberton for her encouragement and insights, James Tully for his stimulating and helpful comments, Olena Hankivsky for support and great conversation, Maria Pia Lara for believing in me, Audrey Ackah for sharing, Matt James for his comments and humor, Emily Moore for proof reading and inspiring energy, Vanita Sabharwal for listening and caring, Kathy Ghag for always willing to talk about anything, and my brilliant friend Carlos/Charlie Martell for questioning my ideas, making me laugh, and pushing me further. There are countless others who have made this thesis an actuality. A special thanks to the many women in my life, especially my sister Rupa and my mother.

My deepest thanks go to my husband, William. You listened, talked, read, and supported me with love and generosity.
1.1 Critical Theorizing of Identity/Difference Politics

In contemporary North American political thought, theorists have increasingly turned their attention to questions of identity/difference politics. In particular, liberal multiculturalism has become the discourse of choice, both publicly and normatively, to consider identity/difference; it is presented as the expression and medium of culture-based identity difference, and as such is enormously significant to contemporary theorizing. It is precisely because of the contributions of liberal multiculturalism that it deserves critical attention in terms of how well it serves the study of identity/difference politics. Specifically, it is the purpose of this research to address two key aspects of the theoretical and historical lacuna in liberal multiculturalism: a) how (through processes of signification) and b) why (as a result of arrangements of power) members of dominant and subordinated social groups are differentially located within specific socio-historical contexts. To illustrate the limits of liberal multiculturalism I begin with a broad critique, and then narrow my analysis to a specific critique of culture as a central organizing concept. Overall, I explore how and why liberal multiculturalism does not fully grasp the complex terrain of identity/difference politics. At best, I contend, it only partially captures the complexity of issues at stake, and at worst it misunderstands, obscures, and erases multiple dimensions of this politics.

This research, however, is more than simply a project of criticism; it also a re-conceptualization of the way in identity/difference politics should be theorized. As Sneja Gunew states, “[i]f we have a specific role as intellectuals it is precisely that of scrutinising and, if need be redefining the conceptual terms of these debates” (1993: 1). Chiefly I redefine the terms of identity/difference theorizing offered by liberal multiculturalism by making a conceptual shift from culture to cultural. This shift, I argue, has the potential to open up theoretical and political considerations closed off by liberal multiculturalism. Through a number of case studies, I illustrate that the conceptual move to cultural fundamentally repositions the analytical focus away from the object of culture to the processes that constitute identities and relations. As such, in political theory what
distinguishes my project from other critical analyses is not a revision or rewriting of the culture concept but a paradigmatic shift to an alternate concept.

Underlying this task is not so much a comprehensive theory as a set of new tools by which to theorize identity/difference politics. This is not to say that normative political preferences are absent in the development of an alternate set of conceptual tools. But rather than offering a meta-narrative of justice, equality, inclusion etc. or grounding my analysis on principles of constitutional democracy, freedom, equality, respect for diversity, due process, the rule of law, federalism, dignity, authenticity, autonomy, consent, or rights1 I argue that there are enormous political and analytical gains in questioning and disrupting the processes by which identities and socio-political arrangements of power are signified. As such, instead of presenting an all-inclusive prescription of how to achieve emancipation, my purpose is to alter the space in which the politics of identity/difference operates. My intent is to expose, raise consciousness, and respond to issues of identity/difference in contexts of power, but without assuming that power can be entirely eradicated or that significant emancipatory transformations cannot be made.

1.2 The Canadian Context of Liberal Multiculturalism

An exploration of multiculturalism in Canada requires an understanding of the historical processes of power, in which the nation-state grew out of the attempted eradication, assimilation and oppression of Indigenous knowledge and bodies, and the appropriation of Indigenous land and resources. As such, the production of ‘multicultural Canada’ is enmeshed in a colonial legacy. As Himani Bannerji rightly states, “the construction of visible minorities as a social imaginary and the architecture of the ‘nation’ built with a ‘multicultural mosaic’ can only be read together with the engraving of conquest, wars and exclusions” (2000: 92-3). Canada, in other words, is not only shaped by those marked as the subjects of multiculturalism, but also by the tensions between two ex-colonial (and neo-colonial) powers and Indigenous colonization. As such, to uncritically accept the idea of Canada is to under-estimate the significance of history. This is specifically important

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1 This list of principles is drawn from James Tully’s essay ‘Reimagining Belonging in Circumstances of Cultural Diversity: A Citizen Approach’ (2002). As he states, such principles are appealed to by both sides in identity/difference politics, either to “condemn the imposed identity and to justify the recognition of an identity-related difference, on one side, and to defend the established norms of citizen identity on the other” (2002: 161-162). As such, they are not universally interpreted.
because notions of the Canadian nation-state are contested by those Indigenous people who name this territory (as well as the land now called the United States) Turtle Island. This is not to say that Canada does not exist; rather, it has to be understood through historical and contemporary forms of colonialism, racism and racialization.

I focus on Canadian liberal multiculturalism because Canada brings a unique perspective to discourses of identity/difference. This is especially true because two leading architects of liberal multiculturalism are Canadian, namely Will Kymlicka (1995; 1998; 2001) and Charles Taylor (1994b; 1994c). Each draws heavily on Canadian examples to elucidate their respective theories of multicultural citizenship and recognition. Whilst there is disagreement between these two thinkers and there are marked differences between Kymlicka’s framework of liberal individualism and Taylor’s framework of liberal-communitarianism, both are fundamental to the construction of liberal multiculturalism. Indeed, each finds the other’s theory an important contribution to current political theory: Kymlicka (1995: 191) draws upon Taylor’s notion of ‘deep diversity’, and Taylor states that *Multicultural Citizenship* Taylor “is an immensely rich, informative and above all clarifying work” (June 1996). I am specifically interested in exploring the similar trends and effects of their theories. Both argue that the equal treatment of ethnic, national and linguistic groups requires public institutions to acknowledge, rather than ignore or downplay, diverse cultures. They also share a specific concern for the self-determination of the Québécois and Indigenous peoples of Canada; they value language as a central signifier of difference; they

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3 There are two important notes in my use of ‘Indigenous’. First, whilst the term ‘Aboriginal’ commonly refers to a terminology adopted from the legal construction of the First Nations, the Métis and Inuit peoples, as Mohawk scholar Taiaiake Alfred (2005) argues there is a difference between the terms ‘Aboriginal’ and ‘Indigenous’. Alfred contends that the label of ‘Aboriginal’ “is a legal and social construction of the state and it is disciplined by racialized violence and economic oppression to serve an agenda of silent surrender....Within the framework of politics and social life, Onkwehonwe [original people] who accept the label and identity of an aboriginal are bound up in a logic that is becoming increasingly evident even to them as one of outright assimilation – the abandonment of any meaningful notion of being Indigenous” (Alfred, 2005: 6-7). With acknowledgment that this view is not necessarily shared by all First Peoples, I respectfully employ the term ‘Aboriginal’ only when I am citing/quoting other sources. At all other times, I use ‘Indigenous’. I thank Taiaiake Alfred for granting permission to quote him from his soon to be published book. Second, the multiplicity of identities within the Indigenous population is significant, partly because of the way in which the state has differentiated between these groups, and partly because of the specificity of each group. Indigenous peoples and nations resemble a ‘family’ because they were violently displaced by European settlers and their descendents. First Nations or ‘Indians’ were
pay attention to the demographic fact of multicultural Canada; and they share a deep concern for the unity of Canada. Both attempt to reconceptualize and modify tenets of liberalism in order to respond to diversity in a democratic context in this period of late or post modernity.

I also concentrate on Canadian liberal multiculturalism because Canada is often cited as an ideal example of a multicultural society (both by Canadians and non-Canadians). It is with significance that Canada was the first country to adopt a multicultural policy in 1971, a policy that explicitly moved away from a monocultural understanding of society. The stated purpose of this policy was to assist minority cultures in promoting and supporting their distinctiveness; overcome barriers to full participation; enhance national unity through exchanges between cultures; and enable immigrants to learn one official language in order to become full participants in society. The policy “served to reconfigure expressions of ‘Canadian identity’ in a way that was inclusive of ethnocultural and racial minorities” (Abu-Laban & Gabriel, 2002: 105). Further, Canada was the first country to pass a national multiculturalism law, the 1988 Multiculturalism Act. The goals of this act were to enable the maintenance of marginalized cultures, as well as social integration, within a framework of equal opportunity; recognize and promote the diversity of Canadian society and acknowledge the freedom of all members of Canadian society to preserve, enhance and share their heritage; and to recognize and promote the understanding that multiculturalism is a fundamental characteristic of the Canadian heritage and identity and that it provides an invaluable resource in shaping Canada's future. Both the 1971 policy and the 1988 Act refer to multiculturalism in the context of race, national or ethnic origin, colour and religion.

subject to explicit and highly formalized regulation and control, such as through reserves and through exclusion from citizenship. The Inuit peoples were subject to less displacement but suffered exploitation as a result of European pursuit of minerals and other natural resources. Métis people are descendants of mainly French trappers and Indigenous women, and were subject to formal and informal domination and discrimination. The Métis people were only formally recognized with the adoption of the Charter of Rights and Freedoms.

4 See the Government of Canada Heritage (2005a) website for further details about the Multiculturalism Act.

5 In response to criticisms and pressures from a number of ethnic groups about the efficacy of its multicultural policies and laws, the federal government has attempted to respond to issues of racism within the context of multiculturalism (the success of these responses has been criticized by people of colour). Most recently (spring 2005), in a policy document titled ‘A Canada for All: Canada’s Action Plan against Racism’ the Canadian government announced “the first-ever horizontal, coordinated approach across the federal government to combat racism” (Heritage, 2005: iii). The government’s commitment to the action plan is evident in the $56 million investment made (over five years) to support implementation of the action plan.
Angie Fleras and Jean Leonard Elliot (1999) provide some definitions of multiculturalism that help to elucidate its many uses in Canadian discourses of tolerance and accommodation. First, the ethnic demography of multicultural Canada as an empirical and observable reality is heavily cited in Canadian government documents such as immigration and citizenship information material. Second, the Canadian state acknowledges and promotes the idea of multicultural diversity as part of a formal doctrine of national identity and the symbolic infrastructure, as is evident in section 27 of the Charter of Rights and Freedoms which affirms a commitment to Canada's multicultural heritage. Third, the state employs multicultural ideology as an evaluative and prescriptive tool that is used normatively to refer to a set of ideals where differences between cultures are celebrated for personal and social enrichment. Finally, multiculturalism is adopted as a pragmatic response to practical and legal problems, where for example the accommodation made for Sikhs who were turbans in the RCMP is seen as symbol of respect for Canadian diversity.

Over recent years, liberal multiculturalism has been increasingly employed to reinforce representations of Canadian diversity more broadly. Not only is Canada depicted as ethnically, nationally, racially, linguistically and religiously multicultural but it also accommodates other 'minorities'. Entrenched constitutional and legal protections of minority rights based on enumerated grounds of sex, sexual orientation, age or mental and physical disability (in human rights legislation and the Charter) are cited to highlight Canadian respect for diversity. Scholarly research bolsters this depiction of Canadian respect for diversity. The Centre for Research and Information on Canada, for example, produces empirical data to illustrate that "tolerance is no longer a dream or policy; it is a fait accompli for a rising generation that has never known a Canada that did not celebrate multiculturalism or constitutionally guaranteed equality rights" (Parkin & Mendelson, 2003: 18). Hence multiculturalism is revered as a primary Canadian symbol of diversity.

Yet though the discourse of diversity is a useful descriptive category that describes a multiplicity of cultures and articulates well-intentioned moralist polemics against prejudice, it ultimately downplays difference and power. The language of power difference, rather than
diversity, would shift the terrain of identity/difference so that, for instance, there would be more talk about Canada as a multiracial society rather than a multicultural society. This is especially important because of historical relationships between colonized Indigenous peoples, white settler societies, and immigrants. As postcolonial critic Homi Bhabha states:

Cultural diversity is an epistemological object – culture as an object of empirical knowledge – whereas cultural difference is the process of the enunciation of culture as ‘knowledgeable’, authoritative, adequate to the construction of systems of cultural identification. If cultural diversity is a category of comparative ethics, aesthetics or ethnology, cultural difference is a process of signification through which statements of culture and on culture differentiate, discriminate and authorize the production of fields of force, reference, applicability and capacity. (1994: 34)

In the name of plurality, ‘diversity’ has become an uncritical, dematerialized and depoliticized discourse. Specifically, I contend that behind the veil of diversity the assumptions underlying liberal multicultural theories lead to the management, regulation and containment of culture-based differences.

This is not to suggest that liberalism multiculturalism does not stand apart from other versions of liberalism; in contrast to other versions of liberalism, it takes culture-based differences seriously. It describes, explains and justifies why the state should value and accommodate culture-based pluralism. Further, it boldly challenges monocultural approaches which overtly defend assimilationist and conformist principles. Moreover, liberal multiculturalists accept that goods and resources should be distributed according to identity categories. This is in contrast to neutralist liberals such as Chandran Kukathas (1988; 1995) and Brian Barry (2001), liberal feminists such as Susan Moller Okin (1999),

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6 I use the terms racial and race as constructed categories that distribute power and privilege, rather than terms that denote a criteria into which human groups can be biologically classified. As a political concept, I will align race closely with racialization (the process of race-making) where “social relations have been structured by the signification of human biological...(and cultural) characteristics in such a way as to define and construct differentiated social collectivities” (Miles, 1989: 75). Whilst I take the position that race, class, sexual orientation, gender and ability/disability are all contested terms I do not employ quotation marks around some concepts and not others. Specifically, as Sherene Razack (1998: 165) and George Dei (1998: 299) have pointed out, the concept and idea of race is often in inverted commas to remind the reader that it does not have scientific validity. Since all social concepts are subject to deconstruction, I do not wish to specifically bracket the idea race. As Razack states, “One wonders what, or more to the point, who, is really being bracketed by inverted commas? Is the assumption that race is not really a significant determinant of status, whereas gender or sexual orientation is?” (1998: 165). At the same time, whilst such concepts are constructed, there are material-structural realities embedded in these ideas, which is especially evident in the structure of class.

7 For a good overview of the history of monoculturalism in the west, see David Theo Goldberg’s introduction in Multiculturalism: A Critical Reader (1995: 3-6).
and those that lament that multiculturalism fragments and divides those living within a nation-state such as Richard Gwyn (1995) and Neil Bissoondath (1994). I will set aside the theories of those who argue that liberalism must transcend pluralism. Whilst it is important to respond to these thinkers and their perspectives I undertake the more difficult task of engaging with liberal multiculturalists who start from the premise that culture-based differences should be affirmed. I explore the degree to which liberalism, in its multicultural form, offers an emancipatory conceptual framework. Hence I follow the tradition of political theorists who start with the premise that identity differences matter and that social location produces certain collective identities. This includes the work of not only Kymlicka and Taylor but also Shane Phelan (1989; 1994), Joseph Carens (1997; 2000), Iris Marion Young (1990; 2000), Seyla Benhabib (1999b; 2002), Amy Gutmann (2003), Nancy Fraser (1997), Monique Deveaux (2000a; 2000b), James Tully (1995; 2000; 2001; 2002), and Bhiku Parekh (1999; 2000).

In considering liberal multiculturalism, let me differentiate it from more radical brands of multiculturalism. Liberal multiculturalism advocates that it is possible to create equality by modifying or reforming the existing order. Broadly speaking, the Canadian government subscribes to this coupling of liberalism and multiculturalism, in which the goal is inclusion:

Canadian multiculturalism is fundamental to our belief that all citizens are equal. Multiculturalism ensures that all citizens can keep their identities, can take pride in their ancestry and have a sense of belonging. Acceptance gives Canadians a feeling of security and self-confidence, making them more open to, and accepting of, diverse cultures. The Canadian experience has shown that multiculturalism encourages racial and ethnic harmony and cross-cultural understanding, and discourages ghettoization, hatred, discrimination and violence. (Canada, 2005b)

This view of liberal multiculturalism emphasizes a mosaic model in which despite diversity there can be agreement and unity. The mosaic allows “several bounded, nameable, individually homogeneous and unmeltlable minority uni-cultures” to be “pinned onto a backdrop of a similarly characterised majority uni-culture” (Vertovec, 1996: 5).

Liberal multiculturalism has increasingly merged with corporate multiculturalism, which manages the diversity of cultures for broad economic purposes and not for societal change. According to Peter McLaren (1994) corporate multiculturalism produces policies
that emphasize the containment and restraint of minorities. In these conservative/corporate strands, he claims, whiteness is refused as a form of ethnicity and diversity is employed to cover up market-based goals. This view of multiculturalism understands the presence of multiple cultures as a commodity for profit and is employed instrumentally by corporations and governments to meet labour needs. Yasmeen Abu-Laban and Christina Gabriel contend that since 1993 Canadian governments have increasingly “addressed the relevance of multiculturalism in the context of domestic and international trade” (2002: 111). They note that in 1996, for example, the Secretary of State for Multiculturalism, Hedy Fry emphasized the cost-effectiveness of ethnic diversity in terms of corporate business strategies (Abu-Laban & Gabriel, 2002: 116). Fry favorably states that

> following the federal government’s leadership in promoting the value of diversity, Canadian businesses are seeing the dollars-and-cents value of managing diversity effectively. Many companies have improved their profitability and competitiveness by linking diversity to corporate strategies, especially in marketing and international business. (Heritage, 1995: 3)

Abu-Laban and Gabriel rightly conclude that there has been a deeper link fostered between business, trade and multiculturalism (2002: 112-117).

These liberal and corporate versions of multiculturalism are distinct from critical multiculturalism in that they do not emphasize the need to challenge established norms and the links between identity, difference and resistance; alternatively, the critical multicultural lens focuses on unsettling the forces of power, in part to create particular (radical) understandings of equality, justice and inclusion but, moreover, to dismantle power dynamics and structures that have oppressive implications for those constructed as Others. Even though all forms of multiculturalism share a desire to rethink political norms in the context of heterogeneous societies, critical multiculturalism resists the idea that a cohesive and unified society is desirable or necessary. Moreover, critical multiculturalism starts from

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8 Katharyne Mitchell also traces the subtle but intense ways that multicultural education across Canada, England and the United States has moved away from person-centred education for all to “a more individuated, mobile and highly tracked, skills-based education” (2003b: 387). She dubs this the creation of a strategic cosmopolitan multicultural identity, which is “motivated not by ideals of national unity in diversity, but by understandings of global competitiveness, and the necessity to strategically adapt as an individual to rapidly changing personal and national contexts” (2003b: 388). She argues that multicultural education has been increasingly linked to state formation and economic change through the processes of globalization and neo-liberalism.
the premise that representations of culture are integrally linked to other modes of identification including race, gender, sexual orientation and class. Further, this brand contends that multicultural approaches need not act as a band aid to the aftermath of historical oppression; rather, transformation of socio-political relations needs to be radical because identity-based differences are constructed through history, location, and power. This is in tune with the work of Edward Said, who self-described as a radical multiculturalist, and who embraced the idea of resisting knowledge that is constructed as if Europe was the monocultural source of civilization (Said, 2002: 393). My analysis fits in with this critical/resistance multicultural framework not only because of the challenge to eurocentrism, but also because of an understanding that power constructs modes of difference and non-difference.

Yet I do not comfortably sit in this classification partly because the discourse of multiculturalism itself continues to privilege culture as the primary dimension of identity-based difference and, as I will argue, it also masks racism. As Jon Cruz argues, multiculturalism is “an overloaded term, a symbolic container that is not capable of containing the range of investments that it attempts to carry” (1996: 33). It is also a term that homogenizes “more than a 100 different cultural and linguistic groups and this to some extent defeats the larger purpose of setting up much-needed precise research into differences and specificities” (Gunew, 1993: 5). To add to this, the logic of multiculturalism has been disparately adopted so that it is far from clear whether a commitment to multiculturalism is about critical democracy or about more subtle forms of regulation. As the Chicago Cultural Studies Group puts it

Multiculturalism may therefore prove a poor slogan. Those who use it as a slogan seem to think that it intrinsically challenges established cultural norms. But multiculturalism is proving to be fluid enough to describe very different styles of cultural relations...We could call this the Benetton effect. (1994: 115)

As such, even though I appraise liberal multiculturalism through a critical/resistance lens I do not presuppose that the lens of multiculturalism is satisfactory. In this I am challenging

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9 Salaam, a Muslim queer organization based in Toronto adopts (in part, at least) this critical multicultural approach. Salaam maintains the position that sexual orientation and religion are not necessarily oppositional, especially within a critical multicultural framework.
the status of multiculturalism as the hegemonic and mainstream public and normative discourse to articulate issues of identity/difference.

1.3 Identity/Difference Politics

I define ‘identity/difference politics’ as the umbrella term that encompasses recent political claims articulated through identity-based differences. Let me state, first, what my conception of identity/difference politics is not. It is not a new phenomenon, contrary to some popular portrayals; as Himani Bannerji points out, Aime Cesaire, Franz Fanon, Edward Said, and Gayatri Chakravorty Spivak drew attention to the violence of naming, mis-naming, non-naming different racialized peoples much earlier than the recent theoretical turn to identity politics (Bannerji, 1995: 23). Identity/difference politics does not assume that self-designated group identities emerge only through injury, or in Wendy Brown’s (1995) terminology “wounded attachments,” but rather such identities also develop through interactions, resistance, and expressions of sharing/belonging. It is not simply a site to study those subjugated groups who generate self-designated identities because it also encompasses analysis of the relationship between dominance and subjugation. As such, it does not focus exclusively on those identities that are marked by injury, but rather encompasses those who perpetrate and perpetuate injury/victimization, both explicitly and complicity. Nor is identity/difference politics merely a challenge to modern interpretations of national citizenship as a group identifier; it goes beyond concerns of citizenship and unity whilst also addressing the ways in which formations of identity affect civic identities and belonging. It is also not a framework to articulate and justify naturalized identities and difference/non-difference since identities are understood as constructed. Further, identity/difference politics is not a politics of visibility; as Mairian Scott-Hill rightly argues in her analysis of Deaf and disabled identities, some aspects of identity (such as impairment)

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10 Whilst the notions of identity politics, difference politics, and identity/difference politics are common amongst North American thinkers, it has not reached the same heights of fashion elsewhere; in British approaches to analyzing disability, for example, the preferred terminology is 'new social movement' or specific terms such as 'a politics of disability' (Scott-Hill, 2003: 99). Whilst I support distinguishing politics through the lens of particular modes of identity, this needs not to be an opposing project to making general claims of identity (rather than universal claims).

11 In States of Injury: Power and Freedom in Late Modernity (1995), Wendy Brown argues that politicized identities are structured through ressentiment. In Brown’s view, claims of identity become invested in maintaining their own suffering even though paradoxically they attempt to relieve their wounds. For a more detailed discussion of Brown’s notion of “wounded attachments,” see chapter nine.
are not always visible and thus recognizing others through observable identity markers is not always possible (2003: 99). This is not to suggest that at other times visible markers, such as skin colour, are not highly poignant to identity/difference politics.

My use of ‘identity/difference politics’ is a shorthand way of saying a) that the signification of identities through modes of difference and non-difference is central to politics and b) that relations and contexts of power are constitutive of identities, difference, and non-difference. I adopt the term ‘identity/difference’ from Seyla Benhabib (2002) but employ it in a broader sense to move away from assumptions that identity-based differences are produced simply through claims of culture. Reducing identity/difference politics to claims of culture simply reproduces the hegemony of the liberal multicultural mantra that the presence of diverse cultures can lead to disunity. Further, the focus on culture not only has the unintended effect of constituting identity/difference politics as a site to gaze upon the Othered, but it also reasserts the primacy of particular modes of identity at the neglect of systems organized along the lines of gender, class, sexual orientation, race, and ability. In this regard I agree with Iris Marion Young that “most group-based claims of justice, including many of those made by bona fide cultural groups, are protests against the way ruling social and political norms exclude and disadvantage them” rather than reduced group-based movements based in culture (1999: 420). As Young rightly points out in her critique of Benhabib, “a politics of difference is broader than a politics of cultural recognition; it is primarily critical, moreover, as opposed to self-assertive” (Young, 1999: 416).

Despite my agreement with Young’s larger point that identity/difference is not simply about the affirmation of cultures, it is not entirely clear what Young means by ‘critical’. My understanding of being critical is to disrupt, challenge and dismantle all systems of privilege and oppression. The underlying premise here is that all processes of subjugation and privilege are interlinked; for example, racism and white privilege are experienced not only by a person of colour, Indigenous person or white person, but by a person who is gendered, able-bodied, disabled, Deaf, rich, poor or middle class, and lesbian, gay, heterosexual, bisexual, transgendered or queer. As such, it is not possible to undertake a critical and radical project without considering the connections between various identifications. The project of identity/difference theorizing is to understand these interrelated relations and consider ways to critically rethink subjugating and privileging
systems. This is not to conflate the specific and particular ways that these systems of power interact with each other, or even to say that these are the same kinds of identity, but it is to acknowledge the interconnections between dynamics of power. In this regard, interaction between modes of identification is elemental to the discursive production of identities.

Young has suggested that analysis of this relational aspect should mean that political theorists should “disengage social group difference from a logic of identity” (2000: 82). For Young, “In a relational conceptualization, what makes a group a group is less some set of attributes its members share than the relations in which they stand to others” (2000: 90). As such, Young rightly points out that “we [as theorists] should affirm that groups do not have identities as such” because identities are not substantive but relational (2000: 82, 89). Furthermore, she makes a compelling argument in Intersecting Voices to “reject the concept of group identity and argue that identity making is a project that individuals take up in relation to the collective social structures and histories in which they are situated” (I. M. Young, 1997a: 6). Young is concerned that identity-talk leads to essentialist definitions of social groups; presumes attachment to others who also share the same identity; feigns a shared political agenda; and denies differentiation within and across groups (2000: 86-9).

Yet, I do not think that these are adequate reasons to negate the rubric of identity altogether. Even when essentialized meanings of identity are substantially introduced into political analysis it is necessary to examine the ways in which an essentialist meaning arises through contexts of power. Experientially, I want to take the position that I can legitimately identify and differentiate myself as a woman of colour to white academics in a relational sense without de-legitimizing all of the differences amongst women of colour. For those of us who face insecurity and intolerance for what our identities represent, the essentialist tendencies inherent in claiming to be a woman of colour are critical in locating racism and white privilege. In other words, naming or identifying is not simply about the individual but

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12 To say that there are differing modes of identification is not to say that all facets of identity are the same. Although all identities have discursive, structural, symbolic, structural and material implications some identities emerge from, and are embedded in, different issues. In particular, class identities have some sense of objective material-social structural reality that is unique from other modes of identification such as race which is entirely socially and historically constructed. This, however, is not to say that class (or for that matter any) identities are independently reducible, or that racialization (as opposed to race) does not have material dimensions. See David Roediger’s The Wages of Whiteness: Race and the Making of the American Working Class (1999) for further discussion of the of the relationship between race and class, where he explores how, when and why whiteness became a fundamental feature of the ways in which white workers differentiated themselves from workers of colour.
rather it is a historical and collective endeavor, one that involves not just the identities of oppressed people but also those of dominant individuals and groups within a local and global context. Young is right to be cautious of essentialism in identity politics, but at the same time, anti-essentialist arguments are sometimes over-simplified and overstated by those who have less at stake than those of us who are socially positioned as the Other because of our identities. Thus rather than arguing, as Young does, that group difference should be disengaged from identity because “social groups do not themselves have substantive unified identities” but are instead “constituted through differentiated relations” (Young, 2000: 99), I argue that group difference should be engaged with identity politics. This is precisely because identities are constituted through differentiated relations in both positive and negative ways, and because as carriers of identity, social groups are producers of differentiated arrangements. This is despite my agreement with Young that social groups do not have essences or unified identities. This may seem contradictory, but I think Young confuses the impact of politics on identity with the impact of identity on politics. In other words, identities are inherently political whereas politics is not necessarily or explicitly about identities.

I utilize the concept of identity as self-directed as well as other-directed. This is akin to Susan Bickford’s understanding of ‘identity’ which she claims is thick with meaning:

It [identity] can indicate my sense of self, who I think I am; this is often bound up with group membership, those people with whom I identify or am identified. There is, further, the linguistic or conceptual sense of identity as a category that designates the “self-same entity,” defined by unity, fixity, and the expulsion of difference. (1997: 111-112)

In situating self-directed identities I am disrupting the common assumption that identity/difference politics is concerned only with the ways identity is directed by others. Put differently, I am emphasizing that perceptions of the self and lived experiences are critical to an analysis of identity formation. At the same time, I acknowledge that self-directed identities do not always correspond with other-directed identities, although this is not always conflictual. Young rightly points out that although “we do not choose the conditions under which we form our identities, and we have no choice but to become ourselves under the conditions that position us in determinate relation to others” this does not determine individual identities (2000: 101). According to Young, individual identities are also shaped
by our own agency. I would add that whilst agency is present and central in formations and articulations of identity, agency is itself shaped (although not determined) by our social positioning in contexts of power.

The concept of difference can be particularly useful because it provides a way to address the relations of power at play in formulating comparisons. As legal scholar Nitya Iyer (1993-1994) elucidates, difference is used to make distinctions between our selves and o/Others and between people, both consciously and unconsciously depending on the stereotypes we all carry. In making comparative distinctions, difference has come to signify the Othered through modes of power. To be the one making comparisons is to exercise power since “doing the categorizing allows you to draw comparisons between yourself and others on the basis of your choice of characteristics” (Iyer, 1993-1994: 185). According to Iyer, the comparator can make themselves invisible by creating “one side of the comparison as ‘a difference’ inherent in the person or group labeled by that difference, while constituting my particular constellation of attributes as the invisible background norm” (Iyer, 1993-1994: 186). Assignments of difference, or categorizations, are thus also assertions of power. Iyer goes on to argue that even enumerated (identity) grounds listed in the Charter are categorizations of difference rather than neutral signifiers of discrimination:

Thus, we can ascertain the social characteristics of the dominant social identity by contemplating what we do not imagine when we think about the superficially neutral characteristics listed in anti-discrimination laws: race is ‘not white’, sex is ‘not male’, sexual orientation is ‘not heterosexual’, disability is not ‘able-bodied’, and so on. It is those characteristics that which we tend not to perceive as noteworthy or ‘different’ about ourselves that we share with dominant social identity. (Iyer, 1993-1994: 191)

Iyer rightly points to the silent production of normalcy in the articulation of difference; difference only makes sense when there is non-difference. As such, it is crucial to locate and make explicit the normalized or non-different identity.

I largely agree with Iyer’s characterization of difference and non-difference, although I do not employ the concepts of difference and non-difference to refer to complete identities or even only to the body of a person. By this I mean that it is not that people are

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13 It is also important to acknowledge that difference-based comparison is also practiced by subordinated identities; when subordinated we are not without agency in producing our own comparisons.
either different or not different, but rather, inscriptions of identity produce positions and representations of difference and non-difference. This is not to say that the body is not endowed with markers of privilege and subjugation, but a person can simultaneously take on markers of difference and non-difference without being definitively different or alternatively non-different. Further, even though difference has largely been understood as a way to name the Othered or to make dissimilar identities more palatable by minimizing the ‘strangeness’ of Others, as Angela Davis contends, the notion of difference can be used to focus not on the object of the Othered but the object of knowledge that produces distinctions (1996: 46-47).

Put differently, difference can denote experiences, subjectivities, and social relationships. This view of difference and non-difference also boomerangs to shape identities so that the relationship between identity and difference, as well as identity and non-difference, is reciprocal and circular. In particular, calcified views of Otherness, normality, and in-betweeness\(^\text{14}\) are produced through markers of identity, difference and non-difference. Identities that are Othered are both differentiated and also subjugated in the Foucauldian sense: they are “buried or masked in functional coherences or formal systematizations” and they have been/are epistemologically disqualified, and constructed as naïve and hierarchically inferior (Foucault, 2003: 7). Othered identities are not simply those marked by ambiguity (as is the case for mixed race identities on census forms); rather, they are constituted and subjugated through processes of power.

Feminist Susan Wendell states that the production of Othered identities involves two key processes: “When we make people ‘Other’, we group them together as the objects of our experience instead of regarding them as subjects of experience with whom we might identify, and we see them primarily as symbolic of something else – usually, but not always, something we reject and fear and project onto them” (1996: 60). Whilst Othered spaces and identities tend to be largely understood as subjugated, I will explore the ways in which being Othered serves to disrupt the normalized centre of the non-Othered. In other words, being Othered does not erase agency or the politics of resistance. This is especially true because, as queer theorist Steven Seidman expresses, “Otherness is never truly excluded or silenced; it is present in identity and haunts it as its limit or impossibility” (1997: 152). As such, even

\(^{14}\) Here I use the word ‘in-betweeness’ specifically to indicate that it is possible to be Othered in some ways (such as through racism) and at the same time be normalized in other ways (such as through heteronormativity).
when an identity is Othered, the specter of non-identity or Otherness continues to be relevant to social relations.

Through this understanding of identity/difference politics, I will argue that the overarching goal of theorists engaged with identity/difference politics should not simply be to offer theories that describe, explain, assert and justify the accommodation or inclusion of groups, but it should also disrupt and dismantle relations of power that constitute difference and Otherness, as well as non-difference. I will demonstrate that the hegemony of liberal multiculturalism undermines this latter objective; this is especially because political theorists such as Kymlicka and Taylor fail to fully appreciate the vast and complex realm that they embark upon when theorizing identity/difference politics.

1.4 Approaches

This research adopts a broad range of critical theoretical approaches to the study of identity/difference, in which I combine various epistemological and methodological perspectives. Though it is possible to distinguish between these approaches there is a great deal of overlap and movement between them. In utilizing these approaches in the study of identity/difference, I intend to not only add texture to the analytical framework of identity/difference but to also expand the boundaries of political theory. These critical theory approaches are multi-disciplinary so that I can engage in conversations with thinkers outside of political science that are also theorizing identity/difference politics. I draw from feminists of colour who take a multidimensional approach to the formation of identities and difference; neo-Marxism, which conceptualizes identities and power relations through an ideological lens; social constructivist theory, including hermeneutics and deconstruction, to explore the complex networks of power relations; and critical realism to consider ways to resist and alter oppressive power. These critical theoretical approaches reflect my own implication and investment in the study of identity/difference. As a woman of colour who experiences identity-based difference as a consequence of racism, colonialism, white privilege, sexism, patriarchy and capitalism I am invested in theorizing ways to resist and disrupt the hegemonic order. In particular, a central feature of my anti-racist feminist approach includes doing work on disablism, homophobia, and class relations (amongst other forms of oppression); by this I mean that my own personal struggle against gendered-racism
includes responding to other kinds of oppression because there are many people of colour who are disabled, Deaf, lesbian, gay, bisexual, transgendered, queer, and living in or near poverty. If gendered-racism is to be challenged, it needs to be done so through its many formations.

At the same time, I am implicated through identity-based non-difference as a privileged able-bodied woman marked by hetero-normativity, middle-class status, and a British education and accent. I therefore carry a responsibility to speak to (and not for) those identities that are subordinated by my privilege. I attempt to situate subjugated identities and knowledge in identity/difference discourse, conscious that I am marked by hetero-normativity and able-bodied privilege. At the same time, as postcolonial feminist Chilla Bulbeck reminds us, it is critical to speak to the experiences of Othered people (including LGBT, queer, disabled and Deaf people) by analyzing and explaining the relations of power that produce Otherness without speaking for these people through appropriation (1998: 217). I would add that this also involves speaking of the experiences of Othered peoples in empirical and descriptive ways. I am particularly mindful of the dangers of bringing multiple and multidimensional oppressions and privilege under one umbrella (of identity/difference); such an approach can collapse particularized experiences in a framework of universality where the Other and the Norm become dichotomized. This can lead to precisely the kind of homogeneity and appropriation of voice that I critique. In this regard, I am cautious and aware that I am participating in a tradition of western intellectualism that does not let the subaltern speak for herself.15

15 This is a lesson I have learned from reading Gayatri Chakravorty Spivak's essay 'Can the Subaltern Speak?' (1988). Spivak uses the term 'subaltern' to refer not to any group that is oppressed, but specifically to those who sit on "the other side of the international division of labor from socialized capital, inside and outside the circuit of the epistemic violence of imperialist law and education, supplementing an earlier economic text..." (Spivak, 1995: 25). Spivak argues that the post-colonial critic is unknowingly complicit in the task of imperialism; rather than letting the subaltern speak, the radical western intellectual paradoxically silences the subaltern by claiming to represent and speak for their experiences, experiences that are homogenized in the process. Spivak contends that when some intellectuals (she specifically names Michel Foucault and Gilles Deleuze) claim to step aside to let the subaltern speak, they are merely perpetuating the idea that they are conduits for the Othered. Her critique suggests a crisis in western knowledge and theory, where the voices, lives and struggles of the subaltern (especially the gendered location of subaltern women) are silenced and contained within the vocabulary of western critical theory. For Spivak, it is not that disempowered people are without agency but rather she illustrates that their speech acts are not heard or recognized within dominant political systems of representations.
Mindful of these dangers and limitations, my contribution to the literature on identity/difference attempts to disrupt liberal multiculturalism not only by situating multidimensionality and subjugated knowledge's/identities but also by examining identities and relations of dominance and privilege. In this way, my work follows the traditions of scholar's who theorize dominant ideologies including those related to whiteness (Dominguez, 1986; Frankenburg, 1993; Omi & Winant, 1986), hetero-normativity (Archer, 1999; Phelan, 2001; Sharpe, 1998), ableism (Ladd, 2003; Scott-Hill, 2003; Stiker, 1999; Titchkosky, 2002), as well as those who examine intersections of dominance and privilege (Bannerji, 1993; Bannerji, Mojab, & Whitehead, 2001; Castagna & Dei, 2000; Collins, 2000; Hawley, 2001; Phelan, 1997; Razack, 1998).

Though this research is anchored in political theory, I draw upon critical race and anti-colonial theory, Indigenous studies, gender and feminist studies, queer theory, disability studies, anthropology and cultural studies. My approach is not simply to appropriate concepts or theories from these disciplines and perspectives, but rather to consider how such concepts and theories can expand the boundaries of political theory. Whilst disciplinary permeability has become a feature of other disciplines concerned with issues of culture, identity and difference -- such as anthropology, sociology, women’s studies, cultural studies, geography -- this has largely not been the case for political theory (although as I will illustrate later there are exceptions to this). Yet, as the work of political theorists such as Barbara Arneil (2004; forthcoming), James Tully (1995) and Seyla Benhabib (2002) illustrates, political theory can benefit from engaging with other disciplinary knowledge and approaches. This is not to say that theories, ideas, concepts and approaches can be simply transported from one discipline to another, for even when there is a multi and cross-disciplinary interest in a topic (such as culture) often the research questions are different. At the same time, the influences and lessons of other disciplines open up stimulating possibilities for political theory.

I expressly draw on disciplines/approaches outside the traditional scope of political theory in order to broaden the realm of identity/difference politics so that it encompasses a wider understanding of the ways in which processes and structures of power interact through multidimensional axes. Purposely, I want to counter the discursive marginalization of disabled, Deaf, lesbian, gay, bisexual, transsexual, and queer identities by drawing on
lesbian and gay studies, queer theory, and disability studies. Whilst liberal multiculturalists seemingly promote diversity, they negate some already subjugated modes of identity/difference. As such, liberal multiculturalists have privileged some aspects of identity/difference, consequently ignoring or neglecting others. It is crucial that the discourse of difference itself does not generalize theoretically about particular cases and does not silence difference claims that have been and are marginalized. This is particularly important when analyzing ideological processes of ablism, disablism, Oralism,\textsuperscript{16} heteronormativity and homophobia (and how these processes intersect with other processes) because there has been a clear neglect of these dimensions in liberal multicultural discourses of diversity.

To situate disablism, ablism, and Oralism I draw from the social model of disability employed by thinkers such as Rene Gadacz (1994), Susan Wendell (1989), Rosemarie Garland-Thompson (2002), Mairian Corker and Tom Shakespeare (2002). I use the term ‘disability’ as “a loose rubric and as an amalgam of dissimilar physical and cognitive traits that often have little in common other than the social stigma of limitation, deviance and inability” (Mitchell & Snyder, 1997: 7). Historically, analysis of disability has predominantly taken place in the biological, social and cognitive sciences. It is only recently that the humanities have broken their silence on disability and Deafness; the literature increasingly demonstrates that disability and Deafness should be understood as an axis of social discrimination and institutional exclusion. David Mitchell’s and Sharon Snyder’s \textit{The Body and Physical Difference: Discourses of Disability} (1997), and Paddy Ladd’s \textit{Understanding Deaf Culture: In Search of Deafhood} (2003) are examples of this shift. The social theoretical model adopted in these kinds of analysis has led to a change from viewing disabilities and Deafness as private or medical matters to locating such signifiers in the social arena.

The social model has enormous critical power in exploring issues of identity/difference for those marked by disability and Deafness. It enables a movement from examining the needs of those signified as disabled to the social structures and processes that construct disability as problematically different, and cognitive and physical ability as normal

\textsuperscript{16} In his analysis of Deaf culture, Paddy Ladd defines Oralism as the “all-encompassing set of policies and discourses aimed at preventing them [Deaf children and their parents] from learning or using sign languages to communicate” (2003: 7).
The privileging of able-bodiedness in liberal discourses of difference has not been adequately challenged and dismantled, and indeed silence on disability/ability reinforces this privilege. In other words, liberal multicultural maps of diversity do not conceptualize where, how and why disability is located in identity/difference politics. For this reason, I turn to the scholars of disability and Deafness.

Analysis of hetero-normativity and homophobia are also theoretically displaced and silenced in liberal multicultural discourses of diversity. Despite acknowledging lesbian and gay struggles, liberal multiculturalists tend not to explore the implications of sexual orientation for their theories. Queer theory has a particular contribution to make to difference/identity politics because it stems from the movement in theory towards postmodernism and post-structuralism. Specifically, it “leads to the rejection of all categorizations as limiting and labeled by dominant power structures” (Kirsch, 2000: 33). It challenges both essentialist and dualistic tendencies in gender studies because it recognises that gays and lesbians may or may not have much in common, potentially disrupting or realigning notions of solidarity. The insight of queer analysis illustrates that domination and oppression is experienced in varied ways.

Queer theory reinforces the notion that power exists between and within LGBT and queer identity-based groups, power that is constituted through other markers of identity such as those inscribed through capitalism, gendering, racialization, nationalism, and ablism. Queer theory is

...an articulating principle functioning in, across, between, and among various social domains and political experiences, and it is therefore consciously provisional, dynamic, strategic and mobilizing, rather than prescriptive or doctrinal. As such, it neither displaces nor makes redundant notions of gay, bisexual and lesbian experience, but instead queries the field of identity politics into which these notions necessarily intervene, precisely by challenging what Phillip Brian Harper calls the “identic fixity.” (Harper, McClintock, Munoz, & Rosen, 1997: 1).

At the same time, what distinguishes queer theory from its postmodernist and post-structuralist foundations is its goal to place questions of sexuality and gendering as the

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17 Examples of such work come from Judith Butler (1990), who examines heterosexuality as a regulatory regime; Peter Dickinson (1999), who provides an analysis of Canadian literature in the context of nationalism and sexuality; Stacey Young (1997) who considers the displacement of bisexuality in queer thought; and Shane Phelan (1997) who explores oppression through the intersections of race and sexuality.
centre of concern and as the key categories through which other socio-political phenomena are understood (Kirsch, 2000: 33). This does not, however, mean that there are bounded categories of identity (such as heterosexual/homosexual), but rather as Annamarie Jagose states in her much cited text *Queer Theory*, queer assumes “a zone of possibilities” (1996: 2). It enables a rethinking of identities as processes of becoming, rather than something that can be known (Phelan, 1994: 41).

In order to analyze interactions between multiple inter-subjectivities, I draw from feminist women of colour who theorize the multidimensionality of identities through interlocking systems of power (Collins, 2000; Crenshaw, 1994; Mohanty, 2003; Monture-Angus, 1995, 2002; Narayan, 2000; Razack, 1998). Patricia Hill Collins, for instance, presents what she calls the ‘matrix of domination’ (1990: 221-238). Although Collins focuses on the experiences of African-American women, her model is a useful framework for analyzing the interactions between aspects of identity. Collins provides a radical analysis of oppression that urges us to see race, class and gender as interlocking systems of oppression. She reconceptualises the social relations of domination and resistance to locate the knowledge of subordinated groups. She argues that instead of starting with gender and adding in other ‘variables’, such as sexual orientation, race and class, analysis must be expanded from simply describing the similarities and differences that distinguish systems of oppression and focus instead on how they interconnect. She states, “Assuming that each system needs the others in order to function creates a distinct theoretical stance that stimulates the rethinking of basic social science concepts” (1990: 222). Collin’s may be over-stating the idea that various systems need each other to function -- for ideologies of racism do not require ideologies of sexism to function -- but her larger point that systems cannot be reduced to one dimension and are closely inter-linked is nonetheless significant.

Maxine Baca Zinn and Bonnie Thornton Dill summarize the theoretical value of the matrix of domination:

The idea of a matrix is that several fundamental systems work with and through each other. People experience ‘race’, class, gender, sexuality [and disability] differently depending upon their social location in the structures of ‘race’, class, gender, sexuality [and disability]. For example, people of the same ‘race’ will experience ‘race’ differently depending upon their location in the call structure as working class, professional managerial class, or unemployed; in the gender structure as female or male; and in the
structures of sexuality as heterosexual, homosexual or bisexual. (1996: 321)

The 'matrix of domination' offers a framework in which the primacy of any one aspect of identity is rejected, but where it remains possible to analyse any of these 'variables' as an axes of oppression and privilege; where all forms of oppression have domination as the foundation; and where multiple levels of domination are recognized, at a personal level, the group level, and a systemic level of social institutions.

At the same time as I am committed to drawing out both of Collin's themes (interlocking identities and power), my constructivist theoretical approach underlines the necessity to be conscious and cautious of emphasizing identity categories at the expense of identification processes. Drawing from sociological neo-Marxist analysis in Cultural Studies I approach the study of interlocking identities and power through ideological processes such as racialization, racism, gendering, sexism, homophobia, heterosexism, patriarchy and capitalism rather than descriptive and analytical categories of race, gender, and class etc.

This is in the tradition of neo-Marxist sociologist Robert Miles (1980; 1984; 2000), who critiques the meaning of race in contemporary Marxist thought. Miles argues that even those thinkers that are committed to the notion that race is socially constructed -- such as Stuart Hall (2002), Paul Gilroy (1987), O.C. Cox (1970) -- fall into the trap of differentiating groups by biological characteristics, treating race "as a thing in itself", and representing races as "really existing collectivities" (Miles, 2000: 134-5). As Miles rightly points out, in conceiving of race as a descriptive term or even an analytical category, race ends up referring to "a real, identifiable phenomenon which can have (autonomous) effects on those processes" (2000: 135). The category of race, in other words, only makes sense if there are features and characteristics that give shape to it; these features and characteristics inevitably (and problematically) revert to an undesirable dependence on biology. This has the effect of distracting from the position that race is socially constructed, that it does not exist. Citing French materialist thinker, Colette Guillaumin (1980), Miles states, "any analytical use of the idea of 'race' disguises the fact that it is an idea created by human beings in certain historical and material conditions, and used to represent and structure the world in certain ways, under certain historical conditions and for certain political interests. The idea of 'race'
is therefore *essentially* ideological” (2000: 137). It is especially ideological in that it is a rationalization for dominance.

Let me be clear, I am not arguing that racialization and racism do not exist; these are real experiences that I encounter on a daily basis and have consequences in the material-social structures, discursive power, and symbolic practices of society. As such, social constructivism should not be used as a tool to deny experiences such as racism. Rather, in approaching the study of identity/difference as the study of the production of identities in contexts of power, it is not the race or gender or class or sexual orientation itself that matters but what matters is the ways in which ideologies such of racism, colonialism, capitalism, gendering, ableism and hetero-normativity categorize identities and determine arrangements of power. As Miles says about race, the social processes of signifying race through phenotypical characteristics in naturalizing ways in order to define and explain identity-based differences is “an important ideological moment in a process of domination” (2000: 137). By utilizing the idea of race as an analytical concept, Miles warns that social scientists “deny the historicity of this social process, freezing it with the idea that the naturalness of somatic difference ineluctably constitutes eternal human collectivities” (2000: 137).

If, as scholars of identity/difference, we are to take seriously the task of deconstructing and historicizing the ideas of race, gender, class, sexual orientation, and disability it is necessary to examine the ideological processes that signify identities and relations in specific subordinating and privileging ways. This means that it is critical to avoid reasserting categories that reinforce notions that fixed and natural races, genders, classes, sexual orientations, abilities exist as real entities. Employing Miles approach to identities as ideological constructions, I attempt to dislodge the ontological status of identity categories such as race (and conventional understandings derived from such categories) and emphasize the processes by which identities come to be created, interpreted, maintained and re-signified.

It is by now evident that postmodernist and post-structuralist approaches guide this research. In contrast to a modern view of identities, postmodernism and post-structuralism provide a view of the subject as “embedded in a complex network of social relations” rather than as “autonomous creators of themselves or their social worlds” (Corker & Shakespeare,
Whilst some modernist thinkers -- including socialists, Marxists, communitarians, and more recently some liberal pluralists (such as Kymlicka and Taylor) and radical liberals (such as Seyla Benhabib (1996; 1999b; 2002) and Duncan Ivison (2002)) -- share this view of the world, the various approaches towards postmodernism and post-structuralism emphasize the centrality of power. This is significant because the organizing principle premise is not class, or community, or the individual or particular groups, or even democracy, but it is the overarching production, operation and effects of power.

I am especially concerned with exploring the connections between power and meanings. In this regard, this research is very much a Foucauldian project, although Michel Foucault was especially interested in power and discourse. In particular, I adopt two central features of Foucault’s conception of power. First, power is more than a repressive force (in that it is also productive), and is not simply exercised through juridical processes; it is not “something that percolates downwards pyramid fashion from institutions at the apex like royalty of the state” (Moore-Gilbert, 1997: 36). Through a series of studies on sexuality and prisons, Foucault (1975a; 1990; [1977] 1995) demonstrates that power operates through a multiplicity of sites and capillaries, making subjects conform to their location in various social systems of power. Second, discourse “produces reality; it produces domains of objects and rituals of truth” (Foucault, 1975b: 194). Put differently, discourse is the medium through which power is constituted and exercised. Through discourse analysis, Foucault urges a rejection of the idea that there are truthful identities. He argues that knowledge (about identities for instance) is not prior to politics, but constituted through and in specific relations of power. The strategy for revealing the assumptions of knowledge is called deconstruction. The exercise is to decentre the self and politics through language and

Postmodernism is not a unified intellectual movement (Seidman, 1997: 203-4). There are significant differences between thinkers such as Jean Baudrillard who offers a radical postmodernism, Richard Rorty who presents a liberal social vision; Michel Foucault and Jean Francois Lyotard who follow a democratic pluralistic vision. Postmodernists are skeptical of objective knowledge, they valorize flux and mobility, and are suspicious (and even hostile) to universalist claims. Poststructuralism is a philosophical movement that critiques phenomenology and structuralism. It is characterized by an opposition to structuralist principles, as well the necessity to textualize the social world and challenge grand narratives and general truth claims. It is primarily associated with theorists like Derrida, Kristeva, Lacan, and Foucault (Moya, 2000: 5-6).

By this I am referring to Michel Foucault’s project of exploring the intricate links between knowledge and power which he discusses in a number of works, including Power/Knowledge (1980), a series of lectures (Foucault, 2003), and The History of Sexuality (Foucault, 1990). It is important to note that although Foucault did not identify as a postmodern writer, his work is significant for its post-structuralist analyses of madness, criminality, and sexuality.
discourse (Corker & Shakespeare, 2002: 5). A deconstructive approach enables me to expose the philosophical and linguistic assumptions implicit in inscriptions ascribed to specific identities (textually, symbolically and behaviorally). In exposing these assumptions, I intend not to empty identities of meaning but rather I want to draw attention to the production of identities. As such, his legacy directs analysis to the ways in which discourse is temporally and spatially relative, historically contingent, and embedded in and reproduced by a range of technologies (Carter, 2000: 35).

In the tradition of Foucault, I examine the ways in which human beings are made into subjectivities rather than essences; in this Foucauldian way, identity differences are not objects of social knowledge but signifiers that shape the practices of knowing. This is directly applicable to a study of contemporary identity/difference politics because Foucault presents a corrective alternative to an intellectual tradition that essentializes identities. I explore the ways in which varied power relationships are created, established, maintained, and reconstituted through the production and diffusion of particular significations of identities; I conceive of power and signification as a circular relationship, with one forming the other; I challenge the knowledge produced through the discourse of liberal multiculturalism; and I attempt to situate subjugated knowledge within a larger framework and at the same time disrupt dominant knowledge. Even if this research is not genealogical in method -- in that I am not tracing the history of power that generated knowledge about culture or identity/difference -- I stress the importance of dissecting the processes that signify identities within contexts of power.

At the same time, although I adopt Foucault's approach to power, I am wary of the ways in which post-modernism and post-structuralism can potentially deflate power relations and constitute social contradictions into forms of ambiguity. Thus whilst adopting a postmodern approach I am also watchful of the entrenched ways that modern power is exercised. This is in the same manner that legal scholar Sherene Razack relies on postmodern theories for understanding the construction of subjectivity but with "a modernist eye on domination" (1998: 161). In this sense, I follow the approach developed by critical realists in which it is possible to theorize ways to create anti-subordinating relations in order

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20 This endeavor is not new and is already widely employed by social and political thinkers. As one example of this understanding of deconstruction see Steven Seidman's *Difference Troubles* (1997).
to create more reliable claims of knowledge that are grounded in lived experiences and local as well as global contexts of power. These claims of knowledge are not necessarily any more complete, but this does not invalidate them. Specifically, interlinking identity and difference can allow theorists to “analyze the epistemic status and political salience of any given identity” and “ascertain and evaluate the possibilities and limits of different identities” (Moya, 2000: 7). In this sense, analysis of identity and social group difference and non-difference through experiential knowledge can help theorists explain the ways in which people understand, experience and know the world.

This approach to identity is critically realist in the tradition of literary theorist Satya P. Mohanty. In an essay entitled ‘Epistemic Status of Cultural Identity: On Beloved and the Postcolonial Condition,’ Mohanty (2000) argues that postmodernist understandings of identity as arbitrary and essentialist conceptions of identity as deterministic are both false and unhelpful. He offers what he calls a postpositivist realist theory of identity, which shifts from a position of either dismissing or celebrating identities to enabling explanations of where and why identities are problematic and empowering. Mohanty states that “our identities are ways of making sense of our experiences. Identities are theoretical constructions that enable us to read the world in specific ways...In them, and through them, we learn to define and reshape our values and our commitments, we give texture and form to our collective futures” (2000: 43). Mohanty hence conceptualizes identities as “politically and epistemologically significant because of their correlation with experience” (Alcoff, 2000: 344). In this sense, Mohanty argues that a postpositivist account of identity explains the ways in which, within a given location, identities can be both constructed and ‘real’ (2000: 55). This reality “consists in their referring outward, to causally significant features of the social world” (Mohanty, 2000: 55). These causally significant features of identity are enmeshed in social groups precisely because the identities of social groups are (partly) deduced from experiences of difference and non-difference. In theorizing identity/difference I am hence exploring not what identities are composed of, but the normative and epistemological implications of identity difference and non-difference.

This kind of critical realist approach -- which contains echoes of Foucault -- has been welcomed by a number of scholars including anti-colonial thinkers such as Edward Said. In his pivotal text Orientalism (1978), Said examines the production of knowledge of the
Orient by Europeans. To Said, the Orient was not only a place of Europe's richest and oldest colonies, but it also "helped to define Europe (or the West) as its contrasting image, idea, personality, experience" ([1978] 1995: 87). In tracing how the Orient was imagined in particular ways as an integral mirror image of European material civilization and culture, Said reveals the ways in which the "'Orient' and 'Occident' are man-made" through "a relationship of power, of domination, of varying degrees of a complex hegemony" ([1978] 1995: 89). In Foucauldian fashion, Said argues that through aesthetic, scholarly, economic, sociological historical, and philological texts, the Occidental elaborates geopolitical distinctions and interests in order to produce itself as superior and regulate those that disturb its authority ([1978] 1995: 90). In particular, Orientalism follows Foucault's conception of what power is and how it operates through various channels and discourse.  

Yet, as Said contends in an interview entitled 'Language, History and the Production of Knowledge' (2001) -- in which he critiques Foucault -- he is "very interested not only in talking about the formation of imperialism, but also of resistances to it, and the fact that imperialism could be overthrown and was -- as a result of resistance and decolonization and nationalism" (2001: 268). Said argues that though Foucault links power and resistance, he does not fully consider the ways in which power arrangements can be changed and not merely resisted.  

Said spells out the possibilities (as well as historical realities) of changing oppressive power so that more reliable knowledge claims can be made. Thus whilst Said starts by critically examining orthodox epistemologies and resituating subjugated knowledge through a social constructivist view (as Foucault does), he takes the approach that alternate knowledge can be produced through political action (Viswanathan, 2001: xix). In Power, Politics and Culture: Interviews with Edward W. Said (Viswanathan, 2001), for example, Said speaks directly to actively changing existing arrangements of power, through intertwined projects of intellectual criticism and calls for action (explicitly in the context of Palestinian, Arab, Jewish and American relations). For Said, it is not simply that the past and present need to be understood genealogically and historically, but it is also that

21 For a more in-depth examination of the Said's relationship with the work of Foucault see Bart Moore-Gilbert's Postcolonial Theory (1997: 36-8, 48-9, 51-2, 62-3).
22 There is a fascinating debate amongst feminists whether Foucault really provides a theory of resistance at all, particularly because he does not explicitly suggest a way to judge between subjugated forms of experience that are truly resistance to hegemonic power and those that are not. For a good analysis of this discussion that addresses both sides of the argument see Jana Sawicki's essay 'Foucault and Feminism: A Critical Appraisal' (1994).
acknowledgment and familiarity with the past can alter future power arrangements, both discursively and materially. Related to this, Said wants to identify the authors of power who are not, for him, driven by an anonymous network of relations but who consciously, purposely, and actually govern with the intent to subjugate; so for example, governments are not simply agents that function within networks of power, but they can also be creators of power structures. 23 As such, for Said, knowledge is produced by subjects and not only by discourse.

Drawing from this critical realist approach, I explore the ways in which power can be transformative (and therefore not just repressive). From the work of thinkers whose projects emphasize the perspectives of subjugated identities in institutional contexts (Markell, 2003; Tully, 1995, 2000; Williams, 1995; Young, 1990, 2000), critique hegemonic practices (Brown, 1995; M. Smith, 1999), and offer strategies of resistance and transformation (Alfred, 1999, 2005; Razack, 1998), I consider ways to not only deconstruct and resist difference/non-difference identity signifiers but to also transform the oppressive and privileging meanings these significations hold. As such, I hover between Foucault’s premise that domination is inevitable and Said’s more modernist vision that emancipation is possible. Specifically, my concern is driven not by desire to move towards a particular emancipatory ideal vision of society, but away from the subjugating historical and contemporary expressions of power that constitute identities and relations.

1.5 Chapter Outline

In chapters two and three, I engage with the two leading architects of liberal multiculturalism. In critically theorizing identity/difference politics, I take seriously the necessity of engaging with dominant discourses in order to understand and challenge them. In chapter two, ‘Will Kymlicka and the Politics of Multicultural Citizenship’, and chapter three, ‘Charles Taylor and the Politics of Recognition’, I provide a broad textual analysis. The two main critiques of both thinkers are that a) neither adequately theorizes the sources of power, or more specifically the relationship between culture and power, b) both interpret identity/difference narrowly, focusing only on some aspects of identity and without adequate

23 Though Said draws heavily on Foucault, Bart Moore-Gilbert (1997: 40) points out that Said shows signals of dissatisfaction with Foucault even in some of his early writings, notably his essay on ‘The Problem of Textuality’ (Said, 1980).
analysis of dominant identities. My analysis of Taylor is more appreciatively and sympathetically critical, since he provides a compelling theory that is directly concerned with the production of (recognized) identities.

Chapter four, ‘The Conceptual Shift from Culture to Cultural: An Alternative to Liberal Multiculturalism’, presents the key turning point in this research. Drawing from my broad critique of Kymlicka and Taylor I first elucidate the specific limitations of the culture concept in liberal multiculturalism. I then explore the possibility of making a critical shift from culture to cultural. In spite of the fact that the term ‘multiculturalism’ suggests that liberals examine both culture and the cultural, I contest that this is not the case and that the distinction between these two concepts is critical. Drawing specifically from Cultural Studies and Anthropology I argue that it is critical to make an analytical and linguistic shift to cultural, a concept that I revise from its liberal multicultural orientations. This endeavor is distinguishable from political theorists such as Tully and Benhabib in that rather than revising the culture concept I argue for a linguistic and analytical shift to the concept of cultural. Overall, I contend that this repositions analysis from the entity of Othered cultures to the processes that signify identities and relations.

In chapter five, ‘The Theoretical Implications of the Shift to Cultural’, I explore the theoretical inferences of the shift to cultural for the study of identity/difference politics. In particular, I draw out the ways in which the concept of cultural provides theoretical insights into power relations; the production and signification of identities; the interactive processes of signifying identities; the utilization of strategic essentialist meanings; the place of hybridity theory; the relationship between nature and culture; and an understanding of authenticity and agency.

In chapters six, seven and eight, I apply the conceptual shift to several case studies. Through these case studies, I hope to illustrate that analysis of the processes that signify and resignify identities and relations simultaneously expands, interrogates, and complicates identity/difference politics. Specifically, I analyze how the concepts of culture and cultural are at play in various areas of Canadian public policy and law that are of particular importance for sexual minorities, the disabled, the Deaf, and Indigenous women.\textsuperscript{24} These

\textsuperscript{24} Whilst the goal is to expand, deconstruct and complicate analysis by addressing a more complex range of issues related to identity and difference, because all modes of identification are not the same it is
case studies are not arbitrarily chosen but rather they reflect points of difference that illustrate important socio-political power arrangements. I specifically analyze these identities in order to a) theorize identities that are virtually ignored in liberal multiculturalism, and b) to illustrate the ways in which the conceptual shift to cultural challenges traditional (political theory) understandings of identity/difference politics. Though at first it appears that the subjects of these case studies are all marked by injury, I analyze these subjects in relation to dominant socio-political positions, norms, practices and identities. In other words, my understanding of the constitution of identity, difference and non-difference is grounded in analyzing the interaction and production of subordination and dominance.

My approach to the case studies is akin to that of Joseph Carens' in Culture, Citizenship and Community (2000), in which he moves back and forth between theory and context, or theory and experiential knowledge. As Carens rightly states, there is much "we learn as theorists by confronting the abstract with the concrete and by inquiring into the relationship between the theoretical views we espouse and actual problems, practices, and debates in political life" (2000: 2). As such, the case studies provide a contextual approach in which it becomes possible to "clarify the meaning of abstract formulations...provide access to normative insights that may be obscured by the theoretical accounts that remain at the level of general principle...[and] make us more conscious of the blinkers that constrain our theoretical visions when are they informed only by what is familiar" (Carens, 2000: 2).

In chapter six, 'Expanding Identity/Difference Politics: Significations of Deaf and Transsexual Identities', I consider the role of culture in the construction of Deaf and transsexual identities. Whereas the concepts of culture and cultural tend to be conflated in political theory, the purpose of this chapter is to make a distinction. I explore what

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25 Though this research does not provide an in-depth analysis of the relationship of religion and culture, I do consider significations attached to religion. I intend to explore questions of the relationship between religions, culture and politics in future work, specifically in reference to the application of Shariah law in family law cases in Ontario.

26 Although Carens does not explicitly say so, it is notable that his approach to contextualizing abstract ideas echoes that of theorists outside the discipline of political science who rely upon empirical knowledge to make normative claims.
constitutes a ‘cultural identity’ in order to expand the narrow definition of culture presented by liberal multiculturalists. Through sociological analysis and critical legal analysis I briefly examine media coverage of a Deaf couple’s hope to have a Deaf child, and the British Columbia Supreme Court decision in *Nixon v. Vancouver Rape Relief Society*. The first case study examines Deafness and the second transsexuality. Both are employed to illustrate the ways in which the analysis of the processes of meaning-making widens the scope of analysis.

In chapter seven, ‘Rethinking Subjects of Identity/Difference Politics: (Re)Signifying Immigrants’, my goal is to examine one of the most significant categories in liberal multic和平 thought: immigrants. By drawing on the experiences of some immigrants, I consider ‘the immigrant’ not through the usual lens of culture but through systems of disability and sexual orientation. Through critical legal analysis of aspects of immigration law and practice, I challenge the ways in which immigrants are not simply members of a culture in the liberal multicultural sense but how they are also produced through processes related to ablism/disablism, gendering, homophobia and heteronormativity.

In chapter eight, ‘Complicating Identity/Difference Politics: Meaning-Making and Indigenous Women’, through a discourse analysis of the Aboriginal Women’s Roundtable Report on Gender Equality (2000), I complicate analysis of another core signified group in liberal multiculturalism: Indigenous nations. Through an interlocking analysis of multiple systems of power, I consider some of the processes that signify and resignify the identities of Indigenous women. Through these cases, I investigate ways in which the static and bounded notion of culture in liberal multiculturalism is simply not up to the task of analyzing evolving meanings of identity or the processes that position identities in particular contexts of power.

In the final chapter, ‘The Political Implications of the Conceptual Shift to Cultural: A Politics of Signification and Resignification’, I broadly explore the implications of the paradigmatic shift to cultural for liberal-democratic politics. Specifically, I consider the issues related to liberalism, rights, citizenship, and democracy that arise through my analysis of liberalism multiculturalism and the case studies.
Chapter II
Will Kymlicka and the Politics of Multicultural Citizenship

2.1 Introductory remarks

Will Kymlicka’s theory of multicultural citizenship spans across a number of essays and books but the core of his argument is found in *Multicultural Citizenship*. Kymlicka builds upon in his earlier work in *Liberalism, Community and Culture* (1989), ‘Individual and Group Rights’ (1994), and also later develops his theory in ‘Do We Need a Liberal Theory of Rights?’ (1997a), *Finding Our Way: Rethinking Ethnocultural Relations in Canada* (1998), and *Politics in the Vernacular: Nationalism, Multiculturalism, and Citizenship* (2001). Though I focus primarily on *Multicultural Citizenship*, I draw upon these and other writings by Kymlicka in order to consider his liberal account of how and why the state should respond to the plurality of cultures, particularly in the context of Canada (Kymlicka, 1998: 3). Kymlicka opens *Multicultural Citizenship* by stating that “Most countries today are culturally diverse...This diversity gives rise to a series of important and potentially divisive questions” (1995: 1). This diversity, Kymlicka argues, requires the redistribution of (some) group-differentiated rights in the polity. According to Kymlicka, securing group-differentiated rights in a liberal democratic framework will advance the individual’s context of choice. Specifically, group differentiated rights are needed to ensure that all citizens are treated with genuine equality, to honor historical agreements and because of a moral commitment to diversity (Kymlicka, 1995: 108-123).

