

DECOLONISING DIGNITY FOR INCLUSIVE DEMOCRACY

Christine J. Winter

University of Sydney

Email: c.winter@sydney.edu.au

ABSTRACT

The idea of dignity is often taken to be a foundation for principles of justice and democracy. In the West it has numerous formulations and conceptualisations. Within the capabilities approach to justice theorists have expanded the concept of dignity to encompass animals and ecological communities. In this article I rework the idea of dignity to include the Māori philosophical concepts of *Mauri*, *tapu* and *mana* – something I argue is necessary if the capabilities approach is to decolonise in the Aotearoa context. Furthermore, the article links the nation's recognition of three extensive geographical regions – Te Awa Tupua, Te Urewera and Mt Taranaki – as legal persons to *Mātauranga Māori* and nonhuman dignity. In doing so, I identify the potential that this understanding of dignity and these legal moves have to decolonise democracy within the settler state.

KEYWORDS

Aotearoa, capabilities approach, decolonisation, democracy, Māori, settler state.

I grew in the grace of the magnificent *maunga* Taranaki. This mountain dominates the landscape of a province bearing its name in Aotearoa New Zealand¹. Rising 2,518m (8,261 feet), the near perfect cone is a source of life and death. Its peak pierces the clouds formed as winds rise from the Tasman Sea. Rains fill rivers radiating across the ring plain that collars the peak, watering bush, urban centres, industry, gardens, and farms. However, all is not bliss. Climbers die there. And Taranaki erupts, threatening all life around it. Eruptions are the price paid for the rich volcanic loams that sustain the lush grass, vegetables, fruits, and dairy herds that flourish in the

¹ Hereafter Aotearoa.

gentle temperate climate of the region. In Taranaki all is one with the *maunga* – it is the life-source.

For *iwi* of Taranaki, the *maunga* is kin, and more: the mountain and the people are one. This oneness is an expression of entangled being, recognition of energy flows from ‘inanimate’² to animate and back, of dependencies, respect and equality of being. The philosophical foundation of entanglement comes from the epistemology of *whakapapa* (Roberts et al., 2004) and the ontological concepts of *mauri*, *tapu* and *mana* (Henare, 2001; Shirres, 1982; Watene, 2016). These latter three concepts together translate to something like the Western concept of dignity. The interdependence, the one-ness, respect and equality of being integral to Taranaki *iwi*’s understanding of themselves and the *maunga* are now reflected in a Memorandum of Understanding between *iwi* and the government. Taranaki, the mountain, henceforth has the legal standing of personhood with all the protections and dignity that the West understands are the rights of human persons.

Taranaki is the third geo-region in Aotearoa to be granted this status (following Te Awa Tupua – a river system – and Te Urewera – large range system).³ The legislation melds the legal and philosophic foundations and frameworks of two distinct cultures – Māori and Anglo-European. It recognises two legitimate and incommensurate ways of being in the world and attempts to make them commensurate. Legal personhood for nonhuman is a step towards decolonisation,⁴ towards real democratic pluralism. It may also provide pathways for establishing ‘environments’ as actors within democracies.

This article responds to an aspect of Watene’s question, ‘What insights can Māori values bring to [...] the capability approach [...]?’ (Watene, 2016; 288). It is a challenge to colonial arrogance, a

² The reasons for the scare quotes here will be revealed as I explain the concepts of *mauri*, *tapu* and *mana* and as I develop an inclusive conceptualisation of dignity.

³ India, too, has embraced this legal mechanism for rivers, glaciers and air in an attempt to protect and ‘clean-up’ the Ganges and its tributaries.

⁴ Here decolonisation means to seriously recognise the legitimacy of and need to engage with Māori theory, Māori philosophy, epistemology and ontology, in Aotearoa.

challenge to the already always presumption Western philosophies are the ‘most advanced’ or conversely, that indigenous philosophies are something less. My focus is two-fold. First, justice theory and the idea of democracy make claims of and to universal goods. However, neither is currently able to accommodate Māori (and other Peoples’) ontology. They must, I suggest, either admit they are not universal, or adjust to embrace wider ontological foundations than the current Anglo-European-North American. If justice theory underpins democracy, in settler states, states with multiple claims to sovereignty and incommensurate Indigenous and settler philosophic underpinnings, decolonisation can only occur when the legitimacy of Indigenous theories and practices are recognised. Otherwise practices of colonial domination continue.