Whilst Kymlicka’s defence of multicultural differentiated rights has been challenged and critiqued by other liberals such as Brian Barry (2001), Susan Moller Okin (1994; 1999) and Chandran Kukathas (1988) who argue that his theory goes too far in accommodating diversity, I explore the ways in which his theory does not go far enough, even on his own terms. Ultimately, Kymlicka is limited by his own categorization of identity, and by the liberal framework in which he operates. In this, his theory both confines and obscures the relationship between identity, difference, non-difference and power.
2.2 Kymlicka’s Theory of Multicultural Citizenship

Kymlicka’s theory has been enormously significant not only because he provides a pragmatic and practical response to diversity, but also because he reformulates liberal views of justice to accommodate minority cultures in a manner consistent with fundamental liberal commitments. As Kymlicka himself notes, he has been a key architect in the development of the discourse of minority rights (1997b; 2001: 17-38). Though in the early stages of this discourse, communitarians defended minority groups rights against the encroachment of liberalism, the second stage of this discourse included his own work in *Liberalism, Community and Culture* (1989) as well as the work of Joseph Raz (1994), Yael Tamir (1993) and Jeff Spinner (1994). His revision of liberalism departed from liberal notions of neutrality in order to defend culture and identity concerns. More recently, Kymlicka has been pivotal in developing what he calls the third stage of minority rights discourse in which a ‘liberal culturalist’ view involves viewing minority rights as a response to nation-building.27

Kymlicka argues that “[m]inority rights were an important part of liberal theory and practice in the nineteenth century and between the world wars” (1995: 50). He claims that he wants to now recover this ‘tradition’ of liberalism. Kymlicka begins the project of revising the liberal visions of John Rawls and Ronald Dworkin by refuting citizenship theories that are based on identical rights. Liberal theories, he contends, need to respond to the fact that many members of a nation-state still feel marginalized because of their socio-economic position and their different socio-cultural identity, despite being assigned common individual rights. As such, Kymlicka starts from the premise that the recent liberal response to group identity differences has been inadequate not only because few “contemporary theorists have explicitly discussed the rights of ethnic and national minorities, or developed any principles for evaluating claims to language rights, for example, or federal autonomy” (1995: 50), but also because of assumptions about liberal neutrality. As Melissa Williams notes, “[o]ne of Kymlicka’s central insights is that prevailing understandings of justice fail to satisfy the ideal of impartiality because of hidden assumptions that those who are to be regulated by a conception of justice belong to a single, homogenous culture” (1995: 76).

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Rather than requiring the state to be impartial, the normative framework guiding the more complete version of liberalism that Kymlicka offers is shaped by conceptualizing membership in a culture as a primary good in the Rawlsian sense (an essential component of individual moral agency). Kymlicka defines societal culture as “a culture which provides its members with meaningful ways of life across the full range of human activities, including social, educational, religious, recreational, and economic life, encompassing both public and private spheres” (1995: 76). In defending the importance of a common societal culture, Kymlicka acknowledges that there is some level of exchange and interaction between cultures but maintains that societal cultures are essentially distinguishable from each other. He posits that the “works of other cultures may become available to us through translation, or through the influx of immigrants who bring certain cultural narratives with them as they integrate. That we learn from other cultures, or that we borrow words from other languages, does not mean that we do not still belong to separate societal cultures, or speak different languages” (1995: 103).

Kymlicka argues that liberalism has the capacity to refute communitarians, such as Charles Taylor, who argue that liberalism cannot respond to collective rights or minority cultures (1989; 1995: 49-74). Kymlicka states that contrary to communitarian criticisms that the liberal view of the self is empty, the liberal defence of freedom rests on the individual being able to revise and reject tasks and projects within the context of society. Rather than being understood as morally transcultural and ahistorical, liberals can situate the individual within their specific contexts. Furthermore, the liberal self does not ignore the need for social confirmation of individual judgements because internal (within the self) and external (outside the self) confirmations are both necessary. In this sense Kymlicka claims that some communitarian concerns are also liberal concerns. This reformulation of liberalism presents an insightful and appealing account of diversity; it appears to have the capacity to rescue liberalism from communitarian criticisms and to reassert a liberal tradition of tolerance. Yet, despite this reorganization of liberalism, I contend that Kymlicka fails to provide a

28 In contrast to Williams, Joseph Carens has argued that Kymlicka’s concept of societal culture stems from an implicit commitment to the norm of neutrality. I consider the inconsistencies of Kymlicka’s notion of societal culture in this chapter that suggests a monocultural conception of neutrality, but for further discussion on the specific relationship between societal culture and neutrality see Carens’ discussion of Kymlicka in Culture, Citizenship and Community (2000: 56-73)
satisfactory theory of identity/difference both on his own terms and in terms of larger questions about identity/difference.

2.3 Classifying Identity and Rights

The Distinction between National and Polyethnic Minorities

Kymlicka's defence of collective rights for minority cultures begins with a distinction between political communities and cultural communities. Political communities are defined by territory and a regulative conception of liberal justice; they define the (public) sphere within which individuals exercise rights and responsibilities (Williams, 1995: 75). According to Kymlicka, cultural communities are defined by (privately) shared history and language and provide the context "within which individuals form and revise their aims and ambitions" (1989: 135). Kymlicka argues that the use of the term 'multiculturalism' has been confused; it refers both to those who have voluntarily integrated into a 'host' country and to people who are forcibly colonised. To clarify this confusion, Kymlicka offers a distinction between national minorities and polyethnic minorities. These two groups, he illustrates, form multinational societies and polyethnic societies, and sometimes these two kinds of societies can be found in one nation-state, as in the Canadian case.

According to Kymlicka, a national minority is a historical community, more or less institutionally complete, occupying a given territory or homeland, sharing a distinct language and culture. In a book published in 1992 that surveys contemporary political philosophy, Kymlicka subdivides national minorities into two categories: substate nations such as the Québécois (as well as the Catalans, Basques, Flemish, Scots, Welsh, Corsicans and Puerto Ricans) and indigenous peoples (2002: 349). Substate nations do not currently

29 It is interesting to note that in Multicultural Citizenship although Kymlicka makes the distinction between French-Canadians and Franco-phones, he continues to refer to Franco-phones interchangeably as French-Canadians, the people of Quebec, and the Québécois. This makes it unclear whether he is referring to a group of people based on linguistic, nationalistic, or territorial demarcations. In Finding Our Way, which was published three years later, he states that he will use the term "Québécois" in the cultural sense, to refer to any-one who participates in the French-language society in Quebec, regardless of ethnic descent" (1998: 96). I largely accept this understanding of Québécois. At the same time, I will use the term Franco-phone to signify French speakers who live across Canada and not only Quebec, and who may not necessarily be descendents of the original French settlers; this includes racialized immigrants from Africa, the Caribbean and Middle East. These groups may or may not share the goals of French nationalism. Although many definitions of 'French-Canadian' refer to those Canadians whose ancestry is French Canadian heritage, I will avoid using this term as it has been used both by nationalists and federalists alike, and therefore carries conflicting significations.
have a state in which they are a majority but may have sought such a state. Whereas sub-
state nations may have been conquered or annexed by a larger state or empire in the past,
been ceded from one empire to another, or may have voluntarily agreed to form a federation
with one or more other national groups, Indigenous national minorities have through/by
force and treaties been incorporated into states run by colonizers (Kymlicka, 2002: 349).
Although Kymlicka does not describe or explain the history of state control over national
minorities, he highlights that the Canadian government acquired authority over the
Québécois and Métis through historical agreements (1995: 116-7). According to Kymlicka,
both substate nations and indigenous national minorities tend to seek self-government rights
in order to gain autonomy and territorial jurisdictional control. Self government rights are
practiced through the establishment of multinational states or federations (1998: 33), or
through secession (1995: 27). Kymlicka declares that he does not define national minorities
by their race or descent, but by their culture which is defined in large part by language

In contrast to national minorities, according to Kymlicka polyethnic minorities, or
immigrants, can maintain some ethnic plurality but do not require self-government rights
(2001: 2). Kymlicka specifies that he defines immigrants as those newcomers who are
legally admitted and who have the right to gain citizenship. He suggests that these
immigrants prefer to integrate into the new state rather than hold on to Old World values
(Kymlicka, 1998: 7-8). According to Kymlicka, polyethnic minorities are entitled to
polyethnic rights, in which they can challenge Anglo-conformity, use public funding for
their practices, and be exempt from some laws based on their differentiated status. Such
rights are intended to help ethnocultural minorities' express their specificity without
hampering the economic or political success of a state (Kymlicka, 1995: 31).

Both self-government and polyethnic rights can overlap with what Kymlicka calls
special representation rights. Special representation rights are, at the same time distinct for
Kymlicka because they can be assigned by the state to those under-represented groups (e.g.
women) who do not have national or polyethnic status. These rights allow guaranteed group
representation in political institutions. These kinds of rights already have (limited)
applicability in Canada, where for example, three Supreme Court justices must come from
Quebec. These special representation rights tend to be placed on the periphery by Kymlicka.
because of the importance he places on national minorities and polyethnic groups, although conceivably these rights are also applicable to national and polyethnic minorities.

Though the distinction between national minorities and polyethnic minorities is helpful in differentiating histories and social locations, Kymlicka’s theory has the effect of creating a hierarchy of entitlement that neglects and obscures analysis of identity/difference politics. Through an overly simplistic distinction between national minorities and polyethnic minorities Kymlicka constructs a dichotomous relationship. As Iris Young says, “he sets up two categories which are opposing and mutually exclusive in their characteristics. All cultural minorities are supposed to fall on one side or the other of this dichotomy, even though Kymlicka points out that some groups do not fit the classification” (1997b: 50).\(^{30}\) In particular, while at first Kymlicka’s distinction between national and polyethnic minorities appears to be a descriptive one, it has enormous theoretical and political consequences. In the following analyses, I critically consider the implications of the distinction for theorizing issues of identity and difference.

*Privileging Some Ethnic, National and Linguistic Identities*

First, contrary to his claim that his theory is about a plurality of minority cultures, Kymlicka’s theory is actually about specific ethnic, national, and linguistic groups. As Kymlicka himself notes, there are some group identities that do not fit comfortably into his categories of national and polyethnic minorities (1995: 21). For example, established religious communities, such as the Amish, Hutterites and Mennonites can enjoy differentiated rights, but not to the same extent as those forcibly moved (such as ex-slaves\(^ {31}\)). These religious communities are, nonetheless, entitled to more rights (especially regarding the maintenance of internal restrictions) than newly arriving immigrants because of historical commitments (Kymlicka, 1995: 24-5, 170). Whilst Kymlicka points to these

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\(^{30}\) Young (1997b: 50-1) suggests that rather than conceptualizing groups into exclusive categories, they could be thought of existing along a continuum, in which rights are seen as a matter of degree and not a matter of kind.

\(^{31}\) Kymlicka examines groups that were forcibly removed from their country of origin, such as African Americans who were enslaved (2002: 360-2). He argues that they should be accorded substantial differential rights as a result of historical injustices. Kymlicka is unclear whether the descendants of those that were forcibly moved are also entitled to rights more substantial than polyethnic minorities.
‘hard cases’, as he calls them, his analysis focuses largely on the “many clear cases of voluntary immigrants and national minorities” (1995: 25).

Young notes that in Multicultural Citizenship, “transported forced labour, political and economic refugees, guest workers, colonial subjects are all anomalies on Kymlicka’s classification, but together they account for a large portion of the fore bearers of contemporary multicultural minorities” (I. M. Young, 1997b: 50). Young is mostly right in her critique, but Kymlicka does address refugees, who he thinks “can realistically be treated as immigrants, with the corresponding polyethnic rights, and hope to return to their homeland as quickly as possible” (Kymlicka, 1995: 99). He also develops his position on metics (a term he takes from Michael Walzer to refer to residents who are permanently excluded from citizenship) in later work, in which he argues that ‘irregular’ migrants or ‘illegal’ immigrants and ‘temporary’ migrants or guest workers/refugees should be protected because we (the ‘west’) are partly responsible for their circumstances and because otherwise they become marginalized long term residents (Kymlicka, 1995: 99; 2002: 357-359). It is still, however, unclear what kind of rights these groups would be assigned as minorities - polyethnic or special representation rights, or a distinct set of rights because their status as residents is precarious? Although Kymlicka acknowledges that his aim is not to resolve all of the hard cases, ultimately, he presents a hierarchy of rights with a limited understanding of the relationship between many kinds of social groups, emphasizing instead the duality of national and polyethnic minorities.

**Historical Injustice: The Specificities of Experience**

Kymlicka states that one of the premises for defending group differentiated rights lies in the significance of historical agreements (1995: 116). According to Kymlicka, “we match the rights to the kinds of disadvantage being compensated for” (1992a: 141). The distinction between self-government rights for national minorities and polyethnic rights for immigrants is indicative of this criterion of historical injustice. Kymlicka asserts that unlike polyethnic groups, national minorities have historically grounded claims, linked to territory, that give them an inherent right to self-government. This is true, he continues, for Indigenous peoples who experienced an attempt of eradication by the French and then later by the British, and for French settlers who were conquered by the British. Because
immigrants have not had their territory threatened in the same way as national minorities, they are, according to Kymlicka, entitled to fewer rights.

I agree with Kymlicka that Indigenous peoples and the Québécois have nationhood claims that are different from those claims of polyethnic minorities, but at the same time he underestimates the differentiated impact of historical domination between Indigenous peoples and French settlers, assigning them both self-government rights. In doing so, Kymlicka downplays the different kinds of historical injustices experienced between French settlers and Indigenous peoples. Kymlicka notes that Indigenous peoples were marginalized in the process of European state formation, whereas the Québécois, as a substate nation, was a serious contender in the formation of Canada as a colony, but he assigns them both the same self-government rights (2002: 349). In fact Kymlicka continues to theorize Indigenous nations within the discourse of multiculturalism when in fact, as Indigenous scholars such as Taiaiake Alfred (1999) and Joyce Green (2000) have argued, many do not see themselves as one of many multicultural groups, even as a national minority, but rather identify as distinct nations.

It is not that Kymlicka suggests that self-government rights should be practiced in the same way by different national minority groups, but he does not always differentiate the ways in which Indigenous peoples faced eradication and oppression through colonialism in ways that French settlers did not. Although he claims that group-differentiated self-government rights compensate for unequal circumstances he does not adequately explore how these unequal circumstances differ for different national minorities. He acknowledges that in North America, “indigenous groups are more vulnerable to majority decisions than the Québécois” (1995: 110), but he does not take his historical defence to its logical conclusion. Specifically, Kymlicka fails to adequately analyze the vigor of colonialism on Indigenous cultures, where people were forcibly removed from their own cultures and, under duress, assimilated into the dominant culture for colonial reasons. Kymlicka recognises that Indigenous cultures “have been decimated in size, denied the right to maintain their own institutions, and progressively demoralized” (1995: 100) but he continues to assume that Indigenous societal cultures “can regain and enhance their richness, if given the appropriate conditions” (1995: 100). Indeed, attempts by the Canadian government and churches to erase Indigenous memory and culture through the residential
system has left many Indigenous people feeling that their culture is fragmented, unstable, and under constant threat (Cairns, 2000: 87, 121).

All of this is not to say that from the 1700’s French settlers did not face pressures and colonial tactics to assimilate with the English. The historical rivalry between these two peoples was reflected in the struggle for control and ownership for parts of the North American continent. After years of fighting, in 1759, Quebec fell under English control. Following this, the English authorities attempted to assimilate French settlers. The 1838 Durham Report is particularly notable; in one passage it states:

> It will be acknowledged by every one who has observed the progress of Anglo-Saxon colonization in America, that sooner or later the English race was sure to predominate even numerically in Lower Canada, as they predominate already by their superior knowledge, energy, enterprise, and wealth. The error, therefore, to which the present contest must be attributed, is the vain endeavor to preserve a French Canadian nationality in the midst of Anglo-American colonies and states...I believe that tranquility can only be restored by subjecting the province [of Lower Canada] to the vigorous rule of an English majority; and that the only efficacious government would be that formed by a legislative union. (Durham, 1838)

Though the Durham Report also forecasted a union amongst the English and French (i.e. the 1840 Act of Union), the idea was not based on a partnership but on a need to encourage the assimilation of the ‘troublesome Canadiens’.

At the same time, long after Quebec ceased to be a French colony it endured elements of distinctiveness that first emerged within the framework of the French Empire. Thus the Catholic Church gained a privileged position with the regime of formal institutions; the seigniorial system was re-established under the Quebec Act of 1774; the Civil Code was entrenched within the legal structures; along with other provincial governments Quebec was granted jurisdiction over matters central to survival of its culture, such as education, health and the solemnization of marriage. This was in contrast to the ways in which Indigenous structures, practices, and bodies were destroyed through disease, the reorganization of nations through the reservation system, the banning of the potlatch, the residential school system, and control of band membership through the Indian Act. Though the French observed distinct practices (e.g. through the Catholic Church) and resisted attempts of English assimilation, in relation to Indigenous peoples the French also shared similar
philosophies and norms with the English and were able to maintain many of their distinctive institutions and practices.

As such, Indigenous nations faced annihilation in ways that French settlers did not. Does this then mean that if a criterion of historical injustice is employed it should, by necessity, speak to the differing histories of colonialism? If so, should self-government rights for these two groups be differentially assigned? If compensatory rights are based on loss of land what kind of rights should be assigned to those Indigenous people who are territorially dispersed or who are living in urban areas away from territorially based nations, and to Francophones not living in Quebec but who have historical longevity on this land (such as the Acadians)? Does the allocation of self-government rights to Indigenous nations not require the containment of Indigenous peoples precisely because self-government rights are linked to identifying a group of people who live together? And does this not simply repeat the colonial response to Indigenous peoples? The intrinsic link formulated by Kymlicka between the category of national minority and historical agreements fails to address these concerns because he wants to reduce history to claims of integration and separation.

Interestingly, Kymlicka is concerned with historical or past injustices, rather than the present injustices that groups such as Indigenous people continue to experience (especially in relation to Francophones). If Kymlicka could take present-day discrimination and oppression into account, his theory would not simply be driven by the allocation of minority rights, but rather it would be driven by a need to respond to power and injustice. The factor of time is also significant on another level. As Seyla Benhabib notes, the category of national minority wrongly suggests that groups always understood themselves as nations; arguably, she states, the Québécois were regarded and saw themselves as an ethnic group and have only more recently aspired to the status of distinct nation. She concludes by arguing that the “distinction then between multinations and ethnocultural groups is not static but dynamic, and it alone cannot suffice for us to differentiate between the recognition claims and aspirations of distinct human groupings” (2002: 63-4).

Similar arguments can be made in relation to the way in which Kymlicka theorizes historical injustices faced by polyethnic groups. If the rights of minorities are supposedly based on compensating wronged groups, why does Kymlicka not specify compensatory
rights for different immigrant groups, within the larger context of domination? Rather than providing a blanket of rights that fails to address the specific histories of exclusion, eradication, and assimilation, Kymlicka needs to be clear and explicit in how immigrant groups have experienced systematic and legal discrimination throughout Canadian history up to the present time. If history is the basis on which to assign differentiated rights, does this not logically lead Kymlicka to make distinctions between different polyethnic experiences? How should we compare the rights of Chinese immigrants and Japanese immigrants in light of a history that involved the Chinese Head Tax and Japanese internment during the Second World War? And if this historical injustice requirement is logically followed, what method should be used to quantify injustice? It is unclear in Kymlicka's theory how the state should address specific historical experiences within Canada. It is also unclear whether (and how) the state should respond to historical injustices faced by immigrants outside of Canada if such systemic wrongs frame and structures social relations in Canada. In the end, Kymlicka's historical injustice criterion is oversimplified and produces more questions than it solves.

* A Hierarchy of Societal Culture

Second, Kymlicka takes the position that "national minorities have societal cultures, and immigrant groups do not" (1995: 101). But, as Benhabib says "if culture is valuable from the standpoint of political liberalism because it enables a meaningful range of choices...then objectively, there is no basis for a theorist to privilege national cultures over immigrant cultures" (Benhabib, 2002: 66). Kymlicka makes this claim on the premise that immigrants "have left behind the set of institutionalized practices, conducted in their mother tongue, which actually provided culturally significant ways of life to people in their original homelands. They bring with them a 'shared vocabulary of tradition and convention', but they have uprooted themselves from the social practices which this vocabulary originally referred to and made sense of" (1995: 77). He goes on to say that "some immigrants might hope to recreate these practices in their entirety in their new country. But this is effectively impossible without significant government support" (1995: 78). Kymlicka believes that it is not only the dominant group who expects immigrants to give up some of their societal culture, but immigrants themselves want to give up some of their societal culture (1995: 95).
He says that this is because immigrants know that they do not have the institutional cement to form a distinct societal culture in Canada and because immigrants want access to the same life socio-economic opportunities as dominant groups. In other words, Kymlicka argues that immigrants do not have the desire or capacity to undertake the kind of nation-building that the Québécois does (Carens, 2000: 63). Even the defence of immigrant language rights in the private sphere is considered temporary for Kymlicka, necessary only until integration into the dominant culture takes place (Kymlicka, 2001: 162).

Though, to a large extent, I agree with Kymlicka that immigrants do not have a desire or capacity to build nations within Canadian borders, immigrants can and do carry nationalist or patriotic sentiments about their ‘home’ countries, as well nationalist or patriotic sentiments about Canada. Moreover, Kymlicka’s conclusion that immigrants do not have societal cultures seems odd in light of the fact that many immigrant groups have institutions such as Muslim or Sikh schools, that cover both public and private life, with a common language, and which provides people with a wide range of choices about how to lead their lives. The one exception to Kymlicka’s criteria is that such institutions have only recently developed and do not have historical attachments to a given territory. Rightly, there are important distinctions to be made about territory; immigrants, after all, do not have an inherent right to land in Canada in the way that Indigenous nations do. But does this really mean that immigrants are without societal cultures or perhaps even the right to societal culture? And is it really accurate of peoples lived experiences to argue that the polity can be reorganized based on the character of culture? What defines institutional completeness? How does this criterion of societal culture fit with other criteria that Kymlicka employs? As Bhiku Parekh states:

> It is difficult to see what general principles inform this hierarchy of rights. Kymlicka appeals to such disparate principles of territorial concentration, institutional completeness, past commitments, consent, the level of poverty in the migrants’ country, and the receiving country’s degree of responsibility for it. These and related principles do not all point in the same direction, and Kymlicka offers no coherent way of resolving their conflicts. (1997: 62)

As Deveaux (2000b: 133-4) notes, Kymlicka would object to Muslim or Sikh schools on the grounds that illiberal minority leaders of such schools would seek “the legal power to restrict the liberty of [their] own members, so as to preserve traditional religious practices” (Kymlicka, 1992b: 39). In this regard, Deveaux argues, Kymlicka ranks the ideal of personal autonomy over possible (collective) goods without adequate defense.
Kymlicka moves between these dimensions depending on his argument, but never fully addresses the tensions between them. Moreover, paradoxically, whilst Kymlicka works hard at justifying why culture should be accommodated, by privileging national minority societal cultures he undermines his own defence of culture. As Carens posits,

The central problem with Kymlicka’s line of argument is that drawing such a sharp distinction between immigrants and national minorities and by grounding his moral argument for group-differentiated rights on the concept of societal culture as a context of choice, he has fatally undermined the principle case for group-differentiated rights for immigrants (and their descendants), despite his efforts to defend them. (1997: 44)

In suggesting that immigrants simply waive their original societal culture when they emigrate, Kymlicka is putting in doubt the significance of culture. Indeed, it is unclear why immigrants are entitled to any special culture-based rights at all if they are deemed not to have societal cultures.

What about Non National, Ethnic or Linguistic Dimensions of Identity?

Third, in addition to the hierarchical relations in Kymlicka’s theory, the duality of national and polyethnic minorities also results in a neglect of non-ethnic aspects of identity. Kymlicka is quite explicit in defining multiculturalism solely through the lens of nationality, ethnicity and language. In Multicultural Citizenship, Kymlicka claims that although a culture “refers to the distinct customs, perspectives, or ethos of a group of association” (1995: 18), he will use the term multicultural to refer only to national and ethnic differences because otherwise the term becomes too large and confusing (1998: 103). He reasserts this in later writings, including in Finding Our Way where he states that “multiculturalism in Canada has, to date, provided a more or less coherent framework for debate over the fair terms of integration for immigrant groups. Extending this debate to include all issues of diversity and pluralism might simply invite misunderstandings and false analogies” (1998: 103).

As a result, Kymlicka makes sharp distinctions between groups defined by multiculturalism and those defined by other claims of identity while also trying to compare these different groups. He asserts, for instance, that gay and lesbian groups are more similar
to polyethnic minorities than national minorities because their claims are concerned with "societal integration and acceptance" (1998: 98), and that the Deaf are more like national minorities than polyethnic minorities in that they have "cultural nationalist aspirations" (1998: 102). In this, Kymlicka is imposing his dual categories of national and polyethnic minorities on other minorities; through this lens he assumes that groups either have the choice to separate or integrate. Even though Kymlicka accepts that sometimes this is not always clear, as in the case of the Deaf, he assumes that these are the only two options available. In the case of the Deaf and gays/lesbians he concludes that because these groups lack a shared territory, a historic homeland and institutional completeness, they are not ‘multicultural’.

Thus whilst Kymlicka recognises that “the marginalization of women, gays and lesbians, and the disabled cuts across ethnic and national lines" and that an “adequate theory of the rights of cultural minorities must...be compatible with the just demands of disadvantaged social groups” (1995: 19), he justifies the predominance of nationhood, ethnic and linguistic identity by arguing that officially multiculturalism has focused exclusively on a narrow realm of groups. Although he suggests that the justice claims of national minorities and immigrant groups should be linked with the demands of other disadvantaged social groups he then proceeds to ignore this in the rest of his theory. This is not to say that he is not concerned with other aspects of identity; for example, he addresses gender rights especially in terms of affirmative action and representation in public bodies such as Parliament, and he takes seriously the legitimacy of recognition claims made by Deaf cultures and gays/lesbians (Kymlicka, 1998: 42, 113, 90-103). But in the end he clearly prioritizes those dimensions that are relevant to his understanding of multiculturalism i.e. national, ethnic and some linguistic identities. Consequently, only the groups most threatening to social unity are allocated differentiated rights, and those Others who also face oppression and powerlessness through systems of racism, colonialism, white supremacy, patriarchy, sexism, capitalism, and disablism are relegated to the margins. As such, Kymlicka is explicitly developing a theory of culture-based minority rights in the context of

state-society relations, which he can then test to consider whether it is compatible with non-ethnocultural claims.

The Missing Dominant Groups

Finally, by emphasizing national and polyethnic minorities, Kymlicka under-theorizes dominant identities. He is relatively silent on the groups that dominate any given liberal-democratic polity, and how these dominant groups constantly adjust themselves in order to maintain hegemony. Although he acknowledges that dominant groups have historically oppressed various polyethnic and national minorities and that these minorities should be assigned rights, he only invokes a dominant identity when it is useful to explicitly differentiate non-Anglo cultures. In other words, the ‘Anglo’ identity only seems to matter when it is useful to differentiate the Other and not because dominant identities should be addressed in discussions of identity, difference and multiculturalism. Put another way, Kymlicka presents an image of dominant identities as if they were without culture. In doing so, he leaves the reader with the sense that only marginalized ethno-national groups are endowed with culture, thereby reinforcing the notion that culture is a concern of, and for, the Othered. Consequently, Kymlicka does not fully consider the ways in which the rights of dominant groups also need to be redistributed. He is aware that minority rights are a response to majority nation building (Kymlicka, 2001: 23). He also touches upon some effects group differentiated rights will have on members of a majority; for example, when members of the larger society move into the territory of the minority there may be costs such as longer residency requirements and fewer government services in their language (Kymlicka, 1995: 109). Yet he continues to assume the backdrop of dominant identities without adequately exploring the relationship between dominant and minority identities, or the changing character of dominance.

34 Anne Phillips also makes this argument in ‘What is Culture?’ a paper presented at a conference on Sexual Justice/Cultural Justice at the University of Vancouver, British Columbia Canada in 2004. This paper will appear in a volume edited by Barbara Arneil, Avigail Eisenberg, Monique Deveaux and Rita Dhamoon (to be published in 2005/6) which follows the same name as the conference.

35 Analysis of the dominant ethno-cultural group has been explored in some depth within the bourgeoning literature around whiteness in America. See, for instance Maria Castagna and George Dei (2000), Virginia Dominguez (1986), Ruth Frankenburg (1993), Aido Hurtado (1989), Toni Morrison (1992), and Michael Omi and Howard Winant (1986).
This may be the product of the way in which Kymlicka disassociates culture from race. He states, "[i]t is important to note that national groups, as I am using the term, are not defined by race or descent" (1995: 22). Whilst he acknowledges that there is a "majority anglophone society in both the United States and Canada" (Kymlicka, 1995: 22), and he is right to analytically distinguish between race and culture, the sharp demarcation of race and culture means that he does not examine the ways in which racialization determines the social position of different dominant and subordinated cultures. In any theory of difference/identity the ethnocultural and racialized dimension of dominant groups also needs to be analyzed and problematized. This is because naming and situating the dominant groups (including the ways in which they are racialized) relocates them from an unmarked and invisible status that has normalized and silenced their role in identity/difference politics. Specifically, such an examination enables theorists to explore how the dominant group sustains ascendancy.

Kymlicka, however, does not destabilize the existing paradigm in which the obvious and significant current economic, political and social advantages of being racialized as white and a French-speaker in Quebec, and white, English-speaking and European in the rest of the country remain intact. In Canada, the problem of the dominant group is now not only about the dominance of British Canadians, a group that is assumed to be homogeneous to Kymlicka, but it has extended to include other people of European origin. In other words, the racialized and western\textsuperscript{36} dominance of some groups has expanded to include immigrant groups who most easily fit into a racialized and ideological Euro-liberal image of Canada. As such, the character of dominant cultures has changed over time. This is an aspect of identity/difference politics that Kymlicka fails to adequately consider.

The hierarchy that privileges Euro-liberal values and whiteness can be traced throughout Canadian immigration and nation-building history. Although some Europeans were historically treated as internal Others they were clearly seen as more likely to assimilate with Anglo-Saxon and French settlers than those with ‘semi-white,’ ‘yellow,’ ‘black’ and ‘red’ skin.\textsuperscript{37} Many groups were welcomed because they belonged to particular

\textsuperscript{36} Terms such as ‘western’ and ‘non-western’ are fraught with difficulties but can be utilized for ease of reference to a scholarly tradition that emerges out of Euro-American modern thought.

\textsuperscript{37} Richard Day provides an excellent in-depth analysis of government policy since the 1870’s that reflects this hierarchy of otherness in his book \textit{Multiculturalism and the History of Canadian Diversity} (2000). He traces the construction of British and white Canada by examining the displacement, containment, extermination and assimilation of the growing numbers of ‘problematic others’.

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racialized white groups that imitated the English and French. This includes the Scots, Irish, (some) Americans, Germans, Scandinavians, Belgians, Mennonites and Icelandic people. Nation-building processes favoured these ethnocultural groups both in terms of skin colour and how closely they could assimilate Euro-liberal values. Though some of these peoples faced differing modes of discrimination and exclusion at different points of their presence in Canada, they also have adapted and been reproduced through processes of Euro-Canadianisation. As such, the English and French created an ‘imagined community’ which hinged on the notion of a white man’s country (Dua, 2000: 57). Meanwhile non-European immigrants and Indigenous peoples who attempted to conform to Euro-liberal norms were differentiated because of racism.

As well as being Othered through these processes, immigrants of colour and Indigenous people have also been constructed through hierarchies of preference in which some have been deemed more ideal than others. An indication of this is evident in the 2005 federal government policy document ‘A Canada for All: Canada’s Action Plan against Racism.’ The action plan states that the Ethnic Diversity Survey “found that, in the past five years, nearly 50 percent of Blacks reported discrimination or unfair treatment. By contrast,

38 This varied (and continues to vary) during the course of history, where for example, as Vic Satzewich (2000) and David Roediger (2002) both illustrate, groups who are now racialized as dominant because of their whiteness were not necessarily always racialized this way. Satzewich traces the ways in which Ukrainians in North America were ‘peripheral Europeans’ throughout the 1800’s right up until the 1920’s. He argues that Ukrainians did not express an early desire to attach themselves to dominant English and French groups who were racialized as white, but rather identified according to their countries of origin (Austria, Hungary, and Russia); as such, Satzewich concludes that Ukrainians did not initially seek inclusion in the larger white society even though they are now members of this racialized group. This, as Roediger traces, was not the same for Irish and Italian immigrants in the U.S. who were considered ‘not-yet-white ethnics’ in the early stages of their immigration but who worked to resist discrimination by resignifying their identities through whiteness (2002: 328-332). Though more analysis is required of the contemporary Canadian context, Ukrainians, the Irish and Italians are now racialized as white, therefore marking their place in dominance. This kind of analysis would illuminate the changing character of racialized identifications, emphasize the constructed production of privileged and Othered identities, and add an understanding of the terms and conditions of membership in dominant groups.

39 The Euro-liberal model also extends to construct dominant relations based on heterosexual and patriarchal practices. This was also evident, for example, in the ways in which particular groups of non-European immigrant women were treated. Patriarchal relations between white men and women in Canada had already constructed the Anglo-Saxon woman as ‘mothers of the race’ in Canadian nation building through their reproductive role. Non-European women were, however, seen as a menace to the same nation because of fears that they would produce the kinds of communities that undermined the more desirable imagined community, and as such non-European female immigration was severely limited even for those women whose husbands were already in Canada. Enakshi Dua (2000: 62-68) illustrates that whilst some women racialized as white supported the right of South Asian men to have their wives and families, this was not because of any equality based argument. Rather the absence of wives and children threatened the centrality of patriarchal and heterosexual relations in a Euro-liberal Canada.
33 percent of South Asians and 33 percent of Chinese respondents reported experiencing discrimination or unfair treatment” (Heritage, 2005: 8). Even though the racial categories can be challenged on essentializing grounds, such data suggests that some racialized immigrant groups are preferred over others. This is important because although notions of the ‘ideal immigrant’ may change over time — for instance, anecdotal evidence suggests that since 9-11 the status of Muslims as ‘ideal immigrants’ has shifted, even though as members of the South Asian category they are still preferred over Blacks -- the racialized preference of some groups over others continues. 40

Kymlicka fails to analyze these dimensions of his liberal paradigm. 41 If he is to seriously redistribute rights, then it is simply not enough to say that minorities should have rights that protect them from discrimination by the dominant group through external protections. It is also necessary for Kymlicka to explore what rights dominant groups should have in a theory of difference and how to dismantle rights assigned to dominant groups that privilege them over subordinated groups. Kymlicka, however, does not question why the dominant societal culture should remain dominant; how the character of dominant cultures has expanded to include those who, over time, have become racialized as white; how Euro-liberal standards have been imposed and embedded through colonization and nation-

40 Before the events of 9-11, which has affected the status of Muslims across the world, Vijay Prashard published a book called The Karma of Brown Folk (2001), which examines the idea that, in the U.S. context, South Asian immigrants are ‘model minorities’. He turns around W.E. B Du Bois’s question of ‘how does it feel to be the problem?’ by asking ‘how does it feel to be the solution?’ Prashard argues that through American immigration policy and American Orientalism the construction of South Asians as ‘model minorities’ has been consistently deployed as a weapon in the war against Black liberation. In particular he attacks the two pillars of the ‘model minority,’ namely that South Asians are inherently successful and pliant. His analysis is a reminder that the dynamics between various racialized groups are in part shaped by white dominance, and that the relationship between marginalized groups constructs a hierarchy of Otherness.

41 Analysis undertaken by Barbara Arneil (1996) and Bhiku Parekh (1995) is particularly relevant in illustrating how liberalism, as advanced by John Locke and J.S. Mill respectively, has historically and theoretically been antithetical to the aspirations of particular ethno-cultural and racialized groups. Both Arneil and Parekh reveal that the liberal value of equal respect is a contingent value. Colonialism has been justified by liberals like Locke and Mill because only those societies that follow liberal conceptions of autonomy, individualism, choice, self-determination, secularism, ambition and the pursuit of wealth are worthy of liberal equality and freedom. In Canada, liberalism has been used to defend oppressive practices and structures. Attempts to eradicate different identities (as has been the experience of Indigenous people through the residential school system), or exclude ‘them’ (such as through denial of the franchise for some ethno-cultural groups), or more recently attempts to assimilate those who are different (Trudeau’s 1969 White Paper on Indigenous peoples is an example of this) have been justified by liberal notions of who is worthy of liberal rights and who is not. Since liberalism is deeply implicated in colonialism and imperialism, it is imperative for Kymlicka to be aware of the ways in which liberalism has been employed to justify oppression.
building strategies as well as hegemonic norms and value systems; and how although all immigrants of colour are subject to racism, some are preferred over others, depending on how well they meet the standards set by dominant groups.

2.4 The Liberal Framework

The Superiority of Liberalism

Liberalism is central to Kymlicka's framing of minority rights, and within this framework he wants to claim the discourse of culture in the hope of liberalizing it. Yet in attempting to liberalize culture, Kymlicka reveals that he is only willing to take tolerance and accommodation so far. Despite the fact that he claims that he wants to establish "distinct and institutionally complete societal cultures [i.e. national minorities] alongside the anglophone society" (1995: 78) he also suggests that European liberal commitments are superior; in particular his is referring to liberal interpretations of rights, individualism, secularism, autonomy, choice, self-determination, self-development, ambition and the pursuit of wealth. Thus even though he is careful to "defend the right of national minorities to maintain themselves as culturally distinct societies", he also claims that this is true only "in so far as they themselves are governed by liberal principles" (1995: 153). Even when he acknowledges that "Liberals have no automatic right to impose their views on non-liberal national minorities", he claims that liberals have the right (and responsibility) to spell "out the implications of the liberal principles of freedom and equality" (1995: 171). According to Kymlicka, this is not interference but "the first step in starting a dialogue" (1995: 171). Kymlicka has no qualms about the superiority of liberalism. He posits that "I do not think that it is wrong for liberal states to insist that immigration entails accepting the legitimacy of state enforcement of liberal principles, so long as immigrants know this in advance, and nonetheless voluntarily come" (1995: 170). But how is it possible to start a dialogue with the assumption of the superiority of liberalism? As Parekh argues, "although Kymlicka does not explicitly say so, he implies that, other things being equal, a culture that encourages autonomy and choice is better and richer, and in that sense superior to, one that does not" (1997: 56).

Notions of the superiority of liberalism are further evident in Kymlicka’s discussion of non-liberal or illiberal cultures. Although he states that "the liberality of a culture is a
matter of degree” and that “All cultures have illiberal strands” (1995: 94) it is unclear from his discussion whether non-liberal cultures can be more easily persuaded to adopt liberal values than illiberal cultures.\(^{42}\) Interestingly, he does not entirely reject the idea that some non-liberal and illiberal groups should be entitled to external protections or specific differentiated rights (Kymlicka, 1995: 155). For instance, he recognizes that isolationist ethno-religious groups, such as the Hutterites can be organized in illiberal ways; despite this he assigns the Hutterites self-government rights, even though his classification would render them polyethnic (Kymlicka, 2002: 356). He justifies this by stating that long established isolationist groups should be left alone so long as they do not impose their views on others and so long as members are free to leave. But at the same time as declaring his tolerance, Kymlicka emphasizes that the “aim of liberals should not be to dissolve non-liberal nations, but rather to see to liberalize them” (1995: 94). As such, he asserts the primacy of liberal normative values, erasing the ways in which these tenets are not universally accepted.

**Seductively Integrating into Liberal Norms**

A recurring theme in Kymlicka’s theory is that of integration. He argues, in various ways, that although the terms of integration can be negotiated “the logic of multiculturalism involves accepting the principle of state-prescribed integration” (2001: 169). Whilst Kymlicka’s objective is in part to develop ways for minority cultures to resist Anglo-conformity because this requires that “they should abandon all aspects of their ethnic heritage and assimilate to existing cultural norms and customs” (1995: 30), in effect, he allows only degrees of non-conformity.\(^{43}\) Even though he argues that “the decision about

\(^{42}\) At one point Kymlicka suggests that liberals should be more tolerant of non-liberal rather than illiberal groups, but he then collapses the distinction between illiberal and non-liberal cultures in his discussion of tolerance (Kymlicka, 1995: 154-168).

\(^{43}\) When referring to Anglo-conformity, it is implied that Kymlicka is referring to Canada outside of Quebec. It is important to note that within Quebec, Kymlicka’s hierarchy of rights would look slightly different. Kymlicka’s theory suggests that those racialized as white Francophones (including descendents of the original French settlers) would be at the top, as this would reflect the national status of the Québécois. His theory also indicates that Indigenous peoples would be identified as a national minority and although it is unclear, it appears that they would hold a somewhat lower status than the Québécois; this presumably would include Métis Francophones. Those French-speakers who are immigrants and racialized as non-white would be hierarchically positioned as polyethnic minorities. Kymlicka is also unclear what rights the Anglo-phone minority have within Quebec, but it is consistent with Kymlicka’s theory that they would be situated either above or alongside Indigenous peoples as they are a national minority in Quebec. Since Kymlicka does not speak directly to group differentiated rights within Quebec itself, I will focus on the hierarchy of group rights that he constructs for the rest of Canada.
whether to integrate must be up to the members of the minority themselves” (1995: 100), he also thinks that liberals should not stand by and do nothing when a national minority is illiberal. For national minorities, liberal values should not be forcibly imposed on them because such action is aggressive and paternalistically colonial (Kymlicka, 1995: 167). Instead he proposes that liberals should attempt to create incentives to adopt practices and institutions that are liberal, incentives he provides through the allocation of differentiated rights.

Building from the distinction between national and polyethnic minorities, Kymlicka argues that immigrants want to integrate into liberal societal cultures. Although he acknowledges that integration of immigrants is “rarely easy” and “a costly process” (1995: 85), he articulates that it is an expectation that immigrants and dominant groups share. He states:

The reality, it seems to me, is that this differential treatment reflects different aspirations, and a different sense of legitimate expectations. Immigrants and national minorities have different beliefs about what is desirable and about what they are rightfully entitled to, and to some degree differential treatment is widely accepted by both groups. This differential treatment has also come to be seen by the dominant group as acceptable to the basic norms and institutions of a liberal democracy. (1997a: 74)

As Patchen Markell (2003: 164-5) notes, Kymlicka claims to know exactly what all immigrants want: they “want to participate within the mainstream of society”; “the overwhelming majority of immigrants want to integrate...moreover, they care deeply about the unity of their country”; and “The desire for such polyethnic rights is a desire for inclusion which is consistent with participation in, and commitment to, the mainstream institutions that underlie social unity” (Kymlicka, 1995: 177-180; 1998: 40-59).

Whilst Kymlicka is right that “there is little evidence that immigrants are seeking national rights, rather than polyethnic rights” (1995: 97-8), he conflates the desire of immigrants to economically and politically integrate with the desire to integrate into the dominant societal culture. Empirically it is true that immigrants emigrate, but there is no empirical evidence to show that immigrants consent to rejecting their own societal culture in favour of the dominant societal culture. Kymlicka assumes that voluntary immigration is tantamount to consenting to the loss of ‘native’ culture. Even if we put aside the idea that historically refugees and slaves did not choose to voluntarily immigrate to Canada, those
that did ‘voluntarily’ come to Canada may have done so because of economic pressures for security rather than a desire to become like dominant Canadians (Policy, 2000: 6). In a globalised world of growing economic inequality, it is important to question the extent to which economically marginalized people should be seen as ‘voluntarily’ coming to Canada (or any other wealthy ‘western’ liberal democratic country). The decision of many immigrants is arguably not voluntary at all but the result of coercive powers of international economics and the resulting and widespread poverty. Indeed, as Arjun Appadurai suggests, migrants come from three different diasporas: hope, despair and terror. Kymlicka only addresses immigrants in the context of the first, namely hope.

The desire for integration that frames Kymlicka’s theory presumably extends to those who do not already fit into some version of dominant societal culture that he does not fully explicate. In other words, when he speaks of polyethnic minorities he is really addressing those who do not easily fit into a particular image of Canada; for those immigrants racialized as white ‘westerners’ (and, presumably, by extension also familiar with liberal norms and values), polyethnic rights are not as critical for ‘integration’ as they might be to non-white ‘non-western’ (read: not North American or European) immigrants. Although he does not explicitly address this assumption, it underlies his theory of integration particularly with regards to polyethnic minorities. Integration is principally expected of immigrants, Kymlicka claims, because they have limited options when confronted by a state that is committed to nation-building (2001: 1).

Moreover, Kymlicka implies that Canada is somehow better than the homeland of immigrants, and that is why immigrants move to Canada. That is why, for Kymlicka, it is less problematic for immigrants to integrate than it is for national minorities, for immigrants must also believe that Canadian society is more advantageous otherwise why else would they come to Canada. In an article published in 2003, entitled ‘Being Canadian’ (2003), Kymlicka continues to imply that as a secular, constitutional liberal-democracy (with a market economy and a welfare state), Canada is an exceptional country. The distinctiveness of Canada, he claims, lies in the symbolic and constitutional accommodation of diversity. He declares that “this model of economics and politics should be adopted is completely

44 That is not to suggest that all immigrants are economically disadvantaged, but this argument certainly applies to those who are.
undisputed in Canada. Few Canadians doubt that this model is the recipe for a successful country, and most would applaud the adoption of this model elsewhere" (2003: 361). He continues by acknowledging that there is not always a strong sense of one unified Canadian identity, but even here he claims that “[e]ven people who lack a feeling of Canadian identity can see the international benefits that flow from being recognized as Canadian” (2003: 380). I am sensitive to Kymlicka’s pride in Canada, but he constructs an image of Canada that bolsters the accommodative side without adequately dealing with the ways in which liberal citizenship in Canada has also been shaped by ideologies of racism, colonialism, and imperialism.

Kymlicka moves between a position that suggests that liberals cannot “impose their principles on groups that do not share them” (1995: 165) and a position that compels immigrant groups to respect liberal principles (Kymlicka, 1995: 170). By this I mean that he wants individuals to internalize liberal values, for members to feel they themselves have chosen liberalism because it is the ideal. He states:

Immigrants are no longer expected to assimilate entirely to the norms and customs of the dominant culture, and indeed are encouraged to maintain some aspects of their ethnic particularity. But this commitment to ‘multiculturalism’ or ‘polyethnicity’ is a shift in how immigrants integrate into the dominant culture. (1995: 78)

In stating that immigrants do not have to *entirely* assimilate into mainstream culture, Kymlicka insinuates that they do have to partially assimilate to some degree. Indeed, there is no question for Kymlicka about whether immigrants ‘integrate’ but rather how this should be done and how the state can appeal to immigrants to non-coercively integrate into liberal norms. As he says, “there is an important difference between coercively imposing liberalism and offering various incentives for liberal reforms” (1995: 168). His theory of multicultural citizenship provides the framework for these ‘incentives’.

This is an example of what Richard Day calls seductive integration or soft assimilation (2000: 9). Day uses the term ‘seductive integration’ to refer to the ways that dominant groups create a society in which minorities aim to be integrated into the norm or the dominant group because it improves their chances of political, economic and social success. So, for instance, as Kymlicka suggests, immigrants learn the official languages of Canada because it enhances their opportunities to succeed in the job market, not because
they are forced to adopt a majority culture. It is striking to note the liberal commitment to capitalist structures in Kymlicka’s theory, in which the economic choices and well-being of the immigrant are dependent on integrating. He makes clear that he does not think that governments should adopt policies that pressure individuals to assimilate, but he does think that “individuals should be free to assimilate, if they so choose” (Kymlicka & Norman, 2000: 16, footnote 16). Kymlicka is in this sense couching the desire for assimilation, always implying to the Othered that the benefits of ‘integration’ are really not that burdensome; in fact he frames the discourse of integration to suggest that it is for the minority’s own good.

**Liberal Unity**

Kymlicka ties the goal of integration to the satisfactory exercise of citizenship, which in his theory should promote unity. He states that “institutional integration makes possible the kind of civic engagement that supports democratic citizenship” (2001: 168). It is not entirely clear whether Kymlicka is referring to the need for shared procedures and practices in civic engagements or to the shared content of civic identity, although both seem to enter into his theory. For Kymlicka liberalism requires a commitment to “the long-term requirements of a stable liberal democracy” (1995: 173) as well as the principles of freedom and justice. This is an old theme within liberalism, reminiscent of Lockean social contract theory, where there is a deep normative commitment to the liberal individual and a corresponding commitment to the unity of the nation-state. The requirements for ties that bind are fundamental to liberal individualism and are usually framed in discourses of citizenship (rather than community or fraternity) in which the goal of citizenship is to achieve a unified and peaceful (i.e. non-violent) state.

It is not that securing a peaceful nation-state is not a significant concern for identity/difference politics, but Kymlicka views difference as a potentially threatening and divisive fact to the nation-state; his response is to claim the domain of diversity in order to liberalize it. Even when he acknowledges that the sources of unity are not always clear or obvious, he emphasizes the importance of enabling the inclusion of ‘them’ into ‘us’. Whilst he suggests that polyethnic rights enable immigrants to be included into mainstream institutions and develop a thick sense of citizenship, and that self-government rights of
national minorities pose a serious challenge to the integrative function of citizenship but provide an opportunity to develop a thin sense of citizenship, he nonetheless expects and desires social unity.\textsuperscript{46} Even with this thin sense of citizenship for national minorities, his theory is premised on the most “viable way to promote a sense of solidarity and common purpose in a multination state” (Kymlicka, 1995: 188). As such, the purpose of his theory of differentiated rights is as much about nation-state unity as it is about individual freedom. He himself acknowledges that the reason why citizens will care at all about other people’s cultures and respect a notion of ‘deep diversity’ is because citizens will want to keep a multination state together (Kymlicka, 1995: 191). Though he is right to consider the ties that bind Canadians, he repeatedly reassures the reader that multicultural groups will not lead to disunity.

In this regard, Kymlicka’s theory of multicultural citizenship speaks to the way in which the nation-state can live with diversity. He couches the role of the state as the police and manager of diversity through an argument that emphasizes the ways in which the state promotes freedom and tolerance. He asserts that

\begin{quote}
Adopting multiculturalism is a way for Canadians to say that never again will we view Canada as a ‘white’ country (and hence deny entry to Asians or Africans, as both Canada and Australia did earlier this century); never again will we view Canada as a ‘British’ country (and hence compel non-British immigrants to relinquish or hide their ethnic identity, as both Canada and Australia used to do). (1995: 50)
\end{quote}

At first reading this seems admirable; Kymlicka is reminding the reader of the magic of multiculturalism. In proposing a differentiated model that reveres heterogeneity Kymlicka is producing an image of Canada in which diverse cultures become redefined as integral to the definition of Canada itself. He is claiming multiculturalism as a marker of liberal citizenship, but in doing so, he masks the ways in which the state continues to gaze upon the multicultural Othered.\textsuperscript{47}

Multiculturalism becomes constructed as a core Canadian value; ‘we’ become unified as citizens who value multicultural diversity. Kymlicka propagates this image of Canada with an approach to diversity that makes sense only if we all want to secure unity by

\textsuperscript{46} See in particular his essay ‘Social Unity in a Liberal State’ (Kymlicka, 1996).

\textsuperscript{47} In her essay, ‘Gender, Class, Multiculturalism: Rethinking “Race” Politics’, Angels Y. Davis refers to the term ‘multivulturalism’ which is sometimes employed by activists in Toronto to name the ways in which those racialized as white gaze upon and devour minority cultures like vultures (1996: 43).
adopting a common culture committed to his multicultural vision. Those Others who refuse the ‘reward’ of this tolerance and accommodation are constructed as contrary to the Canadian way. As such, the discourse of multicultural citizenship obscures the ways in which the state regulates diversity and claims the discourse of diversity as a liberal celebration of difference. As Markell argues

Even when, in the moment, multicultural recognition does provide some concrete gains for particular people or groups, it also leaves its beneficiaries subject, as emancipated Jews were, to the perpetually needy and often suspicious gaze of the state and its normative citizens, dependent on their continued good will, and vulnerable to sudden swings in the national mood that can provoke transformations in the organization of social and political privilege. (2003: 173)

As a contemporary liberal committed to the value of tolerance, Kymlicka cannot argue that the strangers have to be kept out; rather he appeals to the strangers within the borders of the nation-state to take note of multicultural tolerance and accommodation, all the while defining the limits of multiculturalism by requiring a commitment to liberal unity.

Liberal Choice

Kymlicka’s theory of rights presents a narrow form of distributive justice, one based on liberal individual freedom and equality, where freedom to access cultures as contexts of choice enables personal agency and development, and equality can only exist when individuals have the equal opportunities to make these choices (Kymlicka, 1989: 208). The significance of ‘choice’ is paramount because the individual is ideally constituted when she/he has choices. As Kymlicka avers, “it’s only through having a rich and secure cultural structure that people can become aware, in a vivid way, of the options available to them, and intelligently examine their value” (1989: 155). The emphasis on liberal choice has profound implications for people who are not always able to exercise their perceived independence by making choices in the liberal sense. This includes some mentally and physically disabled people, who are dependent on others for providing care. As Hans Reinders argues,

The prevalent idea in contemporary culture that creating meaning is an individual activity has serious implications for human beings to whom the notion of agency does not apply. It is this very ideal that makes their lives appear deficient. Where there is no agent, there must be a deficit in meaning...The centrality of agency and all that it stands for – ‘choice’,
‘decision, ‘freedom’, ‘self-determination’, and so on – is the default position of liberal culture. It makes us blind to other dimensions of our existence, such as our lack of control, our vulnerability, and our dependence on other people. (2000: 205-6)

Drawing from Reinders, I am not suggesting that disabled people are without agency, but rather, in valorizing choice (as independence and freedom) Kymlicka makes societal culture valuable only to those that can access it in a narrow way. He assumes that it is possible to make choices when in reality choices are determined by the social context.

Most importantly, for Kymlicka culture is largely instrumental, providing the individual with options; as such, culture itself has no intrinsic value (Parekh, 1997: 56). Kymlicka makes this point explicitly by arguing that it is a mistake to put too much weight on the diversity of cultures simply because it contributes to what he calls intracultural diversity; the value, he declares, of “diversity of culture is that it creates more options for each individual, and expands her range of choices” (1995: 121). It is a primary good only because it enables choices. This is problematic for groups of people who promote their cultures not because they provide a context of choice but on other grounds, such as ancestral inheritance, psychological security, and emotional stability. Indeed as pluralist thinkers such as Monique Deveaux have argued some members of ethnocultural minority groups “may well also reject the neutral liberal belief that a valuable life consists in forming, revising, and pursuing one’s own conception of the good” (2000b: 135).

Part of the problem is that Kymlicka requires that all individuals relate to their culture in a liberal way. As Parekh states, “for him [Kymlicka], individuals should freely and self-consciously affirm their membership in their cultural communities. They should reflect on it critically, locate it within a range of options, and decide freely whether they wish to subscribe to it” (1997: 59). As such, not only does “Kymlicka presents societal culture as if it were the sole and comprehensive determinant of one’s context of choice” (Carens, 2000: 69), but he also valorizes individual liberal choice. Further, by emphasizing culture as a context of choice for individuals, Kymlicka only tells us why societal culture is important to that individual/group and not why societal culture matters to those from other

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48 Liberals such have Geoffrey Brahm Levey (1997) contend that it is not autonomy itself that is the problem in Kymlicka’s theory, but rather it is that Kymlicka reduces the priority of autonomy to mean the context of autonomy.
cultures especially dominant ones. As Richard Day argues, Kymlicka tries "to show that liberals should recognise the importance of people’s membership in their own societal culture, because of the role it plays in enabling meaningful individual choice and in supporting self-identity" [emphasis mine] (Day, 2000: 212). However, "he emphasises the value of culture but not of cultural diversity, of our culture but not of a plurality of interacting cultures" (Parekh, 1997: 61). Thus he fails to consider that interaction and exchange between cultures has benefits beyond providing expanded choices.

Liberal Tolerance

In articulating his theory of multicultural citizenship, Kymlicka asserts that "liberal democracies can accommodate and embrace many forms of cultural diversity, but not all" (1995: 152); there are limits to liberal tolerance. He openly states that as a liberal he has conditions and qualifications for endorsing certain group differentiated rights (Kymlicka, 1995: 154). There are, according to Kymlicka, two fundamental limitations on minority rights. First, liberal rights will (mostly) not accept internal restrictions; and second, liberal justice cannot accept rights that enable one group to oppress or exploit another group. The first limitation involves internal restrictions, which are rights exercised within a group and enable the group to limit its own members. The purpose of internal restrictions is to protect the group from the destabilizing impact of internal dissent; as such internal restrictions respond to intra group relations. According to Kymlicka, these rights cannot be morally justified because they allow a group to oppress individual members. The second kind of collective right involves that of external protections, in which the minority can limit the economic and political power exercised by the dominant group in order to protect itself. External protections respond to inter-group relations. Kymlicka contends that liberals should "endorse certain external protections, where they promote fairness between groups" (1995: 37). Not every external protection is justifiable, says Kymlicka, but they can be morally defensible in most contexts unlike internal restrictions. These two collective rights define Kymlicka’s theory of toleration; as he states, “a liberal view requires freedom within the minority group, and equality between the minority and majority groups” (1995: 152).

This is an insightful theory of toleration; it speaks to the relationship between dominant groups and marginalized groups, and between members of marginalized groups.
But it also reveals a tension within liberal theory, namely that individual members of a marginalized group are sometimes put in a position of having to declare a choice between one kind of right over another. As an example, Kymlicka advocates the need for external protections to promote the self-government rights of Indigenous nations, and he also argues that there is a liberal standard by which to prevent the internal restrictions of members of an Indigenous nation (Kymlicka, 1995: 39). Based on this logic, he would likely limit the rights of the group to discriminate against members in order to protect the rights of an individual member of that group. But what kind of choice does really it present? For Indigenous women, as an example, what kind of choice is it to choose between their right to self-determination in a neo-colonial context and their right to sex equality in a sexist context?49

This is especially true because gendered (as well as class) hierarchies were introduced to Indigenous peoples through historical colonial practices (Bannerji et al., 2001: 13). The 1869 Indian Act, for instance, introduced a number of patriarchal practices, most notably the removal of women’s Indian status as a penalty for marrying non-Indian status men. The choice between seemingly conflicting and irreconcilable identity claims is extremely problematic for subordinated Others. Whatever choice is made (in this instance) by Indigenous women, the combined specific experiences of being Indigenous and female are ignored, which in turn has enormous implications for any remedy to injustice.50

Liberal Rights

Kymlicka presents minority rights as the fundamental tool to recognize differentiated citizenship. Yet for all of his talk about diversity, he assumes that rights discourse and law

49 This was a choice that some Indigenous women felt they had to make during the 1992 Charlottetown Accord. The Native Women’s Association of Canada (NWAC) and other Indigenous women’s groups argued that the self-government rights of Indigenous nations should be restricted because many of practices of band councils were sexist and patriarchal. They voiced fear that Indigenous governments could suspend those sections of the constitution designed to protect women’s equality in order to override Bill C-31 (which had overturned the discriminatory provision in the Indian Act that had disenfranchised Indian women if they married non-status Indian men). NWAC specifically made a case be protected by Charter legislation rather than only self-government laws (Green, 1993). If, however, Aboriginal constitutions contained effective sex equality protection NWAC would have supported it. There were also some prominent Indigenous women, such as Chief Wendy Grant who favoured a model of Indigenous self-government that was free from the constraints of Canadian law (Deveaux, 2000a: 530).

will provide the singular framework in which all differences are negotiated. Although Kymlicka is invested in this tradition of liberal rights, however differentiated, there is good reason to be suspicious of liberal rights discourse. This is especially because liberals employ rights to draw boundaries that determine who is a good liberal citizen and who is not. Certainly, liberal rights are tools for emancipation for marginalized identities, especially for some women, racial minorities, disabled people, gays and lesbians, and workers. At the same time, the liberal discourse of rights determines and regulates the identities of citizens. As the following analysis of the history of voting in British Columbia illustrates, liberal rights have long been used to distinguish between desirable and undesirable citizen.

Historically, in Europe and North America gaining entitlement to the vote has been a benchmark of success for previously disenfranchised groups, especially in the women's movements of Canada, Britain and the United States. The vote symbolizes a right to citizenship, decision making, and democracy in a way that other political activities do not. As such the vote is considered to be a fundamental icon of liberal emancipation. However, the history of the vote in British Columbia (B.C.), as in other parts of Canada, also reflects the on-going exclusion of peoples, where some people were eligible to vote and others were denied the vote. By design, liberalism is hence a contradiction in that it can be both egalitarian and inegalitarian (Parekh, 1995). Liberalism has greatly advanced equality to Others, but it has only done so on the condition that the Others share and live by a narrowly defined set of liberal values, such as choice, freedom and liberty (Parekh, 1995: 97). Rights are contingently assigned to those groups that liberals embrace or tolerate, and as such, liberals have demanded conformity and assimilation from those who have been constructed as Other.

The racialized and racist history of voting in British Columbia illustrates that whilst voting rights were widened to include previously excluded groups, the discourse of rights has also been a tool to exclude undesirable Others. This colonially constructed hierarchy is evident in the following table:

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This is contrast, for example, with Tully's thinking in *Strange Multiplicity* (1995), where he argues that the frameworks of constitutionalism should be under constant negotiation.

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Racial discrimination was legally institutionalised by the B.C. government through limiting the rights of some ethnocultural groups to vote. Those groups that were considered a threat to the project of Canadian nation-building by the British Crown were excluded. In 1900, under the *Dominion Elections Act*, the only people who could vote in federal elections were those who had the legal right to vote in provincial elections, and so the history of provincial voting is also reflective of federal rights discourse. The 1908 B.C. *Municipal Elections Act* prevented Chinese, Japanese and other "Asiatic" or Indian persons from voting in any municipal election in B.C. The Doukhobors, Mennonites and Hutterites were disenfranchised in 1931 by virtue of their special exemption from military service during the War. An Act to amend the *Provincial Election Act in 1917* granted only Caucasian women the right to vote in provincial B.C. elections.

The *War-Time Elections Act* of 1917 amended the *Elections Act* but continued to deny people the right to vote in a federal election if they were not allowed to vote in their own provincial election, and it stripped ‘enemy aliens’ (German and Ukrainian Canadians) of the right to vote. Under the *Provincial Elections Act* of 1939, it was reaffirmed that Chinese, Japanese, Hindu and Indian persons - except those Japanese who served in the armed forces during WWI - were denied the right to vote in B.C. As late as 1947, the government of B.C. passed the *Provincial Elections Amendment Act* giving the franchise to all persons except the Japanese and Indians. In 1948, women in prohibited categories could vote only if they married an eligible voter. This excluded a number of immigrant women, and specifically women of colour. It was only in 1949 that Japanese people were able to vote in B.C, and a year later, Doukhobors gained this right.
Despite the fact that 'Indians' in most parts of Canada were able to vote from Confederation onwards they were only eligible to vote if they gave up their treaty rights and their Indian status through a process defined in the Indian Act. This would require an end to their recognition as distinct nations and people, and was an overt attempt at assimilation. Furthermore, to many Indigenous peoples voting for dominant systems of representation was essentially redundant as they had their own systems for choosing leaders and structures of governance. Not surprisingly, Indigenous peoples were the last to be extended the right to vote without conditions across Canada, in 1960. As the backdrop of this exclusion, the British continued to exercise rights that Othered groups were denied. It is especially remarkable to note that British subjects who had not adopted Canadian citizenship were able to still vote in Canadian federal elections right up until 1985, and as such the British maintained some hegemonic control.

This brief examination of B.C.’s voting history shows that even in the most significant project of liberal emancipation there has been deliberate exclusion based on ethno-racial and sexual difference. Rights have been employed to reinforce notions of Otherness in the name of nation-building, and as such, degrees of alienation and subordination, which are determined by processes of racialization, have marked B.C.’s voting history. For Kymlicka, the employment of rights is an important tool for enhancing freedom and equality, and to some extent Kymlicka would be correct to argue that the right to vote has been successful in transforming non-universal suffrage to universal suffrage. However, as I explore further in chapter nine, there exists a serious tension in liberalism in that it can be both egalitarian and inegalitarian. Kymlicka fails to adequately address this tension in developing this theory of minority rights.

2.5 Concluding Remarks

In the end, what preoccupies Kymlicka is the need to provide a liberal categorization of identities and minority rights. His theory encompasses a number of liberal concerns, including freedom, choice, rights, unity, tolerance, accommodation, integration, and diversity but it does not adequately speak to the sources, relations, or disruption of hegemonic power; rather, it maintains many of the existing norms of the political order. He narrowly focuses on two kinds of ‘minorities’, national and polyethnic, with the apparent
intent to demonstrate the potential of liberalism to accommodate group interests. The effect is two fold: first, he privileges and essentializes two kinds of culture-based identities; second, he neglects analysis of other issues that are relevant to ‘multicultural subjects’, such as the rights and positions of those in dominant cultures, and structures of gendering, capitalism, homophobia and disablism.

In the end, Kymlicka’s framework does not provide a satisfactory way to respond to issues of power. Indeed, his theory carries a strong normative commitment to inclusion rather a desire for fundamental transformation. Yet in identity/difference theorizing the underlying motives have to extend beyond the accommodation or ‘integration’ of Others by addressing how to move away from existing subordinating and dominating arrangements of power. Moreover, it is highly questionable that liberalism has the capacity to adequately address issues of power. As Young warns, although contemporary liberal theory and practice can accommodate an interpretation of group-based political claims as claims of recognition, it cannot deal with the “critical claims against the structural privilege that some people have by virtue of the way dominant institutions and discourses define the norms and standard expectations of capability, achievement and way of life” (1999: 420). Importantly, the problems that motivate action against various forms of oppression are about the dominant norms and expectations in society, and not only, or even generally, about the desire for differentiated rights. Ultimately, whilst Kymlicka’s theory has been pivotal in leading the liberal debate about culture-based differentiated group rights, at best his theory presents a model of seductive integration, and at worst his liberal approach aims to overcome difference, simplify identities, and soften the harsh realities of power.