One route towards such an ontological adjustment is via our conceptualisation of dignity. I take this as a ‘least controversial’ route because the concept has many different conceptualisations within Western philosophy – historically and contemporaneously (Kateb, 2011; Rosen, 2012; Schroeder, 2010; Waldron, 2012).⁵ It also appears to be a concept which is accepted across cultures – see for instance its use to ground the Universal Declaration of Human Rights (UDHR).⁶ And finally, many theories of justice use dignity as their foundation appeal and justification – albeit they generally mean *human* dignity (Kateb, 2011; Nussbaum, 2004; 2007; 2011; Rosen, 2012; Waldron, 2012). Decolonising the concept of dignity gives justice theories based on it a more legitimate claim to universality. To achieve this objective I traverse a range of conceptions of dignity before identifying what I call ‘Immersive Functioning Dignity’.

Second, a pluralist conceptualisation of dignity underpins the personhood status of Te Awa Tupua, Te Urewera and Taranaki. Dignified ‘persons’, these actors have guardians who are legally bound to represent their needs. In the least radical interpretation, this gives the natural actors a ‘voice’ in resource management and development applications. More radically, the voice

⁵ Doris Schroeder suggests there are five or more accepted conceptualisations in Schroeder, D. (2010). Dignity: One, Two, Three, Four, Five, Still Counting. *Cambridge Quarterly of Healthcare Ethics*, 19(01), 118–125. <http://doi.org/10.1017/S0963180109990302>.

Ruth Macklin suggests the concept is so mutable it is meaningless and useless, see Macklin, R. (2003). Dignity is a useless concept. *BMJ*, 327(7429), 1419–1420. <http://doi.org/10.1136/bmj.327.7429.1419>

⁶ The UDHR opens with the following statement: ‘Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world’ (United Nations, 1948).

might extend to representation in international fora for climate change action, say, and votes in democratic elections.

Drawing from Nussbaum's capabilities approach to justice, I will first examine how three theorists, Nussbaum, Schlosberg, and Fulfer have positioned nonhuman in the parameters of the theory. This is followed by a discussion of some aspects of *Mātauranga Māori* (Māori philosophies) and particularly the concepts of *mauri*, *tapu* and *mana*. The paper suggests the capabilities approach is capable of embracing Māori ontology if dignity is reconceptualised from within *Mātauranga Māori* and demonstrates how that culminates in Immersive Functioning dignity. In concluding I explore the practical and political potential of decolonising Indigenous Peoples and indigenous landscape.

1 The Capabilities Approach & Nonhuman

In some ways, our imaginative sympathy with the suffering of nonhuman animals must be our guide as we try to define a just reaction between humans and animals. Sympathy, however, is malleable. It can all too easily be corrupted by our interest in protecting the comforts of a way of life that includes the use of other animals as objects for our own gain and pleasure. That is why we typically need philosophy and its theories of justice. (Nussbaum, 2006: 1)

Nussbaum suggests here that animals may be, indeed should be, subjects of justice. Without a framework of justice to protect nonhuman⁷ animals she is suggesting it is all too easy for humans to rationalise harms inflicted on other creatures for human-centred advantage. The idea of justice for nonhumans suggests they have rights. Nussbaum links this call for justice to '[t]he fact that humans act in ways that deny other animals a dignified existence' (Nussbaum, 2006: 1).

⁷ Like others I struggle with the word 'nonhuman' in that it embodies the very foundations of the anthropocentrism this article rejects – that is, that forms on earth are either human or other. However, the alternatives – such as more-than-human – still reflect a dichotomous relationality. I settle with nonhuman, albeit with irritation and discomfort. I also refrain from using an article before 'nonhuman' as part of the inclusive objective of the piece and to indicate nonhuman has (here at least) subject status. Nonhuman here connotes something more than wilderness, the great out there of 'nature'. It is that which is always already around and within human wherever humans are situated (Schlosberg, 2013)

However, Nussbaum does not develop a comprehensive conceptualisation of dignity for nonhuman. She suggests it is easier to identify animal *indignity* – when human actions limit an animal’s potential to flourish in a species specific way (ibid.). To more specifically conceptualise dignity for nonhuman extends justice (and potentially political agency) to that realm. Additionally, where dignity is a foundation concept for an understanding of rights and democracy, to decolonise and embrace Māori world-views, for instance, dignity needs reconceptualising.