52 I undertake further discussion about inclusion in chapters three and nine.
Chapter III
Charles Taylor and the Politics of Recognition

3.1 Introductory Remarks
Charles Taylor’s theory of recognition is a sophisticated appeal for the acknowledgment of difference. He develops his response to the politics of identity/difference in the context of a distinctly modern conception of the self. For him, the discourse of multiculturalism is about stipulating the substantive and procedural principles that order a multicultural society (Goldberg, 1994: 7). Unlike Kymlicka who wants to develop a theory of group rights so as to enhance liberal individual freedom and equality, Taylor makes the survival of cultures central to identity because it enables authenticity and fosters equal dignity. Whilst I am largely sympathetic to Taylor’s theory, I contend that like Kymlicka he simply does not go far enough in addressing questions of identity/difference politics. Though Taylor’s theory of recognition could be pushed to go further in order to tackle a broader range of concerns, he overestimates the potential of recognition and under-theorizes how recognition is operationalized; as such, issues of power related to the constitution of identities and socio-political relations are either obscured or not fully considered. Before critically evaluating the context and character of recognition, I provide a brief overview of Taylor’s theory and a comparative analysis of Taylor and Kymlicka as liberal thinkers of identity/difference.

3.2 Taylor’s Politics of Recognition
Taylor extracts the term recognition from Hegel’s Phenomenology of Spirit ([1807] 1977: chapter four) to argue that across a wide range of contemporary social struggles (from feminism, to movements of colonized peoples, to the struggles of the status of Quebec) there is a common demand for the distinctive characteristics of one’s group to be recognized. Indeed, his central claim is that identity is dependent on recognition:

The thesis is that our identity is partly shaped by recognition or its absence, often by the misrecognition of others, and so a person or group of people can suffer real damage, real distortion, if the people or society around them mirror back to them a confining or demeaning or contemptible picture of themselves. Non-recognition can inflict harm, can
be a form of oppression, imprisoning someone in a false, distorted, and reduced mode of being. (1994b: 25)

For Taylor, recognition is a vital human need and not just something that we deliver out of courtesy (Taylor, 1994c: 26). He contends that all identity claims are couched in demanding recognition (1994c: 193). In particular, he illustrates that it is social recognition that forms a person's identity; this entails acceptance and respect from parents, friends, loved ones and society at large. Recognition can take shape in numerous forms, such as recognizing a society (as with the Québécois and Indigenous peoples), or a life situation (as with women), or a region (as with Western Canada) (Taylor, 1994c: 191). For him, recognition provides affirmation, accommodation and the promotion of identity from others about who we are and how we are valued; alternatively, misrecognition can be extremely damaging to one's sense of self-confidence, self-respect and self-worth; Specifically, Taylor focuses on the failure to recognize members of minority groups that have distinct culture, and he makes the critical case that this cultural identity is of deep importance and value (Wolf, 1994: 75).

Taylor distinguishes between two kinds of politics of recognition: the politics of equal dignity which is associated with the ideal of autonomy, and the politics of difference which is associated with the ideal of authenticity (1994b: 38-44). Though Taylor acknowledges that the latter grows out of the former, his preference is for a politics of difference because it shifts the emphasis from the universalism of individual equal dignity to the universalism of respecting the distinctiveness of individuals. According to Taylor, we come to realize our identities through the ideal of authenticity. Whereas the pre-modern era determined identity through a given external hierarchical social order, the modern identity requires that we adopt Rousseau's notion of the inner moral voice and Herder's notion that we all have an original way of being human (Taylor, 1994b: 29-30). Taylor states:

Briefly we can say that authenticity (A) involves (i) the creation and construction as well as discovery, (ii) originality, and frequently (iii) opposition to the rules of society and even potentially to what we recognize as morality. But it is also true, as we saw, that it (B) requires (i) openness to horizons of significance and (ii) a self-definition in dialogue. (1991: 66)

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53 Maeve Cooke (1997) suggests that Taylor's distinction between these two types of recognition is exaggerated and that in fact both a politics of equal dignity and a politics of difference could emphasize autonomy of the individual rather than authenticity.
Authenticity is an idea of freedom for Taylor; it is how individuals resist the demands of conformity so that they can truly become themselves and be, as he says, original. In being authentic, Taylor warns us that we must be wary of the perils of atomism and individualism which take authenticity too far (1991: 68). In this regard there are low and high forms of authenticity for Taylor, where authenticity that is reduced to narrow self-interest is degenerative. Importantly, according to Taylor, recognition and authenticity are entwined sources of identity. Authenticity is needed in order to be genuinely recognized and, at the same time, a framework in which recognition is given value is needed so that we can come to know our authentic selves. Taylor suggests that by creating a context in which my difference is socially recognized I can be "true to my own originality and that is something only I can articulate and discover. In articulating it, I am also defining myself" (1991: 29).

Foundational to Taylor’s conceptualization of recognition is that human identity is created dialogically, in response to our relations with others (1994b: 32-33). Although not his idea alone, Taylor argues that social practices of recognition are central to the construction or malformation of the self.⁵⁴ He states that the “crucial feature of human life is its fundamentally dialogical character. We become full human agents, capable of understanding ourselves, and hence of defining our identities, through our acquisition of rich human languages of expression” (Taylor, 1994b: 32).⁵⁵ Identity may be developed and discovered overtly or internally, but it is not done in isolation. For Taylor, community provides the context in which identity is secured, as this is where identity is recognized by others. Drawing from Heidegger's view that comprehension of the self "requires the identification, articulation, and willingness to rearticulate the broader horizon or context within which alone their human significance can be become manifest” Taylor argues that it is critical to situate the individual in their context (Mulhall, 2004: 123). Each person’s

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⁵⁴ In the discipline of political theory, Axel Honneth (1996) and Jessica Benjamin (1988) also explore the ways in which dialogical moral practices shape our sense of self-confidence, self-respect and self-worth.

⁵⁵ This echoes Jurgen Habermas’ (1976) theory of communicative action which he defines “as a circular process in which the actor is two things in one: an initiator, who masters situations through actions for which he is accountable, and a product of the transitions surrounding him, of groups whose cohesion is based on solidarity to which he belongs, and of processes of socialization in which he is reared” (Habermas, 1999: 135). Whilst Habermas and Taylor share this interest and concern for communication and dialogue, Taylor is also critical of Habermas’ understanding of the legitimation crisis of modern identity. As Mark Redhead points out, from Taylor’s perspective, Habermas fails to see that the most dangerous tension in the legitimation crisis emerges when there is a threat to the ability of subjects to uphold a constellation of their own practices and doctrines (Redhead, 2002: 92). For Taylor a dialogical base in the creation of human identity mitigates this crisis.
individual identity has a collective dimension, and a personal dimension (consisting of socially and morally important features such as intelligence, charm, and wit) that forms the basis of collective identity (Appiah, 1994: 151). It is within shared meanings, or horizons of significance, that we define who we are and that is why, for Taylor, dialogue is critical. By developing new vocabularies of comparison, Taylor suggests, the standards by which to make judgments of worth should be extended and transformed from our original familiar standards. Taylor does not point out which ‘webs of interlocution’ are normatively more necessary or successful in dialogically creating recognition, but he nonetheless believes that a dialogical society would save a society, such as Canada’s, from fragmentation.

Identity, then, develops and becomes known to us through the act of others recognizing who we are. Misrecognition and non-recognition of constitutional actors, argues Taylor, “had driven Canada to the verge of breakup; more particularly, it is the fact that the demands for recognition, defined so as to exclude one another, are making resolution close to impossible” (1994c: 195). The result is that there has been an increase in nationalist and secessionist movements. In this Taylor is particularly lamenting the misrecognition of the Québécois. He makes the argument that Canada functions on the first level of diversity, in which a necessity for unity allows for some culture-based differences but ultimately demands a strong common idea of what it is to belong to Canada (Taylor, 1994c: 182). This, he rightly argues, leads to the misrecognition/non-recognition of particular groups of Canadians, particularly the Québécois and Indigenous peoples.

As an alternative, he develops the notion of second level or deep diversity “in which a plurality of ways of belonging would also be acknowledged and accepted” (1994c: 183). Deep diversity involves recognizing that individuals are Canadian by being members of their particular community. According to Taylor this does not require us to adopt homogeneity, but rather it requires everybody to have an equal voice in decision making and be listened to (1994c: 189). Deep diversity, claims Taylor, is “the only formula on which a united federal Canada can be rebuilt” (1994c: 183). Taylor acknowledges that the modes of deep diversity have yet to be explored and may not be a promised land but maintains that deep diversity presents a credible alternative to procedural and neutral liberalism; it allows

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56 For Taylor, the concern regarding fragmentation arises from Quebec’s exclusion from the repatriation process, Quebec’s isolation following the Charlottetown and Meech Lake Accords, and the secessionist referenda in 1995.
the promotion of particular collective goals, one of which is centred on the survival of culture.

3.3 Comparing Taylor and Kymlicka

Theoretical Frameworks

It is often cited that the most common differences between Kymlicka and Taylor lie in their theoretical frameworks. Whilst Kymlicka expands the limits of liberal philosophy to accommodate group-differentiated rights, Taylor takes the position that this liberal school limits the possibilities of accommodation. Whereas Kymlicka is grounded in liberal individualism, Taylor is concerned with the “malaises of fragmentation and crises of legitimation caused by the atomistic forces (such as procedural liberalism and instrumental rationality) at work in modern democracies like Canada” (Redhead, 2002: 113). In particular, Taylor challenges the individualistic core of the modern conception of freedom. Within a framework of liberalism, Taylor argues that it is crucial to displace liberal rights and freedom as the driving force of a theory of multiculturalism (1994b: 26). Whereas Kymlicka gives rights primacy, Taylor asserts that rights have been over-emphasized at the expense of the common good which is based on community belonging and obligation. Taylor argues that rights cannot stand alone without some understanding of the human good; for him, even where obvious modes of discrimination have been addressed in part through the allocation of rights, issues of recognition can still arise (1994c: 190).

Specifically, Taylor critiques Kymlicka for not recognizing that the common good cannot be reduced to the aggregation of individuals’ interests. Whereas Kymlicka ultimately depends on individual freedom to develop his theory of minority rights, for Taylor “identity is always partly defined in conversation with others or through the common understanding which underlies our practice of society” (1979: 209). For Taylor, it is within the community that identity is constructed, and not through liberal freedom. Specifically Taylor asserts that culture should not be understood in instrumental terms, as a context of choice from which one constructs one’s own identity, or even in the Rawlsian sense of a primary good. This is because culture in fact exists prior to an individual’s choices of what is a primary good (Taylor, 1994a: 257). Taylor accuses Kymlicka of failing to recognize the intrinsic value of culture by simply viewing community as a necessary means for the clarification of options.
(1994a: 257). He rightly points out that if culture is valued simply as a context of choice then if an alternate context of choice was realized the defence of culture would evaporate. He agrees with Kymlicka that we need our own cultures, but he goes further to argue that we also need others to appreciate the value of our own culture. Taylor contends that Kymlicka’s view of culture is limited in scope and conceptual analysis. Kymlicka falsely assumes that immigrants do not alter the host society and that they should simply assimilate into the Euro-Canadian culture (Redhead, 2002: 136). As Taylor points out, immigrants also “reserve the right to alter the host society. In return for entry one is not bound to accept every condition they [members of the host society] seek to impose” (1998a: 149-150). As such, Taylor asserts that Kymlicka presents the existing culture as static and stable, when in fact host cultures have obligations and cultures change through interaction.

It is striking to note that although Taylor is critical of procedural liberalism, he also thinks that “no one in their right minds would deny” that individual rights are “an important dimension of any liberal society” (Taylor, 1998b: 213). At the same time, he makes a distinction between “fundamental liberties, those that should never be infringed and therefore ought to be unassailably entrenched, on the one hand, from privileges and immunities that are important, but that can be revoked or restricted for reasons of public policy” (1994b: 59). Fundamental rights include, for Taylor, the right to free assembly or habeas corpus, and do not include, for example, “things like commercial signage in the language of one’s choice” (Taylor, 1994b: 59).

Despite a commitment to the ‘basket of rights’, Taylor demands a stronger evaluation behind the imputation of any right than other liberals (Abbey, 2004: 12). Unlike Kymlicka, who views minority rights to culture as a context of choice, as Ruth Abbey states, for Taylor “rights are not seen not just as individual desiderata but as having some

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57 This is cited by Mark Redhead in his book *Charles Taylor: Thinking and Living Deep Diversity* (2002: 121). In some ways, Taylor echoes Michael Ignatieff’s position on human rights; despite the criticism of rights discourse both Taylor and Ignatieff see human rights as necessary to protect individuals. They are, as Ignatieff states, “the most we can hope for” (2001: 173).

58 Although Taylor’s distinction between fundamental rights and privileges/immunities is credible it is not exactly clear how to know which rights fall into which category (Ripstein, 1995: 335-6). This is especially because even fundamental rights are interpreted, contra Taylor. For example, the fundamental freedoms, democratic, legal and equality laid out in the *Charter of Rights and Freedom* are subject to section 1, which states that ‘the rights set out in it [are] subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.’ As such, the priority and application of fundamental rights is judicially interpreted.
independent value. Individuals claim and respect rights because of this independent value rather than rights having value because individuals claim them" (2004: 12). Hence for Taylor if rights protect a strongly valued good, those who enjoy such rights should also make this good accessible to others who may value it in the same way.

Even though these are important differences, they sometimes mask the theoretical similarities between the two thinkers as, broadly defined, liberals. Yong Huang (1998) rightly argues that Taylor tries to find a middle ground between liberalism and communitarianism, in which he shrouds liberalism with some basic features of communitarianism. Himani Bannerji characterizes Taylor as a conservative liberal because of his sensitivity, not rejection, to the alienation and individualism produced through modernity (2000: 127-8). Stephen Mulhall views Taylor’s project as one of constructing a holistic vision of liberalism (as opposed to an atomist one) (2004: 120-121). Taylor himself states that he wants a “somewhat more complex and many-stranded version of liberalism” (1998a: 154). As such, both Taylor and Kymlicka attempt to reconceptualize and modify tenets of liberalism so as to ultimately prevent fragmentation of liberal-democratic Canada. As liberals, both attempt to give value to the individual (Kymlicka through assigning individual freedoms and rights, and Taylor through his ideal of authenticity) and the collective (Kymlicka through the assignment of rights to groups, and Taylor through recognition to social collective identities).

In the final chapter, I take up the debate about which version of liberalism, if any, is more suitable and effective for considering questions of identity/difference. I do not confine my approach or analysis to frameworks that attempt to improve or nuance liberalism -- projects that Kymlicka and Taylor both undertake -- because this goal tends to obscure the creative project of providing ways to expose, name, and respond to power. Specifically, it is critical to consider how to move away from subjugating and privileging norms and practices by attending to the forces of power and history for those who are marked as different.

Taylor’s and Kymlicka’s Projects of Inclusion

The theories of Taylor and Kymlicka are premised on promoting the inclusion of particular marginalized groups: Kymlicka’s assumes that “the demand for representation by disadvantaged groups is a demand for inclusion” (1995: 176), and for Taylor the allocation
of recognition responds both to the psychological harm inflicted by misrecognition/non-recognition and to the need to include members as full citizens (1994b: 36-7). In this regard Taylor has a more robust understanding of inclusion; whereas for Kymlicka inclusion arises when individuals have the right to access and develop their contexts of choice, for Taylor inclusion arises when states understand that the survival of marginalized cultures is secured through certain forms of autonomy such as the self-government and when the recognition is genuinely assigned to prevent psychological harm (Taylor, 1994b: 53).

Whilst both Taylor and Kymlicka consider secession as a response to national minority claims, they do not fundamentally question the premise of inclusion underlying their theories. Yet in critically assessing inclusion, it becomes apparent that there is a need to expose, defy and challenge the order of things, not so that one becomes included but because power relations ought to radically change. This is specifically because inclusion does not dismantle the hegemonic core. As Amarpal Dhaliwal states:

[The politics of inclusion] does not account for the ways inclusion can still oppress or fail to alter structures of domination. The inability of radical democratic inclusion politics to deal with inclusion retaining peripheralization is a key limitation, especially given that, in many liberal democratic societies, many democratic groups have been ‘included’ by being accorded certain formal rights like the right to vote. If inclusionary attempts often reaffirm a hegemonic core to which the margins are added without any significant destabilization of that ‘core’ or continue to valourize the very centre that is problematic to begin with, then it is clear that the motivation to include needs questioning. (1994: 43)

The concept of inclusion, according to Dhaliwal, assumes that there is a delimited core to be included into. When this is problematized, it becomes apparent that an inclusive sphere only exists in relation to a sphere of exclusion. As such, the dichotomy of insider/outside remains stable; there remains an overarching need to define who does and does not belong in the core, and an assumption that those currently included are equally included. This is often without full consideration of the fact that many peoples are sometimes included and other times excluded or sometimes closer to the periphery than the core without entering the periphery. Moreover, the assumption is that there is one legitimate core or centre and yet many of us have our own places of belonging, in which the ‘core’ is not pre-determined. For example, those immigrant women of colour who are marginalized by mainstream society
have alternate spaces through work, activism, families, religious and communities in which we are not on the margins but rather at the centre of political life.

Furthermore, beneath the desire for inclusion there may well be a sub-text that sustains hegemonic norms. For instance, inclusion can employed as a way to seductively integrate or even assimilate Othered peoples in which mechanisms of inclusion can potentially erase differences that some groups want to maintain. Many Indigenous leaders made this argument following the 1969 White Paper which suggested that erasing the requirement of status for Indians would bring this group of Indigenous people to the same level of citizenship as other Canadians. As Indigenous activist and scholar Harold Cardinal (1969) argued shortly after the White Paper was published, while First Nations people have historically been excluded because of their status they also depend on their legal status as ‘Indians’ to assert treaty rights and make claims of self-determination. Inclusionary goals, in other words, presume that integration is desirable but without fully accounting for the fine line between integration and assimilation. As such, it should not be assumed that inclusion politics automatically creates fairness, equality and respect.

In addition, as Jo-Anne Lee and Linda Cardinal contend, inclusion “transfers attention onto those who ‘need’ to be included and away from practices of exclusion. Responsibility for ‘absence’ is shifted onto those ‘not here’. Actual exclusionary practices that need to be identified, named and dismantled remain untouched” (1998: 225). As such, inclusion can veil the sources and impact of exclusion. In particular, as Iris Young notes, it is critical to identify particular modes of exclusion; she argues that “where the problems of racism, cultural tolerance, economic exploitation, or a refusal to help needy people, they should be named so” (Young, 2000: 13). Analyzing the politics of exclusion enables an understanding of how difference is constructed and constituted through relations of power, and not just how marginalized identities can become included.

59 In 1971, Harold Cardinal, then president of the Indian Association of Alberta, responded to the White Paper in a document called Citizens Plus. This document emerged from widespread consultation with Indigenous people and presented a scathing indictment of the White Paper, the hidden agenda in the Paper, and the process in which it came to exist (Boyko, 1995: 195). It illustrated that the Indian Act was paternalistic and inherently racist but also argued that it was a necessary evil until Indigenous rights, treaty claims and land questions were settled. Other scholars, such as Patricia Monture-Angus (1995; 2002) and Taiaiake Alfred (1999) have since argued that the treaty process is a colonial exercise, and warn against it.

60 In ‘Dynamics of Democratic Exclusion’, even when Taylor does discuss exclusion he locates this in the discourse of democracy (the boundaries of a democratic community) rather than discourses of prejudice, discrimination and oppression (1998a: 148).
Moreover, there is a tendency to assume that inclusion is the primary strategy to reconstitute the political order. This, however, underestimates the ways in which those constructed as Others resist and disrupt the very core that is at the heart of inclusion. For instance, when Taiaiake Alfred (2005) advocates a politics of contention that calls upon Indigenous people to reject the treaty process because it is a colonial tool to maintain the existing power dynamic, he is declaring that Indigenous interests would be furthered by not being included into mainstream society, especially on terms defined by neo-colonial actors. For Alfred, the rejection of inclusion as a primary goal creates space for Indigenous people to avoid assimilation and co-optation, and, moreover, enables different nations to develop what he calls a self-conscious traditionalism (1999: 80). This type of strategy is contrary to Kymlicka’s and Taylor’s inclusionary vision of society but is central to strategies of anti-racism and decolonization, especially those that challenge and disrupt the state.

Redistribution and Recognition

While Kymlicka and Taylor offer distinct theories of redistribution and recognition respectively, they neglect to analyze how both redistribution and recognition politics can work together to produce justice and that in fact “as a prerequisite for remedying injustices, claims for recognition can be integrated with claims for redistribution in a comprehensive political project” (Fraser, 1997: 3). The relationship between redistribution and recognition is a central one for identity/difference politics because it couples the politics of culture with socio-economic politics in a way that Kymlicka and Taylor fail to do.

Nancy Fraser argues that this is particularly analytically important in order to identify emancipatory dimensions of both recognition and redistribution (1997: 4). She contends that in recent years, concern for redistribution has been supplanted by concerns over domination by some cultures, and that this has displaced analysis of socio-economic exploitation. In reality, she continues, far from occupying two separate spheres, economic injustice and cultural injustice reinforce each other dialectically. Fraser states that “redistributive remedies generally presuppose an underlying conception of

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61 Judy Fudge’s analysis of the Charter of Rights and Freedoms validates this claim. Drawing from Fraser’s heuristic, Fudge argues that “[r]ights claims that involve the recognition and affirmation of despised or devalued social identities have enjoyed some success before the Supreme Court of Canada. By contrast, Charter claims that involve redistribution or class have enjoyed little success before the Court” (2001: 349).
recognition....Conversely, recognition remedies sometimes presuppose an underlying conception of redistribution” (1997: 15). This, Fraser continues, is especially relevant to those with 'bivalent' collective identities, such as those who encounter exploitation as a result of class and who are also despised because of their race. Such bivalent identities are differentiated as a result of what Fraser calls the political-economic structure and the cultural-valuational structure of society, where there is socio-economic mal-distribution and cultural misrecognition.

Fraser suggests that a transformative framework requires remedies that aim to correct inequitable outcomes by restructuring arrangements that enable and reinforce inequality (1997: 23). This can only be done by destabilizing group differentiation and restructuring relations of recognition in order to dismantle hierarchical relations of power; neither of these goals are the driving forces in Taylor’s or Kymlicka’s theories. Social collective identities need to be deconstructed in order for relations of recognition to come to the surface, while simultaneously, socio-economic redistribution needs to take place in order to restructure the allocation of material and non-material goods (Fraser, 1997: 27). However, Kymlicka and Taylor over-emphasize culture at the expense of addressing issues of economy and class; as Fraser notes, at the same time as recognition and redistribution can be analytically separated, in reality this is not usually the case. For example, it is not simply that all Indigenous peoples simply want to be recognized as having worthy cultures, or that they want a redistribution of rights in order to create more freedom and equality (and therefore more socio-economic opportunities). In this sense, Indigenous peoples are plagued not only by misrecognition of their cultures but also by poverty. As such, an analysis of identity/difference requires that claims of culture are more closely interwoven with socio-economics.

62 For further discussion on the superiority of Fraser’s theory of (redistributive and recognition) justice in relation to Taylor’s theory see Christopher Zurn’s ‘Identity or Status? Struggles over ‘Recognition’ in Fraser, Honneth and Taylor’ (2003).

63 The Nova Scotia Government, for example, states that “many Aboriginal communities exist in conditions of extreme poverty and unemployment. Statistics show that more than 70% of Aboriginal households live below the poverty line. Unemployment ranges from 50-90% in some Aboriginal communities. Much of the economic crisis facing Aboriginal communities originates in their colonization and their removal from mainstream social, economic and political structures” (Government). Living conditions in most Indigenous communities continue to be substandard. It is estimated that 35% of the Indigenous population living off-reserve is in need of housing. Overcrowded housing, poverty, poor health, chronic unemployment and substandard living conditions are central facts in the lives of many Indigenous peoples (Canada, 1993).
I will now move to a more specific analysis of Taylor’s theory of recognition.

3.4 The Character and Context of Recognition
Recognition, Dialogue and the Desire for Unity

Dialogue is understood as a process in which identities are shaped, formed, understood (by the self and others) and, as such, recognized (Taylor, 1994b: 32-33). According to Taylor, being dialogical defines our identity and is supposed to aid us in developing shared conceptions of the good. However, Taylor offers dialogue as a fundamental process of recognition without much reference to the power dynamics that constitute dialogue and determine the outcome of dialogue. He assumes that dialogue will create mutual recognition whereas no amount or degree of dialogue is going to guarantee, for example, that dominant groups rescind some of their power. Nor does Taylor speak to how ‘voice’ is given through dialogue to those with subordinated different identities. In the case of those who are deaf or blind, for instance, dominant modes of visual and textual dialogue would have to be restructured. This may seem to be only a tool to achieving Taylor’s call for dialogue, but a politics of recognition needs to also distinguish particular modes of dialogue that can be exclusionary.

This is important because dialogue does not only enable communication between different identities but more specifically it can reveal systems of privilege and oppression, and one’s role in those systems. Tanya Titchkosky’s analysis of her own privilege in relation to her partner, a visually impaired man, illustrates how relations of power emerge through a dichotomy of being blind and having full sight (2002: 101-110). Titchkosky highlights that in exchanging and living with her partner she began to understand how her understandings and assumptions about sight informed her understandings of the cultural map of visual impairment as problematic. The interaction through dialogue did not serve to only

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64 I place ‘voices’ in inverted comma’s to highlight that for some people with disabilities there may not be a literal voice.

65 Interestingly, Bannerji critique’s the dialogical conversational style that Taylor adopts in ‘The Politics of Recognition’. She states that “it is also true that Taylor’s smooth stylistics make it difficult to challenge his ideas for fear of appearing to be rude, or making a scene...His concerned courteousness makes it a trifle difficult to call his Eurocentrism racism...But criticism requires that this seamless and flowing text which moves over us so conversationally be interrupted. We will have to take apart the dialogism of this text itself, which projects his sentiment of voluntary recognition in its written textual version” (2000: 133). Bannerji is right is point to Taylor’s lack of self-reflection about his own discourse, which seems more monological than dialogue.
enable a process of recognition — it also highlighted ways in which those with privilege inform the subordination of identities. Thus dialogue can act as a process that illuminates relations of power.

Moreover, the process of dialogue can inform the self and community quite differently from the way that Taylor conceives. Dialogue does not necessarily have to speak to solidifying the self or the community as much as it does to enhancing the fluidity of the self and community, so that rather than stabilizing identity dialogue with others it is a reminder of the transient nature of identity. In other words, dialogue serves to remind us that the self and community is malleable rather than fixed. Contrary to Taylor, people’s experiences and conversations with others can encourage more uncertainty about community identity than stability. This does not mean that this uncertainty is not meaningful to the formation of unity, but it indicates the contested nature of community.

To limit this contestation Taylor offers ‘deep diversity’ as a way to devolve power to the regional level and develop other-understanding. The vision of deep diversity is dependent on identity generating common goods, in particular “the goods of a culture that makes conceivable actions, feelings, valued ways of life” and “goods that essentially incorporate common understanding of their value” (Taylor, 1995: 140). This includes societal customs, languages and habits that make individual freedom possible, and sharing common collective purposes and values such as a shared economic space, common allegiance, participatory self-rule and rights available through the Charter (Redhead, 2003: 65). Taylor is clearly aware of the assimilationist possibility that arises from imposing commonality, and so he qualifies his communitarian framework by arguing that democratic deliberation requires that identities are worked out, constantly negotiated and compromised (1999: 281).

At the same time, however, Taylor makes it critical to one’s identity to belong to a community, share conceptions of the good, fuse horizons, have common purposes, and gain social recognition. In this regard, Taylor’s theory contains a strong commitment to building a unified collectivity and communal culture.66 In particular, for Taylor, the community takes on the formulation of wholeness in a social unit. And although he acknowledges that some social collective identities do not currently belong to ‘the’ Canadian community, and that the

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66 This theme also resonates with Kymlicka’s notion of that there must be ties that bind members of society.
community can internally grow to include some modes of difference, he continues to draw boundaries that prevent full and open respect between differentiated identities. As a result, the ideological and material construction of ‘community’ becomes mute.⁶⁷ For Taylor, the purpose of inter-subjective recognition is to create solidarity. Thus even when he states that “to function legitimately, a people must be so constituted that its members effectively listen to one another”, he also claims that “[i]n practice, a nation can only ensure the stability of its legitimacy if its members are strongly committed to one another by means of a common allegiance to the community” (1998a: 144). As such, Taylor moves between a concern for the content of membership to the communitarian trap of being concerned with the fact of membership (Ripstein, 1995: 336).

Moreover, Taylor sometimes emphasizes social cohesion and unity over the utility of dialogical identity spaces, in which there are strong undertones for the need of a common culture. Certainly the kind of dialogical practices that Taylor suggests are conducive to formulating shared values from different communities, but it seems that Taylor premises this dialogue on an existing set of political principles which stabilize rather than challenge the hegemonic order. Indeed, one wonders if Taylor is really suggesting that we have a fully open and interactive dialogue at all. This is particularly evident in the following passage:

All societies are becoming increasingly multicultural, while at the same time becoming more porous....Their porousness means that they are more open to multinational migration; more of their members live the life of diaspora, whose center is elsewhere....The awkwardness arises from the fact that there are substantial numbers of people who are citizens and also belong to the culture that calls into question our philosophical boundaries. The challenge is to deal with their sense of marginalization without compromising our basic political principles [emphasis mine]. (1994b: 63)

Taylor is specifically speaking to a concern over increasing immigration rather than other modes of multicultural production, in which he expresses an underlying alarm over the permeable borders of Canadian society. The passage particularly illustrates Taylor’s position that ‘we’ sometimes have the right to tell ‘them’ (i.e. immigrants) how ‘we’ do things here. Difference should be recognized but in such a way so as not to threaten the existing order, and as such, Taylor’s inclusion strategy requires that ‘they’ be included into ‘us’. This is

⁶⁷ Floya Anthias and Nira Yuval-Davis offer an analysis of the concept of ‘community’ in Britain in the context of race relations policy that reveal how the boundaries, structures and norms of ‘community’ are the result of constant struggle, negotiation and social development (1992: chapter six).
without compromise on the basic liberal principles which Taylor makes central to liberal
democratic Canada. As such, in reinforcing the existing order that misrecognizes Others,
Taylor fails to interrogate who the ‘us’, ‘our’, or ‘we’ are. For Taylor the main question is
whether ‘we’ have any obligation to recognize ‘them’. In order to enable the communitarian
dialogical process, Taylor wants to avoid the question of whether ‘they’ have any right to
force this recognition from ‘us’ (Bannerji, 2000: 135-6).

This all implies tolerance rather than a commitment to pluralism. Jean Bethke
Elshtain suggests that Taylor in fact presents a position of ‘deep toleration’ rather than deep
diversity (2004: 137). Though this position asserts that deeply held convictions such as those
based on religion need not be privatized and that dialogical exchange leaves open the
possibility that other-understanding includes the exchange of religious convictions, Elshtain
points out that the possibility of proselytizing and being proselytized implies tolerance rather
than deep diversity (2004: 137). Though I agree with Elshtain’s characterization of Taylor as
a philosopher of toleration, and with her distinction between John Locke’s and Taylor’s
understandings of tolerance, the depth of Taylor’s toleration is questionable. This is because
his theory carries conformist tendencies that emerge from his gaze upon the Othered. As
Bannerji argues, on the one hand, Taylor’s understanding of multiculturalism places Others
as “a central part of the distinct pluralist unity of Canadian nationhood; on the other hand,
this centrality is dependent on our ‘differences,’ which denotes the power of definition that
‘Canadians’ have over ‘others’” (2000: 97). In this regard, in the same moment as Taylor
argues for the inclusion of Others through dialogical exchange, he is also neutralizing this
exchange because social cohesion depends on ‘them’ becoming included into ‘us’.

State Recognition

Taylor is largely concerned with recognition from the perspective of constitutional
law and politics. Though he provides a sophisticated shift away from liberal proceduralism,
he continues to rely on a primary agent of proceduralism, namely the state, in which he
emphasizes the states role in maintaining the necessary conditions of freedom for the pursuit
of the common good (Mulhall, 2004: 120). In particular, Taylor is concerned with the status
of the Québécois nation. Bannerji argues that this is by virtue of the status of French settlers
as European co-conquerors or as one of the ‘founding nations’. This, Bannerji rightly points
out, serves to stabilize a colonial picture of Canada (2000: 100). She highlights that Taylor "refers fleetingly and analogically, though frequently, to aboriginal communities: 'visible minorities' also enter the discourse, but both are terms serving to install a 'national' conversation between French and English, embroidering the dialogue of the main speakers" (2000: 100). Taylor is correct to historicize misrecognition, but in focusing on one particular misrecognized group he ends up marginalizing other collective experiences. As such, whilst Taylor sometimes suggests that the nationalistic and constitutional struggle of Quebec's status is analogous with other contemporary struggles he continues to prioritize one nationalist constitutional claim of recognition over the concerns of Indigenous nations and traditional non-constitutional actors such as women, sexual minorities, disabled people. Indeed he provides little insight into the relationship between Québécois nationalism and other political recognition claims, or, as Mark Redhead argues, how the excesses of nationalism are to be checked (2002: 122). Arguably, it is credible to apply the same principles of recognition across diverse kinds of experiences, but Taylor's preoccupation with Quebec's national status overshadows his interest with other kinds of recognition claims.

Further, the emphasis on constitutional and legal recognition conceals simultaneous claims of recognition which are not constitutional or legal. As Jurgen Habermas argues, the conception of modern law "forces us – on conceptual grounds alone – to operate with the architectonics of the constitutional state and its wealth of presuppositions" (Habermas, 1994: 122). Though both Habermas and Taylor would agree that the legal system is not impartial, Habermas questions Taylor's thesis that procedural liberalism lacks the resources for addressing the politics of recognition; Habermas argues that if properly conceived procedural liberalism can bind individual rights and sensitivity to differences in culture together in ways underestimated by Taylor. Redhead takes this further; he argues that a procedurally liberal ethos, such as that evident in the Canadian *Charter of Rights and Freedom*, is not, contra Taylor, an anathema to the goal of preserving a 'distinct society' (Redhead, 2002: 124). Rather, a procedurally liberal system of rights can play an important role in the development of a *dynamic* culture by securing autonomy, an aspect of culture and politics that Taylor underestimates (Redhead, 2002: 124-5).
The contention of how to properly apply liberalism is an important one for liberal theorists. Yet, I think that such issues can distract analysis from more substantial political issues, including whether the law, or more broadly the state, is the most significant source of recognition. In particular, in the context of Taylor’s theory, although the state may present authoritative sources of recognition, it cannot be presumed that the state should be the primary supplier of social recognition. For instance, Indigenous women can seek legal recognition of inherent rights from various governments, but can also claim recognition within their nations as women. This is not contrary to Taylor’s thesis as his concerned with social recognition quite broadly, but he continues to place the emphasis on constitutional and legal recognition. It is, however, especially important to consider sources of recognition beyond the state when one aspect of an identity is recognized by the state (such as one’s gender identity) and another is not (such as one’s racialized identity). Furthermore, identities can be simultaneously recognized, partially recognized, not recognized at all, or recognized in specific ways in order to mark differences, by varying agents in particular contexts. In this sense, it is possible to simultaneously experience recognition and a failure of recognition. This sentiment is shared by Linda Nicholson who states that as a female professor of European ancestry she comfortably fits into the category of Other who seeks recognition and the category of ‘us’ as someone from European descent (1996: 15). The concurrent role of recognizer and recognizee is under-analyzed in Taylor’s theory because he underestimates the changing character of (mis)recognition.

Even if recognition is primarily arbitrated by the state, Taylor also does not address how conflicts among dominant and subordinated groups about recognition should be resolved. Some subordinated groups are caught in a particularly difficult position in which they seek recognition from the state and may indeed be dependent on the state for financial support, but also seek to challenge the state. One example of this is the women’s movements in Canada. The National Action Committee on the Status of Women (NAC) works to challenge government policies and practices on behalf of women, but they are also dependent on the federal government for funding. They have to gain recognition from the government in order to show that their work is meaningful whilst at the same time they attempt to challenge the gendered structures of misrecognition imposed by the state.
Moreover, there are times when seeking recognition through constitutional means only serves to advance the power of dominant groups. In particular, as Alfred asserts, arguing for Indigenous rights or recognition from the Canadian state reinforces rather than undermines the state’s anti-historic claim to sovereignty (1999: 48). According to Alfred, Indigenous people should not be seeking recognition as self-governing peoples from non-Indigenous groups or the state precisely because they are the original inhabitants of Canada and have never rescinded the right to self-determination, even through treaties. By claiming recognition from the very state that oppressed and continues to oppress them, Alfred asserts that Indigenous peoples are validating rather than challenging the power of the state. As he argues, why would historically subordinated people look for validation and recognition from those who have and continue to dominate? This is especially true because the acquisition of recognition can serve to maintain a marginalized position in society (Brown, 1995: 66-69).

In other words, in claiming recognition from the state the coherence of an Indigenous group identity becomes dependent on investing in an identity that is subjugated.  

Taylor may well respond by suggesting that recognition can be provided by international bodies if not by the national state, but this seems to undermine his hope for deep diversity within Canadian borders. Taylor may also reply by saying that recognition is not solely dependent on gaining validation from others, and that recognition amongst Indigenous peoples and nations is also significant and valid; this, however, does not go far enough in meeting his standards of social recognition or dialogical exchange, especially between dominant and subordinated cultures. In this regard, Taylor cannot escape the significant role of the state in assigning recognition; it is not that Taylor is not cautious and even critical about the state but he continues to rely on recognition from authorities of the state. Whilst there are some important benefits from engaging with the state this strategy only takes political transformation so far because the state is invested in maintaining its authority rather than fundamentally changing arrangements of power. Arguably Alfred’s strategy points to disengagement with the state in ways that leave intact current power relations, but it also allows for radical disruption of state-society relations in ways not conceivable when particular Othered groups are under the authority of the state. In other

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68 This is akin to arguments developed by Wendy Brown in States of Injury (1995), which I explore in more detail in chapter nine.
words, by moving beyond and even outside of the state to reconstitute the political order it becomes possible to resist repressive and productive forms of power on terms not restricted by the scope of the state’s agenda. As Michel Foucault argues, “One impoverishes the question of power if one poses it solely in terms of legislation and constitution, in terms solely of the state and the state apparatus. Power is quite different from and more complicated, dense and pervasive than a set of laws or a state apparatus” (Foucault, 1980: 158).

This becomes an even more pressing concern when recognition requires people to be constructed in bounded and regulative categories in ways familiar to the state. This is problematic, as Judith Butler (1999) argues, because accounts of identity become constituted through the hegemonic acts that supposedly represent it. Butler expressly explores the ways in which gender identities are formed through conventional gender acts which serve to discipline deviations from normalized categories of gender. Her analysis suggests that since these systems of gendering are produced through repetitive, regulated and public systems, recognition itself becomes a way to make visible those identities that do not conform to gendered norms; in this regard, recognition can produce a regulatory effect that is counter to Taylor’s ethos of authenticity. For instance, even though the official recognition for same-sex marriages is a significant political gain for lesbians and gay rights, the hegemonic norms grounded in heterosexual notions of a couple, spouse and family remain in tact (Caswell, 1996: 317). Not only does this perpetuate the idea that inclusion depends on adopting heterosexual norms (i.e. marriage) but those who identify as queer, rather than gay and lesbian, become further Othered because they fundamentally challenge systems of gendering.

Seyla Benhabib draws attention to another effect of depending on bounded categories of identity for social recognition, namely essentialism (1999a: 293-5). Benhabib’s concern is that through the process of recognition the assertion of an identity has the consequence of freezing that identity. The contradiction between defining identities as essentialist, or alternatively performative, forces one to choose essentialism. Indeed, when recognition is dependent on juridical definitions it becomes necessary to define and regulate the boundaries of who belongs to a protected category; consequently, the trap of essentialism is inevitable through legal modes of recognition. Chandran Kukathas (1988)
takes this further and argues that formal recognition institutionalizes identities in such a way as to produce an identity that did not exist prior to the public recognition; in other words, an identity takes on new meanings in order to actually articulate claims of public recognition.

It is possible to balance the inevitability of evoking bounded notions of identity with Taylor’s principle of other-understanding. But in this lies a tension in his theory; he wants to assert the need for recognition of culture and at the same time suggests that dialogical exchange adjusts the horizons of significance. As Steven Rockefeller notes, “it is unlikely that a society will be open to such a transformation if it is preoccupied with the protection of one culture to the extent of allowing the government to maintain that culture at the expense of individual freedom” (1994: 92). In this regard, Taylor uncritically theorizes the relationship between recognition (which is dependent on stale bounded categories of identity) and cross-cultural exchange (which opens the possibilities of change in the horizons of significance).

It is also unclear whether claims of state recognition are dependent on self-identification or the identity one adopts in relation to others. For instance, one may visibly appear to be one kind of identity but this may not be reflective of the way in which they actually self-identify. In particular, physical appearance may serve to distort recognition both for those doing the recognizing and for the self. On writing on mixed race identity, Katya Gibel Azoulay suggests that the politics of recognition problematically obligates one to adopt a category of race that may not be self-evident (1997: 25-6). Furthermore, Azoulay argues that part of the problem in making claims is that it is easier to recognize some identities than others. Her primary example is of her own identity, which is Jewish and Black. She states that “given the stereotypes about Jews and Blacks, it is easier for a brown skinned person to pass as not Jewish than for Jew to pass as merely white” (1997: 10). Her analysis suggests that recognition depends on interpretation which may or may not accurately reflect the ways in which one self-identifies. Taylor, however, does not consider how recognition is dependent on interpretations of identity that are determined by appearance and visibility, norms of behaviour, internalized values, time, and social and legal categorizations. Nor does he explore how people’s perceptions and interpretations affect the ways in which they will recognize others and the ways in which people articulate claims of recognition.
Even though Taylor presents the notions of other-understanding and fusion of horizons as a way to socially recognize Others (Taylor, 1995: 149-151), he does “not offer us any criteria for determining when one is really encountering the Other and when one is encountering their own view of the other” (Redhead, 2002: 125). He does not provide a means of determining if we are adequately responding to the world of the Other or if we are merely self-projecting our own view of the Other, a view that may be informed by misrecognition and non-recognition. Dialogue may prevent some of this projection as points of convergence become clear, but it does not guarantee it. Indeed, recognition may be the hegemonic recognizer’s way to self-validate, rather than actually valuing the Othered (Bannerji, 2000: 148). In other words, for the recognizer, the gaze may simply serve to reinforce his/her own status. This is especially true because in discovering my authenticity I have to position who I am against or who I am not. In realizing my own authenticity I have to acknowledge who I am different from. In recognizing who I am, I am also saying who I am not. Even if this process of comparison and othering is inevitable when making claims of recognition it is critical to engage in ways to develop consciousness about one’s own relational position within systems of oppression and privilege (i.e. power), an aspect that has potential in Taylor’s notion of other-understanding but is not adequately addressed.

The Telos of Recognition

Taylor’s description of psychological damage through misrecognition and non-recognition indicates that the failures of recognition happen to individuals and cultures. With regard to individuals, Fraser argues that in framing injustice as psychic deformation recognition thinkers wrongly assume that when people experience severe forms of injustice they are automatically damaged (2001: 26-7). Fraser does not deny that misrecognition creates psychic injuries, but she wants to emphasize that misrecognition creates “externally manifest and publicly verifiable impediments to some people’s standing as full members of society” (2001: 24). She concludes that because justice is not simply a matter of self-realization it is crucial to examine the institutionalized (not psychological) patterns in which misrecognition occurs. These institutionalized patterns are partially examined by Taylor in

69 This is reminiscent of Simone de Beauvoir’s analysis in The Second Sex (1973), where she makes the argument that the subject is always already and universally the masculine, while the female is differentiated and constructed as the feminine other. As such, the female is marginalized because of what she is not.
his discussions about the failure to recognize particular cultures. The distinction between institutional and psychological damage, however, may be over-conflated, especially when it is understood that one kind of damage affects the other. In other words, it seems more likely that institutional and psychological harm are inter-linked.

The difficulty may lie in the notion of recognition itself. Recognition needs to be problematized because the harms that have been done through historical non-recognition and misrecognition are simply not repaired or compensated for through recognition. As Susan Wolf (1994: 77) and Nicholson (1996: 1-16) contend, rather than focusing on the recognition of specific identities, the underlying assumptions, attitudes and prejudices of those who grant recognition need to be problematized. This is because for groups (such as ‘women’) it is not that dominant identities do not recognize particular identities but rather, “this specific identity is put to the service of oppression and exploitation” (Wolf, 1994: 77).

Hence whilst on a theoretical level the language of recognition has some appeal for it allows theorists to consider claims within a broad rubric of recognition, on a political level this can be deeply troubling, especially because the discourse of recognition veils specific ideological practices. Since Taylor understands misrecognition and non-recognition of cultures to be the same as inequality, exploitation, and injustice (Taylor, 1994b: 64), he does not differentiate between particular histories and structures of inequality, exploitation and injustice. Indeed, the language of misrecognition and non-recognition only reveals partial outcomes of exploitation, marginalization, powerlessness, cultural imperialism, and violence. In particular, although misrecognition and non-recognition are closely tied to each other, the histories of non-recognition can be quite varied from the histories of misrecognition. Whereas misrecognition suggests that there were attempts to recognize

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The literature on reparations points to the level and kinds of compensation necessary, which includes not only receiving cash payment, but also requires that the legacy of domination and exploitation be analyzed in terms of manifestations of negative cultural attitudes and inferior socio-economic conditions. Example of such work include Elazar Barkan’s *The Guilt of Nations* (2000), Martha Minow’s *Between Vengeance and Forgiveness* (1998), and Daniel Van Ness and Karen H. Strong’s *Restoring Justice* (1997).

Carolin Emcke provides a breakdown of different forms of misrecognition based on various forms of conflicts, injuries and social exclusions, all of which, she acknowledges, can overlap (2000: 487-491). This is precisely the kind of analysis that would make Taylor’s theory more local and reflective of people’s political experiences.

These faces of oppression are identified by Iris Marion Young in *Justice and the Politics of Difference* (1990: 46-63).
particular identities but that these were Othering, non-recognition indicates that no attempt to recognize was made at all and deliberate exclusion took place.

In these ways, the discourse of recognition masks the particular forms and outcomes of power. The actual processes and structures that lead to oppression and domination are packaged with the terms misrecognition and non-recognition without adequate redress to the different power dynamics that lead to people being excluded, marginalized, powerless, where, for instance, there is no distinction between experiences of racism and colonialism against Indigenous peoples or the Chinese or Sikhs in Canada. Even when Taylor speaks of deep diversity he does not explore the social relations of power that construct Canadian nationhood on racialized and racist grounds thereby masking these histories of oppression. This is, as Bannerji states, the dark side of nation that multiculturalists do not want to address (2000: 91-120).

Iris Young warns that although contemporary liberal theory and practice can accommodate an interpretation of group-based political claims as claims of recognition, it cannot deal with the “critical claims against the structural privilege that some people have by virtue of the way dominant institutions and discourses define the norms and standard expectations of capability, achievement and way of life” (1999: 420). Young rightly argues that the problems that motivate organizing around the experiences of Otherness have to do with the dominant norms and expectations in society rather than assertions of recognition (1999: 415). But even when Taylor addresses varieties of exclusion in ‘The Dynamics of Democratic Exclusion’ (1998a), he does not frame this through the discourses of specific kinds of exclusion such as racism, colonialism and imperialism.

Even if recognition was situated in contexts of ideological power it does not necessitate a change in the dominant social order. The possibilities of transformation become more evident when politics is understood as an activity of subversion and not just recognition. French feminists such as Luce Irigaray (1985) examine, for instance, the possibilities of resistance that arise from subversive strategies. She argues that subversive politics is not dependent on a false dialectic between the subject and the Other that serves to reinforce dominant significations. It becomes possible to subversively oppose and resist the hegemonic order when we reject this false dialectic. In Taylor’s case, this would mean that rather than situating identities as those who are recognized versus those who are not, it
would be possible to contest the very paradigms that depend on a recognizer-recognizee or the dialectic of centre-periphery. As such, Taylor’s assumption that misrecognition/non-recognition is damaging also comes into question. There may be benefits in being oppositional and not pursuing recognition. Indeed, if subordinated identities were to gain Taylor’s recognition, the critical perspectives that come from being Othered become smoothed out and co-optation into the dominant social order can emerge. Alfred (1999), for instance, argues that recognition from the state leads to the co-optation of Indigenous voices, in which the end result is that dominant groups assign recognition in order to expand themselves and subordinated groups frame their claims of recognition in discourses acceptable to dominant recognizers.

Taylor does not directly discuss the potential of transforming society by challenging the need to be recognized at all, rather than aspiring to be recognized as normal-despite-difference. Contra Taylor, collective social identities can still be recognized in positions of exclusion but rather than looking to existing dominant groups to recognize them, marginalized social identities can look to members of their own collectivity to validate their identity. This means that recognition can exist without dialogue with dominant groups, including through a simple statement of fact. So for example, the political assertion of “I’m Black and proud” is not a plea for recognition but a statement of identity. In other words, although identities that are positioned subordinately are not identical, members from subordinated collective identities can validate aspects of identity in meaningful ways because it has meaning to them even when these meanings are not shared by society at large.

In *Bound by Recognition*, Patchen Markell (2003) questions whether the discourse of recognition really captures the problems of injustice at all. He concludes that injustices in relation to identity and difference are not simply a matter of improper recognition or non-recognition. Markell accepts that misrecognition/non-recognition are symptoms of justice, but he argues that this is not necessarily the case and, more importantly, “this diagnosis does not grasp the problem at its roots” (2003: 5). Markell rightly argues that the language and idea of recognition underestimates the forms of desire and motivation that sustain unjust social arrangements, as well as the possibility that even affirmative images of Others serve as vehicles of justice. He contends that relations of social and political subordination are not failures of recognition but “ways of patterning and arranging the world that allow some
people and groups to enjoy a semblance of sovereign agency at others expense” (2003: 5).
For Markell, Taylor’s politics of recognition reduces democratic justice to all people being
known and respected as who they are really. As an alternative, to address the sources of
injustice Markell offers a politics of acknowledgement which requires that “no one be
reduced to any characterization of his or her identity for the sake of someone else’s
achievement of a sense of sovereignty of invulnerability” (2003: 7).
Yet, at the same time, it is possible to reconfigure recognition so that it is no longer
understood as an end-game, as James Tully argues. Tully asserts that rather than
concentrating primarily on the goals of struggles of recognition, it is necessary to “look on
the struggles themselves as a primary thing” (2000: 469).73 The primary thing should not be
recognition itself but the freedom of members of an open society to change the
constitutional rules of mutual recognition and association as their identities change (Tully,
2001: 5). This is because recognition by the state can only be a codification of state
processes of identity reification. Importantly, Tully notes that primacy of definitive
recognition might undermine “the freedom of speaking and acting differently in the course
of the game and so modifying the rules or even transforming the game itself” (1999: 164).
For Tully, the struggle itself is “an important achievement in its own right for all the actors
involved” (2001: 22). Even if recognition is not achieved, reciprocal disclosure and
acknowledgement can still affect the outcome to some extent and the actors can come to
appreciate the reasons on the other side and the limits of their own position. As such, Tully
views recognition politics as a complex struggle that has the potential to increase freedom in
democratic contexts:

Recognition in theory and practice should not be seen as a telos or end-
state, but as a partial, provisional, mutual and human-all-too-human part
of continuous processes of democratic activity in which citizens struggle
to change their rules of mutual recognition as they change themselves.
(2000: 477)

73 Others have made similar arguments including Jocelyn Maclure who states that “The focus must be
shifted from the end-state of recognition to the form of democratic activity embedded in struggling for
recognition” (2003: 4). Maclure argues that the emphasis on the end-state of formal recognition can
potentially occlude the virtues built in the process of fighting for recognition (2003: 5). Emcke also
suggests that struggles for recognition do not simply protect neglected minorities; rather, “they are also a
This passage suggests that Tully is not arguing that claims of recognition are in themselves bad -- he understands that recognition politics has goals -- but rather he want to “direct attention to another dimension of what is going on when various people and peoples get together and seek to amend the relations of governance and/or the language of recognition (Maclure, 2003: 12). It is the doing of recognition that concerns Tully rather than the results of recognition; as such, the process of recognition is a constructive one in which the ongoing activity of recognizing produces tentative results and changing identities.

This ‘doing’ opens up opportunities to subvert and disrupt modes of recognition so that identities do not have to fit into particular moulds in order to claim recognition. Queer theorist Lisa Bower argues that whilst legal or official recognition requires the queer Othered “to fit into some space already acknowledged by the liberal nation-state”, the possibilities of destabilizing both law and identity categories are widened when the doing of recognition invites the redefinition of politics and the reconfiguration of identities (1997: 268). Like Tully, Bower emphasizes the discursive subject positions and configurations of community that get lost when recognition is understood as a legal end-game. For Bower it is not the outcome of legal recognition or non-recognition that is of primary importance, but rather it is the capacity of identities to create contestation in the legal field.

**Dominant and Subordinated Identities**

Taylor problematizes the identity of a person claiming recognition and to some extent also problematizes the relationship that person has with others. He also examines how identity is socially constituted in contested ways. Thus he states “Political identities have to be worked, negotiated, and creatively compromised between peoples who have to or want to live together...Moreover, these solutions are never meant to last forever, but have to be discovered or invented anew by succeeding generations” (1999: 281). However, he fails to analyze how the social constitution of identity is centrally determined by relations of subjugating and privileging power. Identity, in other words, does not emerge centrally from recognition as Taylor claims, but rather identity emerges from particular relations of power that are both repressive and, as Foucault remind us, productive.74

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74 Tully, Emcke and Markell all stress the political dimensions of recognition that Taylor under-explores. Tully (2000) focuses on the complexity of political struggles over identities; Emcke (2000) illustrates that
This is not to suggest that Taylor is blind to power, for he argues that misrecognition and non-recognition takes place as a result of an abuse of power. But power is more constitutive of identity than Taylor theorizes. By only focusing on the identity that seeks recognition, Taylor ultimately fails to draw attention to the social environment, practices, structures and processes in which misrecognition/non-recognition occurs, and to the ways in which recognition itself changes arrangements of power. In other words, Taylor needs to explore not only the demands for respect of the distinct social group traits but also the demand that social structures, processes and practices -- in which recognition takes place -- also be changed. Instead, he does not offer a guide as to how claims of recognition are shaped by contexts that are marked and determined by power. Nor does he explain why recognition takes place in some contexts and at particular times and not others. Linda Nicholson asks for example, why particular feminist and African-American movements in the U.S. were successful in claims of recognition in the late 1960's and early 1970's; she argues that analysis of the contexts of power (and not the recognition claim itself) provides more fruitful explanations as to why change took place (1996: 5).

Taylor makes it clear in his criticisms of post-structuralism -- which he considers "half-baked" and 'subjectivist" -- that he does not conceptualize identity in terms of social power (1994b: 70). Thomas Dunn (1994) argues that Taylor's sweeping hostility to post-structuralism in 'The Politics of Recognition' reflects his commitment to the ontology of harmony. Dunn contends that this commitment, however, ignores the ways in which thoughtful deconstruction and reconstruction of identity can "give shape to creative ways in which we might rethink political action" (1994: 171). Taylor's dismissal of post-structuralism veers him away from considering the relationship between power and culture. Taylor needs to contextualize identity as something that is also social and political because although recognition of culture may construct identity in the way that Taylor contends, it does so in the context of power (Rorty, 1994: 4). Perhaps most importantly, transformations of arrangements of power do not occur through recognition alone. Gaining recognition through a social-political contract may re-position some identities but it does not challenge the systems of oppression or privilege. The focus should not be only on the one being

the language of recognition obscures issues of power and domination; and Markell (2000) situates the play of power among and within groups.

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recognized since the context in which recognition is taking place also needs to be changed. This context of power is especially important in identity/difference politics because, as Nicholson states, those multiculturalists who wish to exclude talk of power neglect to examine the processes by which judgments of recognition and value are made (1996: 14).

Analysis of power is critical in order to situate dominant identities. Whilst Taylor addresses particular minorities, his lack of analysis of the social context masks the ways in which dominant groups sustain their (normalized) privilege of recognition. In particular, he confers recognition to the Othered without taking into account the ways in which dominant identities become, by default, the standard of recognition. This normalizes some identities, thereby rendering invisible the power and privilege of those who are dominant. Histories of colonization, patriarchy, disablism and homophobia clearly show that particular identities (such as wealthy white able-bodied heterosexual males) come to be recognized as powerful collective groups and maintain their socio-political position through continued processes of domination.

It is especially important to situate dominant identities because, as Anthony Appiah rightly argues, it is one thing to ask dominant groups to accept a plurality of ‘different’ ways of belonging when they are secure in exercising their dominant power, but it is quite another to ask subordinated identities to now assume that their way of belonging will be accepted in light of the context of a history that has been oppressive (1994: 153-4). It requires a higher level of trust on the part of subordinated identity than from those who benefit from the historical domination of minorities. Moreover, Taylor also offers no reason in his theory as to why dominant groups would relinquish their own power in a process of recognition. The common good of gaining equal dignity and respect for marginalized identities from dominant groups has far less appeal to dominant groups than Taylor acknowledges. Since Taylor does not address what is required of dominant groups, other than to act as recognizer, the gains from Taylor’s theory simply do not seem substantial enough when you take into account what he is expecting of those who have been misrecognized/non-recognized, and what he is not expecting of dominant groups.

Rather than problematizing dominant recognizers, Taylor assumes that dominant groups perform the role of judge. He defends the right to survival but he does not believe that all cultures should automatically be recognized as equally valuable. Taylor suggests that
in order to arrive at an informed judgment of worth we should immerse ourselves in cultures other than own (1994b: 66-7). This requires a fusion of horizons in which new ways to articulate commonalities are developed to ensure what Taylor calls ‘other-understanding’ so that dominant standards of judgments are expanded to include marginalized standards. Taylor acknowledges that even through a fusion of horizons we can never fully know others (at best we can find points of connection), but that this other-understanding prevents eurocentric judgements.

At first reading, this ethos of communicating and understanding appears to be very respectful and responsible within a democratic setting, as we can gain awareness of what is valuable to each other’s culture, as well as a critical perspective of our own culture. It also enables relations of reciprocity to flourish. However, it is extremely problematic to presuppose that ‘we’ can make judgments about the worth of other people’s culture by immersing ourselves into their culture. It is not that judgments about particular practices cannot and should not be made for some acts, processes and structures are oppressive and need to be judged in order to be located and dismantled. But Taylor does not offer adequate criteria to compare the value of one practice over another (e.g. Sikh marriage ceremonies and Jewish marriage ceremonies).

Moreover, although Taylor argues that ‘we’ have to be wary of imposing a homogenizing standard based on North Atlantic civilizations he continues to suggest that there are still some cultures that are more advanced than others. The presumption of worth may imagine “a universe in which different cultures complement each other with quite different kinds of contribution” but there are nonetheless some cultures that have a “superiority-in-a-certain-respect” (1994b: 71). Although Taylor is speaking to cultures that have been historically oppressive, such as Nazism, as Bannerji argues, he also indicates that western Christian cultures are in some ways superior to ‘traditional’ cultures because of an inherent preference for the kind of liberal rights that he deems necessary for recognition (Bannerji, 2000: 136-140). Bannerji contends that Taylor’s distinction between Islam as fundamentalist and closed minded, and Christianity as modernist and open-minded is

75 As Baumeister points out, for Taylor, “to insist upon the equal worth of all cultures is to rob the idea of worth of all meaning and would thus render recognition pointless” (2000: 141).
76 Lawrence Blum suggests that rather than the equal worth argument, Taylor would be better off basing his theory of recognition on his distinctiveness argument (1998: 85-7). Blum claims this is already a feature of Taylor’s normative position and would avoid the trap of comparison that Taylor puts himself into.
reflective of this, and as such Taylor places Christianity as a source of modernity whilst situating Islam within a colonial discourse. He overlooks the ways in which Islam is constructed as less progressive than modern Christianity; as such, Taylor imposes what Said (1978) named as orientalism, where systems of representation framed the Orient into western learning, consciousness and empire as inferior. For example, in developing an alternate model to the liberal procedural republic Taylor claims the notion of ‘humanity’ as a Christian idea (1998a: 153). Mulhall contends that Taylor in fact carries a strong preference for theistic, as opposed to nontheistic, sources of identity formation (2004: 124-125).  

This serves to stabilize a ‘them’ and ‘us’ situation that should be contrary to Taylor’s theory of recognition. It is not that Taylor argues that cultures that are not western and Christian should not be respected, but rather, he seems to suggest that the worth of those cultures depends on how they embrace particular (western and liberal) ways of being. In this Taylor essentializes cultures, including Canada’s as North European, modern and Christian, and as such reduces cultures “within a colonial discourse of tradition and modernity, [thus] spatializing these characteristics with a ‘West and the rest’ approach” (Bannerji, 2000: 144).

Ultimately, knowing a culture does not take place in a process that is free of our own prejudices, experiences and position in existing hierarchies of worth. Although Taylor acknowledges that a fusion of horizons enables us to transform our standards of judgment, and as such that it is not possible to value the culture of other people in a vacuum, he fails to analyze how identities are given meaning (whether or not that meaning is valued) in the context of our existing positions. Even if we accepted Taylor’s notion that it is necessary to judge a culture’s worth, he does not satisfactorily indicate to us how we conceptualize why worth is being denied and by whom, and what this indicates about power (Bannerji, 2000: 141).

**Recovering ‘authenticity’**

The ideal of authenticity as freedom has appeal for marginalized groups because it allows space for self defined difference; and as such, it is a significant tool for those who challenge dominant paradigms. It has been especially momentous for those who deconstruct...

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77 In this, Mulhall is highlighting that although religion may be an adequate moral source for some, the same may not be true for secular people; this, Mulhall claims, presents a challenge to Taylor’s conception of identity which he does not sufficiently address.
post colonial and neo-colonial societies. For example, in the context of Indigenous peoples, Linda Tuhiwai Smith argues that authenticity is used

as a form of articulating what it meant to be dehumanized by colonization; and, second, for reorganizing ‘national consciousness’ in the struggles for decolonization....It does appeal to an idealized past when there was no colonizer, to our strengths in surviving thus far, to our language as an uninterrupted link to our histories, to the ownership of our lands, to our own life and death, to a sense of balance among ourselves and with the environment, to our authentic selves. (1999: 73)

Authenticity offers a reminder and some insight to the fact that there was a culture and people before it was changed through oppression and domination. In this regard, authenticity draws our attention to the ways in which particular cultures were fundamentally altered by oppressive power.

However, as an ideal, authenticity raises some important questions for difference/identity politics because Taylor tends to treat identities as pre-political entities, as already existing things that have an authentic core (Markell, 2000: 496). Primarily, as Linda Smith goes onto argue, authenticity has come to be used to determine who is purely the Other, who is really worth saving, and who is free of western contamination (1999: 74). Trinh T. Minh-ha also contends that the ideal of authenticity expects and demands that only an authentic native will do as truly different, where the un-spoilt identity that is not shaped by western and liberal values is purely authentic (1989: 88-9). But as Homi Bhabha argues, it is not enough for identities to be affirmed through recognition, or “by returning to an ‘unmarked’ authentic origin or pre-text” (1998: 31). Authenticity as freedom can, in these instances, require recovery of an identity in impossible and undesirable ways.

It is precisely because our historical social context has marked identities that anti-colonial thinker Gayatri Chakravorty Spivak (1988) states that it is impossible to re-discover some aspects of our identity. In her analysis of the oppressed post colonial subject, she warns that it is important to be careful about romanticizing and homogenizing the oppressed subject. This is because the repressive power of colonialism, especially in the way that it historically intersects with patriarchy, makes it extremely difficult to recover the voice of the subaltern. She uses colonial debates on widow immolation in India to show that there is no space for the subaltern sexed subject, the burned widow. She challenges the simple division between colonizer and the colonized by inserting the category of the Indian wife as someone
who is oppressed by both the colonizers and colonized (Loomba, 1998: 234). Spivak warns that native cultures were not left intact through colonial rule, and hence are not now recoverable. Practices and structures may provide clues about practices of the authentic native culture, but we must not be nostalgic for lost ‘origins’. Thus, although Taylor may be right that we all have our own ways of being, it does not mean that we are able or would want to recover our authenticity from a particular time and context, even if we knew how.\textsuperscript{78}

This is especially because, as Azoulay (1997) argues, sometimes externally imposed negative interpretations become internalized, so much so that even though an interpretation is false there is no choice but to react to it. As an example, the idea of African-American identities in the U.S. emerged through a history of slavery and racism; people were collectively identified through externally imposed racist meanings, in which there were changing meanings associated with those currently racialized as African-American, including nigger, Negro, and Black. In particular, the construction of the Black identity was, as Frantz Fanon (1967; 2000) demonstrated, produced in relation to white identities; both of these constructions are without ontology, Fanon points out, and are in fact politically constituted in relation to each other.

At the same time, Fanon suggests that the category of Negroes (or in contemporary terms Blacks or African-Americans) can be used to demarcate a broad category of people who are dehumanized and disempowered through racialized and class hierarchies, but through the antithesis of notions of race as biology. By this, Fanon is urging for a reconfiguration of Blackness in the mirror image of racists. He offers a radical politics of recognition, one that responds to racism but that is not defeated by it. After describing his response to a white boy shouting out ‘Look at the nigger!...Mama, a Negro!’ (in which the Black man is signified as an animal, bad, mean, and ugly), Fanon states, “I resolved, since it was impossible for me to get away from an inborn complex to assert myself as a BLACK MAN. Since the other hesitated to recognize me, there remained only one solution: to make

\textsuperscript{78} Bannerji et. al. (2001) takes Spivak’s analysis further to illustrate that the pre-colonial era was not an idealistic time, free of power. They examine domination based on gender and class practices, and cite Uma Chakravarti’s (2001) study of Brahmans in the pre-colonial state of seventh century Maharashtra (west India) as an example of pre-colonial patriarchy and classism. Chakravarti argues that the privileging of Brahmans through ritual, landed and political power was based on the suppression of other castes and women. Bannerji et. al. argue that whilst class and gender hierarchies were introduced through colonial practices in African and North American, in Asian and European countries there has been a long-standing history of gendered structures (such as patrilineal inheritance).
myself known" (2000: 260). In this way, Fanon's point to the relational production of identity and to the possibilities of altering the inscriptions attached to an identity when making claims of recognition.

As such, despite the negative interpretations attached to significations of nigger, Negro, Black and African-American at particular times in history -- which have had enormous psychological and institutional consequences -- African-Americans in the U.S. have defended and organized themselves because of shared experiences of injury and exclusion. Moreover, they have come to celebrate Black power and African-American identity, redefining these identity labels on their own terms. Thus African-Americans now share the experience of structural and symbolic misrecognition and discrimination (Emcke, 2000: 492). As such, as Carolin Emcke (2000) argues, though recognition and misrecognition can both be constitutive aspects of the formation of collective identities, it is normatively important to distinguish between chosen and imposed identities because these types of identities need different forms of recognition.

It is not entirely clear whether Taylor's theory would lead him to dismiss this kind of African-American identity on the grounds that it is not authentic because it emerged through slavery and racism (as modes of misrecognition). On the other hand, he could argue that dialogues of other-understanding have the potential to take care of changes about identity over time, although he does not explicitly say this. On either account, authenticity is troubled: in the first instance a self-proclaimed identity could be challenged because it did not meet the ideal of authenticity, and in the second instance there are likely to be inconsistencies in self-directed, other-directed, and externally-imposed notions of what is authentic.

The relationship between recognition and authenticity is also more conflictual than Taylor grants. Specifically, how is it possible to be authentic to oneself and be dialogical and resist the conventions of family, religion, the state or society? Anthony Appiah examines this question and argues that the rhetoric of authenticity proposes that I find my own way of being, and at the same time requires that “I must fight against my family, organized religion, society, school, and the state – all the forces of convention” (1994: 154). Certainly, the notion of reflective agents is important to identity/difference politics, but how is it possible to become authentic to myself, engage with others, and resist oppression when I am
dependent on recognition from the very people that have misrecognized/non-recognized me in the first place? Taylor does not satisfactorily resolve this tension.

Indeed Taylor conflates levels of authenticity which may actually conflict with each other. Recovering the originality of self is not the same as recovering the originality of a collective social identity or the originality of a nation (Appiah, 1994: 153). This does not mean that the originality of the self is formed distinctly outside of a social setting, but it does mean that there are different processes for recovering particular kinds of authenticity. Indeed recovering my authentic self may require that I reject or challenge aspects of my community identity. Taylor may not wish it so, but in becoming authentic I may be forced to make a choice between myself and my community. As such, one collectivity may clash with another. The question then becomes, what if the goals of a collectivity clash with the goals of an individual -- which should take precedence? Taylor may be forced to endorse a system which ontologically or hierarchically orders which collectivity expresses the individual more authentically (Benhabib, 2002: 53). The problematic that arose with Kymlicka’s theory hence also arises for Taylor’s, where those with interlocking marginalized identities are forced to choose and prioritize between aspects of identity.

3.5 Concluding Remarks

Taylor’s politics of recognition has sophisticatedly advanced the debate about the self, the value of culture, and modes of liberal citizenship. In relation to Kymlicka, Taylor’s theory is more appealing because of its communitarian emphasis and because he is more attentive to the relations amongst individuals. In these ways, Taylor brings merit to the liberal multicultural approach. Yet he is not as far away from Kymlicka’s agenda of seductive integration as he first appears; indeed, his communitarian tendencies lead him to a path of deep diversity that requires standards of unity and cohesion already determined by dominant groups. Further, he over relies on the state’s role in assigning recognition, hence neglecting the ways in which recognition politics goes beyond the state and how recognition claims are also limited because of the state. He treats recognition as an end-goal rather than a process, thus falsely assuming that recognition can address all claims of injustice. He narrowly defines the scope of recognition, thereby overlooking and even obscuring the multiple ideological processes that shape a broad range of subordinated and dominant
identities. Finally, he idealizes authenticity without fully appreciating the limitations and implications of this ideal. Ultimately, whilst recognition can potentially serve as one aspect of political change -- if it were to be stretched further to encompass identities beyond the scope of culture -- Taylor only takes the analysis of identity/difference so far. He does not, in the end, provide a satisfactory guide on how to expose, name, and respond to socio-political arrangements of power.

This critical overview of liberal multiculturalism raises a specific concern regarding a key concept that dominates the theories of Kymlicka and Taylor (as well as other political theorists), namely the centrality of culture. As such, in the next chapter I explore the ways in which Taylor and Kymlicka implicitly and explicitly present a narrow and problematic understanding of the culture concept, and the implications of this for theorizing issues of identity/difference. To take the analysis beyond the bounds of liberal multiculturalism, I draw from multi-disciplinary perspectives in order to consider how and why a shift to cultural provides critical insights for the study of identity/difference in political theory.
Chapter IV
The Conceptual Shift from Culture to Cultural:
An Alternative to Liberal Multiculturalism

4.1 Introductory Remarks

A critical overview of Kymlicka’s and Taylor’s theories of liberal multiculturalism reveals the centrality of culture as a descriptive and diagnostic concept. Yet, I will argue, the analytical capacity of the concept of culture is both conceptually under-theorized in its application and limiting in its focus. Despite the differences between Kymlicka and Taylor, here I explore the similar effects of utilizing the culture concept. Specifically, I contend that the liberal multicultural interpretation of culture fails to provide an adequate analysis of power because it is both narrowly conceived and thin in its capacity to respond to identity and difference. In order to develop an alternative to the liberal multicultural understanding of the concept of culture, I turn to critical Anthropology and Cultural Studies because these disciplines emphasize the dynamic activities of culture rather than culture-as-object.79 Whilst some political theorists have already drawn upon Anthropology to revise the culture-concept, I explore ways to take this one step further by supplanting the concept of culture with the concept of cultural.80 I consider the ways in which a conceptual move to cultural has the potential to radically alter the theoretical focus of identity/difference politics. Ultimately, I contest that this analytical shift repositions analysis from Othered cultures to locating the relations of power which produce and mark cultural identities and relations. Power is central to an understanding of the production, organization and legitimation of meanings that constitute identities and relations.

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79 Whilst culture can and should be re-theorized within political theory, political theorists must find ways of analysing culture without simply inserting alternate visions from other disciplines or without entirely rejecting political theory. The meaning and use of culture cannot be merely transported from other disciplines as the aims of political theory are not identical to those in anthropology or cultural studies. The insights of other disciplines, however, are useful in challenging the constricted notion of culture that is assumed within liberal multicultural thought.

80 The conceptual move from culture to cultural follows the tradition of Sheldon Wolin’s linguistic and analytical shift from ‘politics’ to ‘the political’ (1960) and Hannah Arendt’s shift from ‘society’ to ‘the social’ (1959).
4.2 The Concept of Culture in Liberal Multiculturalism

Broadly speaking, liberal multiculturalists employ culture as a code for speaking of ethnic groups, historical nations and linguistic minorities. Kymlicka and Taylor specifically limit their analysis of minority or misrecognized cultures to national minority groups that are territorially concentrated and share a common language (i.e. Indigenous people and French-Canadians living in Quebec), and polyethnic/immigrant minorities whose members are assumed to share language, history and a broad belief system (Kymlicka, 1995: 18; Taylor, 1994b: 52-55). This is not surprising in light of the fact that at the time they wrote their theories of multiculturalism there were controversial debates over Canadian unity and constitutionalism (e.g. the Meech Lake and Charlottetown accords in the 1980’s and 1990’s, the impact of the Charter, the referendum on secession in Quebec in 1995). Responding to these political events, Kymlicka and Taylor articulated their theories through a discourse that enabled them to pinpoint cultures, which in turn allowed them to evaluate different groups. There are, however, several consequences of privileging an interpretation of culture as ethnicity, nationality and linguistic difference.

Essentialized and Bounded Cultures

The use of culture as the ethnic, national, and linguistic groups leads liberal multiculturalists to present culture through an essentialist rather than nominal definition, in which it becomes an object. Essentialist views of culture risk “reifying cultures as separate entities by over-emphasising their boundedness and mutual distinctness; it risks overemphasizing the internal homogeneity of culture in terms that potentially legitimize repressive demands for communal conformity” (Turner, 1994: 407). This use of culture treats groups as if they were bounded and discrete entities definable through fixed criteria. This, as Arjun Appadurai states, “brings culture back to the discursive space of race, the very idea it was originally designed to combat...Viewed as a physical substance, culture begins to smack of any variety of biologisms, including race, which we have certainly outgrown as scientific categories” (1996: 12). This notion of culture as an entity is central to liberal multicultural interpretations.
Kymlicka states that he is broadly using culture not in a non-ethnic sense to refer to customs or civilization (1995: 17-18) but in way that is “synonymous with ‘a nation’ or ‘a people – that is, as an intergenerational community, more or less institutionally complete, occupying a given territory, or homeland, sharing a distinct language and history” (1995: 17-18). Kymlicka specifies societal culture -- the culture of national minorities -- as “a set of institutions, covering both public and private life, with a common language, which has historically developed over time on a given territory, which provides people with a wide range of choices about how to lead their lives” (1995: 75). Culture hence adopts features of stability, formal structures, longevity and an object that provides choices. In defending his two poles of national and polyethnic minorities, Kymlicka argues that there are legitimate reasons “to show that ethnocultural groups do not form a fluid continuum, in which each group has infinitely flexible needs and aspirations, but rather that there are deep and relatively stable differences between various kinds of ethnocultural groups” (2001: 59). In order to legitimize the boundaries of his identity categories, Kymlicka implies that each of us belong to one culture and that generally people do not move between societal cultures, although they can enjoy other cultures (Kymlicka, 1995: 85).

The liberal need to categorize and simplify identities haunts Kymlicka in a way that obscures ethnic, national and linguistic differences. Although Kymlicka is cognizant of variation within cultures, the hybridity between racialized, ethnic, national and linguistic difference is underestimated. For example, Kymlicka essentializes Québécois culture by including “anyone who participates in the French-language society in Quebec, regardless of ethnic descent” (1998: 96). But this underestimates the importance of ethnic differences amongst French speakers, and also obscures the differences between those racialized as white and non-white including those from Africa, the Caribbean and Middle East. Whilst these ethnic or racialized groups may share sentiments of Quebec nationalism with other Francophones, this should not be assumed. Moreover, the racialization of Francophones as white and non-white has important consequences for framing culture-based claims for rights and recognition, consequences that may transcend claims of nationalism. Indeed, the importance of the French language varies, and not all Francophones have the same options or possibilities. Although Kymlicka is right to suggest that societal cultures involve a shared vocabulary of tradition and convention, he over-estimates the boundedness of groups. To
make sense of diverse cultures Kymlicka ends up freezing specific configurations of culture. While acknowledging that these may have relevance in particular moments and contexts they should not be understood as permanent and bounded entities.

Whilst Taylor takes the position that cultural identities are dialogically constituted, he also claims that it is possible to make judgements about the worth of ‘a culture’ through immersion. This, however, is only possible if a culture is assumed to be unified and homogeneous in such a way as to make judgments about it as a whole entity. Even though it is possible to make judgments about certain practices in terms of whether they are just, unjust, hierarchical, egalitarian, assimilationist or individualistic, it is problematic to make judgments about the totality of a culture (Benhabib, 2002: 58). This is especially because harmful practices of a minority cultures become the responsibility of an already essentialized group. A harmful sexist practice, for example, tacitly becomes a feature of an entire community rather than the result of the particular meaning given to that practice by some members of a culture.

Specifically, whilst Taylor acknowledges that members of a culture share modes of intelligibility rather than consensus, he also suggests a temporal fixity that undercuts the idea that cultures are changeable through dialogical exchange. In this there is a tension in Taylor’s theory in that he argues that cross-cultural evaluation is aimed at avoiding eurocentric assumptions about culture, and yet he under-estimates the ways in which cultures are also sites of internal contestation that also contradict essentialist tendencies. Taylor states:

> But merely on the human level, one could argue that it is reasonable to suppose that cultures that have provided the horizon of meaning for large numbers of human being, of diverse character and temperaments, over a long period of time – that have, in other words, articulated their sense of the good, the holy, the admirable – are almost certain to have something that deserves our admiration and respect, even if it is accompanied by much that we have to abhor and reject” (1994b: 66-7).

In this he is suggesting that cultures need to be stable, time-endured, mature, and encompassing of many people in order for them to be worthy of recognition. Thus he immediately excludes many cultures in his theory, cultures which may be shifting, transforming, ‘in-between’, partial, or only more recently organized cultures. Taylor dismisses “partial cultural milieux within a society as well as short phases of major culture” (1994b: 66). But these spatial and temporal dimensions have enormous implications for
Deaf, disabled and queer cultures which may not be recognized as having the historically documented longevity of some ethnocultural groups (as a result of the historical forces of power), but who have more recently made claims for recognition. These groups would be largely discounted because according to Taylor they have “not animated whole societies over some considerable stretch of time” (1994b: 66). Moreover, to the extent that queer politics are directed at shifting identities, partial meanings and unbounded fluid definitions, they are marginalized in a theory of bounded and mature culture.

The culture-concept certainly enables short-hand for designating that which many, irrespective of class, gender, sexual orientation, disability/ability, regularly feel, think, and do by virtue of having been in continuous contact with others who share some aspect of identity. Anthropologist Christoph Brumann argues that there is communicative expediency when speaking of a cluster of elements, features, parts, or traits to describe a culture (1999: S9 and S11). However, although such shorthand is commonplace for communicative convenience it is used by liberal multiculturalists to represent some sort of mega-culture without adequate qualification or interrogation of its usage and without reference to overlapping and multiple aspects of identity. As Seyla Benhabib argues, liberal multiculturalists ground culture in faulty epistemological premises; they delineate cultures as whole; assume that cultures are congruent with population groups; and dismiss similarities between cultures as well as differences within cultures (Benhabib, 2002: 4, 60). In this regard, shorthand terminology often uncritically presents culture as an essentialized entity.

**Naturalizing Culture**

The idea of naturalized group identity is a main building block of liberal multiculturalism, where, as John Cruz has stated, “we are compelled to weld artificial identities into natural ones” (1996: 35). It is not that Kymlicka or Taylor claims that one is innately born into an inferior or superior culture, or that norms and practices of culture are not taught and learnt, but they tend to treat cultures as pre-existing entities with identifiable characteristics. In particular, cultures become identifiable not through careful and situated analyses of various practices, histories, and relations but through assumptions about culture. Kymlicka especially naturalizes culture. Although he concedes that the societal culture in
which one makes choices does not have to be that which one is born into, he maintains that adaptation to a new societal culture is extremely difficult and demanding; he concludes that consequently it is reasonable for people to want to access and maintain their native culture (Carens, 2000: 55). Kymlicka states that ethno-cultures are not united by shared blood (1998: 97), but he also goes on to argue that culture-as-nationality is more significant than other aspects of identity because socialization of nationality takes place early in life. This implies that culture-as-nationality is primary because one is born or at least socialized at an early age into certain nationalities. Kymlicka makes the converse argument in relation to homosexual identity; he argues that we learn about our sexual identity later in life, after we are socialized into national communities (1998: 98). This is troubling because he firstly assumes that national identities have more value because they we learn them early on; secondly, he neglects the ways that even culture-as-nationality is changeable as a consequence of shifts in government, emigration or loyalty; and thirdly, he presupposes that sexuality is necessarily something gleaned later in life, when there is much debate over the origins of sexual orientation and gender identification. Ultimately, it is impossible to make generalizations about the intensity or saliency of one form of identity over another.

Even if it was accepted that our culture-based identities take on meanings that seem natural, Kymlicka inconsistently applies his notion of culture; he chooses to focus only on particular ethnic, national and language identities that people are assigned at birth. In particular, in his discussion on whether multiculturalism should be extended to non-ethnic groups (1998: 90-103), Kymlicka does not include Deaf cultures as linguistic minorities. He acknowledges that the Deaf are closer to representing a national minority form of separateness in comparison to other groups (such as gays and lesbians) (Kymlicka, 1998: 102), and yet because the Deaf do not meet his criteria of having a full societal culture they are only entitled to special representation rights. Kymlicka acknowledges that the Deaf have a commitment to their own language in the same way as national minorities (Sign language). He also maintains that the Deaf have developed substantial institutional completeness (in contrast to gays and lesbians). But because the Deaf are too few in numbers, territorial dispersed, and inter-generationally unable to guarantee the reproduction of Deaf children, Kymlicka declares that they "can never become a genuinely 'national' minority. They will always remain at best a quasi-national group, and will have a difficult time developing and
maintaining a complete societal culture” (1998: 102). This implies that for Kymlicka, a defence of differentiated culture-based group rights is dependent on being biologically self-producing.

This seems at odds with Kymlicka’s statement that the “cultural nationalist” aspirations of the Deaf must be respected and accommodated particularly because “the obstacles to integration in the mainstream are enormous – much greater than for immigrant groups, or even more traditional ‘national’ minorities” [emphasis mine] (1998: 102). It is also at odds with Kymlicka’s position that ethnocultural groups deserve recognition not because of ethnic descent but rather because they share a culture which provides them with shared meaningful options as well as a sense of belonging and identity (1998: 96). Despite this attempt at disentangling culture from characteristics that we are born into, Kymlicka insists on using culture in an ethnic sense. In the end, this means that Kymlicka’s criteria to “match the rights to the kinds of disadvantage being compensated for” (1992a: 141) is both arbitrary and skewed. In particular, the linguistic distinctiveness of Deaf immigrants should concern Kymlicka, even by his own definition. This is because a Deaf person from a non-English speaking background may well have to operate within a Deaf culture and language, a dominant English culture and language, and a third culture and language in which she is immersed at home because his/her family are neither Deaf or English-speaking (Christensen & Delgado, 1993: 1). Deaf ethnocultural minority immigrants are thus multicultural in the strictest sense of liberal multiculturalism.

Taylor also creates a close association between birth and culture, although less overtly than Kymlicka. Even though he does not offer an explicit definition of culture, he implicitly emphasizes how one comes to be a member of a culture at birth. For Taylor, this emerges in two ways: first, in articulating and rediscovering authenticity, he argues that we should be true to our “own culture,” (1994b: 31). The bond between the self and culture suggests that markers of culture are naturally part of identity. Second, in his discussions about the Québécois (as a distinct nation or society) he does not specify the features of the culture because he assumes that language inherently connects members of a culture. For Taylor language is not only an instrument of communication but it also represents the essence of the human subject. As Andres Lecours argues, Taylor thinks that above all man is a “language animal” and that the crucial role of language in the constitution of the self
makes it an inevitable and pre-political aspect of culture (2000: 504-5). Lecours concludes that Taylor has a primordial view of culture in which “the bond between individuals and culture is so fundamental that individual dignity and self-respect are directly connected to group status” (Lecours, 2000: 505).

**Culture as Uni-dimensional Signifier of Identity**

Whilst there are good reasons to publicly prioritize one aspect of identity over another (as James Tully (2002: 160) has noted), the liberal multicultural use of culture not only has the effect of privileging and over-emphasizing ethnicity, nationality and language, but it also leads to a neglect of the ways in which identities are formed through other systems including racialization, gendering, ableism/disablism, capitalism, heterosexuality and homosexuality. Put differently, culture-as-ethnicity/nationality/language is relevant both historically and conceptually and yet at the same time this interpretation narrowly defines identity. David Theo Goldberg argues that this is indicative of the liberal scope. He states that “Liberalism tends to assume that there are pockets of injustice...that a liberal or enlightened meliorism will progressively overcome” (1993: 213).

In particular, whilst Kymlicka and Taylor are right not to treat these entities as amorphous, they underestimate the ways in which members of a culture are shaped through intersections of numerous kinds of identities. The experience of culture, in other words, varies according to modes of identification beyond the scope of ethnicity, nationality and linguistic difference. As Trinh T. Minh-ha states:

Multiculturalism does not lead is very far if it remains a question of difference only between on culture and another. Differences should also be understood within the same culture...Intercultural, intersubjective, interdisciplinary...To cut across boundaries and borderlines is to live aloud the malaise of categories and labels; it is to resist the comfort of belonging to a classification, and of producing classifiable works. (Minh-ha, 1991: 107-8)

Since the position of members of minority cultures is also affected by historical relations of power drawn along non ethnocultural lines, Kymlicka and Taylor must address a complex range of intersecting modes of identification. But nowhere in their analysis is there an adequate treatment of the intersections between different systems of oppression and privilege. As Richard Day rightly claims, the discourse of liberal multiculturalism fails to
live up to its own standards of justice, recognition and dialogue (2004: 37). He states, “multiculturalism as liberal theory and state policy remains staunchly silent on inequalities and injustice that are intimately entwined with the system of states it so desperately wishes to preserve, and thus fails to live up to one of its own highest values” (Day, 2004: 37).

The over-emphasis on culture-as-ethnicity/nationality/language promotes a uni-dimensional analysis of identity, which has been criticized by feminists of colour and Indigenous women who emphasize the simultaneity of oppressions (Anzaldua, 1999; Collins, 2000; Crenshaw, 1989; Crenshaw, 1994; Cuadraz & Uttal, 1999; hooks, 1984; Min-ha, 1989; Monture-Angus, 1995; Zinn & Dill, 1996). Uni-dimensional analysis contributes to what Black feminist Kimberle Crenshaw calls “intersectional invisibility”, in which, for example, the interactions between gender and race discrimination become hidden and made imperceptible (Crenshaw, 2000). Crenshaw states that “the foregoing critique of the single-issue framework renders problematic the claim that the struggle against racism is distinguishable from, much less prioritized over, the struggle against sexism (1989: 162). Mohawk legal scholar Patricia Monture-Angus also makes this point in her critique of section 15 of the Canadian Charter of Rights and Freedoms. She argues that the enumerated grounds in the Charter are inadequate in part because they list separated entities (e.g. race, sex, religion) that fail to account for the intersectional impact of multiple grounds of discrimination experienced by Indigenous women (Monture-Angus, 1995: 136-141). As such, the primacy accorded to culture in liberal multiculturalism needs to be displaced in the same way that some feminists of colour and Indigenous women have displaced uni-dimensional models of analysis of gender. This is necessary because an over-emphasis on culture detracts from the exploration of the multiple and interactive systems of meaning-making.

The capacity of liberal multiculturalists to respond to the intersectional significance of multiple systems is limited to an additive response. An additive understanding of identity simply appends one dimension to another, in which the liberal multicultural singular, uni-dimensional and distinct categorization of identity is maintained. This additive response has been adopted by the federal government and is evident in policies of gender
mainstreaming. Gender mainstreaming situates gender as the primary axes of socio-political positioning, in which the distinctions and differences between women are diminished. Distinctively, gender and culture are treated as independent systems that are added to each other to create ‘gender + culture = Indigenous woman/woman of colour’. In the same vein as government strategies of gender mainstreaming, when liberal multiculturalists emphasize one dimension of identity (i.e. culture) the interdependency of systems of meaning-making is masked. An additive approach fundamentally denies intersections and emphasizes difference without adequately situating relations of difference.

Culture as the Other

Unlike anthropological employments of culture in which the ‘western’ anthropologist studies ‘non-western’ places, liberal multiculturalists utilize culture in reference to ‘non-western’ people who make claims within the boundaries of the ‘west’. The unspoken premise of both Kymlicka and Taylor is that references of culture are used primarily in reference to Othered people. As feminist thinker Gayatri Chakravorty Spivak states, culture in multicultural discourses is “a nice name for the exoticism of the outsiders” (1999: 355). The terms culture and multiculturalism are used to package those who share some aspects of identity without adequately addressing historical racialized relations, racism, colonialism, neo-colonialism and imperialism. Liberal multiculturalism ends up creating a way to look at diversity through a pluralistic lens that emphasizes the desire for diversity and underestimates the problem of power difference between cultures. Norma Alarcon implies that underlying this discursive production of multiculturalism is a form of racism. She states that “multiculturalism has become a lightning rod that produces neoracism. It is, after all, the ‘unmeltables’ who are the metaphoric subjects, daily in the media, of multiculturalism’s discourse” (1996: 139).

Specifically, this kind of multiculturalism enables Kymlicka and Taylor to treat polyethnic minorities without any reference to the global racial and colonial histories that their identities have been marked by within Canada. The same Othered identities that were

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studied under the rubric of race are now being analyzed but the use of culture describes difference without critically locating racism or processes of racialization. This ‘nonracialism’ approach, as Goldberg calls its, is in contrast to an anti-racist approach (1993: 216). Indeed, Kymlicka explicitly states that “the shift from racialism to culturalism is an obvious moral improvement” (1998: 96). At first this suggests that Kymlicka is following the tradition of Franz Boas who wanted to popularize the idea of culture to respond to racist and racial categories; Boas wanted to make culture everything race was not (Upadhya, 2002: 184). But whilst it is critical to distinguish between culture and race, the separation between these two ideas allow Kymlicka to virtually erase the ideological relationship between them. In other words, by bracketing race outside the scope of multiculturalism Kymlicka depoliticizes the ways in which culture is intertwined with race. But as Angela Davis states, “cultures are not neutral. A multiculturalism that does not acknowledge the political character of culture will not, I am sure, lead to the dismantling of racist, sexist, homophobic, economically exploitative institutions” (1996: 47). Yet it appears that in response to the criticism of race-as-biology, liberal multiculturalists have swung the pendulum too far the other way so as to downplay the impact that the race-concept has had in organizing relations of power. Thus the racist dimensions of the genocide against Indigenous people, racial profiling of Muslims, exploitation of domestic women workers of colour, as well as the colonial dimension of those groups who have immigrated from former French or British colonies are (differently) masked through the discourse of culture.

Anthropologist David Scott contends that culture is the most recent way of conceiving and constructing Otherness (2003: 103-4). The Renaissance era constructed the non-European Other through Christianity; in the Enlightenment the Other was interpreted through distinctions between European Reason and non-European Ignorance; through the nineteenth century, race organized the paradigms of normalcy and Otherness. In the twentieth century, Scott states, culture “becomes the grid and horizon of difference. It becomes, so to speak, the commanding natural language of difference” (2003: 104). The ideological Othering through the concept of culture takes place without addressing dominant cultures and identities. Cultures that are normalized (i.e. dominant cultures) form the

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82 Depoliticization is not the same as being apolitical act; as I argue is the case with Kymlicka depoliticization can carry serious political implications.
background of both Kymlicka’s and Taylor’s theories but receive little analytical and critical attention. In this, the British (re: Kymlicka) and Canada’s culture as North American, modern and Christian (re: Taylor) become homogenized and inserted as a stable norm.

Liberal multiculturalism presents itself as being tolerant of Other cultures, not only to free itself of the legacy of imperialism but also to construct a self-image as non-cultural. Implicitly, Kymlicka and Taylor attempt to liberalize culture by linking it to liberal tolerance, freedoms, rights and dignity, thus creating a formation of identity/difference most acceptable to the liberal paradigm. This is necessary for liberals to do in order to maintain the hegemony of liberalism (regardless of the brand of liberalism employed) and situate liberalism as transcendental to culture. The process of shrinking the status of culture, by converting the communal dimension of culture to universalistic principles of rights and recognition, is ironically dependent on revering culture. In other words, it is only by claiming the concept of culture (in the form of the Othered who needs liberalizing or recognizing) that liberal multiculturalists are able to transcend it. Paradoxically, liberal multiculturalists maintain the self-image of being both tolerant and accommodating to cultural difference and at the same time promote only those versions of tolerance and accommodation that are acceptable to liberalism.

83 The idea that liberals shrink the status of culture and attempt to conquer culture by subordinating its status to liberalism is drawn from a paper presented by Wendy Brown at a panel on ‘The Agony of Being Liberal’ at the American Political Science Association Meeting, Chicago, 2004.

State Regulation of Diverse Cultures

For liberal multiculturalists culture is magnified as the analytical site of fragmentation in Canadian society in which the role of the state is primary in managing differences that arise from various cultures. This is reflected in the kinds of questions that preoccupy liberal multiculturalists which include: what are the moral arguments for or against minority culture-based rights and recognition; how do minority claims relate to the underlying principles of liberal democracy, and are such claims consistent with these principles; what limits the state imposes on those who have minority status; which cultures are more liberal and how should the state treat those groups that are not liberal enough; how is order and authority of the state maintained whilst still allowing some differences to be publicly acknowledged? These are legitimate questions and have framed Kymlicka’s and
Taylor's concern for inclusion. Such questions, however, tend to arise from the point of view of the state and those who occupy dominant positions rather than those who are marginalized as a result of their perceived difference. From this perspective, culture emerges as a problem because Othered cultures are making demands that threaten national and political unity. This, Barbara Arneil argues, takes place as a result of the academic, geographic and ideological context of Kymlicka and Taylor. She states:

As political theorists, as opposed to anthropologists or cultural studies' scholars, the central concern is the origin of political authority. As liberals, they seek to theorize the liberal democratic state in relation to the rights of individuals and communities...As Canadians, the theoretical problem of national unity takes on a very concrete and acute form at the close of the 20th century. (Arneil, forthcoming: 12-13)

Arneil rightly points out that, as such, the meaning of culture is shaped as much by the needs of the state as it is by the need to accommodate those who have experienced various forms of exclusion.

The response to the demands of Othered cultures, according to liberal multiculturalists, cannot be forceful because this would merely serve to inflame the sources of fragmentation. Put differently, overt attempts to manage marginalized cultures would undermine the need to minimize disunity. Rather the response should encompass the gift of rights and/or recognition. These gifts, however, are driven by a desire by liberal multiculturalists to police differences in order to avoid disunity and fragmentation rather than an aspiration to challenge the unequal distribution of power in liberal societies. This is why both Kymlicka and Taylor focus on Quebec and Indigenous nations, both of which are perceived to pose the greatest threat to the liberal state. The secondary role of power is evident in the theories of both thinkers: for Kymlicka, minority cultures are not allocated rights so that minorities can be free of oppression but because differential rights enable individual self-realization through contexts of choice; and for Taylor, recognition of individuals and groups is granted not to rectify or challenge power differences, but because

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84 The threat to the liberal state of Canada was concrete at the time both Kymlicka and Taylor wrote. Kymlicka's Multicultural Citizenship was published in 1995 and Taylor published collected essays on Canadian unity (Reconciling the Solitudes) in 1993. Both were preoccupied by issues of self-determination for Quebec and the implications of this for Canadian unity in light of the demands made by the Québécois before and after the Charter of Rights and Freedoms, and by the Quebec Referendum for Quebec sovereignty.
recognition is constructed as a vital human need. It is not that these are not important or admirable ways to include people, but liberal multiculturalists downplay the ways in which power determines social and political arrangements while valorizing specific moral values. Liberal political thought is premised on establishing the limits of justified coercion, or put differently, justifying state interference to protect individual liberty without at the same time undermining individual freedoms and rights. Liberal multiculturalists adjust the goal for liberals because they are driven by a concern to be sensitive to group difference, which they argue is not contrary to the liberal tradition of tolerance and dignity. Hence they enable specific groups to engage in specific practices that would otherwise be contrary to liberalism. Even though (some) group differences are acknowledged, the liberal multicultural paradigm requires that new parameters of justified state coercion are established. The focus is now not only on the extent of individual liberties but also on group liberties.

Culture as a Resource

Culture is also valuable to liberal multiculturalists because it aids individual self-realization. Self-realization through culture-based practices and symbols is central to identity development, and yet by treating culture as a resource liberal multiculturalists are forced to provide moral and epistemological imperatives as to why culture should be respected. The question that has preoccupied liberal multiculturalists is ‘why does culture matter?’ Kymlicka argues that culture should be respected because it is instrumentally valuable to individuals (1995: 83). As such, culture is a functionalist tool that provides a context of choice within which individuals can exercise liberal freedom. Taylor implies that culture is instrumentally valuable to groups, rather than individuals, because it enables reflective self-realization of one’s authenticity and provides a multi-generational collective resource for identity formation. Taylor also contends that culture is intrinsically and not just instrumentally valuable because it is an essential part of the communal good and because it helps us to discover our own identities (1994b: 34).

85 Taylor would likely contest characterizing his defence of culture as instrumentalist, but because he does not explain what he means by recognition of culture as a vital human need. For further discussion on Taylor’s defence of culture, see James Johnson’s article ‘Why Respect Culture?’ (2000).
However, focusing on the functional value of culture limits analysis by ignoring how values, beliefs, institutions, and practices gain meaning and the implications of these meanings for subjugated identities. Since cultures are so varied, contested and constantly shifting it is near impossible to derive definitive and universal reasons as to why cultures should be generally valued. While Kymlicka and Taylor present general theories about why (and which) diverse cultures should be respected, no such generalizations can hold precisely because differences vary as a result of the wide-ranging transmission of meanings to people. In other words, cultures do not possess people, but rather people constitute practices, signs, relations and identities within their own contexts. The descriptive and diagnostic understanding of liberal multicultural interpretations of the culture-concept is hence severely limiting.

4.3 Turning to Anthropology and Cultural Studies

Looking Outside of Political Theory

In theorizing identity/difference, I contend that it is necessary to revise the restricted liberal multicultural conception of culture and to supplant culture with cultural. I do not eliminate the concept of culture in theorizing identity/difference but rather I qualify it and displace it as a primary concept of analysis with the concept of cultural. I do not eliminate culture partly because of the saliency of the term (descriptively and legally) at a time when the subordination of racialized and linguistic groups primarily makes its way on political and policy agendas as concerns of culture. Culture, in other words, has been a political asset in many ways. At the same time, unlike anthropologist Christoph Brumann (1999), I am not optimistic that the problematic understandings of culture in liberal multicultural theory are outweighed by its usefulness as a simple and trans-disciplinary way to talk about grouped ways of thinking, feeling, and acting.

As such, for the rest of this chapter, I explore ways to draw upon culture theory from critical Anthropology and Cultural Studies in order to make a conceptual shift to cultural a contested process. In agreement with other scholars (Arneil, 2004; Benhabib, 2002; Scott, 2003; Tully, 1995; Wedeen, 2002) I take the view that political theory would gain from engaging with other disciplines. Specifically, I turn to disciplines outside of political science that have historically and normatively situated culture theory as central, particularly those
that are conscientious of the political arrangements between groups. Political theorists such as Seyla Benhabib and James Tully have begun (albeit for different reasons) to explicitly turn to recent anthropology. Though traditional modernist anthropology stressed the organic unity, boundedness and self-sufficiency of the object of culture, “the critical potential of postmodern anthropology still lies in the fact that anthropological categories of cultural difference, though articulated from within a Western tradition, nevertheless make available perspectives of otherness” (Group, 1994: 121). Both Benhabib and Tully are especially drawn to anthropological contributions that de-center euro-centrism, situate relativism, reject essentialist and conflated identifications of culture and race, and focus on the material and symbolic production of culture.

In *Claims of Culture: Equality and Diversity in the Global Era* (2004), Benhabib develops a social constructivist conception of culture in order to critique Kymlicka’s and Taylor’s normatively suspect conception of culture. Benhabib provides an important initial step in examining who constructs culture. She utilizes feminist anthropological concepts of culture as a way to differentiate between moral, ethical and evaluative concerns. Benhabib contends that an inter-subjective and localized notion of culture-as-narrative challenges cultural essentialism. Analysis of culture, she argues, becomes essentialised from the standpoint of the social observer. From the standpoint of the participant, in contrast, culture is situated by narratives that arise from traditions, stories, rituals, symbols and material conditions. The production of culture is hence embedded in experiential knowledge in the much the same way advocated by critical realists such as Satya Mohanty (2000).

In this narrative view of culture, Benhabib states, there is no need for culture to appear as whole. Instead culture arises through contested narratives because “we identify what we do through an account of what we do” (2002: 6). Hence cultures take on meanings through webs of narratives. This resonates with Taylor’s notion of webs of interlocution, although Benhabib places more emphasis on the subjective narrative than does Taylor.

86 For a critical analysis of the normative and historical role of the culture concept in the disciplines of Anthropology see David Scott (1992; 2003); in Cultural Studies see Stuart Hall (1994); and in Post-colonial Studies see Robert Young (1995).

87 Despite the recent explicit turn to culture in anthropology by political theorists, political scientists have previously relied on specific anthropological notions of culture but in indirect and unacknowledged ways. Political scientist Lisa Wedeen examines these understandings and is critical of them (2002: 715), whilst others including anthropologist Christoph Brumann is more celebratory of the ways in which the anthropological concept of culture has been transported to other disciplines (1999: S13).
Moreover, Benhabib understands cultures as communities of dialogue fraught with power in which they are heterogeneous, dynamic, porous and hybrid (2002: 33-41, 60, 103, and 137). Further, culture-as-narrative acknowledges what Benhabib calls second-order narratives in which we make evaluative stances about what we do. For Benhabib, cultures are not “hermetic and sealed wholes” (1995: 240) that represent only some kinds of delimited difference; rather, they are systems of articulating the material and symbolic. Cultures are likened to associations of people that provide ways to express a way of living. Through this understanding of culture, Benhabib argues, it becomes possible to avoid flattening the internal contradictions and debates within cultures (1995: 240). There are then several propositions from Benhabib’s model of culture, as David Peritz reflects: culture is narratively constituted; cultures are communities in conversation; culture is power-laden; cultures are heterogeneous, dynamic and contested; and cultures tend to be porous and hybrid in that people and the contents move across and between cultures (Peritz, 2004: 269-270).

A narrative account of meaning-making is conducive to the notion of inter-subjectivity and the critique of essentialism that I wish to advance in identity/difference politics. In agreement with Benhabib, “human groups should be defended in the name of justice and freedom and not of an elusive preservation of cultures” (Benhabib, 2002: 8). Benhabib’s conception of culture, however, needs to go further in exploring the complexity of meanings that emerge through multiple inter-subjective narratives. It is not simply that cultures are more accurately represented through standpoint narratives or that cultures are simply sites of interpretation. The production of materiality and symbolism also represent interacting systems of social positioning. This is not to suggest that Benhabib would necessarily disagree with an emphasis on intersectionality. Rather, my point is that some narratives may emphasize gender, class, or sexual orientation (or intersections between these systems and other systems) to the neglect of claims of culture. In other words, when narratives are examined from spaces of intersectional identity, culture may not be of primary significance for the participant or may take on distinct subjective forms in relation to two or more aspects of identity which may or may not include culture.

Further, it is unclear whether Benhabib intends cultures to be defined by narratives alone. If she does, then altering meanings depends heavily on the agency of subjective
identities. Whilst a key attraction of Benhabib’s notion of culture-as-narrative is the agency of individuals and collectivity, meanings emerge from sources that extend beyond the agent. Although Benhabib argues that cultures themselves are torn by conflicts about their own boundaries, it is not simply that cultures continually create, recreate and renegotiate the imagined boundaries between insiders and outsiders; rather, the boundaries can be imposed by members of other cultures as well as by members of one's own culture.

Benhabib also has a tendency to universalize the notion that contested and hybrid narratives of culture are an empirical fact. Benhabib qualifies this by stating that a discourse theory of democracy should not definitively exclude claims based in reified understandings of culture but should require instead that such claims respect democratic equality and autonomy (Peritz, 2004: 274). But this passing qualification does not satisfy Indigenous scholars such as Glen Coulthard (2004) who argues that at times narratives of culture demand and reflect a reified understanding of culture. Coulthard rightly argues that essentialized conceptions of culture can provide a radical critique of the hegemonic order, and that this reified narrative of culture need not be any less meaningful to the participant than fluid, open, hybrid and contested notions of culture.

Despite these concerns, there are key aspects of Benhabib’s notion of culture-as-narrative that, when emphasized, are central to considering alternative ways to theorize culture. She offers a social constructivist conception of culture as the effect of continuous contestation and narration, in contrast to the liberal multicultural accounts of culture as homogeneous and bounded. She carefully shows that holistic conceptions of culture offered by liberal multiculturals are inadequate for considering issues of democratic public reason. She does not simply object to essentialist notions of culture for the sake of anti-essentialism, but rather, she evaluates interpretations of culture from the perspective of how well they respect democratic norms (Peritz, 2004: 267 and 274). It is precisely this dynamic notion of culture that appeals to my use of cultural.

In Strange Multiplicity: Constitutionalism in an Age of Diversity, Tully also draws upon anthropological conceptions of culture to answer whether a modern constitution can

88 Peritz (2004) makes the argument that Benhabib is more successful in employing the constructivist model of culture to critique liberal multicultural conceptions of culture, and less successful in utilizing culture-as-narrative to develop a normative theory of democracy. Whilst I have reservations about Benhabib’s normative ideal of public justification, contra Peritz Benhabib’s re-conception of the concept of culture presents a process-oriented understanding that I am largely sympathetic to.
recognize and accommodate cultural diversity (1995: 10, 14, 46, 65, and 101). Tully contends that culture is an "irreducible and constitutive aspect of politics" (1995: 5), but in order to fully recognize diversity the modern concept of culture has to be re-considered. According to Tully, this entails dissociating culture from the modern concept of nation because recognition of a culture need not require the establishment of separate nations or states. Developments from the seventeenth to the twentieth century articulated culture as "separate, bounded and internally uniform" entities (Tully, 1995: 10). Tully adopts anthropological criticisms of this "billiard-ball conception of culture, nations and societies" (1995: 10).

In order to develop a concept of culture that is not "separate, closed, internally uniform and relative to a stage of development" (Tully, 1995: 65), Tully argues that "there is no end or exception to this criss-crossing and overlapping", that cultures "overlap geographically and come in a variety of types" and "cultures are not internally homogeneous" (1995: 10-11). To reflect the idea that the modern age is inter-cultural rather than multi-cultural, Tully states that cultures "are continuously contested, imagined and reimagined, transformed and negotiated both by their members and through interaction with each other. The identity, and so the meaning, of any culture is thus aspectival rather than essential" (1995: 11). Tully emphasizes the dynamic interaction in the formation of cultures, as well as the divergence and parallels between cultures. He concludes that "Cultural diversity is a tangled labyrinth of intertwining cultural differences and similarities, not a panopticon of fixed, independent and incommensurable worldviews in which we are either prisoners or cosmopolitan spectators in the central tower" (Tully, 1995: 11).

Tully's interpretation of culture moves away from the liberal multicultural notion of bounded entity, although he continues to depend on a broad cluster of concepts rooted in a primary emphasis on ethnicity, nation and linguistic minorities. This includes his concern for nationalist, multicultural, supranational movements, linguistic and ethnic minorities, and Indigenous claims for self-government. The one exception to this is feminism, specifically cultural feminism, which Tully states raises demands within and across national, supranational, minority and intercultural struggles. Yet it is unclear whether Tully intends to locate cultural feminists as members of an identifiable culture, even if it is not euro-centrically or homogeneously defined as a bounded group. This is important because
although he rightly situates women in contexts of culture, women are not only informed by culture but are also culture-forming. Nonetheless, whilst Tully’s ‘borrowing’ of culture from anthropology may require more critical reflection, as Scott contends (2003), the shift to culture-as-contested-terrain has radical potential for political theory. Tully states, “[c]ulture is a way of relating to others in any interaction, a way of following or challenging a social rule, and so a dimension of any social relation, from a cultural slur in the workplace to the relations among nations” (1995: 15). It is this characterization of culture as an activity -- in which the negotiated nature of identities is emphasized -- that is central to the concept of cultural that I wish to advance.

By drawing on anthropology both Benhabib and Tully are able to situate the agency of subjugated identities in the dynamic activity of producing and defining culture. Benhabib does this through standpoint narratives within a deliberative democratic context and Tully through dialogue in intercultural contexts. Each attempts to expand the boundaries of culture to include Others previously excluded, which is critical to theorizing identity/difference with a post-imperial philosophy. Analysis, however, remains focused on the need to determine new boundaries of culture, even when a culture is recognized as heterogeneous, subjective, and fluid. Moreover, simply revising the concept of culture has the danger of leading theorists down a slippery slope in which the composition of a culture continues to require definition, even if it is narratively and dialogically constituted in non-eurocentric ways. Thus, despite the fact that Benhabib and Tully provide important insights into conceptions of culture, I want to take this one step further by considering the concept of cultural, which, I contest, avoids the pitfalls of the culture-concept and, moreover, may be more appropriate for Benhabib and Tully, as well as other political thinkers, in analyzing the negotiation of identities and relations.

Lessons from Anthropology and Cultural Studies: Semiotic Analysis

Building upon Benhabib and Tully, and drawing from recent Anthropology and Cultural Studies scholarship, I introduce semiotics to the analysis of identity/difference. In both disciplines, semiotics emphasizes the processes of signification (or meaning-making) rather than a culture itself. In anthropology, semiotics is understood as a mode of knowledge, a way of understanding our world as systems of relations. Central to semiotics is
the sign or symbol whose nature is representation; it is something that stands for something else (Gottdiener, 1995: 4). The symbol or sign is "any object, act, event, quality, or relation which serves as a vehicle for a conception – the conception being the symbol’s ‘meaning’" (Geertz, 1973: 91). Anything can be a sign when it is interpreted to have a signifying meaning, including behaviour, language, names, and material things. Not all significations have equal meaning, for some are have more force or authority than others. Systems of signification are multi-layered but are always grounded in everyday life experiences and practices. Since the meaning and force of a symbol varies and is changeable, it is possible to create anti-subordinating meanings by shifting inscriptions of culture. In this lies the value of semiotics for theories of identity/difference.

Political theorist Lisa Wedeen (2002) adopts this anthropological notion of culture as semiotic practice in an important article on conceptualizing the concept of culture in political science. Wedeen draws upon Clifford Geertz’s use of semiotics whose focus is on the creation, use and consequence of particular symbols. She credits Geertz for providing a new conceptual meaning of culture to anthropology and situating culture as a central feature of human thought. At the same time she adopts a critical eye on the Geertzian emphasis on culture as a contained system of deeply held beliefs/symbols. Critical work on Geertz’s anthropology, Wedeen continues, have emphasized "the fragility, ambiguities, and historical ruptures evident in symbolic systems" (2002: 719). She argues that it is necessary to move away from thinking about what a group has (i.e. an integrated system) and what a group is (i.e. a bounded entity). For Wedeen, “culture does not refer to essential values that identify a particular group or to particular traits that isolate one group from another. Rather, culture designates a way of looking at the world that requires an account of how symbols operate in practice, why meanings generate action, and why actions produce meaning, when they do” (Wedeen, 2002: 720). Culture-as-semiotic-practice does not treat culture as if it was a seamlessly constituted system of integrated meanings; rather, Wedeen’s understanding of the culture-concept locates the historical conditions that give rise to particular experiences and social locations. Wedeen states that by “paying attention to the ways in which certain meanings become authoritative while others do not, political scientists can use this practice-oriented concept of culture to explain why recognizable events or empirical regularities occur” (2002: 714). Although Wedeen does not express her critique of culture in political
science against liberal multiculturalists directly, her point that the group traits version of
culture rides roughshod over the diversity of views and experiences within a group is
directly applicable to liberal multiculturalism.

There are, however, some important differences in Wedeen’s use of semiotics and
my own, especially in the context of a critique of liberal multiculturalism. While Wedeen is
willing to maintain the concept of culture and revise it in a stipulated anthropological way, I
want to use the distinction between the concepts of culture and cultural that is clearly
conflated in liberal multicultural discourses but at times also conflated in Wedeen’s work.
Moreover, culture as semiotic practice could continue to over-emphasize ethnic groups,
nations, and linguistic minorities as primary signifiers, but with a focus on their practices
rather than their composition. Wedeen’s insights do, however, draw attention to the “specific
relations of political power” that shape semiotic practices (2002: 713). In particular, she
states that it is necessary to pay “attention to symbolic displays of power’ and acknowledge
“how symbols are inscribed in practices that operate to produce observable political effects”
(2002: 713). This is a critical insight of her analysis that can be developed further by
engaging with Cultural Studies.

To heighten the analysis of power, I draw from the semiotics approach developed by
Cultural Studies thinkers, who tend to view culture as “a process, a set of practices” (Hall,
1997a: 2). In this view, semiotic analysis emphasizes power by locating both the complex
terrain of processes of signification and the resultant effects of meanings produced.
Specifically before it was closed down in 2002 and replaced by the Centre of Ethnicity and
Culture, the Centre for Contemporary Cultural Studies (CCCS) at the University of
Birmingham, under the direction of Stuart Hall, examined the processes and activities of
signifying meaning-construction within the context of economy and politics. Semiotics
continues to be employed by cultural studies thinkers as a political tool to decipher
representation, not in an institutional sense which is dominantly entertained in political
science (e.g. the number and type of representatives for legislatures) but representation of
the body, to self and others. Unlike early students of semiotics, Cultural Studies thinkers are
concerned with both language and with “representation as a source for the production of

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89 See, for example, journals such as Media, Culture and Society, Screen, New Formations, Social Text, Cultural Studies.
social knowledge – a more open system, connected in more intimate ways with social practices and questions of power” (Hall, 1997b: 42). Drawing from Foucault and semioticians such as Saussure, Hall for instance considers both the relations of power and the relations of meaning in his approach to semiotics.

The underlying premise is that representations of identity (whether self-ascribed or externally-imposed) should be destabilized, de-reified and de-naturalized through tools of decoding and interpretation. In particular, the focus is on the relations of power inscribed in symbolic categories as cultural articulations and inscriptions of gender, sexuality, disability/ability, class, race and ethnicity. In this, scholars of Cultural Studies move an understanding of cultural beyond ethnicity and geography to include constructions of identity through ideologies of disablism, ablism, hetero-normativity, heterosexuality, capitalism, patriarchy, sexism, colonialization and racialization. Through this expanded understanding, it becomes possible to explore the ways that everyone is a subject of sign systems and not just an instrumental agent. According to Hall, not only do we all speak in and through systems of signs but semiotic processes also shape us (Hall, 1977: 328). As such, the study of semiotics entails a number of overlapping and varied narratives in which significations are never permanent, one-dimensional or resolved.

Semiotics, as it is employed by recent anthropology and the CCCS, offers a theoretical framework to consider the shift from culture to cultural in political theory. In particular, the insights from outside the discipline of political theory turns the bounded, static object of culture into the contested, fluid, and hermeneutic idea of cultural as an activity and process. In the next section, I elaborate on the work of the concept of cultural as a process of meaning-making; this is to demonstrate that if political theory is to seriously address the construction of significations attached to identity and difference through power, as well as the implications of such significations for relations of power, it needs to attend to the work of cultural, rather than the object of culture.

90 Even when culture is more narrowly understood Cultural Studies thinkers have offered theories of race and racial identities in ways that anthropology has not (Upadhya, 2002: 189).
4.4 Cultural: The Politics of Meaning-Making/Signification

Within political theory (and perhaps beyond), the difference between the concepts of culture and cultural often gets obscured. In the liberal multicultural use, culture is a noun that is used to refer to an *entity*, a thing. By extension the term cultural, is employed by liberal multiculturalists as an adjective to describe and attach attributes of that entity. The interchangeability between these two terms masks the conceptual limits of culture and the conceptual possibilities of cultural. As anthropologist Arjun Appadurai states, whereas “*culture* as a noun seems to carry associations with some sort of substance in ways that appear to conceal more than they reveal, *cultural* the adjective moves one into the realm of differences, contrasts, and comparisons that is more helpful” (1996: 12). With this distinction in mind, I will employ the term cultural as a concept to describe and explain the *processes of meaning-making or signification*, where the subject to be interrogated is the process rather than the object of culture. Examination of these processes makes it possible to contextually explore meanings/significations that shape the production, circulation, use and reproduction of messages that encode identities, differences and non-differences within contexts of power. These *processes* signal movement over time and space and inform some overarching identifiable historical and contemporary patterns of identity/difference. The *meanings* are created by the practice of representation; in particular, meanings are “constantly being produced and exchanged in every personal and social interaction” (Hall, 1997a: 3).

As such, my linguistic and analytical shift to cultural is an active tool of analysis rather than a passive descriptive adjective. These dynamic processes can include narratives (Benhabib), contestation (Tully) and semiotic practices (Wedeen), but with a radical emphasis on the historical and continuous activities of signification in frameworks of

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*91 Although Appadurai focuses on an adjectival approach to culture which stresses the “contextual, heuristic, and comparative dimensions” (1996: 13), he also states that “culture is a pervasive dimension of human discourse that exploits difference to generate diverse conceptions of *group identity*” [emphasis added] (1996: 13). In this, there is a danger of reverting to analysis of the object of culture, in which the liberal multicultural interpretation of culture as ethnic, national and linguistic groups is maintained. Indeed for Appadurai, culture-based movements involve “African-Americans, Pakistanis in Britain, Algerians in France, native Hawaiians, Sikhs, or French speakers in Canada” (1996: 15-16). These are all “counternational and metacultural” according to Appadurai, (1996: 16), but they all nonetheless remain within the realm of ethnic, national and linguistic difference.

92 This theoretical account of how messages are constructed and disseminated is developed by Stuart Hall in an essay titled ‘Encoding, Decoding’ (1993) where he refers particularly to television.*
power. This shift to cultural has two key advantages. First, it repositions analysis from the bounded object of Othered cultures to the constitution and effects of signifying identities and relations in contexts of power. The study of processes of meaning-making is fundamental because, as Stuart Hall (1997b) argues, without signifying systems we could not take on or reject our identities and differences; meanings, in other words, provide material and symbolic understanding of our worlds. Second, the shift presents the opportunity to explore ways to signify and resignify a variety of identities/differences and arrangements of power by redefining symbols, resisting hegemonic meanings, creating or regenerating meanings, and by performing or subverting meaning-making.

The objective is to explore how, what, why and with what effects meaning-making takes place. It is not the mere existence of a sign that is of concern, but it is important to understand the scope, force and efficacy of a symbol (Johnson, 2000: 409). This is important when interpreting and decoding the content of the signification as well as the underlying rules and assumptions. As such, the conceptual shift to cultural does not simply provide a tool to describe meaning-making or affirm identities, but it also offers social constructivist insights into systems of meaning-making and the resultant effects; in this way, assertions that seem apparent, natural, universal, sometimes permanent and unquestionable are generated through systems of signification. In this sense, analysis of meaning-making is also deconstructive in that it exposes the philosophical and linguistic assumptions implicit in systems of meaning-making and meanings. Deconstructing meaning-making both challenges and disrupts particular knowledge of identities and difference/non-difference.

For example, in deconstructing binarized notions of identities it becomes possible to not only disrupt particular ways of understanding identities but also to examine interpretations of male/female, non-white/white, homosexual/heterosexual, rich/poor,

93 Though I draw upon Foucault’s notion of power, for him the study of power and knowledge is framed through discourse not semiology (Foucault, 1980: 81-82). As he states, history bears and determines “relations of power, not relations of meaning” (Foucault, 1980). Foucault, however, was responding to versions of semiotics that focused exclusively on language. Since his early thoughts on semiotics, there have been enormous developments in this line of inquiry. In particular, his argument that human subjects are equally placed in relations of signification and power (1982: 209) has been largely adopted by semiotic thinkers who go beyond the study of language, as is evident in the work of Stuart Hall (1997b). Regardless, I do not think that unmasking and re-qualifying knowledge that is grounded in the production of meanings is contrary to Foucault’s project.

94 Johnson describes the scope of a sign as the range of social contexts; the force of a sign as the centrality or marginality in the lives of relevant actors; and the efficacy of a sign as the scope actors attribute to it (2000: 409).
disabled/abled, and colonizer/colonized. To deconstruct, as Judith Butler states, is “not to negate or dismiss, but to call into question and, perhaps most importantly, to open up a term, like the subject, to a reusage of redeployment that previously has not been authorized” (1995: 49). For instance, in deconstructing modern notions of binarized identity it becomes possible to understand that politics consists not only of centers and peripheries, but also of borderlands (Anzaldua, 1999), ‘third spaces’ (Garber, 1992), and hybridity (Bhabha, 1994; Bhabha, 1998). In illustrating the ways in which people are caught between subject and object status, it becomes possible to open up “a critical space to undermine and alter communal values of the culturally dominant, and to think through new political possibilities” (Corker & Shakespeare, 2002: 11). The analysis of processes of meaning-making does not, in this regard, offer a theory of how to end domination but instead it emphasizes the need to create “social spaces that permit the widening of choice, [and] the proliferation of social differences and multiple solidarities” (Seidman, 1997: 110).

Examination of the processes of meaning-making is also hermeneutical in that interpretations and explanations of meanings are explored in their specific contexts. The shift to cultural, as an analytic tool, is to understand human identities and relations, specifically in contexts of power. In this regard, there are features of the Habermasian project of critical hermeneutics underlying this kind of analysis. The concept of cultural not only emphasizes the necessity to understand that signs are constructed and interpreted (and therefore deconstructable), but it also explores the power dynamics that shape peoples self-perceptions of significations associated with their identities. Hence it underscores both the contexts of meanings and lived experiences in which signs are defined by other signs. This has the benefit of not erasing significations of identity that are self-perceived as positive. This hermeneutical approach to exploring processes of meaning-making also takes into account the ways in which identities are produced through narratives, reflections, and dialogues with others. In this there are two dimensions of analysis: the particular meanings (e.g. meanings of the term ‘gay’) and how the meanings become constituted through systems of meaning-making (e.g. queer, heterosexuality and homosexuality). This encompasses situated or micro-analysis of a meaning, and simultaneously analysis of the macro-level structures and processes. Both are constituted historically through relations of power in
which meanings and the systems of meaning-making are contested, often contradictory, conflictual, and always evolving.

The theme of human capacity to interpret meaning is threaded throughout Taylor’s work, and as such Taylor takes seriously the hermeneutic project already.\textsuperscript{95} Taylor aligns himself with “post-Heideggerian hermeneutics” (1985a: 3) in which he understands that people are “self-interpreting animals” (1985a: 45). Through this hermeneutical tradition, Taylor insists that knowledge is the outcome of embodied existence and experience (Abbey, 2004: 3). In the \textit{Philosophical Papers} (1985a; 1985b), Taylor argues that a person’s selfhood cannot be understood by self-interpretation alone and that shared meanings arise through others (1985b: 3). He focuses on the interpretation of meanings through language, although he also acknowledges that language is only “one segment of that range of meaningful media that men can employ” (Taylor, 1985a: 216). In ‘Language and Human Nature’ Taylor traces the way in which language has been employed to further human capacity to think and allocate meaning. Meanings are significant to Taylor when they are self-reflective and because they define, describe, represent and clarify things (Taylor, 1985a: 248-263). Interpretation is hence significant to Taylor because it is an activity entrenched in dialogue. In this sense, my use of cultural is not so far from Taylor’s hermeneutical approach.

Yet, although Taylor has developed the role of interpretation in the social sciences, especially in his essay ‘Interpretation and the Sciences of Man’ (1985b: 15-57), he has not fully explored the methodology of interpretation (Smith, 2004: 29-30). First, he confines the work of hermeneutics to self-clarification; rather than conceptualizing interpretations as symbols and acts of power Taylor limits interpretation to realize authenticity. It is not that self-clarification is itself without worth, but the emphasis on authenticity serves to neglect how interpretations gain meaning through contexts of power and how interpretations produce power. Moreover, it is not simply that meanings need to be hermeneutically interpreted but it is also that they need to be transformed; recognition, after all, only provides a modification of meanings attached to identities. Second, Taylor depends on a fusion of horizons, a site that is assumed to compose of shared meanings and practical

reason (as well as a common language of the culture in which other-understanding is practiced). Thus even while he takes the position that an interpretative approach to social science avoids the imposition of euro-centric meanings onto subjects of study (Taylor, 1985b: 124), as I argued in chapter three, his fusion of horizons is dependent on the Othered fusing with those who already dominate the horizons.

The work underlying analysis of meaning-making is neither limited to self-realization or dependent on a strong cohesive horizon of signification; it goes beyond the Othered and explores unintended meanings and the resultant effects of those meanings. In this sense, analysis cannot be limited to deconstruction and hermeneutics alone because meaning-making also requires an examination of lived experiences. It is because meaning-making is grounded in experiential knowledge that there is also a critical realist dimension to the concept of cultural; whilst deconstructive and hermeneutical approaches point to meaning-making at a subjective level, critical realism emphasizes the need to ground analysis in lived experience and contexts of power. Critical realist Satya Mohanty states

Thus in analyzing identity-based politics, claims about the general social significance of a particular identity should be evaluated together with its accompanying assumptions or arguments about how the current social or cultural system makes some experiences intelligible and others obscure and irrelevant, how it treats some as legitimate sources of knowledge about the world while relegating others to the level of the narrowly personal. (Mohanty, 2000: 63)

Implicitly, Mohanty presents a multi-layered understanding of meaning-making. Not only does Mohanty emphasize the social context of meaning-making central, but he also underlines the causal relationships that produce some meanings as authoritative over others. Analysis of the processes of meaning-making identifies both of these dimensions.

More explicitly, Mohanty argues that a realist approach to identity has the advantage of distinguishing legitimate identities from spurious ones (2000: 56). He states that through serious analysis of the epistemic status of personal experience, it becomes possible to gain some insight into the ways identities are signified through various relations of power.

96 Ruth Abbey suggests that Taylor himself takes a realist hermeneutical approach to identity. He views the self as dialogically constituted, hence avoiding essentialism, and at the same time although he understands that identities are changeable he does not take the postmodern view that individuals do not have deeply held views about their identities which they take to be true (Abbey, 2004: 15). Whilst there is merit in Abbey's assessment, I would also argue that Taylor falls short of being a critical realist mostly because he under-theorizes power.
Mohanty is contending that it is possible to compare the saliency of epistemic experience by examining whether the meanings attached to an identity are determining of social location. Thus it becomes possible to consider the claims of white supremacists, who may argue that their epistemic experiences have been subjugated since the civil rights movement in the U.S. in relation to the epistemic experiences of Blacks in the U.S; thus as the hierarchal social location of Blacks as a racially signified group is fundamentally determined by histories of slavery and racism, the social location of white supremacists is determined by privileging signifiers of whiteness.

The implications of Mohanty’s approach is not to interrogate meaning-making on the grounds that Othered identities have special knowledge about the world which must now be revealed and recognized; rather, his approach suggests that analysis of meaning-making reveals serious epistemic consequences of privileging and subjugating systems of signification. This does not mean that those signified by the same systems will have the same set of experiences, or that the same experiences will always lead to the same interpretations. Nor does it mean that the articulations of epistemological experiences are complete or infallible. But it does mean that different processes of signification cannot be examined, tested, judged without reference to experience, history, context, and power.

4.5 Concluding Remarks

To summarize, the realm of cultural is social constructivist, deconstructivist, hermeneutical and critically realist. As such, this critical shift provides a radical tool to examine the dynamic constitution of identity, difference, non-difference and relations of power. Analytically, the questions asked through culture and cultural are markedly different. The concept of culture assumes and homogenizes the composition of a group in order to ask answer three broad questions: how do ‘we’ affirm diverse cultures without threatening the state? Why should culture be respected by the state? What are the limits to this accommodation? These are important questions from a liberal multicultural perspective in which the goal is to enhance liberal tolerance and accommodation through the allocation of rights and/or recognition. Such questions, however, do not adequately explore the processes of differentiation, or the resultant outcomes, from the perspective of the Othered. Cultural, on the other hand, focuses on: who constitutes authoritative systems of meaning-making and
why? How are meanings understood by the self and others, and what are the implications for arrangements of power? What representations of power are signified through practices, relationships and institutions? How are identities made and marked by these processes? How are dominant systems of meaning-making sustained and why? What processes constitute socio-political arrangements in anti-subordinating ways? What strategies are available to disrupt or radically change power relations that constitute the Other? In this regard the concept of cultural enables theorists to identify how it is possible to minimize the destructive nature of particular significations.

As a word of caution, it is important not to reify the shift to cultural. Interpretations by political theorists of meaning-making are subjective and do not necessarily or accurately reflect the actual experiences of all people at all times. Nor does the concept offer an obvious set of desired meanings or systems of meaning-making; it does not offer a meta-theory (such as theories of justice or equality). Rather, it illuminates systems, their respective meanings, and the implications of these significations in order to identify the relationships between power and identity. It presents an alternative lens to theorize identity/difference issues, with a commitment to revealing, naming, challenging and disrupting hegemonic meanings. Specifically, this tool serves analysis of identity/difference by focusing on the processes of power that constitute identities and relations. It enables an exploration of the activities that help create narratives about ourselves and others in situated contexts and relations of power.

In the next chapter I explore the theoretical implications of the conceptual shift to cultural for identity/difference politics. Following that, in chapters six, seven, and eight, I apply analysis of the processes of meaning-making to various policy and legal case studies. Through these case studies, I hope to illustrate that the static and bounded notion of culture in liberal multiculturalism is simply not up to the task of analyzing evolving meanings of identity or the processes of identification in contexts of power. Specifically, the case studies demonstrate that analysis of the processes of signification simultaneously expands, interrogates and complicates identity/difference theorizing.
Chapter V
The Theoretical Implications of the Shift to Cultural

5.1 Introductory Remarks

In this chapter I explore the theoretical implications of moving to cultural. In contrast to the concept of culture which is primarily descriptive and reductive, cultural broadens, interrogates and complicates analysis of identity/difference. It provides a tool to radically contextualize analysis of identity/difference politics, specifically by describing, explaining, disassembling and reassembling, interpreting and reinterpreting significations that constitute relations and identities. It opens up theoretical possibilities not accounted for in liberal multiculturalism, but developed through insights in disciplines and discourses outside of political science.

5.2 Power

The analytical possibilities that emerge from the shift to cultural are mostly sharply in contrast to culture because power is identified as the organizing principle of signifying identities and relations, as well as the core subject of transformation. Power is at the centre of political struggles of meaning-making because “all signifying practices – that is, all practices that have meaning – involve relations of power” (Jordon & Weedon, 1995: 11). In particular, since power is understood to “permeate, characterise and constitute the social body” and “needs to be considered as a productive network which runs through the social body”, as Foucault argued (1980: 93, 119), it cannot be isolated in the state apparatus. As such, whilst meaning-making includes the sphere of the state it also goes beyond the ways in which agencies and discourses of the state produce and repress subjects; this includes relations of meaning-making between subjects through everyday activities, organized political actions, personal and professional relationships, the media etc. Although power can retreat, reorganize, reinvest itself in varying ways, it is always present (Foucault, 1980: 56). Power constitutes the character of systems of meaning-making and defines what a meaning represents. Meanings that are defined as authoritative are significant because they shape material and non-material experiences, structures and identities. Although all meanings can be contested, plural and deconstructed, analysis of the processes of signification draws
attention to the emergence of meanings, how they gain legitimacy over others, why, and by whom through contexts and relations of power.