What human dignity *is* can be unclear. Nussbaum herself suggests it is a slippery concept when she says, ‘[d]ignity is an intuitive notion that is by no means utterly clear’ (Nussbaum, 2011: 29). Schachter proposes, ‘[dignity’s] intrinsic meaning has been left to intuitive understanding, conditioned in large measure by cultural factors’ (Schachter, 1983: 849). But not all theorists leave the concept to intuition. Indeed, Schroeder identifies at least five clearly articulated conceptualisations (and she is ‘still counting’) (Schroeder, 2010). It is this ‘slipperiness’ and the multiplicity of conceptualisations within the Western tradition alone that lead me to suggest it is reasonable to consider revisiting dignity’s conceptualisation for the purpose of decolonising theory.

As a starting point the ‘intuitive’ understanding of dignity in the Western canon⁸ may be parsed something like this:

- P1 Human beings are unique (and more important than all other living and non-living elements)
- P2 Human beings strive to flourish and fulfil their specific potential

⁸ This parsing is offered simply as a starting point and does not represent any one specific formulation. Rosen, 2012 offers a comprehensive review of the roots and formulations of human dignity within the Western tradition; Kateb, 2011 makes a strong case for the responsibilities human have to each other and the environment as a function of human dignity; Schachter, 1983 surveys dignity’s usefulness as a universal normative concept binding all humans; Schroeder, 2010 offers a detailed historiography of dignity in an attempt to understand its usefulness to bioethics; and Waldron, 2012 draws a picture of dignity as the source of equal human status in the twentieth and twenty-first centuries.

- P3 All human beings are entitled to flourish and fulfil their potential qua human beings
- P4 Dignity is found in freedom to access the resources to flourish and fulfil potential
- C Because it is theirs alone by birth-right, all people are sites of dignity and all people have obligations and duties to uphold and respect the dignity of human beings.

What is important to justice theory is that humans are special because they alone are bearers of dignity (Kateb, 2011; Rosen, 2012; Schachter, 1983; Schroeder, 2010; Schroeder & Bani-Sadr, 2017; Waldron, 2012), and within modern theory, dignity is a foundation for human equality claims. If human beings have dignity and equality each is entitled to just treatment that supports their equal dignity. Our democratic political structures and practice must meet these claims for equality of human dignity. Where human dignity is diminished, when for instance, a person is denied the opportunity to flourish through the acts of another, an injustice occurs. However, some theories suggest that justice may and should be extended beyond the human community to other sentient creatures.

Within political philosophy, Nussbaum has ‘begun’ the work of expanding the scope of justice, arguing it can be conceptualised to embrace animals.⁹ Referencing Aristotelian dignity (a decidedly non-egalitarian form)¹⁰ as her foundation she builds a case to include particularly individual sentient animals within the scope of justice (Nussbaum, 2004; 2006; 2007; 2011). ‘[T]here is’, she says, ‘no obvious reason why notions of basic justice, entitlement, and law cannot be extended across the species barrier’ (Nussbaum, 2006: 1).

⁹ Thomas Aquinas claimed animal, vegetable and mineral bear dignity. His conceptualisation was instrumentally based. For him what was important was not demonstrating respect for ‘nature’ intrinsically, but that recognising dignity in ‘nature’ recognised God and respect for God’s creation (Rosen, 2012; Schroeder, 2010).

¹⁰ Aristotle grants dignity only to free, high-status, property-owning males.

The capabilities approach is, Nussbaum argues, ‘capable of recognizing a wide range of types of animal dignity, and of corresponding needs for flourishing and ... the approach is capable of yielding norms of interspecies justice’ (Nussbaum, 2007: 327). Human beings, she argues, are tied together by altruism and self-interest, and the good of others is integral to individual wellbeing (2007). Animals living integrally with a human community become part of the social good. The closeness of the relationships and interdependence between humans and these animals, and the animals’ intelligence, sociability, ability to motivate action, etc., suggest the animals are entitled to something more than mere compassion,¹¹ and something more than a fungible protection so easily corrupted by human self-interest. The integral entanglement of these animals with human lives means the animals should be included within the moral community. They should be recognized as bearers of individual species-specific dignity (Nussbaum, 2006, 2007). Again for simplicity’s sake, Nussbaum’s dignity may be parse something like:

- P1 Higher order sentient living animals (‘intelligent creatures’ including human beings) are unique
- P2 Human flourishing is entwined with relationships with (higher order) sentient animals
- P3 Human and nonhuman higher order sentient animals (in a manner similar to human beings) strive to flourish and fulfil their species specific potential, and are capable of a dignified existence
- P4 Dignity is found in freedom to access the resources to flourish and fulfil potential
- C Humans and higher order sentient living animals are sites of species-specific dignity and humans have obligations and duties to uphold and respect their dignity.

¹¹ As Rawls suggested, see Rawls, 2009.

Nussbaum does not limit her claims for nonhuman dignity just to animals who share sociability with human. In *Frontiers of Justice*, she applies her formulation primarily to higher order sentient animals with whom humans form ‘human-animal relations’ (2006: 351). Where animals are part of the complex of social cooperation, justice requires that humans ‘ought [...] to live decently together [with them] in a world in which many species try to flourish’ (2006: 351). Her 2006 article *The Moral Status of Animals*, focuses less on human-animal relations and more on the dignity of sentient animals and human obligations to support that dignity. Recognising dignity in sentient animals places obligations on humans to facilitate their capacity to *flourish* in a species-specific way. As bearers of dignity individual animals become the subjects of justice, worthy of respect (2006; 2007). Further, having reviewed the inadequacies of Kantian and Utilitarian justice theories to achieve this end, she suggests ‘[t]he capabilities approach can recognise a wide range of types of animal dignity, and of what animals need in order to flourish’ (2006: 2).

More recently, she has argued that whales, too, who live lives independent of a sociability with humans, are to be regarded as the subjects of justice. ‘Whales are’, she argues with Nussbaum Wichert, ‘creatures with complex interlocking life-activities and [...] their capabilities deserve protection’ (Nussbaum Wichert & Nussbaum, 2017: 367). This they argue then places obligations on governments and individuals to ensure wonton whale killing ceases. They argue whales have the right to flourish in their own way. Justice for whales requires recognition of their own combination of capabilities that constitute what it is to be whale.

Nussbaum motivates readers to consider embracing an extended moral community by recognising the inseparability of human and some animals, animal sentience and animal sociability (Fulfer, 2013; Nussbaum, 2004; 2007; 2011). Her formulation demands active facilitation of the capabilities of these animals in a species-specific manner (and she provides a set of capabilities paralleling her list of human-centred capabilities).¹²

¹² Nussbaum’s list of animal capabilities: 1. Life; 2. Bodily Health; 3. Bodily Integrity; 4. Senses, Imagination, & Thought; 5. Emotions; 6. Practical Reason; 7. Affiliation; 8. Other Species; 9. Play; 10. Control Over One’s Environment, (Nussbaum, 2007; 392–401).

‘Each life form’, Nussbaum says, ‘is worthy of respect, and it is a problem of justice when a creature does not have the opportunity to unfold its (valuable) power, to flourish in its own way, and to lead a life with dignity’ (2006: 3). Here she links dignity and respect. They are, if you like, twins in the project of justice. Nussbaum’s claim is dignity and respect are part of the same concept family, that is, understanding either term relies on understanding the other (Bendik-Keymer, 2014). They are bound together in tight dependency and union. These claims are critical when we consider *mauri*, *tapu* and *mana* later.

In summary, Nussbaum's main claim is that sentient animals have a right to flourish in their species specific way. To deny that ability to flourish is to subject the individual animal to an indignity, and it is a matter of justice to ensure animal dignity is upheld. What is required then, are the ‘political principles to protect, for all sentient beings, set of basic opportunities for flourishing’ (Nussbaum, 2006: 3). Granting them the legal status of personhood seems one such mechanism. However, in Aotearoa this legal personhood status has moved beyond sentient animals and now embraces the nonsentient and inanimate.¹³

These political principles and acts have expanded the sphere of justice beyond that articulated by Nussbaum. Political theorists working within the capabilities approach have also expanded Nussbaum’s account of human obligations to nonhuman.

Fulfer expands the realm of dignity to encompass the community within an ecosystem, including nonsentient living things in the community (Fulfer, 2013). Fulfer points to the ‘(inter)connection’ of human and nonsentient life (ibid.: 30) and enfolds the non-sentient into the boundaries of dignity and relational politics by suggesting abuse of nonsentient life is an act of disrespect to its dignity.

¹³ Similarly, ‘Mother Earth’ is granted rights in Bolivia and Ecuador. (La Asamblea Legislativa Plurinacional. (2012); National Assembly Legislative And Oversight Committee. (2008)).