The insights of deconstruction that are indebted to Foucauldian genealogy and Derridean hermeneutics expressly require that analysis of symbols goes beyond asking ‘what does a culture’s meaningful content consist of?’ By situating power in the centre of analysis it requires that theorists ask ‘how do significations become meaningful and what are the implications of this for productive and constraining power relations?’ The deconstructive, hermeneutical and critical realist projects fundamental to the examination of meaning-making enables analysis of the ways in which meaning-construction is grounded in experiential knowledge and contexts of power. Notably, this is not to empty meanings but to situate them in networks of power. Processes of meaning-making and meanings have significance in our world because power clusters around certain significations and against others. It is thus necessary to unveil the processes in which meanings are signified through socially transmitted knowledge and contexts of power, particularly in order to understand the consequences of those meanings and alternate ways to constitute and reconstitute meaning-making.

The responsibility for challenging, altering, reversing, re-building, deconstructing, and re-articulating meanings that are oppressive and subjugating lies not only with those who are affected by meanings but also those effecting meanings. This is because we are all implicated in every signification. This is not to suggest that all significations have the same amount of saliency in all relations of power, or even that we all directly constitute the same signification. Rather it is to acknowledge that meaning-making is not always expressly conscious or deliberate, or the result of direct interaction between agents. Thus, the significations attached to my identity as an immigrant woman of colour through discourses of gendering and racism also shape the significations attached to white immigrants in Canada, Indigenous people in Canada, Indian women living in India, and so on. The aspects of my identity that are Othered are in part constructed by significations of whiteness and maleness; my privilege is in part constructed in relation to the subordinated significations attached to Indigenous people in Canada; and my subordination and privilege are both in part constructed through representations of backward and custom-bound Indian women in India (in which I am produced as being like and, at the same time, unlike women living in
India). In all of these instances, power is central in signifying the efficacy of the inscriptions attached to my identity.

5.3 Making and Marking Identities

With the shift to cultural, the focus conceptually alters from the object of the Other (the culture/entity that carries meanings) to the processes of making and marking all identities, including dominant identities. The concept of cultural enables theorists to explore the negotiated and contested character of identities and relations. Analyses of the processes of signification reveal that many agents produce and reproduce meanings through various capillaries of power. At the same time, agents, as individuals and collectivities, are also signs within systems of signs. In other words, identities are both the product of signs and the producers of signs; meaning-making produces and reflects identities, and, simultaneously, provides a way to examine identities as generators and vehicles for meaning-making. Theoretically, the concept of cultural situates not only the interaction between types of identities (e.g. gendered, racialized, sexualized etc.), but it also emphasizes the intersections and interactions between specific identities (e.g. female, South Asian, queer).

Edward Said's (1978) notion of Orientalism (as a system of meaning-making) provides an example of this symbiotic relationship. Through Orientalism it is possible to examine how 'western' societies have claimed and defined the concepts of rights, liberty, equality and tolerance as western and liberal. Even though western countries engaged in slavery, colonization and the denial of liberty, equality, rights and tolerance, the 'west' relationally constructs itself as being more progressive than the 'east'. In this system, the meaning-makers are identified as Occidental; the meaning of Orientalism is contextualized within relations of power; and the implications of the meaning become known through the experiences of Orientalized identities. Subject identities make these meanings, and at the same time are marked by these meanings.

Some systems of signification create profoundly embedded historical identities which appear to be ahistorical and unquestionable. They are experientially real for agents. Systems of meaning-making within the family or religious contexts, for example, are so deep and time-endured that they seem fixed. But even within these intensely substantial systems of meaning-making, significations have changed and continue to be modified. Signs
attached to the long-established veiling of some Muslim women, for instance, have various meanings according to geography, time and historical context. As such, through these cultural meanings, identities become expressions of history and contestation. For example, in Iran the purdah has been employed as a symbol of liberation for women from the dictates of male fashion; in Algeria, the purdah was a refuge from the French Colonizers; and in the ‘west’ the purdah acted as a retort to western feminism’s devaluation of the nurturant mother-wife role (Bulbeck, 1998: 30-33). Even within geographic borders the veil takes on multiple symbolic forms. In her analysis of the hijab in modern Iran, Faegheh Shirazi illustrates that over a period of fifty years, the rulers of Iran have assigned the veil diametrically opposed meanings:

...in 1936, Reza Shah abolished the veil because he saw it as a sign of backwardness; in 1979, the Islamic Republic of Iran forced women to adopt the veil because the Iranian clergy regards it as a sign of progress along the ideological path of Islam. (2001: 7)

Shirazi goes onto to examine the semantic versatility of ‘veil’, ‘veiled’, and ‘unveiled’ in the media, marketing, and literary works in order to illustrate that the symbolic form and saliency of the veil is contextually, socially, politically and economically (as well as religiously and ideologically) driven. Her analysis shows that signs are active, politically contestatory, and evolving even if they are deeply embedded in societies, in agents and in the psyche. Representations of the purdah all stem from systems of gendering, but these systems of gendering are not the same for all women. In this sense, systems of meaning-making produce identity, epistemology and behavior and at the same time are produced through modes of identity, knowledge and activity. A deeper analysis of the processes of meaning-making would further uncover when and why the purdah is used to oppress women, or alternatively protect women from the western and male gaze, or enable women to resist particular signifiers of identity and affirm/promote identity. This would be determined not by the social observer but by participants in order to avoid euro-centric meanings. As such, meaning-making takes place in contexts of productive power.

Further, processes of meaning-making that make and mark identities can be repressive and productive. When productive, identities can be signified both positively and detrimentally. Examination of these processes reveals that the political, temporal and spatial dynamics at play in the production and constitution of particular significations are highly
contextual. For example, significations attached to m/Métis identity in Canada have transformed since colonization. In the early colonial period, inscriptions such as ‘half-breed’ emphasized the racialized and racist dimensions of identity formation, in which the implication was that to be ‘half-breed’, was to be half a person (McGregor, 2004: 21-22). Increasingly, in search for an alternative signification that was not derogatory, the populations marked as ‘half-breed’ claimed the signification of métis.

The shift to the signification of métis was hence a critical way to resignify a mixed blood identity. In its early signification, métis identity was tied to mixed blood between European men and Indigenous women; the racial production of métis identity was deeply embedded in gendered familial systems, in which the family was a crucial site in which future subjects and citizens were reproduced. Whilst initially, the signification of métis brought some benefits to foreign traders (because women provided kinship links and knowledge of the terrain, as well as companionship in an otherwise male-dominated outposts), by the early 1800’s the mixing of blood signified a threat to white prestige and European decay because “such mixing called into question the very criteria by which Europeanness could be identified, citizenship could be accorded, and nationally assigned” (Stoler, 2000: 325). Though at times the signification of métis was subject to charity, mostly, Europeans either thought that métis children could be ‘saved’ and molded into colonial citizens, or they were entirely abhorred and rejected (depending on the status of the father and skin colour) (Stoler, 2000: 331). As such, to be made and marked as métis was to be located lowly in a racial hierarchy determined by European superiority; it was a detrimental signification.

In examining the processes that make and mark identities, it becomes possible to explore the ways in which Métis identity has been reclaimed over recent decades, through productive power, as a positive signification. The change from small ‘m’ to capital ‘M’ is reflective of this positive identity, in which Métis (rather than métis) is signified as equivalent to other personal pronouns. The positive markings of this identity are (arguably) evident in the constitutional status that Métis identity acquired in section 35 of the Charter,

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97 Ann L. Stoler (2000) provides an excellent exploration of métis (mixed blood) identity formations in colonial Southeast Asia from the mid to late 1800’s. In theorizing m/Métis identity in Canada, I draw from the parallels in Stoler’s analysis.

98 It was also an ambiguous signification, in which the mixing of blood, and racial and culturally hybrid inscriptions shaped relations with Indigenous peoples in different ways, both positively and detrimentally.
as well as the development of advocacy organizations such as the Métis National Council or the Manitoba Métis Federation in which people mobilize around an identity that they signify as positive. This is not to suggest that the signification of Métis is now made and marked free of power for the colonial legacy continues to shape the on-going struggles for Métis people. Study of the processes of meaning-making can nonetheless illustrate the ways in which identities can be detrimentally and positively made and marked, and how this changes over time.

5.4 The Multiple Faces of Cultural

The concept of cultural expands analysis because it encompasses a broader range of identities than liberal multicultural interpretations of culture. However, not all uses of the term cultural are the same as my own. For example, Nancy Fraser’s conflated use of culture and cultural obscures the processes that my own use of cultural illuminates. In *Justice Interruptus* (1997), Fraser suggests analytical distinctions between economic and cultural struggles: race and class are conceived as economic, feminist struggles are understood as sometimes economic and sometimes cultural, and queer struggles are conceptualized as cultural struggles. Fraser hence uses the term cultural to refer to the noun of culture. Judith Butler rightly takes issue with Fraser’s use of culture/cultural by arguing that queer struggles have roots in political economy and are not “merely cultural” (Butler, 1997: 270-271). Specifically, Butler challenges the status of cultural claims as secondary to economic claims. In the tradition of socialist-feminists, Butler traces the integral link between the reproduction of gendered persons and the social regulation of the heterosexual family as a site that shapes the material conditions of life. As Butler states

The point here is that, contra Fraser, struggles to transform the social field of sexuality do not become central to political economy to the extent that they can be directly tied to questions of unpaid and exploited labour, but rather because they cannot be understood without an expansion of the “economic” sphere itself to include both the reproduction of goods as well as the social reproduction of persons. (1997: 272)

In this sense, Butler is explicitly insisting on expanding an understanding of the economic realm and implicitly suggesting that the notion of ‘cultural’ also be expanded.
In my use of the concept, cultural more expansively denotes an identity that is signified through modes of power. This means that analysis continues to include systems of ethnicity, nationality and language, but also transcends liberal multiculturalism by expanding the identities that fall under the realm of identity/difference politics. Distinctively, this paradigmatic shift suggests that all identities emerge through processes of meaning-making. The role of political theorists in analyzing identity/difference is to ground these identities in experiential knowledge and social contexts of power in order to distinguish those identities and relations that have legitimate claims of injustice. As such, it is not that there is a never-ending list of identities that should concern political theorists; rather, the experiential knowledge and contexts of power enables theorists to sort through which identities and relations should come under scrutiny. This requires theorists not to impose a theoretical framework on those who become the subject of identity/difference politics but rather to begin with actual experiences.

In starting from experiential knowledge and arrangements of power, when analyzing processes of meaning-making it is critical to situate ethnicity, nationality, and language in relation to systems of racialization, racism, whiteness and colonialism because to ignore these systems of significations is to miss histories of oppression. Specifically, this has implications for shifting analysis away from the liberal multicultural interpretation of culture (as something we are born into, and that is linked to our ethnicity, nationality and language) to locating the ways in which identities and relations are constituted through ideological processes. This is especially important in the Canadian context because identities and arrangements of power between dominant groups, Indigenous nations, French settlers, and different immigrants in Canada are deeply made and marked through processes of racism, racialization and colonialism. Historically, for example, the processes that signified dominant cultures were not simply immigration practices that favoured those who were English and Scottish (nationality), spoke English (language), and ethnically Western European (ethnicity) but immigration practices also explicitly favoured those who were racialized as white (racialization).

Rather than looking at culture, the study of the processes of meaning-making goes beyond the sub-textual insistence that everyone is born with and into culture, in which the ethnicized Othered is a member of the quintessential authentic culture. "Cultures are social
constructions, not biological inevitabilities" (Irvine, 1994: 243), and as such one kind of
culture is not more authentically deserving of analysis than another. This has specific
implications for analyzing those who do not define their cultures through ethnicity,
nationality or language. Naming and investigating the processes of meaning-making beyond
the scope of ethnic, nationhood and linguistic claims helps to reveal that cultures exist
through other systems of shared language, dress, history, practices, oppression and struggle.
In this sense, the move to cultural broadens analysis of identity/difference by drawing
attention to multiple modes of signification.

This includes meaning-making related to class and capitalism, which have shaped
identity formations. Whereas over recent decades, concerns for culture and identity have
sometimes over-shadowed economic concerns, class is embedded in conceptualizing the
processes of meaning-making. Experiences of class exist not only in a material or
ideological Marxist way in which the working class are consciously aware of their
relationship with the bourgeoisie (i.e. culture-as-ideology), but also as "communicative
labour that enacts class roles" (Foley, 1989: 157). Institutions and practices are hence used
to create particular bodies of knowledge in the context of capitalist society through class
codes of speech. In other words, class cultures emerge from practices, values, beliefs and
norms as well as from structures of class. Class and economics systems of meaning-making
are germane to political theorists because they contribute to distinctiveness and because they
are embedded in larger webs of social relations. Distinctiveness is not shaped by class alone
but in conjunction with other systems of signification. For example, anthropologist Douglas
Foley cites studies on ethnic identity which show that Blacks and Hispanics in the US
increasingly use poverty and socio-economic status indicators as identity markers (1989:
154). As David Roediger (1999) and Stuart Hall (2002), amongst other neo-Marxists, have
also explored, culture, ethnicity, and race always need to be understood in economic
contexts and in relation to economic struggles and divisions. Butler (1997) also shows that
the economy is linked to sexual systems by illustrating the links between the organization of
health care and the burdens of those LGBT and queer people with HIV and AIDS. Identity
distinctness arises, then, from networks of signification that are far from monolithic, unitary
or constant.
Further, the analytic shift points to systems of meaning-making that arise from significations of heterosexual, gay, lesbian, transsexual, bisexual and/or queer identity. By including sexuality as a system of sign-making it becomes possible to examine the broader organization of systems of meanings and the effect of this on identities and social positions; in particular, this can enable possibilities to rearticulate socio-sexual meanings attached to our identities, including normalized identities. As Janice Irvine (1994) illustrates, by including gay and lesbian initiatives in public multicultural education it becomes possible to theorize meanings in the context of interwoven racial, gendered and sexualized relations. She argues that by including gays and lesbians in the realm of culture a transformation can take place from defining the homosexual as the individual sodomist to the lesbian and gay subject. By treating LGBT and queer identities as identities signified through systems of heterosexuality, homosexuality, hetero-normativity and homophobia it becomes possible to see sexual minorities as “social actors engaged in the active invention of communities and in the transformation of social meanings of same-sex sexual behavior” (Irvine, 1994: 237). In expanding an understanding of who is the subject of analysis, it becomes possible to acknowledge the agency of LGBT and queer people to make meanings, and the implications of these meanings. For example, through hermeneutical work, analysis of meaning-making provides a way to explore how and why identities that are signified as natural and normal (rather than unnatural and deviant) are more positively understood. As such, the concept of cultural does not require empirical agreement about a sexual identity as natural or unnatural, but rather it requires an analysis of the processes by which identities are signified in particular positive or demeaning ways.

A contested, emergent and practical conception of cultural is further needed when analyzing structural and identity-informing aspects of our lives located in systems of gendering. Feminist anthropologist Lynn Walter (1995) argues that cultural processes should be understood as a communicative practices that link the symbolic and material in the construction of gender relations. Since meaning-making is constituted and reconstituted through communication (via meaning-making activities), those communications that inform gender relations are especially relevant. Exploring the knowledge that arises from social and situated experiences of gender in relation to other societal experiences -- including but not limited to ethnicity, nationality, and language -- is critical when theorizing significations of
identity. This is especially true because gendering cannot be extracted from other processes of meaning-making. For example, in Canada most garment industry workers are women immigrants of colour; to understand the inscriptions imposed, internalized, and resisted on and by these women it is critical to explore a complex web of systems organized through capitalism, racism, colonialism, patriarchy and white supremacy. In doing so, it becomes evident that a transnational merging of significations attached to women workers is taking place; for instance, as Richard Appelbaum and Gregg Scott (1996) argue, women of colour garment workers in China, Hong Kong, South Korea, Japan and Taiwan experience similar contexts to those in the U.S.

A semiotic approach also demands that the symbolic force of meanings associated with disability and able-bodied/ableness are integrated into analysis of the cultural. As Devva Kasnitz and Russell Shuttleworth argue, semiotics is an important theoretical source for the debate on terminology, conceptualization and representation of disability (2001: 31). Analyzing the constructions of signs and meanings for those who self-define as disabled or who have the identity of disabled imposed on them, enable an understanding of difference that is ignored in liberal multicultural thought. Insights derived from a focus on the processes of meaning-making illustrate that notions of disability and ability (as symbolic forms of identity) arise through socio-political contexts and relations. Further, it becomes evident that meanings surrounding disabilities and abilities are produced through intersections of meaning-making systems. Shuttleworth, for example, explores how metaphors and symbols function to deny and stigmatize the sexual feelings of those with physical disabilities (2001: 75-95).

5.5 Interactive Systems of Meaning-Making

Whilst liberal multiculturalists emphasize culture as one dimension of identity, the shift to cultural exposes that multiple, interdependent and interactive systems make and mark identities. Kimberle Crenshaw’s metaphor of intersecting roads (1989; 1994; 2000) and Patricia Hill Collins’ (2000) metaphor of the matrix of domination have been instrumental in illustrating the overlapping and compounding effect of racialized, gendered and class systems of oppression. Crenshaw uses the metaphor of intersecting roads to refer to the multiple oppressions that intersect together in producing injustice. In particular, she
focuses on the ways in which systems of race, gender and class intersect, overlap and collude to produce identities and compound oppression. Collins employs the notion of a matrix of domination to speak about the ways in which intersecting oppressions are organized (2000: 18). She states:

First, the notion of interlocking oppressions refers to the macro level connections linking systems of oppression such as race, class, and gender. This is the model describing the social structures that create social positions. Second, the notion of intersectionality describes micro-level processes – namely, how each individual and group occupies a social position within interlocking structures of oppression described by the metaphor of intersectionality. Together they shape oppression. (1995: 492)

In this, Collins is addressing both the macro structures and the micro spaces of intersectionality. For Collin, the matrix of domination refers to the “overall social organization within which intersecting oppression originate, develop and are contained” (2000: 228-9).

Even as I am largely sympathetic to both Collins and Crenshaw, the idea of intersectionality sometimes over-emphasizes the distinction between systems of signification with the effect of underestimating the interactive dependency of systems of signification. Put differently, though the notion of intersectionality is useful for describing the ways in which individual systems (or roads) of meaning-making cross and overlap (in the intersection), there is tendency to present the systems of race, class and gender as if they overlapped with each rather than integrally existed through and with each other.99 Further, although the metaphor of intersecting roads provides a visual representation of the intersections between systems, it tends to over-emphasize the roads that lead to the intersection rather than the intersection itself. This is particularly limiting in theorizing the ways in which dominant identities are also constructed through intersections in matrices of privilege. To emphasize the interactive impact of systems of signification, I argue that it is critical to stress three key dimensions, all of which Crenshaw and Collins address in some shape or form: the shifting, relational and multi-dimensional matrices of power that constitute meaning-making.

99 Whilst making this assertion I also welcome the recent move by some state organizations to consider intersectionality. As an example of a well-developed intersectional approach see a discussion paper entitled ‘An Intersectional Approach to Discrimination: Addressing Multiple Grounds in Human Rights Claims’ by the Ontario Human Rights Commission (2001).
Identities are signified through relations of repressive and productive power that are constantly shifting, as the example of m/Métis illustrates. The shifts take place through specific histories, dynamics, locations, and power. These shifts are the result of micro-level processes in which identities occupy social positions according to different moments, spaces and relations (the intersections), as well as macro-level connections between systems that socially stratify and mark identities (the relations of power). Our epistemological knowledge may be similar to those who are constituted by analogous structures that interact together, but this does not mean that the knowledge is identical. By locating the changing and diverse meanings of our identities within matrices of power -- which are neither permanent nor fixed, although they can be time-endured and geographically specific -- it becomes possible to locate the processes and effects of oppressive interactive systems both on a subjective and general level, but always in spatial, temporal, historic, geographic contexts of power.

Processes of signification are also relationally active in constituting identities. Experiences of meaning-making and the resultant effects of those systems of meaning-making arise through relationships with others (whether group-based or subjective). Since it is the relationships of power that constitute processes of identity making and marking, theorizing the dependency of systems of meaning-making has the advantage of illuminating and locating the ways in which normalized and dominant identities are also made and marked through multiple systems. This serves to reveal the contexts in which some identities take on meanings that situate them on the periphery whilst others sustain centre-place.

The processes of meaning-making are also multidimensional. Identities are located through multiple arrangements of power in which most people are both insiders and outsiders; one or more dimension of meaning-making constructs an insider identity, and simultaneously one or more dimensions of meaning-making construct an outsider identity. These multiple matrices of power activate together to produce identities marked by both privilege and oppression (Collins, 2000: 287; Crenshaw, 1994: 101-103). For example, as a South Asian woman born and brought up in the United Kingdom and now living in Canadian society, I am marked both by dominant insider signs by virtue of my English accent, my status as an immigrant born and raised in the UK, my socio-economic status, my heterosexual marital status and my able-bodiedness; at the same time I am marked as an immigrant woman of colour through subordinating outsider racist, colonial, white
supremacist, sexist and patriarchal signs. The meanings attached to having an English accent produces associated meanings of privilege, whilst the meanings attached to being an immigrant woman of colour conjures associated meanings of backwardness and being custom-bound (rather than modern and autonomous). I do not identically share all of the same meanings as other dominant or subordinated identities who are marked by heterosexuality, able-bodiedness, brown skin, or biological femaleness, although I am shaped through shared systemic signifiers such as racism and sexism. I am hence marked by privilege and oppression in which my knowledge of the South Asian female who is signified as able-bodied and heterosexual is partial, incomplete, varied and changing. Specifically, it is necessary for me to recognize how at different points in my life, structures of domination and privilege have differentiated impact on my identity.

By charting processes of identity making and marking through an interactive analysis that assumes (rather than resists) the dependency of systems of signification, it becomes possible to differentiate moments and contexts of power and avoid the essentializing and homogenizing trap of liberal multiculturalism. This moves analysis from the duality of power or powerless which oversimplifies the prohibitive and productive relations of power as well as the ways in which agents can be simultaneously oppressors and the oppressed. As such, systems of meaning-making can produce either dominating or privileging meanings, or simultaneous dominating and privileging meanings. It is not simply that it is necessary to acknowledge that people’s identities encompass multiple dimensions and that essentialism conceals this multiplicity; rather identities have to be conceptualized as signs of differential power within a social context. This is because it is not only that the meaning itself that matters, but also because the saliency, intensity and interactions between systems of signification matters.

5.6 Hybrid and In-Between Significations

Theoretically, a lens that concentrates on the cultural opens up space to explore the under-examined ways in which identities are made and marked through intricate processes of intrusion, fusion and disjuncture. In this sense, the shift to cultural provides a way to look at hybridity in the context of identity/difference theorizing. Whilst there are many historical
and normative understandings of hybridity, I draw upon Homi Bhabha’s hybridity theory. For Bhabha, hybridity is “an active moment of challenge and resistance against a dominant cultural power” (Young, 1995: 23). Bhabha is especially interested in the moment in which the discourse of colonial authority loses its grip on meaning and becomes open to trace the language of the Othered, the moment when denied knowledge enters the dominant discourse. For Bhabha, interaction between native and colonial cultures challenges the dominance of colonial culture and the very authenticity of its ‘purity’. Bhabha explores interaction and fusion between and within cultures. He is interested in what he calls the “liminal space”, the sites “in-between the designations of identity”, and the “connective tissue that constructs the difference between upper and lower, black and white” (Bhabha, 1994: 4). Bhabha (1990) describes this space as the third space and the interstitial passage between fixed identities. He argues that these spaces “opens up the possibility of a cultural hybridity that entertains difference without an assumed or imposed hierarchy” (1994: 4). This hybrid interstitial space is, according to Bhabha, “the cutting edge translation and negotiation” because it is radically heterogeneous, discontinuous, and impermanent flux (1994: 38). These processes of hybridization are theoretically illuminated through the analytic focus on the cultural, revealing the temporal, contingent, and ambivalent moments of meaning-making.

Bhabha’s analysis helps to identify the conditions of the process of identification, particularly in his discussion of Frantz Fanon (Bhabha, 1994: 44-45). Bhabha states that identification is, first, to be called into being, as a consequence of a relationship with others; second, the very place of identification is a place of splitting, of doubling by being ‘different’ and yet trying to be same (either to those who are also differentiated or to those

100 These include ‘species hybridity’, which was a popular discourse to describe racist assumptions about non-whites reproducing with whites. It was not simply that whites and non-whites were seen to be coming from different races, but they were also understood as different species. William Lawrence’s Lectures on Physiology, Zoology and the Natural History of Man (1823) is an example of such thinking. Later, when hybridity came to be associated with theories about race, it was the sexual union of two different races that came under created hybrids, creoles and mulattos. James Pritchard’s Natural History of Man (1848) advanced such theories. Robert Young provides an excellent review of hybridity theory in Colonial Desire: Hybridity in Theory, Culture and Race (1995).

101 Bhabha initially posed hybridity as a challenge to binaries, but after being criticized for assuming that binaries are themselves stable and homogeneous he shifts his position to one that understands all cultures as impure, mixed and hybrid (Moore-Gilbert, 1997: 129). This is particularly evident in his essay ‘The Third Space’ (1990) in which he acknowledges that there are no such things as non-hybrid cultures (since all cultures are marked by heterogeneous and unstable categories of class, race gender, and ethnicity).
who define difference); and third, the question of identification is not the affirmation of a pre-given or natural identity but rather “it is always the production of an image of identity and the transformation of the subject in assuming that image” (Bhabha, 1994: 45). These are complex processes of ‘becoming’ that create an atmosphere of uncertainty because the self can be either certified or threatened, depending on the context of power (Bhabha, 1994: 45). As such, an analysis of meaning-making brings to light the moments and effects of ambivalence, or as Bhabha states, the signs of identity that are “only ever an appurtenance to authority and identity” that can “never be read mimetically as the appearance of a reality” (1994: 51). By mimicry, Bhabha means the colonial discourses that is “at the crossroads of what is known and what permissible and that which though known can be concealed; a discourse uttered between the lines and as such both against the rules and within them” (1994: 89); put simply, he is referring to those (colonial) identities that are “almost but not quite”, or in other words, split (Bhabha, 1994: 91).

Often, however, Bhabha tends to assume that ambiguity is an inevitable feature of hybrid significations. But, as Katya Gibel Azoulay rightly argues, it is important to consider the ways in which significations of hybridity over-emphasize ambiguity and underestimate experientially belonging (1997: 5). Specifically, as a Jewish and Black woman, she explores issues of interethnic and interracial identity. Azoulay provides a sophisticated analysis that situates her experiential epistemology within the social context of the U.S. Experientially she traces her family history, the ways in which her physical appearance signifies her as Black whilst erasing her Jewishness, the cumulative impact of anti-Semitism amongst Blacks and racism from white Jews, and the significations attached to her sons, one of whom passes as white and the other who does not. She situates all of this in context of the Jewish holocaust, colonialization of the West Indies (where her father was born), Black slavery in the U.S, and on-going racism and anti-Semitism (Azoulay, 1997: 1-28). Theoretically this may place Azoulay in Bhabha’s third space, but Azoulay argues that this space is not ambivalent for her. The significations attached to her identity as Jewish and Black “encompasses and incorporates the cognitive and experiential fact of being and belonging in various subject positions marked by social boundaries” (Azoulay, 1997: 32). Thus, Azoulay wants to speak about the fusion of ethnicities and racializations, and the significations that
arise from such fusion but without undermining her own sense of belonging and without erasing the social contexts of power.

Chicana lesbian feminist Gloria Anzaldúa argues in her pivotal text *Borderlands/La Frontera* (1999) that it is possible to think about hybrid significations without assuming ambiguity. Anzaldúa presents the metaphor of borderlands, in which the borders depict a dividing line, “a narrow strip along a steep edge. A borderland is a vague and undetermined place created by the emotional residue of an unnatural boundary. It is in a constant state of transition” (1999: 25). In the borderland there is a process of cross-pollination, in which the pillars of *mestiza* are a historical and dynamic mixing of blood, experiences of culture, sexualities, and languages. She is what she calls the embodiment or cross-breeding of opposite qualities (male and female, homo and hetero, Chicana and American) which come together to produce her *mestiza* voice (Anzaldúa, 1999: 103). It is not only the geo-political borderland of Texas-U.S and Mexico that concerns Anzaldúa, but also the psychological, sexual and spiritual borderlands in which the presence of two or more cultures that edge each other forms *mestiza* identities. Unlike liberal understandings of modern identity and culture as constant, contained and whole, Anzaldúa argues that the recognition of ‘incomplete’ identities does not render marginalized identities to inaction. The *mestiza* identity belongs through connections with actual Othered people. The multiplicity of a *mestiza* identity may be a failure to build an integrated identity in the liberal sense, but it is an acknowledgement of the actual socio-political reality of marginalized and privileged identities, which are fragmented and neither oppositionally one thing or the other.

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102 By punctuating *mestiza* with the mixing of blood, it seems that Anzaldúa falls into the trap of hybridity theory that conceptualizes identity in terms of pure and impure blood. However, in *Borderlands*, she provides a history of pollination between racialized groups -- rather than racially pure blooded groups -- that have come to constitute Hispanic, Chicana, Mexican-American identities. In this, she treats identities as if they are historically and culturally mixed and always mixing, in which significance does not come to rest.

103 The notions of *mestiza* and hybridity are closely associated with the concepts of transculturation and transnationalism. The term transculturation was coined by anthropologist Fernando Ortiz (1947) to describe the merging and converging of Afro-Cuban culture. Ortiz’s use of it was to describe the complex processes that are active when one culture deals with another, directed by powerful forces at the macro-social level but resolved at an interpersonal level. The underlying premise of transculturation is the “more or less harmonious resolution of differences effected through culture, that is, through a series of interlinked acculturations and deculturations” (Beasley-Murray, 2005: 2). Transnationalism emphasizes “the relations between things and on movements across things” (Mitchell, 2003a: 74). It forces a rethinking of economic categories, identity, subjectivity formation and foundational beliefs in time and space. These two concepts speak to the ways in which Anzaldúa conceptualizes her identity through multi-directional, endless, fluid and dynamic interactive processes of change, exchange and resistance. Though the harmonious aspect of transculturation may present contention for Anzaldúa, it also designates a sphere that is "always in-
Theoretically, then, the shift to cultural provides insight into the modes of hybridization and in-betweeness. The processes of metamorphosis and disjuncture that characterize some significations not only suggests that there are meanings between pure and impure categories (such as male/female, colonizer/colonized, homosexual/heterosexual), but also illustrates that it is possible to take entrenched systems of identification identity apart without dismissing the constituent parts because they appear ambivalent. Significations of ambivalence may in fact appear more heightened to those gazing on an identity rather than actually to the person experiencing hybrid or in-between significations. So for example, for some it may appear that Indigenous people are in-between identities because they are neither formally colonized nor fully decolonized, or that there is some ambivalence in an Indigenous identity if a person moves between reserves and non-reserve land. Even if this were to be a concrete experience, in-betweeness need not automatically produce significations of awkwardness, ambivalence, and contestability. Part of the assumption is that there is automatic unease when significations are grafted from two or more inscriptions. This is especially true if the effect is to disrupt those inscriptions and at the same time force them together but “in a way that makes the same no longer the same, the different no longer simply different” (Young, 1995: 26). This unease between sameness and difference, however, does not prohibit the relevance of hybridizing processes of meaning-making that signify identities.

5.7 Strategic Essentialist Meanings

Hybridity and in-betweeness also suggest the impossibility of essentialism (Young, 1995: 27). Yet essentialist significations continue to be meaningful in identity/difference politics both in affirmative and restrictive ways.\textsuperscript{104} Exploration of the processes of meaning-making enables theorists to explore when and why essentialist and anti-essentialist significations gain legitimacy (in contrast to offering no explanation of essentialist significations, like the liberal multicultural use of culture). Whilst essentialist significations

\textsuperscript{104} Interestingly, essentialist significations have been employed restrictively by progressives on the left as well as conservatives on the right. As a generality, those on the left who employ essentialism do so to situate an otherwise subjugated group and change social arrangements; those on the right who employ essentialism do so to identify and isolate groups, with an underlying desire to stabilize the hegemonic order.
have been criticized by those who adopt postmodern approaches to identity, and postmodernism has been criticized for denying the existence of almost everything, consideration of the processes of meaning-making facilitates an assessment of both essentialist and fluid representations of identity.

The debate about essentialism and constructivism mostly becomes polarized because thinkers feel compelled to either support the idea that identities have clearly delineated contours which persist over time, or alternatively that the boundaries of all identities are fluid and contestable. But this dichotomy of essentialism and constructivism oversimplifies the deeper perplexities of identity/difference politics. I have explored already the ways in which essentialist significations reduce identities, but it is important to note, as Seyla Benhabib does, that constructivism also has its limits:

Constructivism cannot explain adequately what motivates individuals to consider identity-based differences as essential for them....constructivism, in short, can account for the contingency but not for the coherence; constructivism can account for sociological distance but not for the motivating closeness of ideologies. (1998: 95)

How then do theorists account for significations that appear to be coherent and somewhat solid and those that are more fluid? Meaning-making suggests the strategic deployment of both essentialist and non-essentialist understanding of identities, in which there is a “double movement: to invoke the category and, hence, provisionally to institute an identity and at the same time to open the category as a site of permanent political contest” (Butler, 1993: 222).

Gayatri Chakravorty Spivak has offered a theory of strategic essentialism that helps to think about this tension. She argues that essentialism is not bad ontologically, but rather it is problematic in its application. Her goal is to offer a response to essentialism that does not simply expose its limitations but that requires an interrogation of essentialist representations. Spivak warns that because identities are constructed, essentialist meanings should not be deployed uncritically. As a short term strategy, Spivak supports the use of essentialism to affirm a political identity, as long as the identity does not get frozen as an essential and permanent category by others. According to Spivak strategic essentialism is not defensible when it is employed by dominant groups to exclude subjugated identities but it can be useful when it advances “a scrupulously visible political interest” (1987: 205).
Strategic essentialism, however, has become misunderstood and over-used. It has certainly situated agents in politics through abridged meanings for communicative ease or to make generalizations, but it continues to suggest a notion of ‘true essences’. In particular, as Lisa Lowe has noted, “the discourse may remain bound to and overly determined by the logic of the dominant culture” (1996: 71). Lowe warns that adoption of dominant categories (especially binaries such as white/non-white or majority/minority) merely serve to caricature colonial systems. The tension arises partly because of the way in which some thinkers employ strategic essentialism for ‘progressive’ purposes (i.e. to make political demands and legal claims in order to achieve equality and inclusion) without adequately considering dominant paradigms. This has the effect of legitimizing narrow, naturalized and homogenizing meanings of culture without accountability for the consequences of strategic essentialist meanings. Postcolonial feminist Uma Narayan, for example, argues that progressive versions of ‘cultural’ essentialism employed to describe Third World women replicate uncritical essentialist notions (2000: 90).\(^{105}\) Accordingly, the ‘strategic’ dimension of strategic essentialism has sometimes been ill-considered. In reacting to the neglect of ‘the strategy’ in strategic essentialism, in her later works Spivak says that she has given up on the phrase ‘strategic essentialism’ but remains committed to the project which underlies it (Danius & Jonsson, 1993: 35-36).

Let me draw out what I understand this project to be. Strategic essentialist meanings should be provisionally and tactically employed for a specific purpose, specifically as a consequence of relations of power. Those who use essentialist categories must display some consciousness about their usage when claiming it strategically. This requires an understanding that such meanings do not gain relevance simply by virtue of the necessity to speak about a subjugated group; rather they gain meaning because specific relations of power can be usefully contested by locating an identity in relation to another identity. They emerge from real experiential epistemologies grounded in power, in which a strategic essentialist meaning enables the naming of power relations. For example, to invoke the notion of ‘woman’ is to relationally acknowledge the systemic ways in which the female body, the sexual division of labour, and hetero-normativity have been used through male dominance to subordinate most women. As such, in tracing the processes of signification it

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\(^{105}\) When in single quotes, ‘cultural’ describes and expresses attributes of culture, the entity.
becomes clear that many women share *kinds* of experiences (and not actual experiences) and as a result ‘woman’ can be a politically useful term in the context of patriarchy and sexism.

At the same time, by tracing the processes of meaning-making, it also becomes apparent that in this strategic essentialist meaning of ‘woman’ gender is situated as the primary system of signification; consequently, the description of female oppression is asserted through the eyes of dominant (white) women in ways that erase subjective ‘essences’ beyond the scope of gender. On this account, critical focus on the cultural dimension reveals that the use of ‘woman’ both reflects the relations of subjugating power between men and women, and at the same time the privileging power of white women. The essence of ‘woman’ is not in this sense natural, but rather it is scripted through contexts of power. Thus an identity gains meaning not through nature or other essential characteristics, but through epistemological experiences that reflect arrangements of power. As such, “It is not only that some women are considered to be worth more than other women, but that the status of one woman depends on the subordinate status of another woman in many complex ways (Razack, 1998: 158). In this sense, essentialist significations are not bad news because they assume unity, integrity, discreteness and fixity but when the relations of power that signify identities are uncritically assumed. The conceptual shift to cultural enables theorists to expose and interrogate the ways in which strategic essentialist meanings facilitate the contingent articulation of an identity relationally.

Further, such analysis offers some insight as to why the meaning is being employed, what systems of meaning-making are primary to the essentialized identity and which are excluded. In particular, when essentializing significations are employed, it is critical to trace the processes that make some systems primary and others either secondary or invisible. As Butler states, “the task is to interrogate what the theoretical move that establishes foundations *authorizes*, and what precisely it excludes and forecloses” (1995: 39). As such, being accountable for meaning-making and the use of essentialist meanings creates consciousness about the limitations of reduced meanings. Thus even when I deploy the strategic essentialist identity of a South Asian woman in the context of a Canadian society dominated by those signified by white privilege, a complete analysis of the processes of meaning-making requires that I acknowledge the systems of meaning-making that are absent; in this case, it would include systems of sexuality, ability, and class. This approach
illustrates that the strategic essentialist signification of my identity can accurately reflective a particular relationship, but without eliminating the entire multitude of meanings.\textsuperscript{106}

In addition, in identifying the processes of meaning-making it becomes possible to situate oneself in the production of a strategic essentialist signification. In this sense, theoretically studying meaning-making can make us more accountable for our own position in employing a strategic essentialist identity by forcing us to ask why the sign is being employed and the consequences of such a signification. This means that it is not only the ‘object’ or strategically essentialized identity that is analyzed, but also the ‘analyst’ herself.\textsuperscript{107} So for example, as a South Asian woman who recently immigrated to Canada, when strategically invoking the essentialized category of ‘Indigenous women’, I must be accountable for the ways in which the significations attached to my identity construct and reinforce colonial depictions of Indigenous women in Canada. It is critical for me to acknowledge that representations of South Asians as ‘good’ immigrants (who want to ‘integrate’ into Canadian society) also determine inscriptions of Indigenous women who are signified as antagonists to unity.\textsuperscript{108} This requires me asking when I employ essentialist notions of Indigenous culture: for who is the culture bounded – me or Indigenous women. What purpose does an essentialist signification serve, and for whom? In other words, in considering the practices of signification, it becomes possible to self-reflect on ways in which we, as theorists, make meanings in discussions about ourselves and others.

\textbf{5.8 Authenticity and Agency in Meaning-Making}

Whilst meaning-making is not about discovering authenticity in Taylor’s sense, the concept of cultural enables theorists to explore experiential spatial and temporal moments of authenticity. It is possible to consider authentic significations in particular spaces and time

\textsuperscript{106} In ‘Contingent Foundations’ (1995), Butler also makes an argument that does not entirely reject the (the essentialized) subject, but rather contingently accepts the foundations of an identity so long as the constitution of those foundations is examined. Specifically, Butler places the contingency of identities in frameworks of power. She states that the “subject is neither a ground or a product, but a permanent possibility of a certain resignifying process, one which gets detoured and stalled through mechanisms of power, but which is power’s own possibility of being reworked” (1995: 47).

\textsuperscript{107} As Said reminds us in \textit{Orientalism}, the position of the scholar must always be subject to self-scrutiny ([1978] 1995: 91).

\textsuperscript{108} In Canada, in the context of a hierarchy of preference East Asians are also constructed along with South Asians as ‘good immigrants’ (compared to, for example, Somalians) especially when governments point to their assumed entrepreneurial skills and educational success, both of which are considered positive for job creation and economic growth.
in much the same way strategic essentialist meanings are understood, in which identities gain significance both relationally and temporally. Thus, even though from Taylor’s perspective I have not recovered my authenticity because of a history of misrecognition that occurred through colonialism, my identity is no less authentic than the pre-colonized subject; in particular moments and relations I can articulate the ‘real me’. As Michael Keith states, “Diachronically, we know that authenticity has no place but if we freeze the moving film momentarily, in particular places at particular times, the authentic can be voiced synchronically, an appeal that is of the moment, directed to particular audiences and justified by specific ends” (2000: 533). This moment of authenticity takes on some similar features of a strategic essentialist meaning in that both reflect relations of power and political objectives. But exploring the meaning of an authentic identity in the moment emphasizes a temporal dimension that sometimes gets lost in strategic essentialism. This understanding of authenticity does not depend on (re)discovering a core original collective identity; rather, it requires acknowledging actual socio-political experiences of people’s lives in spatial, temporal and relational terms.

At the same time, significations of authenticity reveal the ‘being’ of an identity, rather than the ‘becoming’ of an identity (Keith, 2000: 533). This can be troubling because it becomes necessary for claims of authenticity to fit into existing understandings of identity; thus I can only be authentically Indian if the category of Indian has preexisting significations. This is problematic because authenticity becomes defined by already-existing and hegemonic systems of signification. As an example, significations externally imposed on transsexuals prevent male to female transsexuals from asserting the identity of an authentic woman. Transsexuality presents instead what Marjorie Garber calls a third mode of articulation, which is neither exclusively masculine or exclusively feminine (1992: 11). Since gender is constructed -- where women are taught roles that are specifically feminizing -- as opposed to biologically essential, the question of who is essentially, authentically, a woman becomes an interesting one. There seems to be no doubt of who is essentially a woman for those who are born with the biological anatomy that is socially associated with femaleness. But in the case of transsexuals (especially those who have undergone surgery), the body does not necessarily physically correspond with hegemonic social markers of masculinity and femininity. This constructs the transsexual woman as less authentically (and
essentially) female than the woman who is biologically female. This is troubling not only because this signification erases the agency of the transsexual woman to identify in a way that she chooses, but moreover, it reveals the incapacity of authenticity as an ideal. A claim to authenticity is inherently limited to the hegemonic (and usually binarized) systems of signification available to us; thus within the legal realm in British Columbia, a male to female transsexual must undergo surgery and then legally adopt the identity of a female in order to claim any legitimate authenticity as a woman. The authenticity of a woman continues to depend on biological characteristics.

Instead of authenticity, meaning-making emphasizes the agency of meaning-makers. As Bhabha notes, part of our task, as theorists, is to “show how historical agency is transformed through the signifying process” (1994: 12); put differently, analysis of the development of meaning-making provides insights into how, over time and space, agents are impacted by those processes. Moreover, meaning-making emphasizes the self-determination and situation of agents (as signs) to make their own systems of meaning-making and mark their own meanings in contexts of anti-subordination. The agency of meaning-makers to redefine significations, resist hegemonic meanings, create or regenerate meanings, and perform or subvert meaning-making is central to the cultural realm. This is because meaning-makers are core actors in the making and marking of identities. As actors, however, the exercise of agency in the constitution of significations can be a complicated and conflictual process. For example, as Diane Fuss traces, for gays and lesbians who ‘come out’ there is an assertion of agency, “a movement into a metaphysics of presence, speech and cultural visibility” (1991: 4). Yet, Fuss continues, at the same time this process of signifying as gay or lesbian also “conjures up the exteriority of the negative – the devalued or outlawed term in the hetero/homo binary” (1991: 4). It is precisely because of these differing significations that the role of agency is important; the extent of agency exercised by individuals to make meanings indicates failed and successful interactions with other meaning-makers.

5.9 Theorizing Communities

Communities are both sites of meaning-making and the product of meanings-made. Whereas the concept of culture does not fully account for the different ways in which
collectivities are made and marked, the conceptual shift to cultural provides a closer examination of communities, accounting for the similarities and differences between members of a community and the pressures both ‘inside’ and ‘outside’ the community that shape meaning-making. In Canada, the term ‘Indigenous community’, for instance, represents a politically shared history that arises from particular place-based experiences of assimilation, eradication, and exclusion through colonialism, imperialism and neocolonialism. At the same time, the use of ‘Indigenous community’ does not capture the diversity within, among or across Indigenous collectivities. It is the emergence of the term ‘Indigenous community’ as an essentialized and homogeneous group identity on the one hand, and the use of ‘Indigenous community’ as a source of oppositional consciousness on the other that is relevant to progressive politics. Repositioning analysis to the cultural enables attention to these kinds of meanings and the authority of meanings that arise in historical and socio-political contexts of power.

The shift also accounts for contestation, multiplicity, contradictions, and evolution of communities. In this, it is not possible to speak simply (for example) about a community of disability or disabled communities without addressing the ways in which some who have been recognized as disabled, such as the Deaf, do not always consider themselves part of a disabled community. There is also much debate amongst disability studies thinkers about what counts as a disability, which opens up questions about membership. In addition, disabled people do not inevitably have more in common with other people with disabilities than they do with people who share common significations of gender, class, race, age, or sexual identity. Through these distinctions, it becomes possible to examine differences amongst disabled people without making totalizing claims about who is from a disabled culture.

It is not that there are not shared signifiers amongst members of community, but such signifiers transform and have varying intensities. This is true for queer communities, where commonality arises from spatial, legal, symbolic, material, and political sites of queer affiliation but within which there are gay, lesbian, transgendered, bisexual practices. Some

109 Susan Wendell (1996) raises several issues about definitions of who is disabled. She contends that some definitions of disability exclude the chronically and temporarily ill and HIV-infected persons, whilst at the same time some people who are disabled people are not ill but their socially constructed environment leaves them incapacitated.
embrace the sense of community that arises from externally-imposed definitions, whilst others resist it. The resistance may be response to the homophobic boundaries of categorizing who is homosexual and specifically who is not homosexual. Such imposed meanings of bounded community arise through modes of excluding those who are collectively seen as alternate or deviant. At the same time, shared behavioral signifiers can be deeply meaningful in constructing a shared ethos - for example, signifiers for gay people include gay literature, music, art, clothing etc. In either case, the systems of knowledge and meaning do not necessarily create a bounded and homogeneous community that is static and that shares a “historically consistent aggregate of shared practices or knowledge” (Irvine, 1994: 243). Rather, a ‘semiotic community’ (to borrow from Wedeen) emerges through shared, rather than thickly integrated, symbols. Analyzing the processes of signification highlights the practices that construct meanings, the many positions from which meanings arise, the sites of articulation, and the conflicts that occur within contested terrains of meaning-making without the homogenizing effects that are imposed by the culture concept.

As such, when theorizing processes of meaning-making it becomes possible to identify differing significations of community. By this I mean that communities can semiotically emerge through strategic essentializing understandings, or as fragmented and amorphous hybrids, or as tightly knitted collectivities, or somewhere in between in which there are relatively porous systems of shared meaning-making. Whilst this emphasizes the discursive and symbolic production of communities, it is critical to also acknowledge that meanings can be materially significant through spatiality. This is not just in a geographic or local sense but also spiritually and politically. For instance, signifiers of space such as land, territory, reserves, as well as the movement between urban and rural areas and between borders (such as Canada and U.S.) are all relevant to the ways in which many Indigenous people signify themselves as members of particular communities. Alternatively, for some the internet can create a virtual community which transcends physical borders and operates on a transnational level (e.g. communities of anti-globalization activists).

Analysis of meaning-making does not assume the homogeneity and boundedness of a community nor an amorphous characterization of a community. As such, communities are

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110 There are a growing number of geographers who explore issues of identity/difference when considering space. For some good examples of such studies see Leonie Sandercock’s Towards Cosmopolis, (1998) and essays in Handbook of Cultural Geography edited by Kay Anderson et. al. (2003).
not dependent on a set of unified communal values, norms and beliefs. Nor are they dependent on spatial cohesion, consensus, or shared and agreed knowledge in which those who do not conform to the community model of having shared values are deemed not to be authentic members. At the same time, communities are not necessarily fragmented or amorphous hybrids; they have epistemic, geographical, historical, and familial significance for identities regardless of whether we grow up and stay in particular communities or not, and regardless of how many different communities we belong to. Indeed, communities are locatable not only through spatial signifiers but also through representations of authoritative signification in which there is something identifiable and unique amongst members of a community. This is important because, as queer theorist Shane Phelan contends, communities insulate subordinated identities from hostility; they break and/or ease invisibility by providing a sense of ‘home’ and belonging; they help members interpret their lives; and they serve as a base for political mobilization (1994: 87-88).

On this view, communities materialize through identification and to some extent supportiveness rather than assumptions about homogeneity, geographic boundedness and face to face interaction (Kasnitz & Shuttleworth, 2001: 33). Communities become meaningful to us when we are able to negotiate what we will have in common, what we will share, and how we will share it, rather than through fixed notions and criteria of what we have in common (Phelan, 1994: 95). Communities emerge through communication and interaction, and are not naturally given entities. Hence rather than entangling the notion of community with the constraining notion of culture, communities must be understood as sites of semiotic practice in which people form communities rather than culture-as-community constituting people. It is not that communities cannot or do not exist, but rather the definition of community need not represent a thickly integrated entity with coherent patterns of symbols that are assumed to be shared in the same way by all members over time in one specific geography. This is not to exclude the possibility that communities can and do exist in this way, but Identification with a community can vary according to levels of familiarity, social interest and location, commitment to keys signs of a community (e.g. religious signification), space and time, ideology, and the relationship one has with other members of a collective.
5.10 Concluding Remarks

Through this chapter, I have explored some of the central theoretical implications of the conceptual shift to cultural. Power threads all processes of meaning-making, thus revealing the ways in which identities are made and marked through relations and contexts of power. The concept of cultural also illuminates the multiple, interactive, hybrid processes that signify identities and relations. Whilst this all points to the fluidity of identity and difference, it also opens up ways to explore when and why identities also take on essentialist, anti-essentialist, and strategically essentialist significations. This has particular implications for theorizing communities as sites and products of meaning-making, especially to illuminate the processes by which communities adopt features of heterogeneity and commonality. Finally, the analytic shift locates the critical role of agency in the constitution of meaning-making.

In the following three chapters, I study the processes of meaning-making through an exploration of various policy and legal case studies to illustrate these theoretical insights. I particularly focus on case studies that are largely neglected in liberal multicultural discourses because as Joseph Carens states, “there is a lot to be gained by multiplying unfamiliar narratives if we can draw out the implications of these narratives for familiar theoretical positions” (2000: 5-6). To move beyond the preoccupations of liberal multiculturalism, which obscure and neglect many dimensions of identity/difference theorizing, I use the case studies to demonstrate that the shift to cultural enables analysis that is richer in scope, complexity, and depth. In chapter six, I consider the processes that signify Deaf and transsexual identities in order to identify how analysis of identity/difference theorizing is expanded by this shift. In chapter seven, through the lenses of systems of disability and sexual orientation, I deconstruct significations of ‘the immigrant’. In chapter eight, through analysis of the ‘Aboriginal Women’s Roundtable Report on Gender Equality’ (2000) I consider the interactions between multiple systems of signification. Whilst these the cases are centred on subjugated identities, my interest is in the relations of power between subjugated and dominant identities.
Chapter VI
Expanding Identity/Difference Politics: Significations of Deaf and Transsexual Identities

6.1. Introductory Remarks

The critical adjustment to cultural expands analysis of identity/difference by including identities beyond the scope narrowly defined by the concept of culture. To illustrate this analytical expansion, I draw upon two examples in this chapter, one that traces the processes that signify Deaf identities and the other that explores the processes that signify transsexual identities. In both instances, the liberal multicultural interpretation of culture as ethnic, national and linguistic minority/misrecognized group has limited application for analyzing these contemporary cases. The case study on Deaf identities is a ‘hard’ case in that analysis of the processes of meaning-making suggests that liberal multicultural interpretations of culture as a bounded entity has some appeal to Deaf scholars and activists. In contrast, analysis of meaning-making associated with transsexuality indicates that the notion of culture as a bounded group has little resonance in the literature on transsexuality.

The objective of this chapter is not simply to show that that Kymlicka or Taylor have failed to pay adequate attention to Deaf or transsexual identities. Nor am I suggesting that Kymlicka’s theory of minority rights of Taylor’s theory of recognition are irrelevant to Deaf and transsexual people; I doubt that either thinker would dispute the marginalized status of Deaf and transsexual people. Rather, the purpose of this chapter is to show that analysis of meaning-making goes beyond the scope of culture, and as such enlarges an understanding of identity/difference politics in ways that are neglected by liberal multiculturalism.

111 In this chapter, I focus specifically on transsexual identities rather than on the broad group of transgendered identities which includes the inter-sexed (being born with full or partial sex organs of ‘both sexes’, or with underdeveloped or ambiguous sex organs), cross-dressers (people who dress in the clothes of the ‘opposite sex’ for emotional satisfaction and psychological well-being; and transgenderists (who self-identify and live as the ‘opposite gender’ but have decided not to undergo sex reassignment surgery). Transsexuals are individuals who feel that they are living in a body of the wrong sex. The term includes those who have undergone surgery as well as those who have not.
6. 2 Deaf Identities

Deaf culture

Deaf understandings of culture are distinguishable from liberal multicultural understandings -- particularly Kymlicka’s -- in that they are not constituted through ethnic or nationhood claims. Specifically, significations of Deaf cultures do not emerge through a commitment to a historic homeland or even a geographically intimate community (Ladd, 2003: 175) Some Deaf interpretations of culture, however, do take on the bounded-entity notion advanced by liberal multiculturalists. In examining these interpretations, I explore why some Deaf scholars and activists have claimed the notion of culture as a bounded entity, and others have resisted or rejected it. An analysis of the semiotic processes constitutes a critical step in locating meanings and the significance (and lack of significance) of the concept of culture.

The understanding of culture as a bounded entity has been employed by many Deaf scholars and activists in two broad ways. First, culture is used as a way to respond to the hegemonic order. Unlike liberal multiculturalists, culture as a bounded entity is adopted not as a way to mark the Othered but as a way to respond to the processes of Othering. This is a subtle but important distinction. Whilst it may be the case that many groups aim to differentiate themselves through the discourse of culture, rather than simply claiming culture to classify or describe Deafness as a subordinated identity, those who advocate the use of ‘a Deaf culture’ do so as a consequence of the processes that signify Otherness.

Drawing from Anthropology and Cultural Studies, Deaf scholars and activists have strongly claimed that the culture-concept is applicable and indeed key to situating a Deaf-centred analysis (Deaf, 2002c; Ladd, 2003: 161, 250, 401). It is especially important as an alternative to medicalized systems of meaning-making, which have signified deafness as a defect that must be fixed (Deaf, 2002a). Deaf scholar Paddy Ladd describes this as a way to locate the Deaf within a collectivist, rather than an individualistic, culture (2003: 15-16, and 168). In this, the culture concept is central in the struggle for anti-subordination; talking about a minority culture distinguishes it from a majority culture. Indeed, because the struggle for liberation requires ways to counter the forces of Oralism, a strategic essentialist approach to culture continues to appeal to Deaf scholars precisely because it allows for Deaf epistemologies and ways of meaning-making (Ladd, 2003: 81). The identity of Deaf culture
thus gains significance in relation to the hegemony of the Oralist world. Deaf British scholar, Paddy Ladd argues that although the concept of culture has homogenizing tendencies, historically the meaning-making process for Deaf people has been disrupted and invaded by Oralist practices; the use of culture is a significant way to counter Oralism and locate Deaf identity particularly at a time when the status of culture continues to grow. In this sense, Ladd wants to invert the productive dimensions of power that have dominated significations of Deafness.

The framing of a Deaf identity in the context of a linguistic minority culture is part of what Ladd calls the resistance to linguistic colonialism (2003: 17). To provide a counter-narrative to the Oralist hegemony, Ladd contends that it is necessary to draw parallels between the colonization of peoples whose native languages were threatened and sometimes eradicated (such as Indigenous people) and the Deaf who forcibly endured linguistic colonialism (2003: 256). The process of colonizing is used to describe the historical relationship between unequal groups of people, in which the dominant hearing group not only controlled and ruled the Other but also imposed its own norms on the subordinated group. Historically, Ladd continues, the Deaf were not only directly affected by majority cultures through paternalistic policies, but “their own cultural patterns had become shaped by both acquiescence to and resistance against, that cultural domination” (2003: 79). Deaf teachers were removed and banned from working with Deaf children; negative perceptions of Sign language become internalized through educational systems that prohibited the use of Sign; Deaf history went unrecorded or was destroyed; and religion (particularly Christian missionaries) was used as a way to enact paternalistic policies or what Ladd calls ‘welfare colonialism’ in which the Deaf were constructed as feeble-minded, in need of charity and help (2003: 17).

Even though it is crucial to situate Ladd’s account of the history experienced by Deaf people at the hands of a controlling and ruling Oralist world, I am wary of his appropriation

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112 For example, the first Deaf school in Ontario was established in 1869-70. The introduction of oralist policies in 1906-7 eased out Deaf teachers. Between 1919 and 1974 requirements were set that effectively barred Deaf people from becoming teachers. In British Columbia there were no permanent Deaf school until 1915, and even as late as 1935 it did not permit Sign. Schools in Alberta and Newfoundland also adopted Oralist policies and prevented the hiring of Deaf teachers. Saskatchewan’s one deaf school remains the only one in Canada to be named in honor of a Deaf man, R.J.D. Williams (Roots, 2003).

113 The renewed recognition of the validity of Deaf history can be seen in the work of Jack Gannon (1981) and Harlan Lane’s account of American and French Deaf history (1984).
of the meaning of ‘colonialism’ which he employs to speak to practices aimed at excluding and eradicating Deaf cultures. Whilst colonialism has been used in contexts that challenge the dichotomies of European/non-European and white/non-white (e.g. some Chinese politicians and scholars have employed the notion of colonialism in reference to China’s historical relationship with Japan), in European and North American contexts, the racialized representation of colonialism should not, in my mind, be co-opted in order to make all claims of culture. Certainly there are intricate links between racialized experiences of European colonialism and eurocentric constructions of Deaf cultures as immature and uncivilized, as Barbara Arneil (2004) and Christopher Kliewer and Linda May Fitzgerald (2001) contend. In the Canadian context, however, colonialism is deeply embedded in significations of racialization, racism, white supremacy and imperialism. The links between colonialism and these associated systems of significations are necessary to maintain not only so as not to erase the continued colonialism of people of colour and Indigenous people in Canada, but also more specifically because it is important not to universalize the experiences of all Deaf people, some of whom are people of colour and/or Indigenous. In other words, it is because some people are Deaf and non-white -- rather than Deaf or non-white -- that Oralist experiences must be distinguished from Oralist experiences that are compounded by colonialism.

Ladd’s use of Oralism is perhaps more appropriate in describing the prevailing paradigms of oppression that threaten the symbols and practices of Deaf people and their specific Deaf cultures. This is especially because he is right to point towards the ongoing linguistic oppression of Deaf people. For example, despite the landmark Canadian Supreme Court decision of Eldridge vs. B.C. -- which stated that the failure of governments to provide sign language interpretation in the delivery of health care services (where it is was necessary for effective communication) violated the Charter rights of Deaf Canadians -- the

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114 In this I am making the (contentious) assertion that in the Canadian context all people of colour are representations of the colonized. I do not intend to homogenize the colonial experiences of people of colour nor divide the world along white/non-white lines, which over-simplifies, for instance, the ways in which some understand the relationship between China and Japan. Rather I want to make the broader point that colonization is a racialized process. In the Canadian (and North American and European contexts), it affects all people of colour, even those who were never formally colonized. Sanjeev Kumar Uprety cites the example of the Nepalese who although were never under colonial rule display the same signs of the colonial condition as people from the India (1997: 367). It is the constructed associations between skin colour and the colonial hegemony that I want to emphasize.

Council of Canadians with Disabilities continues to express frustration that most federal, provincial and territorial governments have failed to take any steps to meet the obligations set out by the Supreme Court. Ultimately, Deaf people continue to experience the erasure of Deaf ways of being.

Second, culture as a bounded entity takes on meanings because most Deaf people agree that Sign language is the cornerstone marker of their culture; what binds people within a Deaf culture is language. This parallels liberal multicultural understandings of culture, in which linguistic distinctiveness is especially important for Francophones in Quebec. Culture as a bounded entity is appealing to some Deaf thinkers and activists because it reflects a set of unique characteristics that signify Deaf ways of being. Indeed, some Deaf organizations construct the meaning of culture using similar criteria to liberal multiculturalists. According to the Canadian Association of the Deaf (CAD), a Deaf culture is a healthy sociological community of Deaf people. This culture is generally considered distinct because it has its own unique language (Sign language); values (attitudes towards Deaf interests); arts (Deaf theatre, poetry, jokes, writings, paintings, magazines, journals and books by and about the Deaf; educational institutions; political and social structures (e.g. CAD); and other signifiers such as TTY’s, caption decoders, and flashing alarms. Deaf culture-talk thus enables self-affirmation, solidarity and personal autonomy in parallel ways to liberal multicultural understandings of culture as a resource (Deaf, 2002a).

In particular, the linguistic distinctiveness of Sign (regardless of geographic location) not only arises because of who uses Sign, but also because it is a visual rather than verbal language. Some scholars emphasize this in order to locate Deaf culture as a culture in its own right rather than a subculture of the majority society (Ladd, 2003: 224) This has been particularly important in distinguishing d/Deafness from disability, either to argue that Deaf people are not part of the disabled movement or a radically different group within it. However, unlike liberal multicultural formations of culture this does not have to signify an essentialized culture. CAD identifies that different Deaf organizations emphasize different kinds of Sign language depending on context: the Canadian Association of the Deaf (CAD), for instance, uses American Sign Language (ASL) and la Langue des Sourds du Quebec as

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116 This includes the Ernest C. Drury School for the Deaf in Milton, Ontario; Newfoundland School for the Deaf in St. Johns; Robarts School for the Deaf in London, Ontario; Sir J. Whitney School for the Deaf, in Belleville, Ontario; and Gallaudet University in Washington D.C.
its two official languages, and recognizes English and French as its two secondary languages (2002d); those living in Britain take British Sign Language (BSL) as their primary language; in Australia, the National Policy on Language recognizes Auslan, which is the Sign language used by the Australian Deaf and non-vocal communities. Auslan is related to BSL although not identical to it, and is distinct from ASL. Sign, in other words, is constituted through the intersection of national or state identity (multinational identity in the Canadian case) and Deaf culture. These differences amongst Sign users disrupt the view of culture as a bounded entity; they demonstrate heterogeneity amongst members who share aspects of a culture in ways that are often glossed over by liberal multiculturalists.

Yet at the same time, like liberal multiculturalists, for most Deaf people language is constitutive of culture. Though this leads to the masking of variations amongst members of a collectivity, it emerges from processes of meaning-making that Deaf people self-direct. This is specifically to advance a visible political interest in the Spivakian sense. As such, the bounded notion of culture emerges in the process of revering unique significations of Deafness in a context of Oralism. Such significations echoes the mainstream interpretation of culture in which there is some similarity to the liberal multicultural notion of a bounded culture. However, I have also attempted to illustrate that these features of culture are not driven by the same processes of meaning-making as liberal multiculturalists. From the perspective of the Othered, culture-as-bounded-entity emerges for Deaf thinkers as a way to self-define ways of being rather than only to gain specific rights or recognition; to construct signifiers and not only to have resources for purposes of self-realization or preservation of culture; and to create spaces of belonging without assuming homogeneity.117 This understanding of a ‘Deaf culture’ is, in many ways, a strategic essentialist signification, although Deaf scholars seem not to employ this specific expression. In particular, analysis of the processes of meaning-making suggests that collective Deaf identities are made and marked -- in self-directed and other-directed ways to produce positive meanings -- through contexts and relations of power with the Oralist world. As such, the notion of bounded cultures is strategically appealing to some Deaf people.

117 These motivations for strategically employing the concept of culture may also be shared by ethnic, national and other language groups.
Contestation in the Processes of Meaning-Making

Notwithstanding the comprehensions and foundations underlying this bounded account of culture, the move to cultural demonstrates that there is also contestation about Deaf culture and identity. Indeed some scholars have located these contestations by differentiating culture as an entity and culture as a process in much the same way that I employ the term cultural as a contested process of meaning-making. Mairian Scott-Hill, for instance, states:

...what seems to be happening is that though two distinct meanings of culture – culture as a distinct way of life (the DEAF-WAY); and the culture as the production and circulation of meaning or ‘what enables us to “make sense” of things [though] social discourses and practices which construct the world meaningfully’ (du Gay et. al. 1997, p13) – are being used interchangeably. (2003: 95)

Scott-Hill is thus drawing attention to the static and dynamic notion of culture. Ladd echoes this understanding; he argues that although it is necessary for Deaf people to claim the meaning of culture as a bounded entity, it is through culture as a site of dialogue and practice of meaning-making that Deaf people conduct themselves and organize forms of resistance (2003: 8-9). Drawing from Cultural Studies, Ladd enunciates that models of Deaf culture as a noun need to be replaced with culture “as a pluralistic site wherein its members contest Deaf cultural meanings” (2003: 215). For Ladd, it is crucial for Deaf people to claim spaces to develop and activate their own systems of meaning-making and knowledge. He states:

[T]he concept of culture is the key to effective change, acting as both verb and noun; it is simultaneously the object of our gaze, the process through which challenges to our identity must be examined, and the ‘medium’ by which we make our reports and carry out changes [emphasis added]. (Ladd, 2003: 23)

It is critical to note that Ladd refers to culture as both a verb and a noun; he emphasizes the political utility of culture as an entity and as a process by which meanings are constituted. This echoes the dynamism intrinsic in my conceptual move to cultural; but whereas Ladd is willing to revise culture he also maintains its primacy as a conceptual tool. This does not, in my mind, fully resolve the inadequacies inherent in the concept.
In contrast, the shift to cultural helps to analyze contestation about the character of Deaf identities. There are at least two key contentious dimensions to this: one amongst those who self-identify as Deaf, where notions of culture are either universally or strategically employed; and the other between Deaf and disability scholars who disagree on whether Deafness falls under the rubric of disability. Analysis of meaning-making facilitates examination of the different significations that emerge from these contestations. Let me begin with the first dimension.

Amongst members of the Deaf community, there are competing meanings of Deaf membership in a culture. Organizations such as CAD distinguish between deaf (small "d") and Deaf (large “D”). Small “d” deaf is a medical/audiological term that refers to those people who have little or no functional hearing. It is used as a collective noun to refer to people who are medically deaf but who do not necessarily identify with the Deaf community. Alternatively, they contest that Deaf (capital “d”) is a sociological term referring to those individuals who are medically deaf or hard of hearing and who identify with and participate in the culture, society, and language of Deaf people (which is based on Sign language). According to CAD, being Deaf is distinct from being deafened which is a medical and sociological term referring to individuals who have become deaf later in life and who may not be able to identify with either the Deaf or hard of hearing communities. A hard of hearing person is someone who has lost ranges from mild to profound hearing and whose usual means of communication is oral speech (Deaf, 2002b).

At the same time, CAD states that a person’s location/status within a Deaf culture depends on the attitude towards aspects of Deaf culture, involvement in the local Deaf community, and skill in Sign language rather than their Otherness, rather than simply being born Deaf (Deaf, 2002b). This is in sharp contrast to the way in which hearing society inscribes Deaf culture as a homogenous collectivity in which members are signified as medically deficient. As a result, culture is not a universal concept but has different meanings for different people because the intensity and saliency of the relationship between a person and Deafness varies; in other words, not all members of the Deaf community share culture in equal measure or in the same way (Ladd, 2003: 260). Ladd also presents the view that Deaf culture is widely defined. Members can be hearing children of Deaf parents (this will depend on whether they have created a conscious group of Deaf signers and participate in
Deaf culture); a person who marries a member of a Deaf culture; a parent of a Deaf child; someone who becomes deaf in early life; and someone who works within the Deaf community over an extended period. Joseph Fischgrund and Tane Akamatsu (1993) also contend that to be a member of a Deaf culture is to self-identify with the Deaf, support the values of deafness, and be accepted as a member. The degree of membership and intensity of feeling like a member of a Deaf culture may vary audiologically (the fact of hearing loss), politically (working with Deaf people on exerting influence on the state), linguistically (those who Sign), and socially (participating in Deaf community and families) (Fischgrund & Akamatsu, 1993: 171-2). Thus being a member of a Deaf culture does not depend on being Deaf. This subverts the liberal notion of culture by transcending birth links. This is intriguing because of the discursive gap between identity and culture; one can be signified as a member of a Deaf culture without being born Deaf.

To add to the contestation about Deaf identity, in recent studies of Deaf Asian Americans, Hispanic Americans and African-American, Deaf scholars and teachers such as Susan Foster and Waithera Kinuthia (2003) have argued that in ‘discovering’ culture (through meaning-making), Deaf people emphasize different parts of their identities in specific contexts and interactions. Through interviews, Foster and Kinuthia show that at times Deaf culture is not the prominent mode of identification, and at other times it is. This can vary according to individual characteristics (e.g. gender, roles, beliefs, character); situational conditions (e.g. geographic location, whether the Deaf person attended a Deaf school, and location of home/work/neighborhood); social conditions based on interaction with others (e.g. alienation, discomfort, sameness, difference); and societal conditions (e.g. institutionalized forms of stereotyping) (Foster & Kinuthia, 2003: 278). Foster and Kinuthia analysis illustrates that identification emerges through processes of meaning-making between the self and surrounding structures and people. It also suggests that at times Deaf people do not identify with other Deaf people. This is because intersections between Deafness and ethnicity (as well as other axes of identification) affect the saliency of Deaf identification. Foster’s and Kinuthia’s analysis makes it clear that ethnic minority Deaf people do not see themselves members of a Deaf sub-culture, but rather the interviews show

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118 This is not unlike Taylor’s emphasis on the dialogical formation of recognized identities, but Foster and Kinuthia address how this not only the dialogical aspect of identity formation, but also the social contexts of power.
that intersections of ethnicity and Deafness constitute differing understandings of identity.\textsuperscript{119} As Fischgrund and Akamatsu contend, “what is commonly referred to as “Deaf culture” is in fact white Deaf culture, and what is commonly referred to as the “Deaf community” is in fact narrowly defined as the community of white Deaf people” (1993: 177). ‘Deaf culture’ is thus contested as a consequence of intersecting ways of identifying.

Scott-Hill contends that these contestations reflect the ways in which the discourse of culture is enmeshed in dynamics of power play (2003: 92). This power play also includes debates between Deaf and disability scholars in which there is contestation about whether Deafness falls under the umbrella of disability. The focus on meaning-making enables an understanding of this contestation because it opens up possibilities to explore variation in meaning-making. Leading disability advocates such as Vic Finkelstein argue that because those signified as disabled and Deaf are marked by signs of social abnormality and deviance as well as biological defectiveness and imperfection, they are all share socially constructed inscriptions of being disabled. Finkelstein argues that Deaf people “have more in common with other disability groups than they do with groups based upon race and gender” (1991: 160). Deafness is, in these constructions, understood as impairment and a consequence of distorted social meanings. The goal, according to Finkelstein is to alter socially constructed imposed (and internalized) meanings and alleviate the worst effects of the disability for those signified as disabled and Deaf. Moreover, the goal is to eventually integrate disabled and Deaf people into mainstream society. This, he continues, requires inclusion in society rather than segregationist practices such as those advocated by Deaf people who want to promote distinct Deaf institutions, such as schools. Indeed, some disability scholars contend that the Deaf should embrace assistance to accessing oral language through captioning, lip-reading, assistive devices, oral interpretation, and most controversially, cochlear implants. According to this approach, these devices enable Deaf people to blend into society.

However, an analysis of the processes of meaning-making demonstrates that in contrast to disabled people, Deaf people do not generally attach particular importance to access to medical care, rehabilitation, and support services (Lane, 1997: 161) These devices,\textsuperscript{119} As an example of the intersection between Deafness, disability and sexual orientation see the narrative of Vicky D’Aoust in Restricted Access: Lesbians on Disability (1999). As a lesbian, disabled and Deaf woman she addresses the homophobic and hetero-normativity that she and her daughter (who is a person of colour and who is Deaf) experience in Deaf communities. This homophobia mostly goes unchallenged because Deaf people do not want to be associated with what she calls more stigmatizing characteristics.
the Deaf respond, have historically been used by hearing educators to oppress Deaf practices. Moreover, scholars such as Harlan Lane (1997), Dirksen Bauman and Jennifer Drake (1997) and Tom Humphries (1993) have rightly argued Deafness is not a disability. Whilst disability advocates such as Finkelstein “use the term ‘deaf community’ to refer to all people with significant hearing impairment on the model of the ‘disability community’” (Lane, 1997: 160), many Deaf people view themselves as a ‘cultural’ and linguistic minority. This is reinforced by the fact that some Deaf see themselves as having far more in common with other language minorities than with disabled peoples. Lane cites Humphries who states, “[t]here is no room within the culture of Deaf people for an ideology that all Deaf people are deficient. It simply does not compute. There is no ‘handicap’ to overcome” (Lane, 1997: 159). Such scholars argue that Deafness creates unique dilemmas, tensions and relations of power, distinct from those who are disabled. As such, it is both desirable and necessary to have separate and distinct Deaf institutions and practices. For example, Deaf activists and scholars argue that because 90% of Deaf people are born to hearing parents, they need socialization in Deaf systems of meaning-making by attending Deaf schools. It is by being around other Deaf people that self-made Deaf significations can develop successfully.

This is in contrast to many physical and mental disability movements who want to integrate into mainstream society. Integration into mainstream society is a primary goal of disability movements (and liberal multiculturalists) whilst it is largely rejected by many Deaf activists and scholars. I say largely because some members have endorsed the provisions for Deaf people in the American Disabilities Act which attempts to integrate those signified as disabled. But as Lane argues, even though there can be solidarity between Deaf and disabled peoples in that both struggle for control of their destinies, both endeavor to promote their own constructions (or systems of meaning-making), and both have allied in creating services and commissions, there are legal, material and social implications of conflating the two (1997: 164-166). In tracing the processes of meaning-making, it becomes possible to separate, localize and specify the ways in which particular people (as individuals or groups) understand the differences and similarities between Deaf and disabled agendas.
A case study

As an illustration of the tensions in meaning-making that surround Deaf identification and Deaf culture, I turn to a case that received international attention and was extremely controversial not only because it raised questions surrounding genetic technology and homosexual parenting, but also because it challenged mainstream understandings of Deaf and disabled identities. The case involved a Deaf lesbian couple, Sharon Duchesneau and Candy McCullough, who sought a sperm donor with a family history of Deafness in order to have a child that they hoped, would be Deaf. Their five-year daughter, Jehanne, is also Deaf and was conceived with the help of the same donor. Before their son, Gauvin, was born Duchesneau is reported as having said in the Washington Post Magazine that “a hearing baby would be a blessing. A deaf baby would be a special blessing” ("A World of Their Own," 2002). For now, I will put aside the questions this case raises for whether characteristics (such as gender or skin colour) should be determined through genetic technological reproduction. Instead I want to focus on the processes of meaning-making in the media that signified these two Deaf women (and Deaf people more broadly) as having inflicted “such a negative experience on their child” (Edwards, 2002).

Many of the reports about Duchesneau’s and McCullough’s choice had headlines such as “Victims from Birth: Engineering Defects in Helpless Children Crosses the Line”, “The Deaf Baby Cult”, and “Lesbians Order Defective Baby”. Through such reporting, Deafness was signified as impairment or disability rather than a defining feature of Deaf culture. Reporters such as Wendy McElroy (2002) argued that reproductive technologies were being misused by the couple. She linked images of disability and Deafness by referring to Deafness as a “sensory defect”. Chuck Colson (2002) also related medicalized signs with Deafness by likening the decision by the couple to the practice of eugenics! He claimed that Deaf people wrongly see themselves as a multicultural group, a culture, rather than a disabled minority. Both reporters accused the couple of being morally irresponsible and selfish. In these reports there was no mention of the fact that Duchesneau and McCullough were both mental health specialists and therapists to Deaf people and their families. The omission of the fact served to undermine the credibility of the couple, thus reinforcing representations that the two were irrational, selfish, morally irresponsible and uneducated. Some reporting buttressed these meanings by linking homosexuality and disability, and
claiming that the couple did not understand the compounded experiences of discrimination. Ken Connor, president of the US Family Research Council, is quoted as saying, “To intentionally give a child a disability, in addition to all of the disadvantages that come as a result of being raised in a homosexual household, is incredibly selfish” (Pyeatt, 2002). This activity of linking disability, homosexuality, defect and imperfection has profound effects on the meanings associated with Deaf and disabled, both in terms of creating and sustaining stereotypes, and in reinforcing the conflation of disability and Deafness.

By contrast, in other media reports (notably by the British Deaf Association, the Ethics Unit at the Children’s Research Institute in Australia, and the BBC News), culture was signified as the battleground for negotiating identities. In these stories, the headlines did not demonize Duchesneau and McCullough; these included “Couple ‘Choose’ to Have Deaf Baby” and “Deaf Lesbians Criticized for Efforts to Create Deaf Child”. Such reports included statements from the lesbian couple that disassociated Deafness from disability. In a British Deaf Association media release, for example, Duschesneau is quoted as saying, “While being deaf is experienced as a loss by people who become deaf later in life, for people who are born deaf there is no loss....Being deaf is just a way of life” (Association, 2002). The two women stated that they did not view Deafness as a disability, but rather as a ‘cultural’ identity. Sign language was named as the defining feature of this identity, in which it enabled “them to communicate fully with other signers as the defining and unifying feature of their culture” (Spriggs, 2002). Both women were born Deaf and wanted their children to share their culture after having suffered from being raised primarily in the hearing world. Both also attended Gallaudet, which they say nurtured a lively Deaf intelligentsia (Spriggs, 2002). Thus, the couple employed the notion of bounded culture to resist the hegemonic order of Oralism, to define their own signifiers, and to counter the medicalized associations between Deafness and disability.

This brief analysis of the case reveals that the media, community activists, advocacy organizations, and Duchesneau and McCullough played an active role in constituting different and contested meanings of Deafness. The production and circulation of meanings in the media served to generate individual significations of Duchesneau and McCullough (in mostly negative ways), and reinforce associations of Deafness and disability. At the same time as meanings of Deafness were mostly formed through constructs of disability, there
was also resistance to inscriptions that were negatively employed. This resistance depended heavily on challenging notions that detrimentally linked disability and Deaf and, moreover, on strategically employing the concept of culture. At all times, there was some stake in either maintaining or resisting meanings: for those who disagreed with the couple's decision it was a matter of regulating the systems of signification that defined the able-bodied and the Othered body; and for those who were sympathetic to the couple's decision it was more a matter of having agency to define one's own systems of signification. Tracing these processes of meaning-making illustrates that negative significations emerged when the Deaf couple was externally gazed upon, and positive significations were grounded in experiential knowledge.

6.3 Transsexual Identities

Whereas in the case of Deaf identity, an analysis of struggles of meaning-making shows that the liberal multicultural understanding of culture as bounded entity has some relevance to those signified as Deaf (in both self and other directed ways), the same is not reflected in the literature on transsexuality. Indeed, the culture-concept has not (yet?) achieved significant prominence in the literature that has developed around transsexualism. Rather, the emerging literature indicates that transsexuals challenge hegemonic spaces of 'cultural' representation but not through a fixed or bounded notion of culture. It is the struggle of making and marking transsexuality in contexts of trans-phobia that concerns transsexual people, not the necessity to form a legitimate culture in order to make minority claims or claims of recognition. Since the shift to cultural is a critical move to explore a broad range of processes of meaning-making and radicalize contextual analysis, it opens up the possibility of exploring identities ignored by liberal multiculturalists. Transsexuality is important because it is signified through discourses of power; as such, it is relevant to theorists of identity/difference because it reflects epistemic experiences that are denigrated through systems of Othering (especially hetero-normativity and transphobia).

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120 This is not to say that disability and Deafness are always negatively linked.
The notable dearth of notions related to culture in scholarship on transsexuality arises, in part at least, because the constitution of transsexual identities is not dependent on belonging to or carrying a coherent culture. The naturalized use of culture as a biologically determinant assumes that one is born into a culture and his/her identity is formed through that pre-determining culture. Yet this is not the case for those who identify as transsexual; there is no inevitable link between a culture and identity. A transsexual need not be born into a transsexual culture, or have a corresponding biological and social identity that defines “who we are, ‘where we coming from’” (Taylor, 1994b: 33) in order to be signified (in affirming or detrimental ways). The naturalized relationship between culture and identity does not in fact make much sense for transsexual significations. The features of culture adopted by liberal multiculturalists assume that the individual has a continual, permanent and distinct identity that corresponds to a culture in which one is born into. An analysis of the processes of meaning-making reveals that in the case of transsexuality (regardless of whether sex reassignment surgery has taken place) this makes no sense; indeed, assumptions about ‘where we come from’ are deeply problematic for those who self-signify as transsexual. This is because a central feature of transsexuality is to challenge and disrupt the assumed link between the biological binary of male/female identity and the corresponding binary of socially constructed male/female identity.

As such, in exploring the processes that signify transsexual identities two critical insights come to light. First, hegemonic binarized systems of meaning-making do not fully or clearly explain the self-directed significations of transsexuality; this is because hegemonic systems require an identity to be fixed and permanently inscribed by anatomy, and transsexuality challenges the binary structure, the binarized categories, the permanency of identities, and the naturalized relationship between the physical body and social identity. Analysis of the processes of signification reveals that the hegemony arises because individuals are provided no identity apart from the naturalized binary categories available to them in the culture. Yet these binaries of male/female (as anatomically sexed bodies) do not provide a permanent foundation of gender. It is not that individuals exist without a gendered identity, but as Judith Butler contends, the possibilities of politically subverting gendered meanings are dependent on rejecting the notion that gendered identities are premised on two
kinds of sexed bodies in which the pre-social male and female body matches hegemonic social ideas of maleness and femaleness. Indeed, Butler argues that it is necessary to disrupt and challenge the assumption that sex assignment defines (only two kinds of) gender:

When the constructed status of gender is theorized as radically independent of sex, gender itself becomes a free-floating artifice, with the consequence that man and masculine might just as easily signify a female body as a male one, and women and feminine a male body as easily as a female one. (1990: 10)

Butler calls the hegemonic gendering of women with feminine and man with masculine rule-generated identities, "ones which rely on the consistent and repeated invocation of rules that condition and restrict culturally intelligible practices of identity" (1990: 184). Since gender markers gain significance through contested meaning-making it is possible to re-signify gender meanings outside a naturalized relationship between sex and gender.

Second, whilst analysis of meaning-making illuminates signifiers of authenticity, it does not validate whether an identity is natural (read: signified as authentic natural or inherent) or socially constructed (read: signified as inauthentic). It does, however, illuminate the significations attached to transsexual identities. Indeed, the real problem is not whether transsexuality is born or learnt (and therefore authentic or inauthentic), but how, what and why transsexuals are signified in particular ways and the effects of this on social positions and relations of power. As such the purpose of deconstructing meanings is not to determine whether they are natural or not, but to consider what they represent. This is critical to do because the assumption seems to be that naturalized identities are signified more positively than those that are socially constructed, that they are somehow more authentic than those developed later in life. Yet, as genealogical investigation of the race concept demonstrates, racial significations have historically been entangled in notions of natural or biological races, and these have served to create and perpetuate discriminatory meanings. As such, significations associated with nature can be just as detrimental as those socially constructed. Analysis of signification facilitates the exploration of both kinds of meanings and the impact they have on people's lives.

121 My use of authenticity in this context is to draw out biological and naturalized constructions of identity, which is different from Taylor's notion of authenticity as freedom and Spivak's critique of authenticity as a desire for the 'pure' pre-colonial subjects.
The Role of Science and Technology in Signifying Identity/Difference

Through the medical gaze, the rubric of science has served to produce and maintain signifiers of transsexuality as abnormal and deviant. Andrew Sharpe traces the medicalized processes of meaning-making that inscribe these significations of transsexuality. Sharpe states that the medical profession has produced two broad narratives for conceiving of transsexualism (1998: 29), both of which regulate gender norms, sexual choices and desire through a heterosexual and hetero-normative lens. The first medical narrative is the 'discovery story' in which the 'true' transsexual is one who undertakes surgery (e.g. male-to-female) and more importantly is (hetero)sexually desiring of the correct opposite sex (e.g. after surgery it is a female who is attracted to a male). In this sense, the constructions themselves produce a dichotomy between homosexuality and transsexuality, all the time reinforcing heterosexual norms. In these medicalized versions of transsexuality, the transsexual is constituted as homosexual prior to surgery and heterosexual after surgery. It is only after she has achieved heterosexual status does her female gender and sexual desire for men become legitimate in medical discourses. In this first narrative, then, transsexual identities are judged according to how well they conform to hegemonic systems of gendering and sexuality.

The second medical narrative, Sharpe continues, emerged as the numbers of sex reassignment surgery grew. In this narrative transsexuals are not only biologically inverted but they are also signified as if they are psychologically inverted; this has been widely named as 'gender dysphoria' (1998: 29-30). Transsexual identities are constructed as having a psychological 'disorder' because they are 'born in the wrong body'; the only 'cure' is sex reassignment surgery so that the psychological gendered self can match the 'correct' bodily gender. Hence within the medical realm, satisfactory sex reassignment is dependent on how well a transsexual meets the naturalized psychological traits of their desired gender. These traits also tend to depend on sexual desire; as Sharpe argues, compared to the 'heterosexual', the lesbian and bisexual male-to-female candidate is considered a poor risk for surgery and is more likely to be psychologically considered a transvestite or heterosexual with impotence problems (1998: 30). In particular “surgery emerges in medical practice as a prize...conferred upon those who have successfully accomplished pre-surgical medical rites of passage, thereby satisfying medical experts that they will blend into society post-surgery”
(Sharpe, 1998: 32). Even in having the right to have surgery, or being recognized as the opposite sex after surgery, the production of transsexuality continues to be marked by deviancy and abnormality; this is especially true for those who are not signified as heterosexual. As such, medical discourse and practice has constituted transsexual identity through hegemonic systems of hetero-normativity, sex and sexual desire/capacity.

These medicalized processes of meaning-making have deeply informed significations of the transsexual, both socially and legally. Those that do not conform to their 'true' sex (according to the presence or absence of a 'proper' penis or the capacity of the vagina) are deemed to have ambiguous and unauthentic identities. The consequences of these significations are symbolic, social and material. As a 2003 paper on ‘Transgender and Women’s Substantive Equality’ by the Canadian National Association of Women and the Law (NAWL) states

Some of the specific and urgent issues include, but are not limited to: access to social services such as homeless shelters, rape crisis centers, medical clinics, access to education, and to public and private benefits; freedom from hate violence, including sexual assault; fear of repercussion or reprisal for asserting one’s ordinary rights...; chronic unemployment or under-employment; abusive treatment by law enforcement personnel; public humiliation, derision, ridicule, marginalization and exclusion; and denial of access to public accommodation such as shops, restaurants and public transportation. (Denike & Renshaw, 2003: 5-6)

As NAWL’s analysis demonstrates, the effects of negative significations attached to transsexual identities can be incredibly powerful in determining the lives of people.

**Legal Meaning-Making**

Under the current legal regime, for those who self-directly signify as transsexual the enumerated ground of culture does not provide a compelling or appropriate discourse to make legal or social claims. Yet the law acts as a primary site of meaning-making, one that interprets, creates, sustains and redefines identity inscriptions. For instance, provisions

122 The need to have surgery to be legally signified as a man or woman also has enormous financial implications for the person undergoing surgery, and is not usually considered as a factor in medical discussions about transsexuality.

123 This may serve to reinforce Kymlicka’s position that only some identities fall under the rubric of multiculturalism. Whilst I do not want to locate transsexual identities in the discourse of multiculturalism for the reasons laid out in chapter one, it is crucial to illustrate the limits of ‘culture’.
of the Canadian Criminal Code restrict the display of 'unmatched' genitals in public spaces, and birth registration and census provisions require that individuals define themselves as male and female (Findlay, 1999: 5). Moreover, existing human rights and Charter law does not adequately represent transsexual identities; indeed, it is not entirely clear what legal enumerated category of identity transsexuality should fall under. This means that the significations inscribed to transsexuality through the law are instantly confined within the existing borders of hegemonic systems of meaning-making, producing identities through regulatory processes.

For instance, the legal meaning of 'sex' is premised on a naturalized distinction between the male and female body. NAWL suggests that 'sex' is being employed as a default category by transsexuals because no other ground of discrimination effectively covers discrimination based on gender transition (Denike & Renshaw, 2003: 8). In Canada, the legal sex of a transsexual is determined by whether medical surgery has taken place; this has an effect on the rights of transsexuals who have not undergone surgery. The law itself allows for only a minimal capacity to self-declare as transsexual and mostly defers to genetic and chromosomal factors. As an example, in Kavanagh v. Attorney General of Canada, the Canadian Human Rights Tribunal ruled that Corrections Canada was justified in refusing access to women's prisons despite the Synthia Kavanagh’s subjective identification as a female, hormonal therapy and feminine social presentation (Denike & Renshaw, 2003: 8-9). This was because she had not undergone sex reassignment surgery (male-to-female) and was not legally registered as female under the Vital Statistics Act. The legal necessity to be defined by sex as either male or female ultimately failed to capture Synthia Kavanagh’s self-identification as a woman.

As an enumerated ground, sexual orientation, which is predicated on the hetero/homo dualism, may or may not be relevant to transsexuals because transsexuals can be heterosexual, lesbian, gay, bisexual, queer, or non-sexual. Certainly, transsexual people are impacted by laws that discriminate on the basis of sexual orientation if they are heterosexual (such as marriage laws), but sexual orientation remains uncertain ground for protection (Denike & Renshaw, 2003: 9). Furthermore, sexual orientation itself gains

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meaning from relatively stable systems of sex and gender in which the relationship between sex, gender identity and gender expression can maintain the hegemonic meanings of female and male (Currah, 2001: 185, 191). Even in more ‘progressive’ movements of sexuality and sexual desire there is resistance to transsexuality; for traditional gay law reformists within the “legal framework, transsexual homosexuals come to represent a threat not only to heterosexual hegemony but also to homosexual and transsexual ‘coherence’” (Sharpe, 1998: 27). This is because transsexual homosexuals occupy the space in-between, disrupting on the one hand, heterosexual norms of opposite sex desire, and on the other hand disrupting the (fragile) coherency of gay and lesbian identities through same-sex desire.

Transsexuality has also typically been approached as a disability, either as an illness or gender disorder. This has both advantages and limitations. Transsexuals (whether or not they have undergone sex reassignment surgery) are framed within the discourse of gender disorder, treatable through sex reassignment and hormone therapies. In this, the right, as able-bodied persons to change sex is erased through the bio-medical system of meaning-making (Denike & Renshaw, 2003: 8-10). Further, as a ground for discrimination ‘disability’ ends up excluding transgendered people who do not have sex reassignment surgery but that temporarily or permanently identify as other than the gender assigned to them at birth. At the same time, the ground of disability provides an important outlet for transsexuals, especially if health care policy restricts access to hormones, therapy, and sex reassignment surgery as necessary health care items.126

Ultimately, analysis of meaning-making indicates that the legal meanings of sex, sexual orientation and disability do not provide adequate grounds for transsexuals to make legal claims. Increasingly advocates, such as TransAction have argued that there is a need to add ‘gender identity’ as a ground of protection under human rights legislation (Denike & Renshaw, 2003: 10). TransAction defines the prohibition of discrimination on the grounds of gender identity as the “protection against discrimination for anyone who, temporarily or permanently, is, or is perceived to be, a member of the gender other than his or her assigned gender” (Denike & Renshaw, 2003: 10). The meaning of ‘gender identity’ could offer protections to those who are excluded by the norms of sex/gender identity. NAWL takes the

126 Significant constraints and complications arise for those who have had sex reassignment surgery and attest to ongoing physical pain and discomfort as well as concerns about genital functioning (Kessler, 1990: 68).
position that the ground of ‘gender identity’ is “not over-determined by previous jurisprudence, as might be the case for sex, sexual orientation, and disability, and it would potentially protect a greater range of gender variant people than do the existing categories” (Denike & Renshaw, 2003: 10). The meaning and use of ‘gender identity’ presents an alternative system of meaning-making, one not constrained by norms of genders, homophobia and heterosexuality and which promotes the possibility of positive significations of transsexuality.127

_**Meaning-Making in ‘Third’ Spaces: Mestiza**_

Transsexual identities introduce what Marjorie Garber calls a crisis in theories of identity (1992: 11). The crisis emerges, argues Garber, because transsexuals (and cross-dressers) represent a ‘third sex’ or a ‘third term’. Garber states that the ‘third’ “is a mode of articulation, a way of describing a space of possibility. Three puts in question the idea of one: of identity, self-sufficiency, self-knowledge” (1992: 11). It is not, she contests, a limited term that places all identities that do not fit into the hetero-normative system of binaries into one category; rather it is a political term that questions identities that are conceived as symmetrically “stable, unchallengeable, grounded and ‘known’” (Garber, 1992: 13). As such, Garber states, “the cultural effect of transvestism is to destabilize all such binaries: not only ‘male; and ‘female,’ but also ‘gay’ and ‘straight,’ and ‘sex’ and ‘gender’” (1992: 133). The notion of the ‘third’ emerges in transsexual politics in the same way that Homi Bhabha (1990) discusses ‘thirdness’ or hybridity with regard to culture. The ‘third’ challenges the notion that there are either/or options, in which one has to choose between two choices: male or female.

The analytic shift to cultural not only illuminates that these third or hybrid spaces exist, but also that such spaces signify identities by disrupting systems of meaning-making. The sheer emergence of an identity through a third space does not lessen the authenticity of that identity. The idea of authenticity brings the analysis back to Taylor. As we recall, authenticity is an idea of freedom for Taylor; it is how individuals resist the demands of

127 Although in Canada only the British Columbia Human Rights Commission (1998) has proposed including ‘gender identity’ as a formal ground for protection in their human rights law, other jurisdictions, including the Ontario Human Rights Commission (2000), have taken the position that human rights complaints of discrimination and harassment based on ‘gender identity’ will be accepted under the ground of sex
conformity so that they can truly become themselves (Taylor, 1991: 66). In this sense, Taylor's notion of authenticity is a useful one because transsexuality embodies resistance to conventionality. Indeed, to be socially recognized as transsexual employs the ideal of the authentic self as a moral aspiration in which one situates one's own essence. However, the assumption of recovering the authentic essence through permanent, uncomplicated, unitary, harmonious, and stable significations can be deeply troubling for those who self-signify as transsexual precisely because transsexuality challenges the stability and fixity of hegemonic systems of sexuality and gendering. The experiences of an identity are not ultimately determined by some (undefined and indefinable) measure of an authenticity grounded in stable significations. Rather, our experiences are shaped by the agency we exercise to produce self-ascribed and externally relevant significations without fear of reprisal, injury and the experience of oppression. The ability to develop an identity through thirdness or hybridity is central to this.

Rachel Alsop et.al. draw upon Gloria Anzaldúa's notion of \textit{mestiza} to theorize transsexual identities and locate in-between identity 'homes':

In the mestiza consciousness which Anzaldúa recommends we find both the challenge to categorization and the resources for articulating very specific subjectivities. Moreover, these subjectivities are anchored in particular places with distinctive histories. (Alsop, Fitzsimons, & Lennon, 2002: 214)

In this sense, the notion of \textit{mestiza} offers alternatives to hegemonic systems of meaning-making. For Anzaldúa, \textit{mestiza} consciousness reveals a tolerance for contradictions, paradoxes, and ambiguity, where conflicting significations keep breaking down the unitary aspects of each new category. Fixed categorizations are rejected, and meanings that shape in-betweeness become more legitimate. The refusal to conform to strict significations/categories allows for the articulation of transsexual identities. The ambiguity of inhabiting a borderland identity does not mean homelessness because 'gendered homes' gain meanings without having to rely on essentialized and reified signs. Processes of \textit{mestiza} meaning-making allow a range of gendered homes to exist outside the locations of male and female (Alsop et al., 2002: 218). Identities that are perceived as ambiguous are welcomed rather than excluded or tolerated because conflict is seen as fruitful rather than threatening. \textit{Mestiza}, in-between and hybrid significations insist on specificity thus allowing for
heterogeneity amongst transsexuals, and at the same time illuminating how transsexuality is not always accommodated within the static meanings that emerge from hegemonic and binarized systems of gendering.

The important point here is that scrutiny of the processes of meaning-making illuminates the realities of people who do not have a culture in the liberal multicultural sense but that are clearly repressed as a result of the meanings associated with their identity differences. In this regard, transsexuals do not make legal and political claims of culture, but rather they engage in producing, discovering, determining, learning, and resisting spaces and systems of meaning-making. Moreover, transsexual significations challenge the existing hegemonic culture; this is the reason why transsexual identities are widely resisted, repelled and denied. In this regard, only in an inverted sense does culture apply to transsexual significations; in other words, it is only in relation to hegemonic norms of dominant cultures that transsexual identity becomes signified as abnormal.

A Case Study

To illustrate the dynamics of power in the signification of transsexual identities -- especially in the context of assumptions about nature and identity, medicalized meaning-making, the legal systems of regulating identities, and signification in third or in-between spaces -- I examine the *Nixon v. Vancouver Rape Relief Society.*128 The *Nixon* case has been on-going now for ten years, and has created significant political divisions amongst feminists, both in various activist movements and amongst feminist academic circles.129 It involves the exclusion of Kimberley Nixon, a post-operative transsexual woman (male-to-female transsexual), from a volunteer peer counseling training program at a feminist organization in British Columbia, Vancouver Rape Relief (VRR).130 Kimberley Nixon was born with the

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129 Throughout the entire process, there has been a great deal of tension and even hostility amongst feminists, LGBT and queer groups. High profile individuals and organizations have participated at various stages of the case. For instance, former head of the National Action Committee on the Status of Women (NAC) Judy Rebick testified for VRR at the initial tribunal; and the latest review includes submissions from interveners such as by Equality for Gays and Lesbians Everywhere (EGALE, a national organization committed to advancing equality and justice for lesbian, gay, bisexual and trans-identified people, and their families, across Canada) who support Kimberley Nixon’s position.
physiology of a male in 1957. At the age of five she realized that her male physical attributes did not correspond to her sense of self as female. Until 1989 she lived publicly as male and privately as female. In 1989 she began living full time as female, and in 1990 she had sex reassignment surgery. Her birth certificate was subsequently amended to change the sex designation pursuant to s.27 (1) of the Vital Statistics Act. She had been living as a woman for sixteen years and had undergone surgery five years prior to the incident at VRR. After successfully completing the pre-screening process to ensure that she did not disagree with VRR’s collective political principles, Nixon attended the next training session. At this session, one of VRR’s facilitators immediately identified her as someone who had not always lived as a girl or woman, based solely on her appearance. Kimberley Nixon confirmed that this was true and was asked to leave. Kimberley Nixon filed a sex discrimination complaint with the British Columbia Human Rights Tribunal in August 1995.

In January 2002 the Human Rights Tribunal decided that Kimberley Nixon was a woman, and that VRR had discriminated against her. She was awarded $7,500, for "injury to dignity", which is the highest human rights tribunal award ever in British Columbia. The decision was appealed by VRR to the Supreme Court of British Columbia in August 2002.\(^{131}\) In December 2003 the Supreme Court overturned the Tribunal ruling on the grounds that the “Tribunal erred in its interpretation of ‘undue hardship’ by failing to include a threat to the integrity of Rape Relief as a form of undue hardship” and because the "Tribunal erred in holding that Rape Relief did not have a primary purpose of providing services to women in the political sense understood by Rape Relief” ("Vancouver Rape Relief v. Nixon B.C.S.C. 1936," [2003]: 1-2). In other words, the Supreme Court concluded that Rape Relief had the right to self-define its clientele and membership, and that in doing so it could exclude male-to-female transsexuals on legitimate grounds. An appeal was made by Kimberley Nixon’s lawyer in January 2004 and the British Columbia Court of Appeal reviewed the case on April 4\(^{th}\), 5\(^{th}\) and 6\(^{th}\) 2005. A decision is expected by the end of 2005.

At the initial tribunal, VRR and Kimberley Nixon both agreed that gendered identities were socially constructed (although experientially real) and that sex itself was not a binary. Both also supported the need for women-only organizations to provide women who are victims of male violence. And both took the position that transgendered people are marginalized and disadvantaged in Canadian society. At the same time, however, VRR claimed that gender was produced through predictable relations with sex. They stated that Kimberley Nixon was not entitled to protection from discrimination on the basis of sex because the B.C. government had not agreed to add 'gender identity' to the Human Rights Code. Further, even if she was discriminated against on the basis of sex, the lifelong experience of being treated as female was a *bona fide* occupational requirement, and a justifiable basis to exclude transsexual women from their program (Findlay, 2003: 2). Rape Relief argued that as a feminist organization it was structured on principles of common sexual experience as related to childhood socialization, life-long experience of being raised as female, social and physical relationships to reproduction, and particular kinds of subordination (Denike & Renshaw, 2003: 13). The lawyers for VRR maintained that women suffered oppression from birth, and that male violence should be resisted by working together with other women who also experienced oppression as a product of having life-long experiences as female. Yet at the same time, VRR representatives stated that to exclude men and transsexual women in counseling rape victims was not to take a position on 'what a woman is', but to acknowledge the differences in life experiences that led to female subordination.

The centre also contested that it should benefit from section 41 of the *British Columbia Human Rights Code,*\(^\text{132}\) which allowed organizations to exempt some people from participating because it promoted the interests and welfare of an identifiable group characterized by a common sex or political belief. Further, they contested that within the meaning of the Code participation as a volunteer was neither a service nor employment (Findlay, 2003: 11). Kimberley Nixon was ultimately marked by the discourse of disorder because her gender did not, according to VRR, match her 'true' sex. In this regard, the discourse of disability signified Ms. Nixon's identity and the identities of male-to-female transsexuals through medical and pathological significations.

In contrast, Kimberley Nixon self-signified as a woman on the grounds that she was medically and legally a woman (under the Vital Statistics Act) and could not be treated as a man because she had not always anatomically been signified as a woman. Moreover she stated that although she was once anatomically male she had been female (in a non-anatomical way) since birth. She challenged the hegemonic system of signification that naturalized the relationship between gender identity and anatomy in order to specifically reject the relationship between a biologically fixed identity and an experientially changing one. Kimberley Nixon argued that biology was not a precondition of (gendered) social significations of identity. She described herself through the gendered and bodied space of femaleness/woman (rather than maleness/man), thereby signifying herself through the existing hegemonic system of gender. And contrary to VRR, as soon as she was perceived and signified as a woman, she adopted a history of patriarchy and sexism. Yet at the same time, she invoked significations of mestiza (Anzaldúa) or thirdness (Bhabha), in which she questioned the stability, assumed, and pre-given relationship between sex and gender; in particular Ms. Nixon argued that there was not only one way to conceptualize two genders. In this regard, whilst she did not challenge the structure of the binary system itself (male/female) she did subvert the character and meaning of the binarized categories. This is characteristic of Homi Bhabha’s notion of mimicry in which ambivalence disrupts the authority of hegemonic discourses (Bhabha, 1994: 88).

This is in line with the opinion of EGALE, who argue that it is critical to challenge the foundations of gendered beliefs in order to dismantle discriminatory stereotypes, and that to give VRR the exclusive right to decide who is a woman is to perpetuate discrimination (Egale, 2005). Other thinkers also echo the same argument, where for example Pat Califa (1997) contends that gender does experientially exist, even if it is socially constructed. Califa is particularly critical of radical (separatist) feminists scholars such as Janice Raymond, Mary Daly, and Andrea Dworkin who assume that men and women are fundamentally different; she argues that if “we really want to be free, women must realize at the end of the struggle, we will not be women any more. Or at least we will not be women the way we understand that term today” (Califa, 1997: 90). Califa’s point is much the same as Kimberley Nixon’s in that significations of male and female can continue to exist but in more radical and fluid ways than dominantly envisioned. This is important because it is
critical to disrupt the naturalized relationship between sex and gender. Thus it should not be necessary for women, including male-to-female transsexuals, to present themselves in traditional feminine dress and make-up in order to be signified as real women (Califa, 1997: 103).

It is difficult to tell whether Kimberley Nixon would have opted for a (developed) ground of 'gender identity' rather than sex had it been available to her. Indeed, 'sex' may have been a default basis for making a discrimination complaint. Although interpretations of 'sex' were favorable to Ms. Nixon at the tribunal level, it did not satisfy the provincial court. In this, the legal process of meaning-making served to reinstitute meanings that depended on a dichotomy that signified man with male genitals and woman with female genitalia. Though Kimberley Nixon self-signified as a woman while also contesting the norms of female signification, the B.C. Supreme Court and VRR signified her as ambiguous, thereby inscribing her as an inauthentic woman. As such, the Supreme Court decision served to regulate (and effectively punish) Kimberley Nixon because she deviated from hegemonic gendered meanings. In particular the court signified gender identity through a close association between nature and identity, in which one had to be born into a particular identity to have valid claims. This is troubling because the naturalizing (and temporal) assumptions inherent in such an approach to identity could potentially mean that disability organizations could refuse adults who contract HIV/AIDS on the grounds that they were not born disabled and that Indigenous rights organizations would be justified in refusing to employ Indigenous women who had their status removed under the Indian Act (Findlay, 2003: 24). It is even more troubling on an experiential level for Kimberley Nixon because the legal significations of transsexuality embedded in the B.C. Supreme Court decision reinforce detrimental meanings of her identity. The impact of these negative significations have been enormous for Kimberley Nixon; as she told the Human Rights Tribunal she cannot get hired as a pilot and she has been fired from a series of jobs once her employers learned of her sex change.

It is important to note that Kimberley Nixon's disruption to the character of man/maleness and woman/femaleness is antithetical to liberal multiculturalism which assumes the stability and fixity of actual markers of identity (e.g. sex) in order to constitute

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133 Importantly, the enumerated ground of sex would also not adequately protect pre-operative transsexuals.
and locate the proper liberal subject. Analysis of the ways Kimberley Nixon self-signified illustrates that identity is not continual, permanent or fixed such that it corresponds to a pre-given and determining configuration. For liberal multiculturalists, a particular identity has a natural association with the culture one is born into, and yet as Kimberley Nixon argued, one is not necessarily born into an identity but rather one can create, build, discover and learn identification through activities of meaning-making that are self-directed.

6.4 Concluding Remarks

This move from culture to cultural is fundamental because the subject of inquiry is repositioned from the putative object to the contested and contestable processes at play when signifying identities (in a self and other directed way). In particular, an examination of the processes of meaning-making expands analysis to include Deaf and transsexual identities. In this analysis, it becomes evident that significations of culture as a bounded entity can be appealing for those who self-signify as Deaf. Yet there are struggles over meaning-making both amongst scholars of Deafness, and those who theorize Deafness and disability. The tensions and struggles about the significance of culture for Deaf people are clearly illustrated through studying meaning-making, whilst they are obscured through the culture concept. As such, through analysis of signification it becomes clear that Deaf scholarship both accepts and subverts the mainstream liberal multicultural interpretation of culture.

At the same time, the study of meaning-making that is related to transsexuality provides evidence that the notion of culture does not carry much relevance at all. Indeed, transsexuality suggests a disjuncture between culture and identity itself, in which one does not need access to a culture in the liberal multicultural sense in order to give meaning to identity. The Nixon case study demonstrates that conflations of culture and cultural mask the complex sites of meaning-making as well as the differences between self-directed and other-directed significations. In the end, the shift to cultural reveals that there is no universal or generic acceptance of the liberal multicultural version of culture. Moreover, it opens up the possibility of exploring, deconstructing and interpreting significations attached to those identities and relations that are either veiled or neglected through liberal multiculturalism.
Chapter VII
Rethinking Subjects of Identity/Difference Politics: (Re)Signifying Immigrants

7.1 Introductory Remarks

Over recent decades, the concept of culture has been central in articulating the identities and social positions of immigrants. Articulations of ‘the immigrant’ encode certain groups of people, “signifying uprootedness and the pressure of assimilation or core cultural-apprenticeship” (Bannerji, 2000: 112). Those immigrants who are racialized as white become normalized or invisible, whilst those Others continue to be signified as immigrants regardless of generation. This has been important in recent Canadian politics because the interests of recent immigrants of colour are placed on the political agenda through the language of culture. For example, discussions about the application of Shariah law in family law disputes (in Ontario) and the use of the Sikh kirpan (religious dagger) have been structured through the discourse of the rights of minority cultures. As such, immigrants are enmeshed in liberal multicultural notions of culture-as-ethnicity/language. Whilst it is troubling that culture has become the primary route through which to articulate such claims (in as much the concept of culture is largely stripped of its racialized dimensions), if the claims of immigrants are placed on the political agenda only by appealing to culture there may be good reason to maintain the status of the culture-concept. These representations of minority cultures, however, also need to be deconstructed in order to identify the production and effects of signifying white immigrants and immigrants of colour in particular ways; this will enable an understanding of the hybridization of identities through constructs such as Indo-Canadian, Chinese-Canadian, Ukrainian-Canadian as well as some insight into how dominant groups both evoke and regulate notions of difference.134

This kind of analysis challenges liberal multicultural thought on its own terms in that the subjects of analysis remain the same. For the purposes of this chapter, however, I want to disrupt this notion of the immigrant subject to critically examine the ways in which the notion of culture erases significations attached to immigrants through other systems of meaning-making. These systems need to be situated in the analysis because to ignore them has the effect of skewing immigrant experiences, including those of ethnocultural persons.

134 As examples of this kind of analysis see Sutama Ghosh and Lu Wang’s ‘Transnationalism and Identity: A Tale of Two Faces and Multiple Lives’ (2003), and Margaret Walton-Roberts ‘Transnational Geographies: Indian Immigration to Canada’ (2003).
As such, in this chapter, I apply the shift to cultural in order to deconstruct liberal multicultural understandings of ‘the immigrant’; this is specifically to identify the processes of meaning-making that signify immigrants beyond the scope of culture as ethnicity and language.

Specifically, I examine key Canadian immigration legislation, decisions and policies through systems that signify disability and sexual orientation rather than the usual lens of ethnicity and language. Entwined with these systems are issues of gender, racialization and class in part because of the structure of the immigration process where women are more dependent than men to immigrate through the family class category (which is the second most popular way to immigrate to Canada); the top two source regions for immigration are Asia/Pacific and Africa/Middle East, thus including a large number of racialized Others in the Canadian context; and where more immigrants are accepted under the skilled workers and business categories than any other category thus benefiting those with class privilege.

Through this framework I draw out the specific processes that signify disabled and lesbian/gay immigrants.

By starting with the legal meaning-making of ‘the immigrant’ it becomes possible to examine when immigration is regulated to exclude and contain those signified as sexual minority and disabled ‘undesirables’. This is important for two reasons. First, it is necessary to expose the bio-medical assumptions underlying the liberal multicultural concept of culture. Sexual minorities and the disabled are not theorized under the rubric of liberal multiculturalism because culture is over-determined as a natural fixture in which people are born into a culture. By excluding an analysis of sexual minorities and the disabled in immigrant discourses, the liberal multicultural investment in the notion of culture unmasks itself not as a way to address the plight of subordinated people but as a way to manage those

135 Although this analysis touches on constructions of Deafness and transsexuality, I take the view that Deafness should not belong in discourses of disability because of the way in which Deaf people self-signify as a linguistic group rather than a disabled group, and that transsexuality does not fit comfortably in discourses of sexual orientation because transsexuals do not necessarily identify as gay, lesbian, bisexual or queer.

136 For further details of the immigration statistics see the facts and figures published by the Canadian Ministry of Citizenship and Immigration Canada (2003). Peter Li also notes that since 2000, the economic class (skilled and business category immigrants) has made over 60% of the total landed immigrants to Canada every year. He argues that the official preference is for economic immigration rather than so-called self-selected immigrants (i.e. refugees and family class) because this component is believed to provide the greatest benefits to Canada (Li, 2004: 26).
Others who most threaten the unity of the state. By interpreting culture as a domain that only encompasses a narrowly defined set of group identities -- one that excludes sexual minorities and the disabled -- part of the policing of Others is already in progress. This has the effect of perpetuating the marginalization of those signified as medicalized ‘deviants’ and of obscuring the experiential knowledge of immigrants who are detrimentally marked by significations of ableism and homophobia.

Second, the meaning of ‘the immigrant’ is at the heart of citizenship and nation-building. As a settler society which expropriated Indigenous lands and suppressed Indigenous ways of being and knowing, the British and French depended on immigration to build a nation. As such immigration policy and law is a statement regarding who the country wants as citizens; it marks the legal meaning-making of who can and should belong, and who cannot and should not belong. In this, the control of population inflows has historically been a central feature of the development of the Canadian nation. The history of signifying citizens, non-citizens or potential citizens through systems of sexual orientation and ability/disability is central to understanding the constitution of immigrant inscriptions. This is especially true because the state has been involved in ensuring the ‘quality’ of its population through what Andrew Jakubowicz and Helen Meekosha call hygienist ideologies of selection and breeding that justify the hegemony of the elite (2003: 180).

I have chosen to focus on aspects of immigration law that determine who is a desirable potential citizen, and not only on the experiences of LGBT/queer and disabled immigrants once have they arrived in Canada. On this basis, liberal multiculturalists may well accuse me of critiquing them beyond their defined scope, which encompasses only current immigrants and not those who wish to come to Canada. Part of my argument, however, is that the immigration process demographically establishes what kind of multicultural society is constituted; liberal multiculturalists develop their theories by starting off with this demographic diversity. At the same time, liberal multicultural policies, laws, and ideology also shape immigration trends and laws, where for example, Canada opened its borders to more non-European countries after introducing its 1971 multicultural policy. In other words, there is an intricate relationship between the official policy of multiculturalism and immigration. This becomes further evident because immigration legislation can affect existing Canadian immigrants (whether they be permanent residents or legal citizens of
Canada) who wish to reunify with members of their family who are disabled or a sexual minority or both. In this regard, immigration policy affects both those who want to come to Canada and those already here.

7.2 Disability and ‘the Immigrant’

Racialization and Disability as Systems of Meaning-Making

Legal scholar Judith Mesoff states

Immigration is a particularly useful case study in which to examine ideas about disability because the same ideological mechanisms which keep Canadians with disabilities and their families ‘outsiders’ to the benefits of the Canadian state operate in a more direct way to keep people with disabilities outside of Canada. (1999: 150)

To draw out these significations of insider/outside, I trace the processes of meaning-making that signify immigrants through systems of disability. In the first instance, it is striking to note that there is a historical link between significations of the disabled Other and the racialized Other. Barbara Arneil argues that the intricate relationship between disabled and racialized signifiers was historically and theoretically momentous in defining and asserting liberal norms (2004). Through an examination of the liberal norms of rationality, industry and autonomy (as well as progress), Arneil traces how key liberals such as John Locke and J.S. Mill defined the liberal citizen and non-citizen by making links between imperfect and defective ‘others’ abroad (the idle, irrational or custom-bound) and at home (the ‘feeble-minded’ or ‘idle poor’). Specifically Arneil traces “the profound connection between the colonized in America or India (the ‘external’ other) and the various groups of people in England (the ‘internal’ other), both of whom are seen to deviate from the same norms of liberal citizenship” (2004: 3). In this, Arneil is identifying the ways in which the same liberal norms interchangeably shaped the Othering of racialized and disabled identities by making parallels between them.

According to Arneil, the solution for liberals, both theoretically and practically, was to either educate the immature Other so as to bring them into conformity with norms of citizenship (i.e. the potential citizen who can be cured), or exclude the defective Other who could not conform (i.e. the non-citizen who must be segregated, contained or repressed). As Arneil shows, this was done through policies of integration/assimilation and segregation.
Control of the population took place in the form of strict limits in immigration legislation (of the ethnic Other and the disabled Other) and sterilization of those already in Canada (including those who were constructed as feeble-minded, epileptic, insane, congenitally deformed, and those who were deemed to have defective sensory organs such as the deaf and blind). Arneil correctly argues that racial and disabled signs have informed each other through the norm of reason; as she says, “both ethnicity and mental deficiency are in fact cultural categories of ‘otherness’ in which both kinds of ‘difference’ merge into one general category of deviance” (2004: 36).

This was evident in section three of the Canadian 1906 Immigration Act.138 This act allowed the deportation of immigrants after two (then three, then five) years if they were deemed a public charge,139 or medically diagnosed as insane or handicapped, or simply characterized by infirmity. The act continued the previous ban on admission for the mentally disabled but also extended the meaning of mentally deficient people to include “persons who have been insane at any time previously...persons of constitutional psychopathic inferiority... persons over fifteen years of age physically capable of reading who cannot read the English or the French language or some other language and dialect” (Mosoff, 1999: 156). The reference to language refers to racialized minorities who did not conform to images of the ideal immigrant; as such, the legislation linked negative significations of disability with racist ones. Those disabled immigrants who were marked as irrational, dependent and naturally un-industrious had less chance of successfully ‘integrating’ and thereby remained undesirable immigrants; this notion was reinforced by simultaneously identifying those racialized Others who, it was argued, also could not meet liberal standards. As Mosoff states that “besides the obvious effect of this provision on people with

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137 This disproportionately included Indigenous women. Arneil cites Owen Dyer’s (1996) study of sterilization in Canada which shows that “of the 2832 ‘mentally defective’ women who were sterilized under the Sexual Sterilization Act, a quarter were native Indians, although indigenous people make up only 2.5% of the province” (Arneil, 2004: 24).


139 The Canadian Council for Refugees reports that from 1930 to 1934, 16,765 immigrants were deported on this ground (more than 6 times as many as in the previous 5 year period). The numbers of deportations on the grounds of medical causes and criminality also increased.
intellectual disabilities, the real intent may have been to exclude people of certain races and national original” (1999: footnote 34).\textsuperscript{140}

\textit{Medical and Economic Systems of Meaning-Making}

Through legal systems of meaning-making of disability, the idea of citizenship has been presented either as unobtainable (in which disabled applicants were refused entry) or as something that the disabled immigrant applicant was not yet ready to attain. Underlying the discursive distance between disability and citizenship are medicalized inscriptions of the imperfect and deviant Other. Stereotypical meanings were strewn throughout the first immigration statute of the Canadian confederation, \textit{An Act Respecting Emigrants and Quarantine}. This act explicitly linked immigrants and disease by grouping people according to the diagnosis or characteristic that signified them as different. As Mosoff states, “These stereotypes were based on ideas of people with disabilities as contagious, dangerous, not quite human, or non-persons” (1999: 155). This continued in the 1869 Immigration Act, which required masters of sailing vessels to post a three-hundred-dollar bond to secure the landing of any person who was "Lunatic, Idiotic, Deaf and Dumb, Blind or Infirm" (Network, 2001). As such, those marked by signifiers of disability were grouped in categories that distinguished them from other categories occupied by those marked by non-disability.

Throughout the nineteenth and early twentieth centuries, those signified as handicapped or crippled were incarcerated in asylums and long term hospitals, and sterilized to prevent reproduction of another ‘deviant’.\textsuperscript{141} Whilst within Canada, the approach was to ‘cure’ the disabled, the eugenics movement also linked disability with immigration so as to exclude less aesthetically desirable immigrants (Jakubowicz & Meekosha, 2003: 186-7). From 1906 to 1976, for instance, certain diagnoses made a person inadmissible, regardless

\textsuperscript{140} See also D. Bagambiire (1992), ‘The Constitution and Immigration: the Impact of the Proposed Changes to the Immigration Powers Under the Constitution Act, 1867’ for a discussion of the literacy test requirements set by the British Columbian government in the late 1800’s.

\textsuperscript{141} The forced sterilization of women inmates in mental hospitals is an example of this clinical gaze in Canadian history. Following the 1928 Sexual Sterilization Act ("Sexual Sterilization Act, S.A. 1928, c37,"") in Alberta, those women inmates who were signified as medically deformed were given no choice whether they wanted children. Moreover, there was a false but widespread belief that that these women would merely reproduce children who would be mentally retarded. This clinical gaze thus removed any choice and imposed instead medical systems of significations.
of cost of treatment, severity, whether the condition could be controlled, or whether the state would be required to pay for treatment (Network, 2001). The 1906 Immigration Act banned all people with a mental disability, including anyone “who is feeble-minded, an idiot or an epileptic, or who is insane or has had an attack of insanity within five years” (1975a: section 29). At that time, no amount of family support or proof of independent living could overcome the label of being ‘abnormal’. Having a disability thus made one irredeemable. In this, the disabled applicant was represented through what Michel Foucault (1975a) characterized as the clinical gaze.

The medical model of signifying disabled identities as problems or defects continues today, but has been gradually supplemented with an economic model. Arguments made about the financial ‘burden’ of admitting disabled people into Canada have become a more acceptable way to exclude potential immigrants, all the while still maintaining the core of medicalized meanings. This was evident in the provisions of the 1976 Canada Immigration Act, which set the criteria for determining (the desirable and undesirable) potential immigrant, and also specified the broader context of immigration policy in economic terms. Mosoff argues that even though the 1976 act stated (in section three), that the goal of Canadian immigration policy was to promote domestic and international interests of Canada, facilitate family reunification, and ensure that admission standards did not discriminate in a manner inconsistent with the Charter, it also emphasized the need to foster the economy and encourage the entry of people involved in commercial activity (1999: 153). Since disabled people were produced and marked through negative medical significations, they were deemed to undermine the economic agenda of nation-building.

Specifically section 19(a) of the 1976 Act lays the medical and economic grounds on which those marked by disability could be refused immigration. The act states

(a) persons who are suffering from any disease, disorder, disability or other health impairment as a result of the nature, severity or probably duration of which, in the opinion of a medical office concurred in by at least one other medical office,

(i) they are or are likely to be a danger to public health or to public safety, or;
(ii) their admission would cause or might reasonably expected to case excessive demands on health or social services; [Emphasis added] ("Immigration Act [1976] S.C. c52,")
This clause signifies disability through a medical model, and at the same time links impairment, disease, disorder, health to economic considerations. The second part of this section states:

(b) persons who there are reasonable grounds to believe are or will be unable or unwilling to support themselves and those person who are dependent on them for care and support, except persons who have satisfied an immigration office that adequate arrangements, other than those that involve social assistance, have been made for their care and support.


This section both privatizes and individualizes the care and responsibilities of those disabled. In doing so, prospective disabled immigrants are signified through a medical model, one that takes little account of the larger relations of power that create and sustain disadvantage. In the end, an underlying normalizing paradigm of wealth and industry continues to constitute the desirable immigrant. This echoes significations of disabled people under the 1869 Immigration Act which required the $300 payment in order to save Canada or a province the expense of accepting an ‘imperfect’ immigrant.

Though the federal government claims that the original intent of the 1976 legislation was not to refuse applicants, and that they have removed the criteria for inadmissibility in the new 2001 Immigration and Refugee Protection Act, it continues to employ the language of excessive demand. In particular, section 38 of the new act states

A foreign national is inadmissible on health grounds if their health condition a) is likely to be a danger to public health; b) is likely to be a danger to public safety; or c) might reasonably be expected to cause excessive demand on health or social services. (Immigration and Refugee Protection Act, 2001)

This provision is not unlike section 19(a) of the 1976 Act. The Government of Canada claims that in replacing “disability” with “health grounds” the discriminatory measures of previous legislation have been removed. Yet, they maintain the criteria of excessive demand. This sends a message to both disabled immigrant applicants and Canadians with disabilities that they continue to signify an excessive burden because of their medical condition. The official website that lays out the governments’ most recent policy states: “In determining inadmissibility, a complex formula is used to project the cost of an applicant’s health

142 See, for example, a document entitled ‘Defining Disability’ by the federal government (G. o. Canada, 2004).
condition. The cost is considered to as excessive demand if it is likely to exceed the average cost of caring for a Canadian citizen or permanent resident” (2004). But in judging excessive demand by a standard that depends on those who are not socially signified as disabled, the Government is entirely missing the ways in which disabled people are signified by society through medical systems of meaning-making. The opportunity to resignify disabled identities through a social model was missed. The social model (which is preferred by most disability scholars) would shift the focus from the individual (who is considered an excessive economic burden) to the ways in which larger society constitutes negative significations attached to disability.

A Case Study: Disabled Persons Immigrating to Canada

The inscriptions of the medical and economic models, as they relate to potential disabled immigrants, are particularly evident in the Thangarajan v. Canada case. Rajadurai Samuel Thangarajan (the respondent) had applied for permanent residency for himself and on behalf of his dependents including a son who was medically defined as being moderately mentally retarded. His son, William, had been refused entry by immigration officials on the grounds that he might reasonably be expected to cause excessive demands on social services in Canada. The issue of ‘excessive demands’ was not a new one for disabled activists, especially given that it was not expressly defined in the 1976 Immigration Act. Without a stipulated definition, disabled applicants were made vulnerable to the opinions of medical officers. Although there was a Medical Officer’s Handbook to guide officers, it contained very specific considerations regarding financial considerations related to health budgets, equipment, supplies and qualified personnel.

The case went to the Federal Court of Appeal in 1999, where the appellant (The Minister of Citizenship and Immigration) argued that subparagraph 19(1) (a) (ii) of the Immigration Act was intended to ensure access to health and social services for existing Canadian citizens and permanent residents. According to the appellant, admitting immigrants that made excessive demands on social services undermined the ability of current Canadians to access services. The appellant contested that Thangarajan created excessive demand because the special education costs of a mentally challenged student

143 ("Thangarajan v. Canada (Minister of Citizenship and Immigration) [1999] 4 F.C. 167,"
within the publicly funded provincial school system fell within the Act’s specification of burden on social services. In the end, the court found agreed that Thangarajan was inadmissible to immigrate to Canada on the ground that within the public system education services for people with disabilities occupied the previous role played by institutions in the lives of persons with disabilities (Mosoff, 1999: footnote 93).

Interestingly, Thangarajan’s culture (as ethnicity) was not raised as an issue in the judicial decision. This is not to say that he was not racialized or ethnicized through the application process and the court appeal. Indeed, it is critical to acknowledge Thangarajan’s identity as a racialized one because to do otherwise would mask the ways in which the ‘integration’ process for Thangarajan and his family would have been hampered by the lack of services for ethnic immigrants with disabilities. This aside, in this instance, the disabled prospective immigrant was signified through systems that are ableist. This illustrates that in theorizing immigrants as members of ‘a culture’, liberal multiculturalists neglect to examine the ways in which immigrants are also intersectionally and interactively signified through systems of ability and disability. In identifying the processes that signify immigrant identities through these systems, there is an opportunity to rethink the category of immigrant in ways that are more experientially grounded and socially contextualized.

Analysis of the processes that signified William Thangarajan illustrates that he was not allowed to immigrate because, through a medical model, he was signified as a financial burden. This was even though he applied under the family class category. This seems striking because although one would expect finance to be a factor in the independent category of immigration, in family class applications that include dependents that are not disabled it has been a legal expectation that family sponsors would privately support the applicant for up to ten years, without any reliance on the state. The privatization of responsibility for new immigrants who emigrate under the family class is itself problematic, but is further distorted by the fact that those immigrants who have disabled family members are forced to justify their ‘public’ costs whilst also carrying the private (and legalized) financial responsibility for the immigrant. As Mosoff argues, the financial assessment of the medical condition of a person signified as disabled should simply be irrelevant to family sponsorship (1999: 166).
In particular, the subtext of this case suggests that at the same time as family class applications are generally quite privileged over other kinds of applications -- because of a more lax financial requirement and a more accessible process of appeal -- this is not the case for those families who have a member who is marked by disability. This is because a prospective disabled immigrant is signified as a threat to particular liberal meanings of the ideal family, namely that of a collection of biologically related, independent and able-bodied individuals. This hegemonic meaning of family, however, assumes that members of a family have different economic roles, and that Thangarajan could not fulfill that role. If immigration policies are supposed to promote the unification of families, concerns about the economic burden should be secondary; but because of his medical condition, it was presumed that Thangarajan would not be able to find employment. Even if Thangarajan was unable to work, this should not have been a consideration under a family class application because, as Mosoff points out, employability is irrelevant to this particular category (1999: 165-167). Ultimately, in the Thangarajan v. Canada case, economic considerations and conservative visions of the family became a way to mask medical significations of the disabled.

Not only does this case demonstrate the ways in which diminishing and dehumanizing meanings associated with disabled people are reinforced, but it also illustrates that the social model of disability (advocated by disability scholars and activists) is ignored. This repeats processes of meaning-making that depend on exclusion rooted in the nineteenth century infectious disease/public health legislation. These negative and discriminatory meanings have been reinforced as recently as 2001 in Chesters v Canada. In this case, Angela Chester was denied permission to immigrate to Canada under section 19 (1) on the grounds that her multiple sclerosis showed that she would be an excessive burden. The Council of Canadians with Disabilities (CCD) states that in considering these kinds of cases, immigration officials give no weight “to the individual needs, capacities, or merits if people with disabilities or the positive contributions made by people with disabilities in our society”

144 There are also other meanings to this ideal family that have emerged through racist and homophobic systems of meaning-making. For example, the Chinese Immigration Act ("Chinese Immigration Act, R.S.C. [1906], c 95, s.7," set out a head tax for Chinese people, with the intent to limit the numbers who could afford to emigrate, thus curtailing the reunification of immigrants with their families. The Immigration Acts of 1927, 1952 and 1978 all narrowly defined the family through conservative notions of the father, mother, and children. They did not allow for common-law or same-sex sponsorship of immigrants.

145 ("Chesters v Canada (Minister of Citizenship and Immigration) [2003] 1 F.C. 361,"
The CDD continues by stating that the denial of admission for prospective disabled immigrants affects not only the applicant but also disabled people already in Canada:

It is important to emphasize that not only potential immigrants are devalued and dehumanized but also Canadian citizens with disabilities are given the "message" that a disability in itself is enough to prevent a person from becoming a landed immigrant in Canada. Furthermore, they are given the message that there is nothing a disabled person can contribute to our society nor can they overcome the attitude that they are a 'burden' or have 'excessive demands' on our health care system. Therefore the effect of the Act also has the effect of continuing to devalue persons with disabilities who presently live in Canada and are Canadian citizens. (Disabilities, 2001)

The CDD's position speaks to the construction of who is signified as a good immigrant and citizen and who is signified as a troublesome immigrant or less significant citizen through systems of disablism, thereby impacting both the potential immigrant who wants to come to Canada and those already in Canada.

*Disabled Immigrants in Canada*

The specific experiences of disabled immigrants once they arrive in Canada are ignored in liberal multicultural theory, even though many of these immigrants are members of the exact polyethnic groups that are central to liberal multiculturalism. The *Irshad et. al. v. Ontario* case speaks to the ways in which disabled immigrants are signified as second-tier citizens once they arrive in Canada through negative significations of disability. This case involved a constitutional challenge to Ontario legislation, which excludes many immigrants with disabilities from Ontario Health Insurance Program (OHIP) coverage for the first three months or longer. The National Women's Legal Education and Action Fund (LEAF), along with its coalition partners, DisAbled Women's Network Canada and the Ontario Council of Immigrants with Disabilities, argued that the exclusion of immigrants from OHIP coverage violated the equality guarantee in the Charter because it discriminated

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146 (*Irshad et. al. v. Ontario* (Attorney General), Ontario Court of Justice, General Division, file no. 97-CV-126042.)

147 As recent as 1999, settlement organizations in Ontario were recommending that new immigrants purchase private health insurance for the three months. They would have to do this within five days of arriving in Ontario to be eligible under the rules of private insurance companies. This can create an enormous financial and emotional burden for new immigrants, especially if the facilities and services do not accommodate the needs of disabled people.
on the basis of immigration status and disability. Many immigrants could not obtain necessary medical treatment, such as treatment of ongoing disabilities (e.g. cerebral palsy). Had these disabled immigrants not been disabled they would have satisfied the medical requirements under the 1976 Immigration Act. Had they been born in Ontario they would have been entitled to OHIP. It is because they are signified as disabled and immigrants that they were not entitled to OHIP. In this regard, the signification of the disabled immigrant as Other is clearly constituted through immigration policies that medicalizes disability. The problem extends even further, as the Department of Justice in Canada has noted:

Canadian-born children who are Canadian citizens by birth right, but whose parents do not have permanent resident status, are routinely denied OHIP coverage because of the status of their parents. Yet this policy is contrary to OHIP regulations, which prescribe that children's eligibility for OHIP be determined by their parents' intent to reside in the province. (Justice, 2004)

The Department of Justice is pointing to the ways in which children are affected by the legal status of their parents; the impact of misrecognition is not, in this sense, just on the immigrant Other but also those who attached to the Other through familial relationships.