Drawing on Nussbaum's claims of dignity for higher order sentient life, Fulfer extrapolates:

If interdependence in relationships with animals is important, then it is likely important in relationships with nonsentient life as well. Justice governs our relationships with other humans and animals because each has capabilities that need to be protected and promoted (ibid.: 30).

Dignity in Nussbaum's and Fulfer's accounts cannot exist without access to the set of Nussbaum's ten capabilities, and the capabilities of living things are grounded in dignity. Capabilities 'make manifest the conception of dignity' (ibid: 30). Fulfer's 'focus [is] on our acceptance that justice and dignity emerge out of interactions with others, and that humans have a great deal of privilege relative to the nonsentient life we make use of and interact with' (ibid.: 31).

There is more in Fulfer's account to indicate that the capabilities approach may be an appropriate justice framework for decolonising theory. She incorporates the nonhuman as an ecosystem, as a community. Carruthers and Schlosberg also suggest the capabilities approach is capable of providing justice for communities – namely communities of Indigenous Peoples (Carruthers, 2010). Environmental justice (EJ) is as they note, 'embedded in community' (ibid.: 17). The point is where identity is understood to be communal (environment, people, culture, etc.), and where that communal identity is threatened by environmental harms then 'it' can make justice claims. Furthermore, Carruthers and Schlosberg demonstrate that Indigenous communities have already a 'community-based, capabilities-centred conception of environmental justice' (ibid.: 30).

Separately, Schlosberg uses the term 'integrity' to extend the concept of dignity to nonhumans. He uses integrity as the motivating force to include ecosystem functioning as integral to framing climate change justice in the capabilities approach (Schlosberg, 2012b; Schlosberg, 2014). In this way, he argues, we can extend justice to nonhuman as subjects, and more importantly, as a way to '*internalize* the environment' (2012b: 165. Italics original). Once humans understand 'the

environment' is internal to themselves and vice versa, the environment becomes part of our political community. The dignity of the individual element is dependent on the integrity (or dignity) of the whole in which all are immersed. Integrity he argues can be applied to ecosystems, to communities of being, in a manner individual-based dignity cannot.

Fulfer's and Schlosberg's conceptualisations of 'dignity' and 'integrity' move much closer to that required by personhood for nonhuman than Nussbaum's. They suggest human and other living things are interwoven and interconnected, not (arbitrarily) divided. There is, on their accounts, dignity/integrity in nature-as-community generated by both interconnection and immersion, a dignity that is abused by disrespect and damage to any element of the whole.

Fulfer 'suggest[s] that the nature of our [human] dependence on elements within ecosystems bestows a kind of dignity on them. In other words, dignity is best understood in this context as a relational moral property. We recognise this dignity because the relations are ones of interdependence [between humans and between human and nonhuman] – our [human] flourishing depends on that of non-sentient life and the flourishing of non-sentient life, in part, depends on our actions' (Fulfer, 2013: 31).

Rather than locate this dignity within individual living things and non-living things, dignity in this formulation is situated in ecosystems in which human beings, other sentient and non-sentient life are embedded and of which they are constituents. Scholsberg and Fulfer's conceptualisations can be summarised as Relational Functioning Dignity.

- | | |
|----|---|
| P1 | All humans, sentient and non-sentient life are interlinked in ecosystems |
| P2 | Living things and ecosystems strive to function and fulfil their (type-specific) potential |
| P3 | The inability of a human, living thing or ecosystem to function and/or fulfil potential is identifiable |

- P4 Dignity is found in freedom to access the necessary resources to function and fulfil potential
- C Humans have obligations and duties to uphold and respect the dignity of all living things and ecosystems

This relational conceptualisation of dignity affords things the *right* to flourish, challenging wanton human acts of destruction. As a relational concept, it addresses Schlosberg's concern that for many 'the term 'dignity' is primarily understood as an individual psychological state referring to one's own self respect' (Schlosberg, 2012a: 175). It is also capable of supporting a cultural ontology in which human-nonhuman interconnection is accepted as a flowing continuum. These interconnections do not finish with living organisms: all living things are also dependent on air, water and soil, minerals and nutrients, thus extending Nussbaum's understanding of interconnectedness.

Nussbaum and Fulfer indicate dignity can be embedded in animal and vegetable in a systemic way, and that at least some nonhuman living things should be considered subjects of justice. Fulfer expands the conception beyond the individual into ecosystems. However, as they are articulated, neither conceptualisation gives standing to the non-living in the robust way required by Māori epistemology and ontology.

2 Mātauranga Māori

The cosmic religious world view of Māori is as old as the culture itself and constitutes a philosophy, which is a love of wisdom and search for knowledge of things and their causes. ... At the heart of [the Māori] view of the creation process is an understanding that humanity and all things of the natural world are always emerging, always unfolding.

(Henare, 2001; 198)

Mātauranga Māori are the philosophies of the Māori peoples of Aotearoa.¹⁴ *Mātauranga Māori* are living philosophies in two senses. First, they entwine all things within *whakapapa* (literally 'to place in layers' and commonly translated as genealogy) as lively beings. Second, Māori continue to engage with and live within these philosophic frameworks, which like Western philosophies continue to 'transform' (Watene, 2016: 288). These include the philosophies of *kaitiakitanga*. *Kaitiakitanga* is the Māori framework of environmental and intergenerational justice. It is frequently described as a system of custodianship or guardianship. However, given the intergenerational thread, where the obligations of *kaitiaki* to nonhuman are generated from respect for that which the ancestors (spiritual, human and nonhuman) have 'gifted' the present and obligations to 'pass it forward' to future generations, it might be better seen as a philosophy of *trusteeship*. What are the philosophic disjunctures between the concepts of dignity, justice and the political we have examined so far and *Mātauranga Māori*, and *kaitiakitanga*?

I have outlined two elements that suggest the relational functioning dignity discussed above open a potentiality to meet the conditions of *Mātauranga Māori*. That is, within Nussbaum, Fulfer and Schlosberg's understandings of dignity it is possible, and indeed necessary for nonhuman to be included in the scope of justice. This accords with Maori understandings of human-nonhuman entanglements of respect and reciprocity that are integral to *Mātauranga Māori*, *whakapapa* and *kaitiakitanga*. Secondly, we have seen that the capabilities approach at least, is capable of embracing concepts of entwined community. Carruthers and Schlosberg argue,

that the environmental justice struggles of indigenous peoples reveal a broad, integrated, and pluralistic discourse of justice – one that can incorporate a range of demands for equity, recognition, participation, and other capabilities into a concern for the basic functioning of nature, culture, and communities. [...] [T]he capabilities approach to justice offers just such a broad and inclusive definition, and one particularly applicable in cases of indigenous environmental justice.

(Carruthers, 2010, pp. 12–13: and 15)

14 While common threads are found throughout, each *iwi* (tribal group) developed variants.

That is, as they outline it, the capabilities approach is able to address at least some aspects of relational ontologies common to Māori and other indigenous peoples. However, as Watene identifies, ‘Nussbaum’s dignity-based theory – bringing rationality and animality together – leaves the natural world outside the scope of the theory. [...] [T]here is not enough scope to guarantee all voices – and more particularly a Māori voice – will be heard’ (294). There seems to be something *unjust* about a justice theory that is unable to guarantee Māori voices a place to be heard and respected.

Watene argues that the type of dignity in which Nussbaum grounds the capabilities approach is unable to capture the spiritual and physical dimensions of Māori relationships with ‘nature’ (ibid.).¹⁵ However, that Nussbaum identifies relationships and sociability motivate her to include animals, and particularly sentient animals, within the scope of justice is a promising start. *Whakapapa*, foundational to *Mātauranga Māori* is a relational concept. It maps the entwined relational existence of gods, lands, people, animals, plants and waters. However, unlike the Western concepts of human-nonhuman relationships, for Māori these relationships involve reciprocal obligations of respect based in kinship, ‘so a human chauvinist position is not possible’ (Patterson, 1994: 36). What is important here is that there is no understanding in a Māori worldview of ‘a battle between humans and the natural world. [...] Rather, the idea is to find ways of living in harmony with all creatures, wherever possible’ (ibid.: 36). Aristotle’s dignity was decidedly chauvinistic,¹⁶ and although Nussbaum rejects the ‘arrogance’ of an anthropocentric world view, she does not go so far as to conceptualise dignity in nor for all nature. What is the mechanism that makes this inclusion intrinsic to *Mātauranga Māori*?