Hence even after immigrating to Canada, mechanisms for integrating ethnic immigrants do not always account for those who are marked by disability. Immigrant programs that are set up to meet the needs of new arrivals are severely limited for people who are marked with disability. For example, assistance in helping people to find work may include training in writing resumes, preparing for interviews, and English/French language classes but does not necessarily involve information on accessing public transportation for those who are physically disabled. This is despite the fact that disability organizations appeal to the discourse of multiculturalism. For instance, the Canadian Association for Community Living states that “Canadian immigration policy must not exclude people from becoming Canadians based on the fact that they have a disability; on the contrary, they must be included and weaved into the patchwork that is the Canadian mosaic” (2002). In evoking the language of mosaic multiculturalism, the Canadian Association for Community Living is attempting to shift significations of disability from a bio-medical system to a discourse of diversity. As such, they are appealing to the Canadian commitment to multiculturalism in order to resignify an understanding of disability. Yet the discursive boundaries between
multiculturalism and disability fail to address the relationship between control of bodies (immigration) and control of the body (ableist and disabled discourses) (Jakubowicz & Meekosha, 2003: 192-3). This is despite the fact that multiculturalism, citizenship, and population control of those signified as disabled are intimately connected to each other.

Ultimately, the experiences of disabled people are produced through immigration policies and practices, signifying potential and actual citizens as burdens on society and as second-tier citizens. As Mosoff states,

> The immigration system is one way that the Canadian state articulates rules about how an outsider can become an insider. But in addition, the immigration system is a means of further distinguishing insiders from outsiders through a policy” that is made by ‘us’ but applies to ‘them’. (1999: 174)

My analysis shows that the power dynamics of constituting insiders and outsiders, or ‘us’ and ‘them’, go beyond the scope of culture; put differently, the immigrant is not simply Othered through constructs of culture. In tracing the processes that signify disabled immigrants it becomes evident that the immigrant can also be constituted through systems that normalize the able-bodied and denigrate those inscribed as disabled, in both productive and repressive ways.

### 7.3 Sexual Orientation and Immigration

*Criminalized Meanings*

For those immigrants signified as sexual Others, the experience is similar to that of those signified as disabled Others, in that both are forcibly socially, economically and politically located on the margins; this is a result of various legal and medical systems, as well as hegemonic social norms and values. At the same time, there are some distinguishable processes that make and mark significations of sexual orientation and sexuality. Although formal prohibitions against gay and lesbian people who wish to immigrate to Canada no longer exist, immigration law and practice continues to regulate the borders of those who belong inside and those who should stay outside. Contra liberal multiculturalism, this is not merely done through judgments about culture but also by signifying sexual minorities differently from those marked by ‘normal’ sexuality. Whilst it is unclear how immigration legislation configures bisexual and transgendered identities,
examination of the processes of meaning-making illustrates that specific immigration laws and policies have inscribed negative criminalized significations to gays and lesbians.

From 1952 to 1976, Canada's immigration policies were blatantly homophobic. In 1952 provisions added to the *Immigration Act* made “homosexuals” and “persons living on the avails of...homosexualism” inadmissible both as visitors and immigrants. Homosexuals (regardless of whether they were gay or lesbian) were grouped together with other prohibited classes such as prostitutes, pimps, beggars, and vagrants, in which a visitor or immigrant could be deported from Canada on any of these grounds (Caswell, 1996: 564-5). In particular it is striking to note that part of the drive behind making homosexuals inadmissible during the 1950's arose out of a misguided concern that gays were a security threat in the context of the Cold War. The urgency to protect atomic secrets was at panic-high and because gays and lesbians were considered easy targets of blackmail (the assumption was that homosexuals wanted to remain closeted and that they feared being 'outed'), they were deemed not to be trustworthy (Caswell, 1996: 565).

The link between criminal behaviour and sexuality was evident in a case which involved the deportation of a post-operative transsexual (male to female) in the 1970's. In 1972, the *Sherwood Atkinson (Sheri de Cartier)* case went to the Immigration Appeal board when a transsexual was charged with pursuing sexual activities with a male and practicing homosexualism, even though she had undergone sex reassignment surgery. The law wrongly recognized her as a male who had engaged in sex with another man. She was consequently signified as deviant and an undesirable immigrant because of the ways in which heterosexuality was marked as normal and homosexuality was marked as aberrant. In

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148 On a web page entitled Immigrant Voices (2000), it is stated that the "1952 legislation kept as ‘preferred classes’ British subjects and French citizens and provided for family reunification of Asian Canadian citizens and their immediate overseas relatives. Nevertheless, quotas for immigrants from India, Pakistan, and Ceylon (now Sri Lanka) were established at only 150, 100, and 50 people per year, respectively... The 1952 Act did not explicitly discriminate against specific groups of immigrants. Rather, cabinet was allowed to deny people entry on the basis of their nationality, customs, or unsuitability to the Canadian climate or culture. Also, the 1952 legislation allowed Special Investigating Officers to deny entry on cultural, climactic, and social bases. In this manner, exclusions on the basis of race did not have to be explicitly stated in the legislation; they could be accomplished on a case-by-case basis."

149 This parallels the ways in which immigrants of colour, especially Muslim immigrants, have more recently been signified as threats to security.

150 It is important to note that gay men may well have been fearful of being 'outed' because of homophobia.

151 ("Sherwood Atkinson (Sheri de Cartier) [1972], 5 Imm. App. Cases 185 (Immigration Appeal Board),")
the end, she was denied entry into Canada on the basis of sexuality because she had engaged in homosexual conduct (Lahey, 1999: 138).

Despite the "decriminalization of homosexuality in the Criminal Code in 1969, the federal government did not amend the Immigration Act to delete homosexuality from the list of inadmissible classes to Canada until a new Immigration Act was proclaimed in 1976" (Fisher, Jurgens, Vassal, & Hughes, 1998). Yet this act continued to signify gays and lesbians in negative ways by perpetuating links between homosexuality and criminality. Under the 1976 Immigration Act, if lesbian or gay immigrant applicants had been criminally charged or convicted under the legal language of homosexual offences in other countries, they were denied entry to Canada as undesirable aliens on the basis of their criminal record. Kathleen Lahey cites a recent instance of this, in which "in 1992, Immigration Canada denied a Dutch gay man's application for landed-immigration status on the basis of a criminal record that had arisen out of charges laid against him for 'homosexual offences' by Nazi occupiers of Holland during the Second World War" (1999: 139). Not only did the Canadian state accept the Nazi association of homosexuality and criminality, but in doing so they perpetuated the link.

Associated Significations: Disease and Homosexuality

Exploration of the significations attached to sexual minority immigrants further reveals that disease and homosexuality have become linked in the same way that disease and disability are coupled. This was particularly evident in the 1976 Immigration Act, in which gay or lesbian immigration applicants who had HIV or AIDS were deemed medically inadmissible if they were perceived to represent a "danger to public health or to public safety" or "would cause or might reasonably be expected to cause excessive demands on health or social services" ("Immigration Act [1976] S.C. c52,"). The link between dangerous diseases, financial considerations and homosexuality is reminiscent of the link between medical and economic significations of disability. In both instances, immigrants are signified as transmitters of disease.\(^{152}\)

\(^{152}\) The idea that immigrants carry and bring dangerous diseases to Canada has been a central subject of discussion in recent popular discourses, particularly in relation to the SARS scare that washed across Canada in 2003/4 as well as other communicable diseases. Peter Li cites a Victoria Times Colonist newspaper article entitled 'Immigration fuels soaring TB rate' which blamed immigrants from India, China,
Though under the 1976 Act the Minister of Immigration had been able to issue exemption permits to gay and lesbian applicants on humanitarian and compassionate grounds, this was both discretionary and temporary. Donald Caswell notes in his seminal text *Lesbians, Gay Men and Canadian Law*, when most gay and lesbian immigrants applied to immigrate on these grounds, homophobia among immigration officials persisted as a significant problem in a system that was highly discretionary (1996: 556). Even though it is estimated that 75-85% of HIV cases worldwide have been contracted via sexual conduct and that these have been mostly through heterosexual sexual conduct, gay applicants with HIV or AIDS have been routinely discriminated against (Entwisle, 2000: 3).

There have been some changes in recent law that suggests that the government is moving away from linking dangerous diseases with homosexuality. In the recent *Immigration and Refugee Protection Act*, the government followed a new public health model in all areas related to HIV, one that is more inclusive and dependent on cooperation rather than based on coercive measures to prevent the spread of disease. The Canadian HIV/AIDS Legal Network states that this new model is critical in resignifying homosexuality:

> For example, calls for mandatory testing of so-called “high-risk groups” such as injection drug users and gay men, as well as other populations such as prisoners and pregnant women, have been rejected. In addition the Canadian government’s position on HIV/AIDS is not considered a dangerous, infectious disease, but rather a chronic disease like cancer or heart disease. (Network, 2001)

This reveals the power of the state to alter systems of signification, in which HIV/AIDS can still be understood as serious concerns for the gay and lesbian community but without perpetuating a negative relationship between homosexuality and disease.

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153 These grounds have also been used to address refugee claims by sexual minorities. However, to claim refugee status is a difficult process. As Caswell illustrates, the refugee must establish fear of persecution not prosecution or discrimination (1996: 589-592).

154 The new immigration and refugee law also recognizes sexual orientation, gender-based persecution, and HIV/AIDS status as grounds for making refugee claims.
Regulating Representations of the Family

Analysis of the processes that signify immigrants exposes that the ‘good’ immigrant is, in part, signified through privileged heterosexual understandings of the family. Mosoff traces the meanings of family in immigration law. She states that the first formal definition of the family appeared in the *Immigration Act* of 1927 as father, mother children under eighteen years (1999: 163). Mosoff continues by noting that

Subsequent definitions of family maintained the vision of the nuclear family but were more explicit about the economic unit. For example, the *Immigration Act 1952* s.2(g) defined family as the “father and mother and any children who, by reason of age or disability, are in the opinion of an immigration offices, mainly dependent upon the head of the family for support. (Mosoff, 1999: 163)

These notions of the family continued throughout immigration history. Caswell (1996: 567) states that the 1978 Immigration Regulations defined families through hetero-normative systems; in particularly the spouse was defined as “the party of the opposite sex to whom that person is joined in marriage”, where marriage was “the matrimony recognized as a marriage by the laws of the country in which it took place” ("Immigration Regulations, [1978], sections 2(1), 4, 6, 1,"). Whilst from 1978 citizens and permanent residents could sponsor a wider number of family relations, the definition of the family has mostly maintained a traditional meaning.

This conservative notion of family has signified meanings of the desirable and undesirable immigrant. For example, between 1976 and 2003 lesbian and gay partners of Canadians were allowed to immigrate to Canada, but most did not come under the family class category. Since gays and lesbians did not meet the criteria of ‘family’, under the 1976 *Immigration Act* they were forced to apply on humanitarian and compassionate grounds. Even though most same-sex partners were accepted as immigrants under this provision, this process served to illustrate that those gays and lesbians were signified not as ‘normal’ applicants but as special cases. This was especially because the category of family class had clear advantages over those who were processed on humanitarian and compassionate grounds: “family class applications are processed with priority, and the Canadian sponsor of an applicant who has been refused has the right to appeal the decision to the Appeal Division of the Immigration and Refugee Board” (Fisher et al., 1998). The fact that the
‘back door’ route of humanitarian and compassionate applications was necessary at all was a reflection of the ways in which gay and lesbian immigrant applicants were signified as second-tier applicants through modes of Othering.\textsuperscript{155} For some same-sex partners who could not overcome the barriers of immigration law but wanted to live with their partners in Canada, the options were limited. Some, desperate to join their partners, became immigrants by spending years on student visas, enduring opposite-sex marriages of convenience, sometimes living illegally underground and working in exploitative conditions (Caswell, 1996: 568). In these instances, immigrant experiences were marked by homophobia and heterosexism.

Recent changes in immigration law may create more accessibility for gay and lesbian immigrants, including under the family class. In 2002 the new Immigration and Refugee Protection Regulations expanded the definitions of common-law partner to include an individual who is cohabiting with the person in a conjugal relationship or had cohabited for a period of at least one year. The new regulations also allows family sponsorship through a ‘conjugal relationship’ thus including a person who has been in a conjugal relationship for at least one year but was unable to cohabit with the person due to persecution or any form of penal control. This shows that a key actor of resignification is the government, in which the law serves as the site of meaning-making.

Despite these positive steps, however, as the Lesbian and Gay Immigration Taskforce (LEGIT) states, it is unclear how the new immigration regulations will be implemented and the effect of the new rules on homosexuals, especially because until the Canadian parliament deals with the issue of same-sex marriage it remains unclear how same-sex spousal applications will be processed.\textsuperscript{156} The LEGIT also point outs that whilst

\begin{itemize}
\item \textsuperscript{155} For refugee applicants who want to immigrate to Canada because of persecution based on their sexual orientation, the process is not only long and arduous but it is also wrought with homophobia. Applicants must establish fear of persecution rather than prosecution or discrimination; they must convince refugee board members that men sexually assault gay men; and they must provide evidence that sexual orientation persecution takes place in their country origin in such a way that appears not be ‘self-serving’ (Caswell, 1996: :589-602). For example, in \textit{Tchernilevski v M.C.I. ("Tchernilevski v. Canada (Minister of Citizenship and Immigration) [1995], 30 Imm. L.R. (2d) 67 (F.C.T.D.),")} the concept of persecution was narrowly defined. The court denied an appeal brought against the board by a gay man who sought refugee status on the grounds that if he was forced to return to Moldova he would be tried under the Moldovian penal code which outlawed homosexuality. The board found that the fear was not objective because the relevant code section was slated for repeal (Lahey, 1999: 140).
\item \textsuperscript{156} At the time of writing, Ontario, British Columbia, Quebec, Yukon, Manitoba, Nova Scotia, and Saskatchewan had all passed legislation that legalized same-sex marriage.
\end{itemize}
the definition of a partner has expanded, there are concerns that previous dependence on the ‘backdoor’ route of humanitarian and compassionate grounds is no longer readily available; there is still the possibility of making a humanitarian and compassionate claim but this has become an option only in rare circumstances (LEGIT, 2003). At the same time as it is undesirable to depend on the humanitarian and compassionate route to enter Canada it has historically been the most effective way for same-sex immigrants to gain entry.

A Case Study: Immigrating to Canada and Same-sex Partners

A study of the ways in which immigrants are signified through law illustrates that these identities are inscribed through systems related to sexual orientation, especially those that reinstitute heterosexual norms. A major cornerstone of the 1976 Immigration Act (as well as the recent act) was to facilitate family reunification by allowing citizens and permanent residents to sponsor close family members for immigration, including fiancés and spouses. Yet same-sex partners were not included in Section 4 of the 1976 Immigration Regulations which specified who could be sponsored. The state has until recently avoided creating judicial precedent that would formalize same-sex partner sponsorship.

Christine Morrissey and Bridget Coll were the first to openly challenge the Immigration Regulations restrictive definition of spouse (Caswell, 1996: 569). When Morrissey, a Canadian citizen, applied to sponsor her partner of fourteen years, Coll, she described Coll as her life companion. The Immigration Department refused to process her application on the grounds that the regulations limited sponsorship to those signified as opposite-sex couples. In January 1992 Morrissey took a Charter challenge to the Federal Court. The challenge stated that the relevant provisions of the Immigration Regulations were unconstitutional in that they discriminated against lesbians and gay men under section 15. Further, the challenge requested that same-sex partners should be read into the Regulations, or that the definition of spouse include same-sex partners.

The government responded by informing Coll that because she had not filed for permanent residency, they would move for dismissal. Coll immediately applied for permanent residence, and to her surprise her application was processed quickly and without having to attend the usual interview (Caswell, 1996: 569). In September 1992, she was granted permanent residence. This was strangely under the independent category, which she
had been told by the Immigration Department she was not eligible for in her initial application. This is interesting because rather than signifying Coll as a family member the government placed her in a category that would not challenge the norms of a heterosexual family. As Caswell suggests, the government chose to settle this case rather than risk losing the case and have the courts rewrite the meaning of spouse (1996: 570). In this process of meaning-making, the government initially rejected, then resisted and ultimately grudgingly accepted the meaning of a same-sex immigrant spouse but without expanding the definition of spouse. This allowed them to maintain the privileged system of hetero-normativity.

**Sexual Minority Immigrants Living in Canada**

When we move to the terrain of immigrants already in Canada, inquiry into the processes of meaning-making illustrates that immigrants continue to be signified through systems related to sexual orientation. Contexts of power produce both positive and detrimental significations of LGBT and queer identities, where the law plays a primary role in shaping these representations. In particular, the social construction of meaning-making demonstrates the close links between legalization and medicalization, where legal and medico-social processes are privileged in society. This specifically indicates the privileged role of medical and legal professionals who authoritatively signify identities and socio-political positions, often through certain modes of exclusionary, disciplinary and coercive forms of action.

Though the substantive content of the law now accepts sexual orientation as a prohibited ground of discrimination, LGBT and queer people still face legal discrimination, or what Lahey calls “civil death” (1999: 171). Even if sexual minorities are successful in immigrating to Canada, they continue to experience homophobia and heterosexism upon their arrival because, Lahey argues, the law continues to deny the full legal personality of all sexual minorities (1999: xv). Lahey contends that the legal personalities of lesbian, gay, bisexual, cross-dressing, transgender, and transsexual people have been subject to restrictions to participate in the state and move freely in the public sphere. Lahey traces the inadequacy of human rights codes to protect the rights of sexual minorities in Canada prior

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to the existence of the Charter. She goes on to show that even after having fought to include sexual orientation in section 15(1) of the Charter, it took over eight years to win a case prohibiting discrimination based on sexual orientation (i.e. Egan v. Canada). Lahey contends that the exercise of rights is contingent upon admission to the category of full legal persons, which she rightly argues has not happened for LGBT and queer people.

When the official capacities of LGBT and queer people are taken away or undermined, they are unable to access the legal process to secure self-directed significations. Even though there is legal recognition of sexual orientation in the Charter, other laws continue to signify LGBT and queer identities as abnormal. For example, whilst common-law same-sex spouses are now recognized in some laws, transsexual common-law men and women run the risk of losing marriage and property rights and benefits if they do not adhere to the medicalized definition of sex change (Lahey, 1999: 154). Unless transsexuals meet the legal standards of sex change, they are forced to assume a homosexual identity even if this is not how they see themselves. In tracing the processes that constitute immigrants, it becomes evident that gender and sexual borders continue to be regulated by the law.

The consequences of these negative significations are enormous, especially for those signified as LGBT and queer immigrants of colour. The experiential knowledge of these identities reveals the interactions between systems of sexuality, gendering, racialization. In all aspects of life, for non-white gay, lesbian or bisexual transsexual immigrants the experiences of racism and white privilege are compounded by homophobia and transphobia. For recent non-white transsexual immigrants it can be especially difficult to find safe housing, not only because of racism but also because landlords require official documents of identification that may not necessarily match the gender specified on the passport or the driver’s license. Further, not only do transsexual immigrants of colour experience enormous difficulty in finding work, but they also have to face workplace harassment when hired.158

For those wanting to explore the possibility of undergoing sex reassignment surgery, the health care system can be especially daunting for immigrants who are new to the Canadian health system or whose first language is not English or French. Certainly there are good

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158 In the Trans Inclusion Policy Manual for Women’s Organizations, the authors cite the research of Christine Burnham which shows that 40% of transsexual and transgendered respondents were unemployed, despite the fact that 70% of them had two or more years of post-secondary education (Darke & Cope, Winter 2002).
resources and centers of support for sexual minority immigrants (e.g. Salaam: The Queer Muslim Community of Toronto, and Supporting out Youths: Newcomer Immigrant Youth Project in Toronto), but settlement services tend to be geared to new immigrants more generally, often without adequate consideration of gender, sex or sexual identity. They also tend to be concentrated in a very few urban centers like Toronto, and are thus not readily accessible for all new LGBT and queer immigrants.

Through significations of sex identity, ‘the immigrant’ experiences modes of oppression and discrimination unaccounted for in liberal multicultural discourses of polyethnicity. Specifically, the concept of culture erases the ways in which sexual minority immigrants -- including those marked by ethnic and linguistic difference -- are signified through legal, medical, and social systems of gendering, homophobia and heteronormativity. If liberal multiculturalists are to take seriously the identities of immigrants, it is crucial to develop a theory of identity/difference that is more reflective of actual experiences. Claims made by immigrants need to go beyond the hierarchy constructed by liberal multiculturalists in which essentialist claims of culture are prioritized over the contingent claims that encompass sexual and gender identity. This is critical because a study of the processes of meaning-making exemplifies that immigration law and practice is instrumental in producing and constituting inscriptions of immigrant sexual minorities. This has largely been in negative ways by signifying the undesirable immigrant through precarious links between sexuality, criminality, disease, and normalized representations of the family.

7.4 Concluding Remarks

The effect of analyzing the processes of meaning-making that constitute the identities and socio-political positions of immigrants through systems of disability/ability and sexual orientation is enormously instructive. It radically disrupts liberal multicultural interpretations of who is signified as the immigrant. It opens up possibilities to name, expose, describe, and include experiences of immigrant discrimination largely ignored in liberal multiculturalism. Specifically, by deconstructing who the immigrant is and how he/she becomes the immigrant Other through systems of disbabilism, homophobia and heterosexism, it is possible to transcend the uni-dimensional notion of culture. This is
critical because immigrants are not all able-bodied and heterosexual; to identify this is to challenge the privileged norms of society that tend to be silenced in liberal multiculturalism. It shows that it is not simply that immigrants face misrecognition or that they lack rights related to culture, but rather, some immigrants are experientially also discriminated against on the grounds of subjugating meanings connected to sexual orientation and disability/ability whilst others are privileged through ableism and hetero-normativity (even when they experience racial oppression). In this way, immigrant experiences are not homogeneous or essential, but determined by interactive systems of significations. As such, by considering larger dimensions of how the immigrant is constructed (both by the self and others) the subject of analysis can be more nuanced, inclusive and reflective of lived experiences. Ultimately, the analytic shift to cultural fundamentally opens up analysis of identity, difference and non-difference, and power.
Chapter VIII

Complicating Identity/Difference Politics: Meaning-Making and Indigenous Women

8.1 Introductory Remarks

In this chapter, I explore the implications of the analytical shift to cultural by examining a core identity in liberal multiculturalism, namely that of Indigenous peoples. Whilst liberal multiculturalists make broad generalizations about Indigenous cultures, they under-analyze the significations inscribed to *Indigenous women* and the impact of these inscriptions on arrangements of power. The analytical emphasis on meaning-making complicates analysis of identity/difference theorizing by examining the ways in which multiple systems of signification interact together, through power, to constitute particular significations of Indigenous women. Through discourse analysis of a Canadian government policy document, the ‘Aboriginal Women’s Roundtable Report on Gender Equality’ (2000), I apply the conceptual shift to cultural to situate the racially gendered significations attached to Indigenous women in identity/difference politics. Essentially, I argue that this not only resolves many of the tensions inherent in the use of culture, but moreover, it opens up theoretical possibilities that are grounded in experiential knowledge and contexts of power.

8.2 The Aboriginal Women’s Roundtable Report on Gender Equality

In December 1999, on behalf of the federal government, Status of Women Canada (SWC) undertook a national consultation on gender equality with Canadian women from across the country. As the federal agency that coordinates and leads the implementation of *Setting the Stage for the Next Century: the Federal Plan for Gender Equality* and the Beijing *Platform for Action*, the mandate of SWC is to help to promote women's full participation in the country's social, economic, 'cultural' and political life. The national consultations were part of the mandate in *The Federal Plan* (Canada, 1995), and a follow-up from the 1995 Fourth United Nations World Conference on Women in Beijing, China. *The Federal Plan*

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159 I have chosen to focus on this report because it reflects a critique of liberal understandings of equality and inclusion (and liberal multiculturalism more broadly) from the perspective of Indigenous women. As a woman of colour, my own intersectional identity and the limitations of the liberal framework to reflect my lived experiences are echoed by the issues raised by Indigenous women at the roundtable. At the same, the report shows the on-going specific colonial, neo-colonial and imperial relationship the state exercises with Indigenous women in the guise of liberal equality and liberal multiculturalism.
underscores a commitment to liberal equality and inclusion, as stated in the Executive summary:

*The Federal Plan* defines the elusive concept of gender equality, emphasizing that it refers not to women and men, but the relationship between them and to the ways in which their roles are socially constructed. Attaining gender equality is predicated on the achievement of equal outcomes for both women and men. (1995)

The federal government’s agenda was thus framed in the discourse of liberal equality between women and men, in which gender is presented as both a binary and the predominant axis of social inequality. At the same time, the *Federal Plan* stated a commitment to achieving gender equality within the context of multiculturalism. As section 308 of the *Federal Plan* on multiculturalism states, “The federal government will continue to promote cross-cultural and inter-cultural understanding by the public and acceptance of diversity in Canadian society so the roles and contributions of all Canadian women, regardless of their ethnicity, are recognized and valued” (1995: 51). The *Federal Plan* makes specific reference to Indigenous women in sections 315-318: “The federal government will continue to help Aboriginal women to maintain their cultural distinctiveness and to address their cultural identity...” (1995: 51). As such, *The Federal Plan* is distinctly Canadian in that it juxtaposes liberal feminism (equality as sameness: gender equality) and liberal multiculturalism (equality as difference: acknowledgment of Indigenous group differences).

These underlying commitments in *The Federal Plan* to equality-as-sameness and equality-as-difference thus framed the consultation with Indigenous women. In each case there is an emphasis on one dimension of identity with other aspects being added on -- SWC begins with the position that gender equality is primary although it needs to be consistent with concerns of culture, and liberal multiculturalists (especially Kymlicka) start from multicultural rights but also argue that once formulated these rights need to be consistent with other kinds of claims including gender equality -- which is in contrast to the intersectional and interactive understanding of identity that the focus on cultural illuminates.

In an effort to promote gender equality *and* respond to the specific concerns of Indigenous women, SWC convened the Aboriginal Women’s Roundtable on Gender
Equality (henceforth the Roundtable) in Ottawa on March 30-April 1, 2000. As stated in page one of the report, one of the objectives of the Roundtable was to “develop a vision statement on Aboriginal women’s perspectives on equality and inclusion” (2000: 1), two goals of a liberal feminist paradigm that are largely shared by liberal multiculturalists. At the same time, SWC responded to concerns of Indigenous women to have a meeting dedicated specifically to the needs and aspirations of First Nations, Inuit and Métis women in order to avoid competition with the mainstream process (Canada, 2000: 1). In this sense, there was acknowledgment of the multicultural affirmation of difference.

8.3 Challenging Dominant Frameworks of Meaning-Making

The specific focus on experiential significations (as products of meaning-making) reveals the limitations of the hegemonic order and helps to identify alternative significations. Specifically, analysis of the Roundtable report illustrates that meanings of equality and inclusion were largely unreflective of Indigenous women’s experiences and knowledge. In particular, the report illustrates the tension between the substantive goal of equality and inclusion, and the need to respond to the specific differences of Indigenous women.

The report reflects that there were some attempts to maneuver and negotiate new terms of engagement with federal agencies. In particular the section titled ‘Towards a Consultation Framework’ provides proposals from participants to develop Indigenous practices in spaces of dialogue with federal government officials and ways to support

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160 More than 35 First Nations, Métis and Inuit women from a wide range of regions, organizations and life experiences participated in the Roundtable. Also present were observers from a number of federal government departments, including Status of Women Canada, Indian and Northern Affairs Canada, Justice Canada, Canadian Heritage, Health Canada, the Privy Council Office and Human Resources Development Canada. The report incorporated the comments made by participants on a draft of the proceedings.

161 It is important to note that many Indigenous peoples do not view themselves as one of many minority cultures in Canada, but rather distinguish themselves as members of distinct nations (Fleras & Elliot, 1992; Kallen, 1982; Li, 1990). This is in part because designation under multiculturalism undermines the fiduciary relationship between the state and Indigenous peoples (Lambertus, 2002: 5). M. Annette Jaimes Guerrero argues that in the U.S. context that “there is a substantial case to be made for the necessity of decolonization before any genuine multiculturalism can take place” (1996: 49). She explores the possibilities of developing an educational view of American Indian Studies centred on ‘Indigenism’ which treats American Indians as descendents of indigenous peoples and members of tribal nations rather than as ethnic minority or multicultural groups. As she states, “only a decolonization approach can link the critique of Eurocentrism to the particular experiences of Native peoples” (Guerrero, 1996: 56).

162 This is not to suggest that all Indigenous people entirely reject equality and inclusion. Legal scholar John Borrows, for example, suggests that Indigenous women should be able to access both the Canadian system of equality law and traditional systems of law (1994: 31).
discussions amongst Indigenous peoples (Canada, 2000: 15-18). But, moreover, the report strikingly exposes that liberal notions of equality were largely rejected by Indigenous women. It was not simply that the participants wanted to challenge the meanings of gender equality, but rather they questioned the overarching commitment to gender equality. Participants stated that gender equality was grounded in colonial assumptions which perpetuated differences between men and women:

Roundtable participants were also uncomfortable with many of the assumptions that concepts like feminism and gender equality are based on. Many felt that these words were grounded in an alien belief structure that shared little in common with the more holistic world-view of most Aboriginal people. Some suggested that the very notion of feminism is offensive, because it builds barriers between men and women while it erases or trivialized the commonalities that they share with one another. (2000: 5)

Equality thus presented specific values that some participants found inappropriate; not only did liberal equality require that Indigenous women define themselves as an equality-seeking group, but it also required that Indigenous men be constructed as a main obstacle to equality. But, as the report states, many participants wanted to work “in partnership with [Indigenous] men rather than against them” [original emphasis] (2000: 5). For participants the struggle against colonial and neo-colonial systems brought a sense of solidarity between Indigenous men and women; as such they wanted to work with Indigenous men in areas “such as hiring, training, economic development, decision making and policy development” (Canada, 2000: 5). This rejection of liberal equality is reflected in the work of other Indigenous scholars including Patricia Monture-Angus (1995; 2002). Monture-Angus echoed a rejection of liberal equality at a “Women and Equality” series at Yukon College in Whitehorse:

The reason that I was invited here was to speak to you on equality. That is an odd thing for me to be talking about because I do not think in terms of equality. I have not found it to be a relevant or useful concept. Equality is not a word that describes my experience in Canadian society or as an Aboriginal woman. (1995: 131)

Further, analysis of the report reveals that language was a key aspect of meaning-making; in this instance, language restricted the kinds of meanings that were important to

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163 Monture-Angus is also more broadly critical of feminist projects. For her, feminism is not removed from the colonial practices of Canada, and as such, she rejects the ideas of Indigenous feminism whilst maintaining the necessity to speak about Indigenous women (1995: 177-8).
some Indigenous women. For instance, holding a Roundtable in English was in itself problematic for some participants because of western assumptions about gender. One woman is quoted in the Roundtable report as saying

> The first problem we face is language. Like gender equality, I can’t stand it....Some of our languages don’t even have words for male and female. And that is the number one problem, and so long as we’re limited to that sort of language we’ll have this problem. (2000: 5)

One Inuit participant asserted that ‘community well-being’ would be a more useful term than feminism, thus offering an alternative value and goal. In identifying and naming negative and positive significations relevant to Indigenous women’s experiences and knowledge, it becomes evident that liberal values are not universal. As participants indicated, they wanted “an entirely new model for consulting with Aboriginal women. Creative changes to the existing model are vital according to the women” (Canada, 2000: 13). This included accountability in consultative practices, including the need to go back to principles the government has committed to in past consultations, such as the Panel on Family Violence and the Royal Commission on Aboriginal Peoples (Canada, 2000: 13).

In studying the processes of meaning-making it also becomes evident that Indigenous women wanted a separate space from other women in order to engage with those women who were experientially grounded in issues facing Indigenous women. In self-signifying as being different from other women, Indigenous women implicitly identified the privileged representations of non-Indigenous women. Moreover, the mere fact that Indigenous women wanted a separate consultation from other women was a reflection that they did not simply want to be included into mainstream agendas of the state. Indeed, the Roundtable report states that for some participants, “what we’re really talking about is not gender equality, but rather racial equality. We need to obtain racial equality in our country” (2000: 4). Such statements serve to illustrate that not only was the idea of inclusion unsatisfactory for some Indigenous women, but also that Indigenous women were more concerned with systems of racialization, white privilege, racism and colonialism than equality and inclusion.

The resistance to inclusion is not surprising in light of a history of strategies that have effectively advocated seductive integration/assimilation. The criticisms against liberal inclusion are perhaps most poignantly evident in the denunciation of the 1969 Statement of
Government of Canada on Indian Policy, or more commonly dubbed the 1969 White Paper. Indigenous peoples mobilized against it because in articulating a strategy to ‘catch up’ to white Canadians the White Paper failed to acknowledge the differentiated status of Indigenous people within confederation, and instead advocated that Indigenous people should have the same rights and responsibilities as other Canadians. The government implicitly was suggesting that Indigenous land and treaty rights were irrelevant in today's society; in doing so, it neglected the ways in which the lives of most First Peoples were rooted in the very denial of Indigenous and treaty rights.

8.4 Interactive Systems of Signification

Whilst culture-as-nation is relevant to Indigenous people it promotes a unidimensional analysis of identity, which participants at the Roundtable criticized. The report illustrates that Indigenous women did not emphasize systems of gendering over other systems of meaning-making. The saliency of some systems was important to participants, specifically in the context of colonialism and neo-colonialism, but a single-axis or unidimensional approach to their identities was criticized for erasing aspects of identity. For participants, the exclusivity of ‘claims of culture’ ignored or obscured the ways in which Indigenous women are made and marked through interacting systems of injustice. This reproduced the logic of domination in which racism and sexism are constructed as distinctly opposed discourses.

Lessons from feminists of colour who have challenged the singular focus on gender within feminism provide critical insights as to why the primacy of culture needs to be displaced. Chandra Talpade Mohanty, for example, has argued in a parallel way with respect to feminism that gender has become “a superordinate category of analysis with the universalistic proof and instantiation of this category” (2003: 36). She contends that when groups of women become homogenized and characterized by common dependencies or powerlessness, too little is said about their particular situation, and too much is said about women more generally (Mohanty, 2003: 25). Mohanty states

To define feminism purely in gendered terms assumes that our consciousness of being ‘women’ has nothing to do with race, class, nation, or sexuality, just with gender. But no one ‘becomes a woman’ (in Simone de Beauvoir’s sense) purely because she is female. Ideologies of
womanhood have as much to do with class and race as they have to do with sex. (1994: 55)

It is precisely the interactions between systems that are central to identity signification. As such, the singularity and primacy accorded to culture in liberal multiculturalism needs to be displaced in the same way that feminists of colour have displaced singular models of analysis of gender. This is necessary because an over-emphasis on culture detracts from exploration of the multiple and interactive systems of meaning-making because of the emphasis on the boundedness of a group. Ultimately, the primacy of culture promotes unidimensional and additive approaches that replicate and reinforce the subordination of Indigenous women by concealing compounding representations of power.

Analysis of the processes of signification ensures that these interacting systems are located because when forms of oppression become distinctly and independently categorized there is a neglect of the interactive impact on the lives of Indigenous women. These systems reveal not only a dimension of the ethnic, national, and linguistic self but also the interactions between multiple modes of behavior and epistemology. These are shaped by fused, overlapping and coalescing systems of signification that go further than an understanding of culture-as-ethnic/national/linguistic-Other. As such, there are not meanings of culture per se, but only meanings as constructed by and between systems of signification (including racialization, colonialism, nationality, gendering, heterosexuality, homosexuality, hetero-normativity, and disablism).\textsuperscript{164}

This is relevant to the experiences of Indigenous women because as participants stressed, they were not signified by either their gender or their culture, and nor were they signified by two separate dimensions added together. As the report affirms, “Coming to terms with gender-based discrimination against First Nations, Métis and Inuit women must be done in tandem with stopping racism from non-Aboriginal Canadians and government institutions”(2000: 4). The processes that signified Indigenous women’s identities were thus embedded in the interactions between sexual discrimination and the twin legacies of colonialism and racism. This is reflected in the writings of other Indigenous women such as Patricia Monture-Angus who states, “I cannot say when I can name an act of discrimination,

\textsuperscript{164} This idea is taken from Sandra Harding’s argument that gender relations are constructed through relations of classes, races, and cultures (1991: 179).
that it happened to me because I am a Mohawk or because I am a woman. I cannot take the woman out of the Mohawk or the Mohawk out of the woman. It feels like all one package to me. I exist as a single person” (1995: 137).

8.5 Locating Power in Multiple Systems of Meaning-Making

As opposed to endorsing the meaning of culture as an entity that marks the Othered (in which the goal is to affirm difference), the shift to cultural alternatively exposes the processes of Othering in contexts of power. As I argued in chapter four, power is central to the signification and resignification of identities because it defines what a meaning represents; and meanings that are defined as authoritative are significant because they shape our material and non-material lives. In particular, by locating power it becomes possible to examine how practices, expressions and representations of meaning-making constitute subject positions and particular modes of inter-subjectivity. Patricia Hill Collins offers a typology which more explicitly addresses four interrelated domains of power: structural, disciplinary, hegemonic, and interpersonal power (2000: 276). The structural domain of power organizes oppression through institutions and practices; the disciplinary power manages the oppression through surveillance and hierarchies. Hegemonic power justifies oppression, and interpersonal power shapes everyday lived experiences and individual consciousness. The Roundtable report provides evidence that Collins analysis is salient since all four forms of power were of concern to participants.

The historical and on-going structural power imposed by the federal government on Indigenous peoples was clearly featured as the primary source of discontent for participants of the Roundtable (Canada, 2000: 6). At the outset, participants expressed concern over the presence of government officials. If we examine why this was the case, it becomes evident that colonial agencies have been instrumental in trying to eradicate Indigenous significations (Indigenous bodies, knowledge, practices, and languages). In particular, from the 1890’s onwards, the Department of Indian Affairs (as it was called at the time) introduced policies that were designed to kill Indigenous nations by resignifying their children through systems of whiteness. In a study of the evolution of Canadian racism, John Boyko cites the 1889 Department of Indian Affairs annual report which explicitly stated this goal:
The boarding school dissociates the Indian child from the deleterious home influences to which he would otherwise be subjected. It reclaims him from the uncivilised state in which he has been brought up. It brings him into contact from day to day with all that tends to effect a change in endeavor to excel in that will be most useful to him. (1995: 184)

The goal of ‘civilizing’ those signified as the savage was hence critical to colonialism in Canada. The residential school system was set up to kill the languages of Indigenous people; thereby eradicating a key Indigenous tool of meaning-making. The abuse and humiliation of Indigenous children served to teach children to hate their Indigenous practices and symbols. This was done by forcing children to adopt systems of signification that celebrated Christianity and colonial markers, and that denigrated Indigenous ways and epistemology. As one striking and disturbing example, in his study of the genocide against Indigenous people Boyko states that “Many young residential school students were caught rubbing their skin raw trying to remove their colour” (1995: 187).

The continued existence and prominent role of government agencies in the lives of Indigenous women (including the Department of Indian and Northern Affairs, as well as other government agencies) featured as a source of frustration for participants. They expressed that the hegemonic structural power of the state continued to be exercised through colonial understandings of state-Indigenous relations. As examples, the report cites that participants noted that the federal government exercised hegemonic power through competitive funding application processes that pitted Indigenous women against each other; there was institutional failure to recognize the Pauktuutit Inuit Women’s Association as the national voice for Inuit women; and the federal government maintained control over Indigenous land and resources (Canada, 2000: 2, 10, 11). The appropriation of Indigenous land and resources has especially expanded hegemonic systems of capitalism, patriarchy, and white supremacy, where Indigenous peoples experience poverty at disproportionate levels. In its 2005 ‘Action Plan against Racism’, the federal government of Canada notes

The unemployment rate for Aboriginal workers continues to be higher that for the rest of the population (19.1% versus 7.1% on 2001)....Among Aboriginal people in metropolitan areas, 41 percent had low incomes – more than double the national average. (Heritage, 2005: 14)
This has been an especially gendered experience for many Indigenous women, who are, in part, signified as economic burdens to society.

In identifying the relations that signified Indigenous women, it becomes apparent that whilst the hegemonic structural power of the state over Indigenous peoples was central, Indigenous women were also signified through patriarchal and sexist relations within Indigenous nations and communities. As the report states, “many First Nations have refused to give women the right to return to their communities, or have forced their non-status children to move off-reserve upon reaching the age of majority” (Canada, 2000: 6). It was unclear to participants why this was the case, and some called for sustained funding to address this issue (Canada, 2000: 6). Yet even though participants criticized First Nations male leadership, they emphasized that “Fundamentally, the basic issue is the refusal of the government to recognize and fulfill its responsibility” (Canada, 2000: 6). As such, participants expressed that sexism and patriarchy within Status Indians communities is fundamentally shaped through structures imposed by the federal government (Canada, 2000: 6). In this way, Indigenous women distinguished between violence in its physical forms and systemic state violence (Monture-Angus, 2002: 141).

Specifically, participants drew attention to the structural and disciplinary power exercised by the state through the Indian Act, which was used by the state to control status determination and Band membership (Canada, 2000: 6). The eradication of Indigenous practices was at the heart of the enactment of Indian Act, as Sir John A. Macdonald stated in his speech about the Act: “The great din of our legislation has been to do away with the tribal system and assimilate the Indian people in all respects with the inhabitants of the dominion, as speedily as they are fit for change” (Boyko, 1995: 180). The act organized Indigenous people through the reservation system in which members had to be registered with a band. The legal definition of Indian split Indigenous peoples, placing thousands outside the law, in which all Métis people legally ceased to exist, and Inuit people fell into judicial limbo (Boyko, 1995: 180). The act also meant that the federal government controlled the finances of Indigenous people; for example, except under special circumstances Indians could not own land on reserves, and the sale of livestock and crops was illegal unless organized by an Indian agent. In 1884 the federal government amended the Indian Act to abolish the potlatch and other ceremonies. The potlatch was widely
significant because of the ways in which this practice organized communities; this practice was of particular significance for some Indigenous nations because it involved inviting guests to witness and affirm the ratification of new treaties and trade agreements.\footnote{Christian missionaries had been trying for nearly two hundred years to persuade Indigenous people to abandon their spirituality because practices such as the potlatch were signified as heathen (Boyko, 1995: 181).} The \textit{Indian Act} also banned all Indigenous laws and traditional systems of justice, and authorized instead the government to appoint and administer judicial systems on reserves. Despite some changes to the \textit{Indian Act} over the past century, as Monture-Angus states, the "\textit{Indian Act}, a single statute, controls almost every aspect of a registered Indian person. For all other Canadians, there is no parallel experience. No single statute controls every aspect of non-Indian life" (1995: 155). In this regard, the \textit{Indian Act} is a fundamental legal tool that signifies Indigenous women as wards of the state and as colonial subjects.

Participants pointed to the ways in which the \textit{Indian Act} had destroyed highly organized and effective ways of governing according to matriarchal systems by dictating that Indian bands be governed by elected male band councils (Boyko, 1995: 181).\footnote{For further analysis of the discriminatory provisions of the \textit{Indian Act} see the analysis of Teressa Nahane (1993), Mary Ellen Turpel-Lafond (1993), and Monture-Angus (1999: 88-92; 2002).} Participants expressed concern about the ways in which the state disciplined those First Nations women who did not remain within the legal confines of the states colonial definition of ‘Indian’. Despite changes to the \textit{Act} in 1985 with Bill C-31 which removed some restrictions to Indian status, participants stated that Indigenous women “continue to experience discrimination. The report states that this stems from \textit{Indian Act} provisions that effectively deny their grandchildren Indian status if and when their children marry non-Aboriginal partner" (2000: 6). Whilst participants called upon male leaders to challenge the exclusionary colonial Band membership code, the emphasis was on “the government to eliminate all discriminatory practices related to status determination” (2000: 6). This is especially important because Indian governments have never had the power to amend the \textit{Indian Act}; that is a power only the federal government carries (Monture-Angus, 1995: 146). This has particular significance to identity/difference politics because it demonstrates that the legal resignification of Indigenous women (in positive ways) is largely dependent on the federal government. Instead, as Monture-Angus notes, Bill C-31 allows the federal
government to restrict its obligations to those legally defined as Indian by limiting the number of people who qualify for benefits (2002: 143).

The structural and hegemonic power the state is particularly evident when we trace the interactions between systems of gendering, colonization and capitalism. This is critical to do because the continued exploitation and appropriation of Indigenous land and resources is central to the ways in which Indigenous women are signified. Colonialist, imperialist and capitalist agendas have been instrumental in signifying Indigenous women. In regulating the category of Indian through the *Indian Act*, colonial actors have closely tied biological reproduction with land entitlement; in limiting and controlling the status of Indian it becomes possible to contain Indigenous people within a legal definition and, at the same time, it becomes possible to disrupt the growth of an Indigenous population. In effect this results in reducing the numbers of Indigenous people who are entitled to make legal claims for land and resources; in other words, the legal status of Indigenous women has come to be used to minimize the sheer numbers of Indigenous people who are able to claim their inherent entitlements. For the federal government, the building of a Canadian nation depends on maintaining primary control over land and material wealth. As Monture-Angus states, even apparent victories such as the *Delgamuukw* decision\(^{167}\) -- which legally assigned the Gitksan and Wet’suwet’en people over 58,000 square kilometers in northern British Columbia -- do not ultimately provide full jurisdiction to Indigenous people for self-governance (2002: 116-134).

Even as the report reflects the overarching outcome of repressive and productive processes that signified Indigenous women as wards of the state, as victims of band leaders, and as women without agency, analysis of meaning-making illustrates that participants also emphasized their interpersonal power at the Roundtable. Specifically, Indigenous women self-signified in ways that did not define their experiences solely through externally imposed and discriminatory meanings. The report states, "Of those present, many rejected outside attempts by governments or non-Aboriginal feminists to impose labels on Aboriginal peoples" (2000: 5). Sites of meaning-making such as spirituality, nationhood, communities, family, and language were affective to participants, on a personal level and through interaction with other Indigenous people. Though not explicitly stated, participants implied

\(^{167}\) ("*Delgamuukw v. British Columbia*, [1998], 1. C.N.L.R. 1 (B.C.C.A),")
that they did not see themselves simply through a history of colonialism, thereby locating their identities in through more ‘positive’ systems. Representations of Indigenous women’s experiences in the report suggest that the current context of neo-colonialism was a space of in-betweeness; this was both temporally in that formal era of colonialism had supposedly ended and yet decolonization of Indigenous and non-Indigenous peoples (especially white settlers) had not been achieved, and spatially in that many Indigenous women moved between urban and rural areas, reserve land and non-reserve land. These moments and spaces of in-betweeness allowed Indigenous women to resignify their identities in changing and changeable ways by drawing upon Indigenous ways of being. Participants indicated that these ‘internal’ aspects of identity-making were mostly ignored by dominant meaning-makers, thus undermining their agency. In particular, distinguishing between externally imposed and internally-made meanings was an important indication of power relations between Indigenous and non-Indigenous people because it created space for the epistemologies of Indigenous women.168

The distinction between Indigenous and Indigenous meanings also reveals that Indigenous meanings have not been erased by the historical violence of the white gaze. Indigenous women have exercised the power to resist dominant meanings, and have constructed their own systems of signification despite colonial attempts to destroy Indigenous systems. Today, Indigenous women face not only the continued subjugation of their systems of meaning-making but they also face appropriation of their clothes, jewelry, arts and crafts, and words. Thus in activating their own meanings and sites of signification, many Indigenous women are dynamically specifying their own ways of being and at the same time resisting misuse of their practices and signs. This is reflected in the report which lays out specific actions that Indigenous women wanted:

*Traditional knowledge and spirituality*

- Funds to be allocated to First Nations, Métis and Inuit women’s organizations to undertake research on traditional approaches to health and healing.

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168 Whilst this internal/external dichotomy is signifying of the colonial history experienced by Indigenous peoples, it also falsely suggests that there are fixed boundaries that define the inside and outside. The dichotomy between the insider/outsider can underestimate and suppress the tensions in familial, kinship, community sites of meaning-making. These sites of meaning-making are also contested and can produce imposed and oppressive meanings.
• Steps be taken to make greater use of traditional knowledge and spirituality with apprehended children and youth.

• Research be undertaken to explore ways of better integrating traditional approaches to governance into existing self-government structures. (2000: 20).

In this regard, participants highlighted that they wanted to create and sustain their own systems and meanings, and required funding to do so.

Whilst the agency of Indigenous women was central to participants, they also indicated that the responsibility for challenging, altering, reversing, re-building, deconstructing, and re-articulating meanings lay not only with those affected by externally-imposed meanings but also with those who constituted externally imposed meanings. In the section on the process of the Roundtable, the report lays out the need for government to ensure Indigenous participation, commit to adopt respectful and accountable spaces of consultation, effectively communicate with Indigenous women, and sincerely follow-up with Indigenous participants (2000: 10-14). These actions are important because the responsibility of interrupting negative significations is one that should be shared by all members of society.

8.6 ‘Cultural’/Cultural Contestation

In promoting an understanding of the culture-concept as an object, liberal multiculturalists tend to neglect analysis of the contestation in the use of culture; they fail to address how and why culture gains relevance in some contexts and not others. By studying the processes of meaning-making it becomes possible to shed light on the fluidity of the culture-concept, illuminating both its capacity and inability to capture issues of identity/difference. This is in part to demonstrate that culture is not universal signifier that holds equal meaning for all people at all times, but also to show that this does not preclude it from having signification in certain contexts for particular groups of people.

Although at first it appears that Indigenous women invoked a liberal multicultural understanding of culture-as-community, it is also evident that Indigenous women understood their collective identity (or culture) as something that was both political and racialized. The meaning behind their use of culture was not an affirmation of difference, but rather it was employed as a way to articulate the similar historical and detrimental significations that
linked them. Indigenous scholars such as Taiaiake Alfred have argued that “Culture is a powerful weapon against colonial power when it is framed in the context of struggle, and organized as a force within a politics of contention” (2005: 228). Monture-Angus is wary of the ways in which culture-talk sometimes operates to the detriment of her position in mainstream dialogue, but in the context of section 15 of the Charter, Monture-Angus argues that culture is more useful as a term of description than race, ethnic origin, colour or religion (1995: 139-141). She states that the enumerated grounds of colour, race, national or ethnic origin, religion, and sex are incomplete and incapable of describing her experience. For her, “difference is really about culture” (Monture-Angus, 1995: 140). Glen Coulthard (2004) has also argued that culture is an important term in representing the heart and soul of Indigenous traditions and in providing a radical critique of the hegemonic order. Coulthard contends that social constructivist critiques of essentialism over-emphasize the empirical fact of in-betweenness and hybridity, and underestimate the experiences that unify Indigenous epistemologies. Evoking the notion of a shared culture enables Indigenous people to resist the dilution of their own ways of knowing.

In all of these uses, culture is not simply a way to articulate distinctiveness as with liberal multiculturalists, but, rather, it is a way to articulate the deeply political, historical and on-going struggle against white power. It is used differently from the liberal multicultural use of culture because it is politicized through associations with systems of racism and colonialism. Notably, in the report, the notion of culture is employed less often than ideas of racism and colonialism. So for instance, the report states that participants argued “that family violence in Aboriginal communities needs to be addressed within the broader context of institutionalized violence against all Aboriginal peoples, regardless of gender...Similarly, one woman noted that racism towards Aboriginal peoples in Quebec had become more severe since the Oka crisis of the early 1990s, resulting in untold pain and suffering for both women and men living in that province” (2000: 4). The emphasis on colonialism and racism is strewn throughout the report, reflecting that the processes of racialization were particularly important to Indigenous women.

169 I would like to thank Taiaiake Alfred for kindly agreeing to allow me to quote from his book manuscript, which is under review with Broadview Press and due for publication in 2005.
Even when the idea of a bounded culture was employed, it was used to identify sources of struggle between dominant and subordinated groups of people. In other words, culture represented a unification of Indigenous epistemologies, not a homogenization of Indigenous identities. Echoing this position, when Indigenous women like Monture-Angus employ an understanding of culture she acknowledges that she speaks only for herself as a Mohawk woman, as one woman who can address the experiences of other Indigenous women without speaking for those women (1995: 152). Thus even whilst invoking the notion of culture, Monture-Angus prefers to specifically signify the identities of Indigenous women. She states, “I would prefer if we could be Mohawk or Cree or Tlingit or Saulteaux. That is who we really are. That is the truth” (1999: 89). In appealing to the unified signification of culture whilst also resisting the obscuring essentialism embedded in it, Monture-Angus is reflecting a strategic essentialist use of culture in the Spivakian sense.

If you recall, Gayatri Spivak situates relations of power in the production of strategic essentialist meanings. In the same way (though perhaps not overtly), for some Indigenous scholars, the utilization of culture gains relevance not simply by virtue of the necessity to speak about a subjugated group but because in self-signifying through notions of culture the specific relations of power with dominant cultures can be located. Sherene Razack warns that meanings of culture carry risks of essentialism that perpetuate stereotypes about Othered groups, in which an entire culture is blamed for sexism and patriarchy faced by women within that culture.¹⁷⁰ It can also fragment responsibility for oppression, where for example sexual violence against Indigenous women becomes the result of what men do to women, rather than what white supremacy and patriarchy does to Indigenous women (Razack, 1998: 59). Indeed, essentialist uses of culture sometimes mean that Indigenous women do not always speak of the violence that they experience because to do so is to undermine the boundaries of their culture that are already under threat (Monture-Angus, 224).

¹⁷⁰ As an example of this, see Susan Moller Okin’s essay on ‘Is Multiculturalism Bad for Women?’, in which she treats sexist and patriarchal practices as a central component of culture. She argues that practices such as clitoridectomy, polygamy, and the forced marriages of children are oppressive and symptomatic of non-western cultures that are backward and patriarchal (1999). She concedes that the liberal west is still partially patriarchal, but continues to argue that the “traditions and cultures, including those practices within formerly conquered or colonized nation states - which certainly encompasses most of the peoples of Africa, the Middle East, Latin America, and Asia – are distinctly patriarchal” (1999: 14). In this, sex inequality is problematically theorized as the consequence of an entire culture when in fact it is certain practices activated by some people that are sexist.
1995: 173). Nonetheless, for Indigenous women the currency of culture importantly situates that their claim to existence, as a community, is itself endangered. Razack states:

Aboriginal women’s need to talk about culture in spite of these risks emerges out of different histories and present-day realities. Aboriginal women often confront sexual violence, beginning in residential schools. Harsh economic realities have followed the uprooting and displacement of Aboriginal peoples. The continued denial of Aboriginal sovereignty and the Canadian government’s consistent refusal to honour treaties and resolve land claims maintain these profound injustices. (1998: 59)

Razack notes that these experiences mark Aboriginal women differently than women of colour in Canada because although the cultures of women of colour are inferiorized whenever male violence in their communities is discussed, for Indigenous women, their very claim to existence is itself imperiled. Consequently, Razack shares Monture-Angus’s need to strategically essentialize Indigenous women’s identities. Echoing Razack, I too am suspicious of those who warn of essentialism “without paying attention to the specific relations of domination and subordination in any one context, and without contextualizing the responses subordinate groups make to domination” (Razack, 1998: 169).

The report reflects that participants employed culture in specific and limited ways and contexts to identify relations of power. Participants employed a notion of bounded culture in their initial call for a separate and distinct space of consultation. Their collective identity represented material and symbolic conditions that arose because “they all shared a common commitment to the struggle for healing and justice in the face of more than 500 years of oppression, domination and colonialism” (Canada, 2000: 15). In other words, this collective identity was marked by significations that could be traced to a legacy of colonialism. The report testifies that Indigenous women wanted to find a common ground amid their diversity, one that coalesced through significations of language and culture. As the report states, “language and culture are at the heart of relations between Aboriginal women and governments and also among Aboriginal women themselves” (2000: 11-12).

At the same time, Indigenous women acknowledged the ways in which signifying their identities as a collective obscured the differences amongst them. This brings us back to the second dimension of the Spivakian use of strategic essentialism: that those signifying aspects of identity that are obscured or erased through strategic essentialism need to be identified. This means that there must be constant assessment of the processes that signify
Indigenous women through essentializing notions, including culture. In the case of the Roundtable, this was done by participants who identified which identities were made invisible and inaudible by their absence at the Roundtable. This included First Nations, Métis and Inuit women who live in urban areas as well as “disabled women, the youth, lesbians, Elders, and women who “don’t necessarily represent any particular group” (Canada, 2000: 10). In this instance, in the Spivakian sense, it was critical to locate disability, age, sexual orientation, and hierarchy in order to unmask significations that impacted Indigenous women more widely (such as spatial differences for those living on and off reserves) and to identify privileged systems (such as able-bodiedness).

Moreover, whilst participants did draw upon culture they also constantly swung from the use of culture as a representation of their shared experiences to an understanding of diverse and negotiable identities. Specifically, despite some commonalities (not sameness), participants made sharp distinctions based on language, nation, spiritual practices and band. For example, although participants welcomed the important role of Indigenous Elders “a number of them questioned honoring only selected traditions and values, since Elders from other communities were not present” (Canada, 2000: 2). The organizers falsely assumed that the presence of some Elders would satisfy participants because of essentialist tendencies about Indigenous practices of culture.

Participants indicated that their collective identity as Indigenous women was overly represented through externally-imposed and homogenizing meanings. As such, they demanded that “governments recognize that First Nations, Métis, and Inuit each have their own histories and identities, and as such cannot be treated in consultation exercises as though they all formed part of a single convenient group” (Canada, 2000: 13). This was because culture came to represent what Uma Narayan calls pseudoparticularism. According to Narayan, pseudoparticularism describes “hegemonic representations of ‘particular cultures’ whose ‘particularism’ masks the reality that they are problematic generalizations about complex and internally differentiated contexts” (2000: 98). In interpretations of culture which assume sameness, Indigenous cultures become depicted as spatially and normatively cohesive when, in fact, as the participants of the Roundtable state, Indigenous people and signs are plural and divergent. Ultimately SWC’s attempts to (unsuccessfully)
avoid universal and essentialist generalizations about women led them to assume culture-specific generalizations that continued to fall back on totalizing categories.

The effects of essentialized significations on Indigenous women become apparent when specific experiences are examined. In particular, exploring the processes that signify different Indian, Métis and First Nations women highlights the tensions between Indigenous women. On the one hand participants felt that it would politically serve them to be constructed as a coherent and unified group, and on the other hand, there were inequities between them that they felt pressure to mask (e.g. unequal recognition by the state, financial aid, and resources). This was particularly the case with Inuit women, who "repeatedly stated that their history, identity and living conditions are distinct from those of other Aboriginal peoples, and as such they cannot accept the federal position that they are a 'supplementary Aboriginal race'" (Canada, 2000: 4). One Inuit woman suggested that by homogenizing Indigenous women (and Indigenous people more generally) the government could avoid treating Inuit treaty rights distinctly from First Nations rights. The report quotes one participant who said that Inuit women should be treated as "separate from the First Nations and Métis in all government programs and funding, as the Inuit have their own treaty rights with the federal government" (2000: 5). This suggests a tension between different groups of Indigenous women, in which Inuit participants questioned the unique emphasis that the government placed on First Nations treaties (as opposed to Inuit treaties) whilst also at the same time demanding the equal (not same) recognition of their claims as Indigenous people. In other words, Inuit participants simultaneously appealed to both their Inuit distinctness and their historical Indigeneity. Importantly, they did not utilize the language of culture, neither to make the claim that they were part of a broader Indigenous minority culture or a distinct Inuit culture. They were, however, contesting meanings of Indigeneity because they had symbolic and material consequences related to treaty entitlements.

Analysis of the processes at play at the Roundtable also reveal that on their part, SWC did try to balance an employment of culture as a bounded culture at the same time as also recognizing the differences between First Nations, Inuit and Métis women.¹⁷¹ But

¹⁷¹ SWC has considered the different experiences and situations of Inuit, Métis and First Nations in other official documents such as 'Aboriginal Women in Canada: Strategic Research Directions for Policy Development' (Stout & Kipling, 1998). However, this policy document echoes many of the essentializing assumptions about Indigenous women. For example, only one of the eight recommendations calls for...
whilst Indigenous women moved between bounded and more contested/differentiated notions of culture, the state could not adequately apply the same strategy. Since SWC externally inscribed significations onto Indigenous women, they could not differentiate between moments that required essentialism and those that did not. When the idea of boundedness is employed by Indigenous people it is not simply as a resource for individuals or groups, or as an essentialized bounded object which helps to locate the Other; rather, culture takes on meaning through racial and colonial discourses.

From this analysis, it becomes evident that it is crucial to clear the space for Indigenous women to negotiate their own meanings and not impose particular significations, however ‘progressive’ they may appear. To paraphrase Spivak’s (1988) argument of subalternity and apply it to the context of Indigenous women, it is not that the subaltern Indigenous woman cannot speak for herself and is need of an advocate (this only serves to protect subalternity), but rather, it is necessary to clear the space to allow Indigenous women to speak for themselves. This may well mean that Indigenous women adopt essentialist meanings that draw upon a bounded notion of culture, but rather than imposing an interpretation of what this constitutes it is critical to situate the experientially grounded significations that Indigenous women develop when exercising their own agency. The agent may not be free in the liberal sense, and nor may she be able to utter and be heard in the subaltern Spivakian sense, but the very activity of engaging in meaning-making has been and continues to be a tool of resistance and anti-subordination. As in the case of the Roundtable, self-signification situated the agency of Indigenous women, in which, ultimately, they wanted to “play a meaningful role in all aspects of consultation, design and implementation” (Canada, 2000: 10).

8.7 Concluding Remarks

In shifting analysis from the entity of culture to the processes that signify identities and relations, it becomes possible to consider the role of history and social agents in identity/difference politics. Specifically, the analytic shift to cultural complicates analysis by situating experiential significations (thus opening up possibilities to counter the hegemonic

specific research on particular problems and challenges facing young girls, Indigenous disabled women, Métis women, lesbians, elderly Indigenous women, and urban Indigenous women.
order); identifying the interactive and hybrid nature of systems of signification; differentiating between various detrimental processes of power, as well as constraining and enabling processes of power; and by naming the value and limitations of strategic essentialist representations of culture. These insights complicate analysis of identity/difference politics in ways under-theorized by liberal multiculturalism by more accurately reflecting the lived experiences and epistemologies of actual subjects.
Chapter IX

The Political Implications of the Conceptual Shift to Cultural: A Politics of Signification and Resignification

9.1 Introductory Remarks

I began this thesis with a critical analysis of two of the most important representations of liberal multicultural theory, namely those of Will Kymlicka and Charles Taylor. This demonstrated that liberal multiculturalism does not go far enough and, moreover, is limited in its capacity to fully address questions of identity/difference. In chapter four I contended that this is in large measure due to the inherent limitations in the concept of culture. To provide analysis that enriches the scope and depth of identity/difference theorizing, I have presented a conceptual alternative which shifts the subject of study from the object of culture to the processes of meaning-making/signification. In chapter five, I examined the theoretical implications of the conceptual transfer to cultural which, I argued, expands, interrogates, and complicates analysis of identity/difference. In chapters six, seven and eight I applied the conceptual shift to a number of case studies in order to explore the insights of analyzing the processes of meaning-making, especially as they relate to the constitution of identities and relations of power. This analysis casts new light on the politics of identity/difference, enabling knowledge neglected, ignored, or obscured in the liberal multicultural framework. In this final chapter, I broadly consider the implications of repositioning the analysis to cultural for liberal-democratic politics. This is important because to fully expose, explain, and contextualize meaning-making, liberal-democratic tools, processes, and spaces -- in which identities, differences, non-differences, and relations of power operate and are constituted -- have to be able to respond to the continuous and contested activities of signification and resignification.

Specifically, the shift to cultural provides an alternate lens through which to examine some of the basic assumptions that have been made in debates over liberal citizenship, justice and democratic theory in recent years. In this chapter I analyze, in a preliminary way, what implications the paradigmatic shift to cultural might have on these broader debates.\(^\text{172}\) I

\(^{172}\) My goal in this chapter is to point to the broad implications of the shift to cultural for liberal-democratic politics. A more detail analysis warrants another dissertation, and will be the subject of future research.
am especially interested in what scrutiny of meaning-making teaches theorists about how to respond to subjugating and privileging power; this is without assuming that particular normative principles are universally applicable. Further, whilst I do not presuppose that power can be fully eradicated, I consider how, when and why tools of signification and resignification can be critical in making emancipatory gains.

9.2 Politics beyond Liberalism

Much of identity/difference theorizing has been driven by a politics of inclusion, in which the goal is to include ‘them’ into ‘our’ institutions, practices, ways of life. Thus in the discipline of political theory there are wide-ranging theories and theoretical perspectives on how to include Othered people; these comprise of differentiated rights, various forms of citizenship, increased participation/representation, and deliberative/dialogical mechanisms. Increasingly, those theorists who attempt to “confront the actual particularity of others’ experience” argue that it is necessary to directly introduce the perspectives of marginalized cultures into institutional contexts in order to promote inclusivity (Williams, 1995: 79-80). The discourse of inclusion carries political efficacy because it develops ways to accommodate and ‘integrate’ subjugated identities, and to take account of some differences in culture.

Yet privileging inclusion as a political goal is troubling for several reasons: there is a faulty assumption that inclusion brings with it an absence of oppression; inclusion assumes that there is a core to be included into without paying adequate attention to the periphery which marks exclusion; this core is sustained through some level of conformity and unity amongst its members; and inclusion muffles the politics of resistance and disruption (see also chapter three). In particular, the politics of inclusion glosses over expressions of power that become evident in examining processes of signification. Once these are exposed and named, it becomes possible to not only detect and diagnose subjugating and privileging relations of power, but it also opens up possibilities to consider how to respond to issues of power in substantive ways. In other words, the shift to cultural provides a critical framework to name, criticize, challenge and dismantle expressions of power that subjugate some identities and privilege others.
As such, meaning-making is not determined by an agenda of inclusion. Rather, it focuses on the ways in which identities and relations are constituted by and through power, and the processes that are central in signification and resignification. This can encompass identifying meanings and processes that are inclusionary and those that are exclusionary, but the dichotomy of inclusion/exclusion oversimplifies signification. This is because so many of us occupy ambivalent spaces, sometimes included and other times excluded or sometimes closer to the periphery than the core without definitively entering the periphery. Moreover, in agreement with Iris Young, the language of exclusion cannot be used to name all problems of social conflict and injustice; as Young states, “Where the problems are racism, cultural intolerance, economic exploitation, or a refusal to help needy people, they should be so named” (2000: 13). The political project for those of us concerned with disrupting and dismantling oppressive power is to examine the particular processes by which significations emerge, the effects of these significations, and potential ways to resignify meanings that are rooted in dominant expressions of power.