¹⁵ Watene uses the term nature to embrace the totality of that which is not human. I use ‘nature’, and ‘the environment’ as synonyms. They include animal (from sentient to single cell), plant, waters, landform and its mineral components, the air, and the systems (including the extra-terrestrial (thanks to Benjamin Brice for this point)) that sustain the interactions and processes. Human is entwined with nature and environment in Māori epistemologies and ontologies, that is, the disjuncture between natural and cultural that is accepted within the West does not exist to Māori philosophies.

¹⁶ In all senses of the word.

In the introduction I identified that in Aotearoa *iwi* and the state have worked together to craft a hybrid structure, legal personhood, to blend *Mātauranga Māori* and Western legal structures.¹⁷ Separately, Ecuador and Bolivia have granted ‘Mother Earth’ rights: rights which bear similar obligations and duties to the environment and nature as human rights direct towards human (Charman, 2008; La Asamblea Legislativa Plurinacional National, 2012; Assembly Legislative and Oversight Committee, 2008). Taking indigenous frameworks, these mechanisms harness the language of rights and incorporation to structure wide-ranging protections for all nonhuman elements of the environment. In these frameworks and new legal structures, nonhuman is a subject and bearer of rights. They push the boundaries of post-colonial governance structures.¹⁸ However, it seems difficult to accommodate the breadth of entangled interrelationships with and respect for nonhuman expressed in these documents within a capabilities approach to justice unless the concept of dignity can be expanded. Watene suggests,

Nussbaum’s conception of dignity could be extended to include the natural world, even though she does not do so. More than this, the spiritual dimensions of the concepts of ‘mauri’, ‘mana’ and ‘tapu’ could be captured by a modified version of innate dignity; that is, a conception of dignity which moves beyond rationality and animality to also include spirituality. As it stands, however, Nussbaum interprets the value of the environment in instrumental terms. (Watene, 2016: 8)

This section examines the concepts of *mauri*, *tapu* and *mana* (separately and together) and conceptualises dignity from them, one that will provide a base from which the capabilities approach can incorporate Māori values.

¹⁷ It may be noted that India has too, however I know too little of Indian indigenous world views to make a claim that it is a similar blend. India may equally and simply have chosen personhood as the best device to achieve environmental protection aims, as suggested by this article (‘India court gives sacred Ganges and Yamuna rivers human status’, 2017).

¹⁸ In some ways they may be thought to subvert the structures imposed by colonialism. More critically they might be seen to be a capitulation to and acceptance of the dominance of these same structures. I am suggesting the former interpretation gives Māori greater potential for agency and provocation for incrementally more ‘radical’ rethinking of governance structures in Aotearoa. Thanks to an anonymous reviewer for prompting this observation.

First a caveat. It is immensely difficult to translate ontological concepts between epistemologies. How we understand who we are – human beings, Māori and Pākehā/European/Western – and how we see ourselves in and of the world are fundamentally very different. Notwithstanding, the translation has occurred in Aotearoa law (as it has also with the translation of *Pachamama* into Ecuadorian and Bolivian legislatures). By granting *Te Awa Tupua*, *Te Urewera*, and *Taranaki* ‘ownership’ of themselves, the government has blended Māori epistemologies and ontologies and Western law.¹⁹

Spiritual and material are inseparable in Māori cosmology and philosophy (Henare, 2001). Everything is metaphysically connected to the gods, and through whakapapa (the complex Māori genealogy layering, connecting and relating spiritual and material, living and non-living) to ancestors and the living (Roberts et al., 2004; Williams, 2001). Māori ways of knowing and being in the world recognise an integral, inseparably layered entanglement of everything, spiritual, living and non-living across all time. Recognised, too, is a vital, type specific, subjectivity in all things. Everything has *mauri*, *tapu* and *mana*.

Mauri is commonly interpreted as ‘life force’ (Durie, 2010; Henare, 2001; Mead, 2003; Patterson, 1994). This is a simplistic translation. It is much more involved than that. Māori scholar Mason Durie suggests we look at *mauri* within the following framework:

[I]nanimate material objects possess their own form of life, a *mauri*, which both distinguishes them (from other objects) and also unites them within a wider network of entities.

[...]