Does liberalism have the capacity or potential to disrupt hegemonic systems of significations or create alternate systems? Liberal multiculturalists who offer revisionist versions of liberalism would argue that some kind of liberal framework is essential to forming a more inclusive society for all. Specifically, Kymlicka refutes liberal citizenship theories that are based on identical rights precisely in order to illustrate the capacity of liberalism to accommodate culture-based group differences. For Kymlicka, classic liberals wrongly over-emphasize the universalism of rights and the impartiality of the state. He offers an alternate conception of liberalism in which group differentiated rights provide protections to individual and groups to participate, serve as a vehicle for social change, and promote individual choice. In Taylor’s theory of recognition, although rights (whether differentiated or not) are not the source of social change, they remain elemental to human dignity; fundamental rights, such as rights to life, liberty, freedom of religion, free speech etc. are, according to Taylor, distinct from privileges and immunities in that they cannot be revoked by the liberal state. In the end, the problem, according to Kymlicka and Taylor, is that particular versions of liberalism, rather than liberalism itself, undermine the importance of identity differences. They conclude that Othered people can be included through liberal discourses so as long liberalism is revised.
Whilst I have largely focused on Kymlicka’s and Taylor’s revisions of liberalisms throughout my analysis, it is important to note that other more radical liberals such as Duncan Ivison also present liberalism as the context, source, and protector of progressive political change. In *Postcolonial Liberalism* (2002), Ivison re-shapes liberal thought to become receptive to Indigenous aspirations and modes of being. Ivison argues for a complex mutual coexistence in which Indigenous rights move beyond the scope of culture and towards land and self-government. He proposes that it is “more helpful to talk about what capabilities we want individuals or groups to have – as opposed to the rights they apparently already possess – and then of the mechanisms and institutions required for their effective use” (2002: 164). The idea of focusing on capabilities is an important liberal twist because it emphasizes “the capacities to contest and modify the norms, practices and rules” that govern us (Ivison, 2002: 11). These capabilities provide individuals with opportunities for functioning, which are configured by and through social contexts. However, even as Ivison acknowledges that “Indigenous scholars such as Robert Williams, Dale Turner and Taiaiake Alfred are absolutely correct to point out how Western discourses of rights and sovereignty have been used to dominate indigenous peoples as much as to liberate them” (2002: 164) he maintains that liberalism will be endorsed and supported so long as political arrangements “emerge out of and combine with the complexity of local environments and frameworks, and most importantly, with the dynamic forces therein” (Ivison, 2002: 2).

Although I am sympathetic to Ivison’s attempt to make liberalism “go local” (Ivison, 2002: 5), the primacy of liberalism remains unchallenged, even though, as Ivison acknowledges, sometimes Indigenous thinkers themselves are often hostile to the liberal discourse. Yet if Indigenous thinkers are telling non-Indigenous people that they are troubled and suspicious of liberalism, should political theorists not take that seriously, especially when theorizing Indigenous politics? Is the imposition of liberalism not merely re-enacting paternalistic attitudes, and stabilizing hegemonic frameworks of analysis? Rogers Smith (1993) suggests that this is not the case. He argues (in the American context) that it is not liberalism that is the problem but, rather, other inegalitarian ‘traditions’

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173 There are features of Martha’s Nussbaum’s (2000) capabilities approach in Ivison’s discussion. Nussbaum constructs a universal feminist philosophy based on interrelated human capabilities that provides a minimum threshold necessary for all people to make self-defined choices. This, she argues, are meaningless if the material preconditions are inaccessible or unavailable to allow capabilities to fully function.
(such as sexism, racism and colonialism) have interacted with and tainted liberal-republican traditions. Smith argues that an analysis of the liberal-republican tradition needs to be understood in light of multiple traditions, specifically ascriptive ideologies which have excluded people from citizenship on the basis racial, ethnic and gender hierarchies (1993: 550). Smith’s analysis clearly demonstrates the need to question the role of race in all endeavors of political science, but he also argues that these ascriptive ideologies are not only inconsistent with liberalism but they are also the source of conflict (1993: 558). He states that the recurring mix of racist and sexist values with liberal traditions “does not prove that ascriptive inegalitarian outlooks have been logically compatible with liberal democracies” (1993: 556). Yet at the same time as Smith intends to remind his readers of the racialized and gendered history of America, he presents liberalism as if it was not in some way accountable for the ‘other traditions’ of racism, colonialism, and sexism that lead to exclusion. As Jacqueline Stevens says of Smith’s analysis, “he maintains that racism and sexism are strictly antithetical to liberal egalitarian ideas” (Stevens, 1995: 989). Stevens is especially critical of Smith’s suggestion that liberalism is completely independent of ‘other traditions’. Citing the work of Carl Schmitt ([1923] 1984), Hannah Arendt (1958), and Alan Dawley (1991), Stevens argues that inegalitarian and exclusionary traditions are not inconsistent with liberal democratic values (1993: 989). Rather, the relation between liberal democratic traditions and liberal exclusionary and inegalitarian ones is inter-linked (Stevens, 1995: 990). Stevens’ conclusion indicates that because liberalism has a complicit role in producing exclusion, it needs to be treated with suspicion.

Bhikhu Parekh (1995) tends to agree with Stevens characterization of liberalism, in which inegalitarian ‘traditions’ are not contradictory to liberalism but are inherently embedded in dimensions of liberalism. Through an analysis of liberal thinkers John Locke and J.S. Mill and colonialism, Parekh highlights these two faces of liberalism. He states:

...liberalism contains contradictory impulses. The contradiction is not just between liberal thought and practice, but within liberal thought itself. Liberalism is both egalitarian and inegalitarian, it stresses both the unity of

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174 In an article published in 2005, titled 'Racial Orders in American Political Development' (2005) Smith and his co-author, Desmond S. King, provide important analyses of white supremacist racial orders and a counter egalitarian transformative order. Though the article does not directly deal with the liberal (or republican) tradition in America, it continues to imply that liberalism is historically free of an association with white supremacy; this is particularly notable in the sub-textual way in which the counter order of egalitarian transformation is posited through the liberal language of equality.
mankind and the hierarchy of cultures, it is both tolerant and intolerant, peaceful and violent, pragmatic and dogmatic, skeptical and self-righteous. (1995: 82)

Like Stevens, Parekh does not disassociate the inegalitarian nature of liberalism from its egalitarian side. Parekh claims that in England, liberals stressed the virtues of individuality, autonomy and moral self-development whilst all the time “supporting the nineteenth century capitalism that made these virtues unrealizable for masses of men and women, and they often resisted attempts by the state to regulate the evils capitalism produced” (1995: 81). Although “liberalism has mellowed over the years and become self-critical” (Parekh, 1995: 97) -- as is evident in Kymlicka’s and Taylor’s work -- Parekh presents a compelling analysis that implies that liberalism cannot be wholly trusted. He states that while liberals believe in equal respect for persons, they are also convinced that “the individualist way of life is the best and even the only rationally defensible one” and as such “they find it difficult to accord equal respect to those who do not value autonomy, individuality, self-determination, choice, secularism, ambition, competition and the pursuit of wealth” (1995: 97). He goes onto to argue that liberalism “also ignores or marginalises such other great values as human solidarity, equal life chances, selflessness, self effacing humility, contentment and a measure of skepticism about the pleasures and achievements of human life” (2000: 338).

Whilst Parekh is critical of liberalism he continues to approve of some basic liberal doctrines. In Rethinking Multiculturalism (2000) Parekh articulates his model of multiculturalism through revised liberal tenets that encompass collective and individual rights, intercultural dialogue, a common culture based on interaction and respect, and a national identity that is pluralistic and inclusive. He states that “Liberalism, for example, is an inspiring political doctrine stressing such great values as human dignity, autonomy, liberty, critical thought and equality” (Parekh, 2000: 338). As such, Parekh critically stresses those aspects of liberalism which he thinks are either egalitarian or possible to rescue; it is not entirely clear, but it seems that Parekh concludes that in the end the egalitarian side of liberalism outweighs the inegalitarian side. Yet, this seems troubling. Take, for example, Parekh’s characterization of “the unity of mankind” which he views as a positive trait in liberalism (1995: 82); contrary to Parekh, notions of unity have led to justifications of
assimilationist, conformist and seductive integrationist practices (e.g. see discussion on 1969 White Paper, pp. 73, 214). His acceptance of liberal tolerance as a promising tenet (Parekh, 1995: 82) is also questionable; subjectively, as a racialized Othered, I do not want to be merely tolerated. Tolerance "presupposes that its object is morally repugnant, that it really needs to be reformed, that is, altered" (Goldberg, 1993: 7). Moreover, tolerance has been used to justify exploitative liberal economic imperatives, where for example, for part of the last century, Chinese men were endured in Canada not as citizens but as workers to build a national railway. In the end, for a conception of politics concerned with identity/difference this means that it is necessary to keep a close eye on the ways in which liberalism and its tools are used in the struggles to resignify the Othered, however liberalism is re-conceptualized.

Yet others have suggested that whilst liberalism has certainly been fraught with a history of oppressive norms and practices, it can be reconceived to be more robust, flexible and broadminded. This argument is made by democratic-liberals such as Seyla Benhabib who argues that liberalism needs to be injected with a good dose of democracy. In *The Claims of Culture* (2002), Benhabib specifically develops a discursive conception of democracy based on specific democratic normative conditions (of egalitarian reciprocity, voluntary self-ascription, and freedom of exit and association), public reasons in determining claims of culture, and a two-track model that requires interaction between civil society and the state. Benhabib does not deny that "the history of liberalism is strewn with racial exclusions and gendered occlusions, with imperialistic gestures and attempts at cultural domination, even extermination" (Benhabib, 1999b: 140). Instead, she argues that liberals need to take into account the "sins of ethnocentric liberalism, developed by scholars like Anthony Pagden, Edward Said and Tzvetan Todorov [who] have forced a salutary rethinking of the political project of liberalism" (Benhabib, 1999b: 410). In considering "whether political liberalism as a doctrine of politics and of justifying legitimacy has learned from history and proven capable of self-correction and rectification" (1999b: 410), Benhabib concludes that that the answer is yes. As such, she declares that "the democratization of liberalism and the liberalization of democracy, is one of the most inspiring developments in our often dispiriting modern and postmodern experiences" (1999b: 410). In this sense,
Benhabib takes the position that liberalism can also be normatively revised in order to be democratically responsive to identity and difference issues.

A similar move is made by Chantal Mouffe in *The Democratic Paradox* (2000), although Mouffe's project goes beyond the democratization of liberalism in that the emphasis shifts to creating a particular kind of balance between democracy and liberalism. Mouffe rightly argues that the conception of politics offered by liberals as rationalist, universalist and individualist "remains blind to the specificity of the political in its dimension of conflict/decision" (1993: 2); in particular, she critiques the rationalistic and individualistic framework of liberalism (Mouffe, 1993: 140-141). She claims that the relationship between liberalism and democracy is contingent; though there has been and is an emphasis on liberal freedom at the expense of democratic values, she argues that this need not be the case (Mouffe, 2000: 3). She points out that whilst liberalism tries to make some power invisible it is possible to resituate power by shifting the emphasis from the liberal side of liberal-democracy to the democratic side (Mouffe, 1993: 149). Mouffe argues that because it is critical to locate power in politics, a distinction is needed between a liberal tradition that is driven by the rule of law, individual liberty, freedom and human rights, and the democratic tradition that has core values of participation, equality and popular sovereignty (Mouffe, 2000: 2). By drawing out power, Mouffe is able to present a political vision of democracy that encompasses an open conflict of interests and vibrant clashes between political positions. In other words, Mouffe argues that it is critical to put the politics back into democracy (2000: 3). Yet, at the same time as Mouffe contends that liberal thought does not have the capacity to grasp the irreducible character of antagonism, she also maintains the positions that liberal values are not necessarily in opposition to democratic values (1993: 1). Indeed, even though she stresses the need to challenge the hegemony of neo-liberalism because it is a threat to democratic institutions, she explicitly states that her goal is to rescue political liberalism (especially from its association with economic liberalism) (Mouffe, 1993: 7). I will return to the importance of Mouffe's agonistic understanding of democracy later, but for now it is important to note the striking centrality of liberalism, even in radical democratic thought.

The hegemony of liberalism is intriguing in light of critiques by radical and democratic thinkers. It suggests at least two important lessons when considering whether
liberalism has the capacity or potential to disrupt hegemonic systems of significations or create alternate systems. First, liberalism embodies multiple faces, and as such some versions of liberalism are more cognizant of identity/difference issues related to power than the brands of liberalism presented by Kymlicka and Taylor. It is not that liberal multiculturalists are unconcerned with repressive forms of power (concerns about minimizing the repressive power of the state are, for example, central to liberalism) and how to respond to this. But for them the focus is on a need to reposition some group identities in the polity; this is, in large part, because they have an over-arching interest in how the state should respond to identity differences rather than how power is exercised. Thus minority rights are not allocated by the state so that (some) groups can become anti-subordinated but because differential rights enable individual self-realization through contexts of choice; recognition of individuals and groups is granted not to rectify or challenge power differences, but because recognition is constructed as a vital human need. In this sense, liberal multiculturalists start with the primacy of the state, and non-negotiable morals of individual choice and human need and dignity.

It is not that these are unimportant reasons to include Others but, rather, the response to identity/difference by liberal multiculturalists has been to downplay the ways in which power determines significations and the effects of those significations, while valorizing specific moral values. Nor do I want to argue that the state is irrelevant; instead, it is critical to identify, critique, and confront the exercise of power through its many manifestations some of which go beyond the state. Specifically, the problem that liberalism (however revised) does not adequately address is the ways in which the existing ruling significations position some people in exclusionary, oppressive and disadvantaging ways and others in inclusionary, dominating and privileging way through interacting systems of subordination and domination. The capacity of liberal thought to respond to these concerns is more evident when presented in its radical and democratic forms. At the same time, if radical and democratic theorists are invested in liberalism (as Ivison, Smith, Parekh, Benhabib and Mouffe appear to be), their only response is to revise liberalism rather than to dismantle it. David Theo Goldberg notes that in keeping with the traditional commitment to reason, “liberalism presupposes that all social arrangements may be ameliorated by rational reform” (1993: 5); this includes rational reform of liberalism itself. This may entail the appropriation
of strategies of resistance and disruption in order to bring them into the liberal paradigm (for example, Ivison attempts to adopt postcolonial visions of liberalism). When, however, such strategies are bought into the hegemonic realm, they often lose their political capacity for fundamental transformation.

Second, liberalism individualizes systems of signification; specifically, as I argued, liberal multiculturalism theorizes culture in isolation from other systems of signification including (but not limited to) gendering, capitalism, racialization, sexuality, and disability/ability. The consequence of this is that identity/difference politics becomes either reduced to one aspect of our lives or superficially considered through an additive model of discrete differences. If transformation of systems of meaning-making is to take place there has to be an understanding that inscriptions of culture are embedded in and through multiple interacting systems. This, for example, is evident in Stuart Hall’s analysis of labour and race on slave plantations (2002). He states, “Race is thus, also, the modality in which class is ‘lived,’” the medium through which class relations are experienced, the form in which it is appropriated and “fought through.” This has consequences for the whole class, not specifically for its “racially defined” segment” (Hall, 2002: 62). Hall points to the ways in which plantation slavery was embedded through racist discourses of Blacks as objects (rather than subjects), class structures of property ownership, and capitalist imperatives of economic production (Hall, 2002: 58). In this sense, the signifying status of Black slaves was a product of interactive systems of racialized poverty that justified and characterized owner-slave relations.

In considering the interactions between systems of significations, it is important not to assume that the operation of systems always produce the same end product; significations are locally, contextually, temporally and spatially specific. The significations of racialized waged labour are markedly different between white workers and Chinese workers in Canada, between Chinese women workers in Canada and Chinese women workers in Hong Kong, and between Chinese women workers in Hong Kong and Indigenous women workers in Mexico. Despite these differences, it is clear that any project of emancipation or anti-subordination requires that all systems of oppression are dismantled. In other words, although the interactions between systems operate in multiple ways, we are all signified through these systems (i.e. we are all shaped by systems of sexuality, gender, race, culture,
class regardless of whether we male, female, heterosexual, LGBT or queer, a person of colour, or white). As Sherene Razack states, our own marginalization cannot be undone without dismantling all systems of oppression and privilege (1998: 14). A conception of politics that takes this seriously is fundamental to radical change.

Ultimately, there is a concern that liberalism masks and obscures power in politics, and that it individualizes systems of meaning-making. As a consequence, the political project of disrupting existing significations and promoting alternate ones is something liberalism can only partially attempt to engage. But liberalism is not the end of history; there are various ideologies and philosophies (such as decolonization, anti-imperialism, anti-racism, postcolonial feminism) that theorists can continue to consider when developing strategies of signification and resignification that oppose and interrupt the hegemonic order. Put differently, resignification of identity/difference inscriptions, whether self-ascribed or externally imposed, is not dependent on a liberal framework. Indeed, when the hegemony of liberalism is itself questioned, it becomes possible to also renegotiate the primacy of liberal significations.

9.3 Rights as Tools of Meaning-Making

In theorizing the limits of the liberal framework for a politics of resignification, it is necessary to engage with the discourse of rights. This is because liberal rights are a signifier of freedom, justice, equality and democracy, both for subordinated and dominant groups; as such, liberal rights continue to play a central role in identity/difference politics. This indicates that it is not possible to ignore liberal rights. Rights have been liberalism’s trump card; they have been liberalism’s way of funnelling claims about the public and private, the separation of church and state, the market, and the individual (Phelan, 2000: 441). Rights are still understood as a way to maintain the integrity of some sort of contract between individuals, and between individuals and the state. Under liberal multiculturalism the contract is somewhat more inclusive, but the drive behind the change, as I argued, is not power but how to alter the contract so that it is more tolerant, accommodating and enabling of the individual. The contract can be adapted to be more conscious of ‘justice’ but the very nature of a rights-based contract is that justice is framed in juridical rather than political terms.
Through an analysis of Kymlicka and Susan Moller Okin, Melissa Williams shows that this juridical approach continues to assume some ideal of impartiality and pre-social notions of culture (Williams, 1995: 71-77). In particular, Williams argues, a juridical approach to rights suggests a very narrow understanding of justice. Williams is especially critical of the ways in which juridical rights-based models are abstractly defined through a liberal lens as prior to politics, interpreted and enforced by judges and other agents of the state (1995: 68). She rightly argues that justice cannot be defined prior to politics or that it can define "the boundaries within which a diversity of political goals may be sought" (Williams, 1995: 68). Instead, Williams argues that to include "the distinctive interests and perspectives of marginalized groups, the articulation of the content of justice must proceed through a political as well as a philosophical process of argumentation" (1995: 79). The discursive dimension of Williams understanding of justice is particularly insightful for resignifying meanings of justice. It implies that analysis of meaning-making can help theorists detect and diagnose injustices rather than offer a definitive conception of justice (although Williams argues that it also does not preclude the possibility of a shared notion of justice). As Markell states, this understanding of justice "can change our view of the nature of the problems we confront; it can alter our sense of what courses of action are open to us in the first place; it can lead us to see hitherto unnoticed dangers in some political options" (2003: 178). In this regard, justice does not depend on the legal allocation or implementation of rights.

The discourse of rights, however, has been employed in such a way that it enables liberals to claim the territory of identity/difference politics. Political theorist Wendy Brown is especially critical of this monopolizing dimension of liberalism. In States of Injury: Power and Freedom in Late Modernity (1995), she contends that the liberal discourse of rights takes its shape as a moral discourse by centering on the pain and suffering of those marked by identity differences. Brown decries identity politics because of the way in which definitions of identity become part of the "liberal administrative discourse", thus allowing the state to regulate and normalize identities (1995: 65-6). According to Brown, those marked by pain and suffering are constituted as victims and powerless. The remedy offered to change this injurious status is rights; in the context of liberal multiculturalism this means that rights will protect the individual from state-directed injurious acts and at the same time...
rights will promote specific group practices. But, as Brown convincingly argues, these rights can serve to reinstitute the marginalization of particular identities; specifically she deplores the ways in which legal recognition through rights becomes an instrument of regulation (1995: 99). Whilst Brown accepts that rights may secure the possibility of living without fear of express state coercion, "they do not...decrease the overall power and reach of the state nor do they enhance the collective power of the citizenry to determine the contours and contend of social, economic, and political justice" (2004: 459). Rights discourse, continues Brown, "is a politics and it organizes political space, often with the aim of monopolizing it" (2004: 461). In this, Brown is articulating both the disciplinary dimensions of identity-based rights claims and the way in which rights politics reduces politics to instrumentality and state-centred activities (Zivi, 2004: 8). 175

Whilst I agree with Brown that rights discourse has claimed the space of politics and that "rights discursively mask stratifying social powers" (Brown, 1995: 123), rather than putting aside rights I want to suggest that it is possible and perhaps even necessary to manipulate the hegemony of rights (rights are after all deeply enmeshed symbols of emancipation). Bearing in mind Brown's strong caution against rights, it is possible that this discourse has the potential to play an active role in the production of significations. This entirely depends, however, on displacing the emphasis on liberal rights (however differentiated) as the avenue for social change. The assertion of rights has come to mean that political change is simply legal change; this, however, overestimates the political potential of the law and underestimates the nature of activism as a site of meaning-making. In other words, even though legal rights-talk has become the privileged form of politics, it need not be. Even Brown acknowledges (contrary to popular readings of her work) that rights cannot be condemned; rather, as Brown states, it is critical to "refuse them [i.e. rights] any predetermined place in an emancipatory politics and insist instead upon the importance of incessantly querying that place" (1995: 121). This implies that if employed critically rights can be utilized as part of a multi-faceted approach to political struggle.

Let me be clear, I do not want to reconceptualize rights in order to rescue liberalism or to reconceive liberalism in a more friendly way, but rather I want to manipulate the

175 I thank Karen Zivi for kindly granting me permission to quote from an unpublished paper, 'Who or What are We? The Identity Crisis in Feminist Politics' (2004) which is currently under review with the journal Politics and Gender.
hegemony of the discourse of rights (which seems unlikely to be dismantled in the near future) so that it can be enabling rather than constraining or regulative. This is not to say that juridical rights are only constraining or regulative; arguably, legal equality rights and differentiated group rights have shaped societal norms and relations in positive ways by instilling, for example, consciousness about minority-majority relations. Indeed, rights present both enabling and constraining elements, and carry differing importance to various groups. But what needs to be questioned is the status of liberal juridical rights as transcendental and universal tools of emancipation. In particular, as Parekh argues, liberalism does not have a monopoly over rights, and as such, rights “can be defined in several different ways in which its own definition is only one and not always the most coherent” (2000: 338). Through this argument, instead of conceiving of rights as assertions of identity or as a way to claim legal recognition, I assert that rights can be understood as a tool that triggers and facilitates meaning-making with and through others. By extension, rights can also provide a way to shape the outcomes of meaning-making.

By this I mean that although rights can protect the vulnerable, they do not simply provide an opportunity to exercise negative and/or positive freedoms. As Miriam Smith suggests, rights can be used to validate claims of identity/difference, rather than act as the source of claims:

In this view, rights discourse and equality-seeking are deployed by social movements in order to legitimate claims both to their constituency and to the wider society of which they are part. The main goal of litigation and of equality-seeking discourse is to build the movements rather than achieve substantive legal or policy change. (1999: 20)

In this, Smith is shifting the emphasis from the litigious aspect to the political dimension of rights. Smith argues that through the 1970’s, rights played a key role in activating lesbian and gay citizenry and organizing groups into effective political units (1999: 21). It was the declaration of rights, the employment of rights discourse -- rather than the actual gaining of rights -- that helped activists to politicize the meaning of their claims. According to Smith,

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176 One example of this reconceptualisation is offered by Martha Nussbaum in Women and Human Development: The Capabilities Approach (2000), where she treats rights as tools that enable and produce capabilities (e.g. the right to food, shelter, physical security etc.). As such, she does not transcend a rights-based approach but uses it to reflect the political and experiential necessity to create opportunities that are vital to the formulation of human needs.
prior to the advent of the Charter, litigation was employed as part of a broader strategy for social transformation; since the Charter rights talk has reigned supreme. Smith states:

Rights claims before the courts were a means of naming names, outing the issues of sexual preference, of mobilizing social and political identities, and of developing networks and organization. In the interpretative frame of gay liberation, rights claims were seen as intimately linked to the process of movement creation and mobilization; the goal of building the social movements was as important, if not more important, than the achievement of legal and legislative victories from the state. (1999: 21)

Rights, in other words, were useful political resources because they were salient in articulating grievances and entitlement; they provided a crucial point of mobilization.

When understood as political and not simply juridical (Williams, 1995), rights can be reconceived as triggers and tools of meaning-making rather than the primary route to social change, distributed for the sake of inclusion. This juridical approach distracts analysis from the struggle for rights, a struggle that can potentially inscribe and transform the political identities of groups and individuals. Rights, in other words, can be important because they serve as representations of differentiated power. This is not to say that the legal application of rights is irrelevant but rather it is to shift from simply making rights-claims onto the potential to signify and resignify socio-political positions in the act of mobilizing around rights-claims. To mobilize around rights claims is to enact the possibilities of dissent and change.

There is a tension in shifting the focus from rights-as-ends to rights-as-tools-of-meaning-making because of the gratifying achievement of winning rights. But, there is also a price to be paid for utilizing rights at all. As Smith notes, the political goals of creating awareness and self-consciousness, of mobilizing people in a common cause, and building organizations and institutions that serve specific communities have historically become secondary to the achievement of rights (1999: 142). Legal rights discourse is premised on articulating identities through fixed formations specifically to those who challenge those identities; the substantive goal is to entrench these rights in the law, rather than contest categories of identity. Because of the limitations of essentialism, it is crucial to develop consciousness when utilizing rights as tools of meaning-making.

In this way, I employ rights as a tool of what Third World feminist Chela Sandoval (1991) calls ‘oppositional consciousness’. In her analysis of US Third World feminism,
Sandoval treats equality rights as one of five tactics of raising oppositional consciousness (the other four being ‘revolutionary’, ‘supremacism’, ‘separatism’ and ‘differential’ tactics). Rights are not the primary goal but rather, they are a way to articulate opposition to subordination. Sandoval acknowledges that there are limits to the rights tactic: rights-talk presumes a desire for inclusion or assimilation within present traditions and values of the social order; radical societal transformation is not the goal; and rights do not nurture differences but rather rights discourse only has limited potential to protect existing differences and express toleration (Sandoval, 1991: 12-13). Nonetheless she is careful not to entirely dismiss the discourse of rights because of the potential it has to raise collective consciousness about ways to defy domination. The activity of making meanings through a discourse of rights is hence potentially a tactic of resistance.

9.4 The Activity of Meaning-Making and Citizenship

In chapter five I specifically explored the implications of treating communities as sites of signification; in conceiving communities as spaces of meaning-making I argued that it was necessary to move away from essentialist conceptions of community without underestimating the ways in which people are constituted within, through, and by communities. The activity of meaning-making located communities as instruments of signification and the effect of meaning-making; communities are, in other words, sites of semiotic practices and they are also the result of particular kinds of signifying. Here, I want to delve into the implications of this non-essentializing meaning of community, particularly for a cohesive and unified understanding of citizenship within a single ‘political’ community (by which I mean nation-state).

The question that arises from making the move to cultural is: if communities are conceptualized as active, contestable, dialogical and supple sites of meaning-making, does this suggest a particular political vision of citizenship? The answer is yes; the very activity of creating and maintaining dynamic sites of meaning-making requires flexibility in meanings of citizenship, thereby presenting citizenship as a contingent and contextual experience. Since meaning-making is a continuous process, one open to constant flux, the meanings that are produced are also not static. There are at least two consequences of this: first, what gives rise to a sense of sharing for members of one group may not necessarily be
shared by members of all groups; second, the ties that bind are neither obvious nor necessarily moral.

Thus contrary to political thinkers such as Alan Cairns that “we need bonds of empathy so that our togetherness is moral as well as geographic” and that the “obvious moral bond is shared citizenship” (2000: 211), the idea of shared citizenship needs to be critically examined. Cairns assumes that there should be a ‘we’ to share bonds and that these bonds are grounded in the allocation of citizenship. However, as Indigenous scholar Alfred (1999) elaborates, there are good reasons to be suspicious of the language of shared citizenship. He states:

[Citizenship] wasn’t asked for: it was given because they [the colonizers] realized that in order to tax and do the things they wanted to do for Indians — or to Indians — they needed them to be citizens. They resisted as long as they could, then they made Indians second-class citizens and imposed the Indian Act on them. I’m not a Canadian. I don’t believe in that. (Alfred, 1999: 19).

Alfred is particular mindful of the historical and continued colonization of Indigenous peoples, in which the Canadian government enacted the 1876 *Indian Act* as a tool of aggressive assimilation, forced relocation, and epistemological annihilation in the guise of constructing Canadian citizenry and nationhood. Further, the pinnacle of liberal citizenship, the vote, was conditionally assigned to Indigenous people until 1960. And the 1969 White Paper, which would have abolished the *Indian Act*, interpreted equal citizenship as a denial of the differentiated legal status of Indigenous peoples. Not only do such events reveal the ways in which ‘shared citizenship’ has been used to exclude and control Indigenous people, but they also reveal that the meaning of citizenship as a shared national or civic identity tends to trump other forms of identity that are important to state-society relations. The result has been the subordination of Indigenous notions of citizenship and the primacy of dominant understandings of Canadian citizenship. In this way, shared citizenship has been constructed hierarchically, both in terms of the ideas of citizenship and the socio-political positions of members of society.177 Whilst it arguable that the idea of shared citizenship is itself not fundamentally flawed, it is difficult and inappropriate to extract it from its historical usage.

177 As the analysis of liberal multiculturalism has shown in previous chapters, this hierarchy is also evident in Kymlicka’s theory of societal culture and Taylor’s deployment of a ‘basket of rights’.
Moreover, because the production, form, and dynamics of political communities are not static or pre-determined the experiences and practices of being a citizen need to reflect the ways in which political communities emerge through semiotic activities. Since these activities have the potential to generate new and alternate significations as well as challenge existing inscriptions, they cannot be bound by principles that require maximum cohesion, bonding and unity. A thick version of citizenship, in other words, does not clear the space for individuals or groups to create, develop, or sustain their own systems of meaning-making. Nor does it account for “how citizens are brought into being” (Cruikshank, 1999: 1). As political theorist Barbara Cruikshank argues, technologies of citizenship, however well intentioned, constitute and regulate citizens. In a Foucauldian fashion, Cruikshank contends that this is unavoidable but not necessarily positive or negative; she states, “The will to empower others and on-self is neither a bad nor a good thing. It is political; the will to empower contains the twin possibilities of domination and freedom” (1999: 2). Whilst Cruikshank is sympathetic to radical and participatory forms of democratic citizenship, she rightly highlights the ways in which the “citizen is an effect and an instrument of political power rather than simply a participant in politics” (1999: 5). As she contends, “What is required of democratic theory is less a solution to the conundrum of the political than a way to articulate the contingency of the politics that neither exhausts nor determines any efforts to reconstitute political order and the spaces of politics” (1999: 17).

An approach that facilitates contingency can accommodate both thick and thin conceptions of shared citizenship. This is not to exclude the possibility that some people adopt meanings of citizenship that are based on cohesion and a unified value system, but this need not be a requirement or a condition of living together. There is some danger in this minimalist account of citizenship, specifically because it opens up the possibility of creating unequal tiers of citizenship in ways that are contrary to the spirit of anti-subordination. Yet, the purpose of sharing citizenship cannot be driven by equality alone; this is important not only because equality is a contested idea which carries various meanings, but also because, for some, the goal is not equality but other political objectives such as decolonization or anti-oppression. Although the costs of choosing a framework that does not demand close bonds of sharing may leave too much room for fragmentation, it is difficult to image a context in which there is complete and consensual societal agreement of what shared
citizenship entails. This is in part because of the historical experiences of differing groups but also because levels and intensities of bonding, through shared citizenship, will greatly vary amongst meaning-makers. Even minimalist legal definitions of citizenship are contested by some Indigenous people who do not accept the borders that separate the territories known as Canada and the U.S.

A minimalist account of citizenship is nonetheless more responsive to this global age because it can accommodate significations of transnational citizenship. Johanna Waters (2003) study of Chinese immigration from Hong Kong and Taiwan to Canada illustrates the changing meaning of citizenship for Chinese immigrants. She suggests that at first it may be the case that some Chinese immigrants see citizenship instrumentally -- in that they are hyper-mobile, moving back and forth from Canada to the place of origin, waiting to fulfill the legal requirements of attaining a Canadian passport -- but as time goes on many Chinese immigrants develop a stronger meaning of citizenship. Waters notes that this especially true of the wives of ‘astronaut husbands’ (husbands that take off to return to Hong Kong and Taiwan) and children (2003: 228-229). Waters is particularly interested in self-perceptions of citizenship -- rather than adopting a standard by which to evaluate the meaning of Canadian citizenship -- that arise from participation in society, not only in civic decision-making activities but through everyday interactions.178 This leads her to conclude that there is “new generation of citizens forming distinctive attachments and laying down roots despite the intensity of their overseas ties” (2003: 233). Waters analysis is important because it shows the transient and transnational possibilities of citizenship, which change over time and through shifting ties and attachments to particular geographies. Her study particularly illustrates the ways in which a minimalist account of citizenship leaves room for people to adopt thin and thick significations of citizenship, depending on their experiences.

The hard question that follows from this is: if the necessity of creating and enabling spaces for meaning-making are paramount and the result of this is a plurality of meanings, are there any minimal principles of citizenship that bind people within a political community together? Some theorists have affirmatively responded to this question, including Jeremy

178 Those political theorists who also want to enable citizens “to reimagine and create the appropriate sense of belonging to their culturally diverse association by means, and as a result, of their participation” (Tully, 2002: 153) tend to focus on political, legal and constitutional recognition and accommodation. Whilst this is important and helpful, it must be remembered that belonging emerges through a number of activities beyond the scope of the state-society relations.
Webber (1994) who appeals to the idea of an on-going conversation rather than tight social bonds; Joseph Carens (2000) who conceptualizes a heterogeneous and contextual model of citizenship; Iris Young (1990) who advances a theory of differentiated citizenship; Melissa Williams (2001) who argues that citizenship can be understood as act of shared fate rather than shared values; and Shane Phelan (2001) who rightly calls for the ‘queering’ of citizenship.

However, at this stage at least, to present a list of definitive minimal principles would be contrary to the ethos of clearing spaces for people to formulate significations of political community and citizenship. The premise of meaning-making is that it entails on-going and contested activities; as such, there cannot be a fixed ideal of what it means to share citizenship. I do not want to suggest that for some people there are not already minimal principles in existence in the North American context (e.g. legal citizenship, non-violence, the rule of law). But this is an important point – part of the drive behind ‘clearing the space’ to make alternate meanings is to acknowledge that representations of community, belonging, citizenship etc. are being generated from moments and positions of dominance. At this time, there is too much talking going on amongst those who occupy spaces of privilege and not enough listening; too many assumptions about what bonds should exist; a disconcerting ease to relegate history to the past rather than an understanding of the consequences of history for those signified as non-citizens or lower-tier citizens in the present; and not enough care in creating spaces for localized communities to talk their own members, to other communities, and to the state on their own terms about the ties that bind.

As such, the political lesson to be learnt from the study of meaning-making about shared citizenship is that it requires some flexibility and contingency, as well as accommodation of plural significations. The shift to cultural does not offer any obvious set of criteria to judge what meanings are right or wrong; rather, as queer theorist Phelan has said about constructivism, “what changes is the ground of legitimation for one’s arguments” (2000: 433). In other words, the analysis does not necessarily present moral or political reasons for alliances, sharing, bonding, or belonging but it does alter the space in which meanings of citizenship are negotiated, interpreted, reconstituted, and legitimatized. To fully appreciate the multiplicity and contingency of significations regarding shared citizenship, it is critical to disrupt the moments, positions and relations of dominance from which current
visions and practices of citizenship (and by extension immigration and multiculturalism) are derived. This suggests that the processes and sites of democratic dialogue and deliberation are crucial for facilitating discussions about meanings related to shared citizenship, both amongst and between groups. It also implies that continued, agonistic, open, and sensitive dialogue enables significations of citizenship to be changeable and responsive to conflicting meanings. It is these contested and contestable dimensions of democracy that I consider next.

9.5 Democratic Meaning-Making: The Contested and the Contestable

Contestation rather than Consensus

Meaning-making takes place at all levels of politics, thus transcending the public-private divide and the state-civil society relationship. Meaning-making need not be premeditated, intended or consciously undertaken. Indeed, meaning-making takes place as much through our everyday practices as it does through institutional deliberations. Nonetheless, meaning-making through public structures of deliberation (as opposed to private interactions) can be desirable some of the time and for some people. At these times and for these people, the prospects of altering and dismantling hegemonic meanings are tied into democratic practices that accommodate, create and sustain contested sites of meaning-making. Yet these practices need not be activated through state institutions; democratic practices can take place between individuals, in social settings, educational spaces etc. The production and reproduction of significations is part of our daily lives and takes place through subtler forms of engagement than formal and institutional democratic deliberation. These spaces of signification are largely neglected by political theorists but are formative in the struggles of signifying identities; they are especially important because for those of us signified through denigration there are times when it is physically, emotionally and materially safer to not enter some public spaces, however deliberative they might appear to be.

In those instances where meaning-making is done consciously and purposefully, because of the contested nature of signifying representations it can be expected that politics will not necessarily produce consensus. This does not necessarily mean that levels of contestation are always high or intense. But since meaning-making is inherently contestable
those democratic practices that are most responsive to contestation are central. The work of Mouffe is particularly insightful in illustrating that conflict and antagonism enable, rather than destroy politics (Mouffe, 2000: 7-11). Through a theory of agonistic pluralism, Mouffe contends that attempts at consensus inevitably lead to the exclusion or forced assimilation of some by dominant groups. Democratic contestation enables negotiation on moral values as an open conflict between different interests; indeed, the essence of democracy is dependent on this insufficient consensus (Mouffe, 1993: 6). Mouffe argues that a lack of consensus is not a threat to democracies, contrary to liberal arguments, but rather, contestation is a condition of democracy. Mouffe’s insights presents an agonistic model of democracy which is compatible to contested meaning-making; specifically, she states that the desire to achieve consensus in democracy obliterates the political relationship between actors that is embedded in power and antagonism. Since politics is deeply embedded in the contestation over meaning-making, there will inevitably be a lack of consensus. To Mouffe, the absence of consensus does not mean that there are no common universal principles (such as rationality, individuality and universality), but rather it means that such principles are discursively constructed and entangled with power relations (1993: 7).

James Tully also argues that consensus is not required in democracies. He states that “reciprocity, reading agreement, listening to the voices of all affected, and stability by means of broad support are never achieved” (2000: 475). This is because there are always asymmetries in the distribution of power, in which the framework is one of compromise rather than consensus. Tully asserts that compromise is needed because at some point decisions have to be made, and sometimes these decisions have to be made in the face of disagreement and dissent. Even in these occasions of compromise, Tully argues that resolutions can change over time and space; this is in part because the identities of actors making political claims and the identities of those from whom demands are made can also change in the course of the engaging with each other (Tully, 2000: 475-6). This is reflective of the state of flux that meaning-making implies.

However, Tully suggests that the rules of compromise require reasonable disagreement/dissent and the exchange of public reasons (2000: 473, 476). This would certainly enable peaceful cooperation in the constitution of meanings; but what and who defines reasonableness? Whilst I am sympathetic to Tully’s promotion of agonistic
democratic practices, meaning-making is not dependent on reason; the productions of meanings that are unreasonable are also of political significance; they provide insight into the positions of meaning-makers, the relations of power, and modes of hegemony and resistance. Reasonableness certainly suggests public acknowledgement and disclosure of the issues at stake, willingness to listen to others, a desire to resolve collective problems, a willingness to trust that others will hear and understand your perspective, and an openness of mind. But this is not the starting point for many of us who have faced and continue to face significations of marginalization, discrimination, and modes of oppression. Not only does memory make for suspicion about ‘reasonable’ disagreement but, moreover, because the terms of reasonable deliberation are themselves wrought with power there is inevitably mistrust and uncertainty.\footnote{\textsuperscript{179}}

Moreover, regardless of whether there is reasonable disagreement and dialogue, significations continue to be produced. Accommodating or accepting reasonable disagreement/dissent is not a condition of meaning-making per se; in other words, the processes of signification do not depend on any structure in order to perform. In this way, meaning-making can take place formally through deliberation, but it also goes beyond this. Meaning-making can take place through multiple modes of communication and interaction including public acknowledgement, rhetoric and narratives (Young, 2000: 57-77), as well as daily practices such as private conversations, socializing, and traveling etc. Further, some proponents of deliberative democracy assume that deliberation takes place face-to-face; others assume that argument is the main form of political interaction; and most assume that deliberation will be orderly, even if there is disagreement (Young, 2000: 18, 37-51). Whilst meaning-making processes can be all of these, this is not necessarily the case.

\textit{Deliberation and Participation in Meaning-Making}

When meaning-making is a purposeful exercise, politics can take on a deliberative aspect. I do not intend to comment on the broad range of tensions and strands within the deliberative democracy literature, but I do want to draw attention to the benefits of

\footnote{\textsuperscript{179} Public reason-giving, as Monique Deveaux rightly argues, poses burdens to cultural minority citizens who are unable or unwilling to abide by the specific terms of deliberation. She states that “this account [of deliberation] overlooks the fact that not all social and cultural groups are equally well-adapted to – or would endorse – this form of politics. Some will reject the idea of politics founded on public reason-giving, as well as the ostensibly shared norms and practices it seems to presuppose” (2000b: 171).}
consciously engaging with meaning-making though deliberation. This is specifically because when deliberation is understood as an activity of meaning-making, it becomes a way to circulate, justify, legitimate and reconceptualize meanings.

Tully (1995; 1999; 2000; 2001) presents a theory of public deliberation in the context of agonistic democracy that is particularly useful in illustrating the insights of deliberative meaning-making. Tully argues that solutions (such as the allocation of rights and recognition) are handed down to members from on high (from theorists, courts or policy makers) whereas they should be constituted through the democratic will-formation of those who are subject to them. He argues for a politics that is “activity-oriented or processual rather than “end-state” oriented or teleological” (Maclure, 2003: 12). According to Tully, the free and democratic activity of struggling over recognition is *intersubjective* in that identities are shaped, formed and reformed in the course of the activity; *multilogical*, in which there are discussions among members of various kinds through a variety of practices and procedures; *continuous*, because “any form of mutual recognition should be viewed as an experiment, open to review and reform in the future; and *contestory*, since struggles of recognition are contests (Tully, 2001: 19-20).

Tully argues that struggles of recognition can enable a “process of citizenization” (2001: 25). This process can reveal “public displays of the intolerability of the present form of recognition” (Tully, 2001: 21). The struggles enable individuals and minorities to become citizens of the nation by participating in the processes of democracy. The exercise of practical reason in negotiations and agreements will not only deepen a commitment to democracy but it will also legitimate concerns of minorities and encourage discussion within collective identity groups. Specifically, for Tully, deliberations over recognition and redistribution are activities of disclosure and acknowledgement rather than pursuits for definitive justice (Tully, 2000: 479). Mutual disclosure and acknowledgement do not inevitably lead to full constitutional recognition, Tully continues, but the struggle itself is “an important achievement in its own right for all the actors involved” (2001: 22). Through disclosure and acknowledgement, groups are forced to articulate meanings and publicly justify these meanings both to other members of their group and those outside the group; this is true for all actors of deliberation including dominant meaning-makers. In this regard, deliberative processes have the potential to not only provide ways for subjugated people to
express their knowledge, articulate resistance and confront oppression, but to locate dominance and dominant actors.

Tully argues that even when recognition and agreement is not achieved, reciprocal disclosure and acknowledgement can still affect the outcome to some extent. For Tully, the politics of disclosure and acknowledgement are productive because a) public deliberation and civic virtues are initiated and b) disclosure “acts as a kind of public catharsis; it forces minorities to convert their alienation into public argumentation rather than into private frustration” (Maclure, 2003: 7). Whatever the outcome of deliberation, Tully implies that the process has the potential to enable self-confidence for those articulating their claims as well as understanding between deliberators. Further, listening to alternative perspectives can lead one to alter one’s position in that the intersubjective aspect of deliberation provides the opportunity to re-evaluate and/or refine an argument. As Jocelyn Maclure notes in her analysis of Tully’s theory of disclosure, “an agonic mode of being-with-others intensifies one’s capacity for dispelling the ressentiment fueled by a demeaning or distorting form of recognition” (2003: 8); accordingly, the public expression of dissatisfaction will prevent this anger being translated into private aggression or frustration. The activities of mutual disclosure and acknowledgment can also “generate levels of self-empowerment, self-worth, and pride that can overcome the debilitating and psychological effects of misrecognition” (Tully, 2000: 479).\(^{180}\) The acts of mutual disclosure and acknowledgement thereby illuminate hegemonic meanings, subjugated meanings, and processes of meaning-making as well as the empowering potential of participating in meaning-making.

However, whilst deliberative acts of meaning-making produce opportunities to understand the experiences of Others activities, there is an assumption by political theorists that there are obvious political motives to drive deliberation. Tully seems to assume that the desire for (not mode of) freedom and democracy motivates deliberation (or formalized meaning-making) (Tully, 2000: 478; 2001: 12). Williams argues that deliberation is necessary because we share a fate through relations of interdependence which may or may not be valued positively by its members (2001). Webber (1994) contends that because Canadians need to conceive bonds of social unity, there must be an on-going conversation.

\(^{180}\) This is also echoed by Benhabib who says that “the very procedure of articulating a view in public imposes a certain reflexivity on individual preferences and opinions” (1996: 71).
Young (1990) offers a theory of communicative democracy because of a commitment to enable oppressed groups to express their interests and experiences in the public realm through participation on an equal basis; for Young, democratic processes of participation in deliberative exercises promote inclusion. Monique Deveaux (2000b) presents a (cautious) theory of deliberative liberalism because justice requires that minorities in democratic states have the right to participate in shaping the public and political cultures of the broader societies in which they live.

I want to suggest that there is something even more banal that should compel us to deliberate: it is the fact that we engage in meaning-making in our everyday lives already in activities, practices, systems and procedures of signification in everything that we do. This is not to say that action-based politics (e.g. advocacy, demonstrating, picketing) does not also entail radical forms meaning-making; in fact such politics can be richly textual in meaning-making and enormously effective. But formalizing some aspects of everyday meaning-making through public, deliberate and justice-seeking exercises would be one very important way to articulate political concerns and perform politics through civic action. In doing so, it must be remembered that meaning-making is a continuous struggle that transcends the public-private divide. As such, politics that entails focused, conscious, pre-mediated meaning-making is not necessarily limited to the public realm; and conversely, politics that encompasses subtle, indirect, subconscious and unintended meaning-making is not limited to the private realm.

Accountability in Deliberative Processes of Meaning-Making

Political theorists have explored dimensions of accountability in the context of democratic representation (e.g. MP responsibilities to their constituency), and yet accountability has been neglected in discussions about the formal deliberative process. Razack states that accountability “begins with tracing relations of privilege and penalty. It cannot proceed unless we examine our complicity. Only then can we ask questions about how we are understanding differences and for what purpose” (1998: 170). In the context of white supremacy, gendered relations and capitalism, Sherene Razack describes accountability as “a process that begins with a recognition that we are each implicated in systems of oppression that profoundly structure our understanding of one another” (1998: 255).
10). For Razack, accountability requires that “we direct our efforts to the conditions of communication and knowledge production that prevail, calculating not only who can speak and how they are likely to be heard but also how we know what we know and the interest we protect through our knowing” (1998: 10).

Accountability is an aspect of politics that is sometimes alluded to by political theorists but never explicitly laid out; most theorists’ infact fall short of a full treatment of accountability in their framing of identity/difference. Whilst Taylor pleads for systematic equal recognition of Othered identities because of the effects of certain meanings, he does this without requiring the authors of misrecognition to be accountable. Although he states that he wants perpetrators to admit guilt and show contrition (Taylor, 1998a: 155), this is not ultimately a requirement of recognition.

Tully’s politics of acknowledgement and disclosure promises more, but also falls short of accountability. At the same time as his efforts to recast the politics of recognition as an ongoing dialogical activity is a crucial dimension of analyzing meaning-making, acknowledgement simply consists of being a co-participant who is heard and responded to, and disclosure puts the attributes, positions, and claims of participants on display. In these conceptions of acknowledgement and disclosure, accountability is possible (to other participants of the formal deliberative process) but not required. Although I agree with Tully that reciprocal disclosure has its benefits (in that the act of exposing one’s position/claim/identity may make one more careful and conscious, prevent ressentiment, generate self-respect and self-esteem, and produce a sense of belonging) it does not require accountability for the historicized context, the roles played in the process of deliberation, or the outcome of deliberation. In the end, the impact of recognition, disclosure and acknowledgement are all undermined unless there is accountability; recognizing others as they authentically want to be seen, or declaring a perspective or position, or acknowledging the conditions of our circumstances is simply not enough. There has to be accountability for privileged and privileging systems of signification.

Patchen Markell offers a modified version of the politics of acknowledgement which takes Tully’s theory further and is more pointed to accountability. Markell distinguishes his understanding of acknowledgement from Tully’s partly because he contends that Tully does not treat acknowledgment that differently from recognition (Markell, 2003: 33). According
to Markell, acknowledgment is self-directed rather than other-directed; its object is not one’s own identity but one’s own condition or circumstances. As such, the emphasis shifts from the identity to the context in which identity is signified. The on-going activity of acknowledgement is determined by one’s practical limits rather than the impossibility or injustice of knowing others. In this, acknowledgement involves coming to terms with conflict, misunderstanding, hostility, alienation rather than attempting to overcome these experiences (Markell, 2003: 38). For Markell, the root of injustice is not identity itself but the effort to make identity sovereign. He states:

In this picture, democratic justice does not require that all people be known and respected as how they really are. It requires, instead, that no one be reduced to any characterization of his or her identity for the sake of someone else’s achievement of a sense of sovereignty or vulnerability....It demands that each of us bear our share of the burden and risk involved in the uncertain, open-ended, sometimes maddeningly and sometimes joyously surprising activity of living and interacting with other people. [Emphasis added] (Markell, 2003: 7)

This is a very important turn in identity/difference politics, one in which the emphasis changes from those Othered peoples who ‘need’ to be included (i.e. allocated rights or differentially recognized) to a wider group of agents. Markell focuses not just on those who are directly affected by oppression but he also suggests that we all need to share the responsibility of the way in which identities are socially positioned. In this, Markell shifts the burden of change from the Othered to include dominant agents among whom questions of justice arise (2003: 179). This is a critical step in placing the self, o/Others, and dominant players in systems of meaning-making.

But whilst Markell states that “faced with a relation of privilege and subordination we must] look for ways to dismantle or attenuate the privilege itself before (or while also) working to include a determinate group of previously excluded people under its protection” (2003: 181), his theory of acknowledgement underplays the ways in which most of us are complicit in the exercise of privilege and subordination. Resignification is especially possible when agents (signified as individuals and/or groups) are accountable for the

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181 The place of dominant agents is, as I argued in chapters two and three, either peripheral or normalized in Kymlicka’s and Taylor’s theories.
exercise of privilege and subordination to themselves, the people that they claim to represent and other participants of the dialogical process.

The practice of accountability is more difficult outside the context of formal deliberative processes because it is not always clear to whom one should be accountable to, or what political action this accountability requires. However, in formal spaces of dialogue, it is possible to generate some level of accountability by those who are signified as privileged. In particular, public debate and reason-giving in sites of dialogue and deliberation help to develop consciousness of the power relations that determine our positions. Whilst it is likely that those in positions of dominance and privilege will resist accountability, making it a requirement of public and reason-based dialogue and deliberation will help to identify and unsettle authoritative significations. This is especially because accountability provides a sense of what is at stake for our selves and for the Othered (Razack, 1998: 14). The implications of being accountable in the deliberative process of meaning-making is critical to identity/difference theorizing because it demands responsibility by those who can speak and be heard to identify those who are absent or erased, why this is the case, and the impact of this when engaging in meaning-making. In particular, it is critical to be accountable for acts that benefit some identities and not others, and for the power a signification assigns. So for example, it is not the mere fact that someone is racialized as white that is relevant to identity/difference but, rather, it is that their whiteness signifies privilege; this privileged signification benefits all those signified of white, regardless of whether privilege is consciously exercised. Accountability can limit the ways in which this privilege impacts those racialized as non-white in the activity of deliberation. It is, in this sense, a means towards naming and challenging subjugation and privilege.

Accountability requires consciousness of the production of oppressions and the effect these have on us, and at the same time of our own position in producing privilege and the effects of that privilege. This not only politicizes the assembly of subjectivities but it also reminds us to situate our own roles in the process. For example, as a woman marked by heterosexuality when I encounter significations of homosexuality expressed in homophobic terms, I have a responsibility to speak and disrupt these meanings because I am signified as the privileged heterosexual norm. My silence would make me complicit. My accountability
would identify the benefits of heterosexual significations, and in doing so I would name the epistemic violence against homosexuality and interrupt its consequences (Razack, 1998: 16). As such, in being accountable, it is not simply enough to recognize, disclose or acknowledge dominant and subordinating experiences and positions, but it is also critical to be responsible and answerable for the benefits of being signified in privileging ways.\(^{182}\) Being accountable means carrying the burden of our own detrimental practices of meaning-making as well as those of others, wherever possible.\(^{183}\) Through the act of accountability it becomes possible to build alliances, alliances not dependent on identities markers that are presumed fixed or shared but alliances built through a commitment for political change. Further, accountability necessitates some level of action. For example, accountability can require the government to apologize and provide restitution for those who suffered the effects of the Chinese Head Tax or the colonial residential school system.\(^{184}\) As such, it is not enough to privately acknowledge the benefits of being signified through privilege because answerability requires transparency and public acknowledgement of the injury that was done and the ways in which some people benefited from the injury of others.

Accountability requires us to situate ourselves in contexts of power, as individuals and as members of a signified group. This allows a broader examination of identity/difference politics. So, for example, when there is accountability for inscribed representations of colonized Indigenous peoples in Canada it is critical to locate not only Indigenous people but also non-Indigenous peoples; in this sense the processes of colonization are no longer signified as a problem that concerns only Indigenous people.

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\(^{182}\) This includes being accountable for the ways in which knowledge is produced by scholars in privileging and subordinating ways. In his groundbreaking analysis of orientalism, Said (1978) examined the ways in which knowledge has been produced through poets, novelists, philosophers, political theorists, economists, and imperial administrators in ways that express and represent European culture as sociologically, militarily, ideologically, and scientifically superior to the inferior orientalized Others. Said’s analysis shows that when scholars produce knowledge which assumes or asserts truths, it also claims and monopolizes how something is signified without any accountability for that signification.

\(^{183}\) I say "wherever possible" because at times it can be threatening and unsafe to hold people accountable. For example, in academic spaces dominated by white academics, I have not always felt that is 'safe' for me to hold people accountable for the ways in which they signify Indigenous people or people of colour. This has been a consequence of the power dynamics amongst meaning-makers, dynamics constituted through interacting systems of neo-colonialism, racism, white supremacy, and sexism.

Alfred (2005) also argues that power within (signified) communities needs to be held to be held to account. Alfred is particularly concerned that the lack of accountability by some ‘Aboriginal’ leaders undermines the reorganization and re-culturation of Indigeneity (2005: 63). Alfred’s standard of accountability is determined by how close leaders follow Indigenous ways and a self-reflective Indigenous agenda (which he states includes promoting self and group healing in an era of on-going colonialism, enabling a rearticulating of Indigeneity, facilitating the regeneration of practices through memory and oral traditions, and re-organizing the familial and societal practices that are damaged through colonialism). Whilst Alfred’s standard of accountability is up for debate, it is grounded in his experiential knowledge (which has been shaped by the both negative and positive significations attached to his identity) and as such he is demanding accountability from those who claim to represent Indigenous people.

At times, this activity of accountability may present contention during deliberation. This, however, is part of the radical project of disrupting and challenging hegemonic systems of meaning-making. Without contention, there is no discomfort, doubt and anxiety produced; these uncomfortable, uncertain, and anxious spaces can disturb identity/difference inscriptions and lead to self-reflection of one’s own role in reinstituting subjugating meanings. This is a crucial dimension of performing accountability in deliberative spaces. But it need not produce paralysis; in other words, the spaces of discomfort, doubt and anxiety should not permanently silence people (including those signified as privileged), but rather accountability demands that when we exercise privilege we are responsible for it, that we ‘clear the space’ for experientially grounded alternate meanings, and that we work towards altering defeating significations.

Although accountability is an ambitious and difficult project, I think that it is preferred alternative to the project of inclusion. Inclusion begins with the premise that there is something to be included into, a core that is normal and desirable to belong to. Strategies of change that emphasize inclusion offer ways to expand the numbers of people and the influence those people have on the political processes, but this is not necessarily with a conscious mind of the power dynamics. The politics of accountability presents a way for all of us (as carriers of signification) to identify and disturb the ways in which subject meanings are structured through social positions and relations of domination and subordination. As
such, it is a means of exposing, unsettling and challenging the power of hegemonic meaning-makers.

9.6 Emotional and Experiential Signs

Meaning-making is central to our experiences and emotions; politics is as much about what we feel and experience about the processes and outcomes of signification as it is about the production and operation of power. Feelings and experiences are important to politics because they not only remind us of the impact of power on our lives, but also because they can determine modes of action and resistance. In this regard, I depart from positions taken by anti-identity politics thinkers such as Brown (1995) who despair at the ways identity/difference discourses reinstitute certain emotions (i.e. pain and injury). Brown warns that identity politics depends on coherent group identities that are grounded and invested in their own subjection. In relation to the state, the very acts to combat this subjection compulsively reopen and re-infect the wound (Bickford, 1997: 114); Brown states that “Politicized identity thus enunciates itself, makes claims for itself, only by entrenching, restating, dramatizing, and inscribing its pain in politics; it can not hold no future – for itself or others – that triumphs over this pain” (1995: 74). According to Brown, the logic of politicizing identities is to publicly maintain and reiterate representations of a group that is suffering (1995: 73-4). This spirit of pain creates meanings of powerlessness, victimhood, and purity (Bickford, 1997: 115). According to Brown, in making an identity claim, the emphasis is on the injury done, the suffering caused, and the pain that is lived; the only logical response is one of revenge, “a practice that reiterates the existence of an identity whose present past is one of insistently unredeemable injury. This past cannot be redeemed unless the identity ceases to be invested in it, and it cannot cease to be invested in it without giving up its identity as such” (Brown, 1995: 73).

I do not take issue with Brown’s argument that there is disciplinary power in the assertion of identities, specifically in liberal discourses. Indeed, I agree with Brown and other thinkers such as Susan Bickford, that “certain forms of political action run the risk of

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[185] Taylor also discusses the limitations of a similar discourse: victim-accuser and accused-oppressor (1998a: 155). I think he is right to argue that the accusatory debate can be sterile, but it can also be fruitful in that it identifies the relationship between oppressor-oppressed. Whilst this dichotomy oversimplifies matters, it is also useful in locating the injurious impact and source of oppression.
further entrenching normalizing conceptions of identity and the power of regulatory apparatuses to enforce and police them” (Bickford, 1997: 118). Instead, my concern with Brown’s analysis is that she slips into the very role of gazer that she wants to critique. As Bickford notes, Brown accepts dominant perspectives that mark Othered people as injured without full appreciation that this may not be way in which the Othered views themselves (Bickford, 1997: 117). Moreover, Brown assumes that emotions and experiences of pain, injury, suffering, and revenge in discourses of identity/difference are all bad news. Whilst injury is bad news for those of us who are injured, these emotions are conceptually and politically important to identity/difference theorizing on two levels.

First, emotions and experiences of injury can serve as signifiers of problematic significations; they tell theorists about the effects of meaning-making in oppressive ways. In this sense, injuries describe significations that emerge from epistemic experiences. Specifically experiences and emotions of injury, suffering, pain, revenge, hate, and frustration signify the impact of acrimonious meanings; these signifiers reveal the political effects of meaning-making in domineering, repressive, exclusionary, marginalizing, subordinating and imperialistic ways. Signs of injury can thus be reflections of the violence inherent in racist, homophobic, hetero-normative, classist, sexist, patriarchal, and disabilist systems of meaning-making. Emotional and experiential signs of injury help to identify and name oppressive and exclusionary practices, and the resultant effects. It is not always self-evident which emotional and experiential significations are more legitimate (e.g. should the feelings of white supremacists be as significant as those of people of colour?). To facilitate the process, such legitimacy could potentially be established through formal structures of deliberation and accountability, where the intent would be to shed light on the lived experiences and social contexts of power (see chapter four, discussion on Satya Mohanty).

Second, although not all injuries produce the desire for revenge, hate or anger, they can cause or lead to political action. As such, contra Brown I do not equate injury with the absence of agency. Whilst Brown implies that injury leads to powerlessness, I see such significations as potential motivating factors of mobilization. These feelings (amongst others) are important to politics because they reflect the ways in which people feel about the condition of inscribed significations; in other words, the states of injury need not only signify suffering, but they can also prompt political action. Bickford argues that “suffering
and citizenship are not antithetical; they are only made so in a context in which others hear claims of oppression solely as assertions of powerlessness” (1997: 127). Moreover, Bickford contends that identity is a source of enabling and productive power:

But, *pace* Brown, the existence of the group does not depend solely on the public reiteration of its injuries. For identity has another relationship to politics, one that manifests a different kind of power: power as an enabling, empowering force or capacity. Far from being constituted solely by oppression and exclusion, group identities may be cherished as a source of strength and purpose. (1997: 119)

Bickford rightly points to the positive dimensions of claiming a group identity. She goes to argue that it is not only suffering that preoccupies or fundamentally marks those signified as the Other (Bickford, 1997: 126-127). Rather, it is *anger* about existing relations of power, *desire* and *passion* for change, and the *courage* to act that shapes our identities and social positions.

Suffering is certainly real and true of the experiences Othered people feel, and if exposed in sites of deliberation can stimulate empathy. But integral to these experiences are emotions that motivate opposition to injurious acts, practices, people, and institutions. Bickford suggests that it is necessary to develop practices of political listening, so as to hear not only the pain but also the energy and activity in wanting change. She states that “listening is best understood not as an attempt to get at an “authentic” meaning, but as participation in the construction of meaning” (Bickford, 1997: 126). This idea of listening as we engage in activities of meaning-making is an important one; instead of hearing only the psychological pain, it becomes possible to understand how emotional responses to injurious systems of meaning-making are instigative of political action. Put differently, emotions are powerful responses to subjugating meanings and have the potential to incite action, resistance and oppositional consciousness in the processes of meaning-making. Bickford ends with a quote from Audre Lorde (1984) that sums up this point: “I am not only a casualty, I am also a warrior” (Bickford, 1997: 127).^{186}

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^{186} In his forthcoming book, Alfred (2005) also takes up the theme of the warrior. He speaks to other Indigenous people through his writing in order to promote and preserve Indigenous existence. For him, the historical experience of colonization and the on-going colonialism is a source of political, philosophical, and physical mobilization rather than simply a sign of injury and defeat.
9.7 Conclusion

The activities of signification and resignification underlying the processes of meaning-making thus carry potential implications for liberal-democratic practices and principles. Overall, such activities imply that politics cannot be driven by a desire for inclusion or a simple account of the practices of exclusion, even whilst acknowledging that these practices are central to politics and political theorizing. The intent, instead, is to expose, raise consciousness, and respond to issues of identity/difference in contexts of power. In particular, the analysis suggests that liberalism may only take transformation of the political order so far, and that indeed, it is necessary to keep a watchful eye on the liberal paradigm. This is not to say that traditional liberal tools such as rights cannot be re-conceptualized and redeployed. Rights can be reconceived, not as an end project but as an instrument that provides opportunities to create, organize, and articulate desirable significations from the perspective of the Othered. Further, when meaning-making is taken seriously, it is critical for conceptions of political community, as expressions of citizenship, to be contingent and flexible so that they reflect the positions of meaning-makers, the dynamism of meanings, and their relevance to agents of meaning-making. In addition, meaning-making can be tied to democratic practices that facilitate contestation. These agonistic visions of deliberation are oriented towards exposing relations and positions of power rather than inclusion. Specifically, deliberation has the potential to unmask (or acknowledge and disclose) the processes of meaning-making within contexts of power, the desires of meaning-makers, and the political stakes. In these formal sites of deliberation, accountability for privilege and oppression (both historically and contemporarily) is required. Finally, experiences and emotions are central to meaning-making because they illustrate the effects of oppressive systems of meaning-making and because they can be a source of political action. All of these dimensions are motivated not by a desire for inclusion but by a need to expose, name, disrupt, dismantle and resist various oppressive dynamics of power related to issues of identity/difference.

This is, in the end, a more radical, complete, and critical project from that of liberal multiculturalism. Whilst I am sympathetic to the principles of diversity and pluralism that underpin liberal multiculturalism, this approach simply does not, and in many ways cannot, go far enough in addressing key issues of identity, difference, non-difference and power. At
best, liberal multiculturalism only partially captures the complexity of culture-based differences; and at worst, it narrowly defines the territory of identity/difference politics, often misunderstanding, obscuring, and erasing multiple dimensions of this politics. Contra liberal multiculturalism, the goal of identity/difference politics needs to go beyond ways to affirm, include, manage, and soften culture-based differences, in particular to fundamentally question, resist, and reconstitute relations of power. The problem lies in large measure with interpretations of culture. To push the boundaries of identity/difference theorizing -- with the intent to enrich the scope and depth of analysis in political theory -- I contend that a conceptual shift to cultural paradigmatically repositions analysis from the entity of Othered cultures to the processes that signify identities and relations. It addresses both how (through processes of signification) and why (as a result of complex dynamics of power) dominance and subjugation produces specific socio-political arrangements. This has the effect of expanding, interrogating, and complicating analysis. This is critical because it facilitates an understanding of how to oppose and dismantle dominance through activities of signification and resignification. Ultimately, through this analytic shift the study of identity/difference politics has the potential to be a more dynamic, broader, experientially-grounded, socially contextualized, and transformative theoretical and political endeavor.
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