The nature of *mauri* – the vitality – of [an inanimate object] depends not only on the structure and form but also on the relationship of [it] with the wider environment. In an indigenous world objects that appear inanimate are not regarded as lifeless or

¹⁹ These agreements are part of the country’s Treaty of Waitangi settlements process. By harnessing the concept of legal personhood they take an approach which eschews ownership of the nonhuman realm often associated with post-colonial reparation and reconciliation.

static since they also possess an identity of their own and are part of a wider network. Belonging to that network creates a vibrant relationship that is at odds with the view that motionless objects lack life. ... There are energy chains within, and dynamic relationships beyond. (Durie, 2010: 243)

The *mauri* is source of vitality and a force of interconnection. ‘An energy flow’ says Durie, ‘that spirals outwards connects the multiple threads so that even very small objects become part of a wider context that gives them shape and meaning’ (ibid: 239). Past, present and future, human and nonhuman, animate and inanimate, spiritual and worldly are held in bonds of energetic communication. These are natural processes of endless connection, creation and recreation (Williams, 2001).

Physics, also, tells us the inanimate is not ‘lifeless and static’. It is created and recreated by forces, by ‘energy chains within, and dynamic relationships beyond’. Consider this passage from Barad, physicist and philosopher of physics:

Ontological indeterminacy, a radical openness, an infinity of possibilities, is at the core of mattering. [...] Matter in its iterative materialization is a dynamic play of in/determinacy. Matter is never a settled matter. It is always already radically open. Closure cannot be secured when the conditions of im/possibilities and lived indeterminacies are integral, not supplementary, to what matter is.

(Barad, 2012: 214–215)

This Western physicists’ call is consistent with the constant change and dynamism Durie, Henare and Williams identify are constituents of Māori ontology. These are calls well beyond ‘feel[ing] wonder [from] looking at a complex organism’ (Nussbaum, 2007: 349). They each call for respect of unfolding and re-emergence. The defining unit is not the bounded individual. Rather the ‘shape’ is one of boundless interaction and interconnection.

Life force – *mauri* – gives essence to everything, animate and inanimate. It is through the principle of *mauri* that the ‘energy chains within’, entangled immersion and balance are recognised and obligations realised.

Mauri has another powerful function: it holds together the key spiritual elements contained within any physical body (*tinana*), be that animal, vegetable or mineral. Intrinsic to all things are *hau* (the breath of life and a force for good), *wairua* (akin to soul), and the integrally bound *tapu* and *mana* (Henare, 2001; Shirres, 1982).

Tapu, intrinsic ‘cosmic power’ (Henare, 2001), the ‘potentiality to be’ (int. MH), ‘being with potentiality for power’ (Shirres, 1982: 29, 46, 50), is integral to all things and inviolable. Intrinsic *tapu* is inseparably entwined in a bound relationship with *mana* (Henare, 2001; Shirres, 1982). A quality of personal integrity commanding respect *mana* ‘is humanity’s greatest possession’ (Henare, 2001: 208). Not only humanity’s, but all things’. ‘Once a thing ‘is’, then it has a real potentiality for power or mana’ (Shirres, 1982: 46). Where *mana* is diminished so too is *tapu*, and where *tapu* is abused, *mana* is reduced. Where dignity is abused, the entity is debased. Just as Nussbaum co-joins respect and dignity, so are *mana* and *tapu* co-joined.

‘So the *tapu* of a mountain means it must be a mountain and anything that gets in the way to stop a mountain being a mountain is attacking the *mana* of the mountain...’.²⁰ Each thing is ‘*tapu* in its own way’ (Shirres, 1982: 46), thus each thing calls for respect *in its own way*. Each thing is linked through all creation to its ancestral spiritual power, the ultimate source of *tapu* and *mana* (Henare, 2001; Roberts et al., 2004; Shirres, 1982; Williams, 2001). These ‘things’ may be distinguishable individual beings – a bird or tree say – or a complex – such as a mountain or river or the sea – in which no separation between components of the whole is distinguished.

Everything has *tapu*, *mana*, *hau* and *wairua* bound together within *mauri*. These must be acknowledged in all things – that is, humans are not conceived as having ‘absolute dominion’ (Ranganui Walker in Williams, 2001: 109) over the natural environment – ‘everything that has *mauri* must be respected’ (109). Human dominance is tempered to ensure harmonious balance across the whole.

This ontology is more than an ‘indigenous symbol’ (Tanasescu, 2015), of harmonious reciprocity between nature and indigene. It describes the ‘thing-power’ or ‘lively energy’ Jane Bennett suggests is ‘immanent in collectives that include humans, the beings best able to recount the experience of the force of things’ (Bennett, 2004: 365). It recognises Schlosberg’s argument, in developing a justice for the nonhuman, of ‘integrity of a being’ (Schlosberg, 2012a: 175), animate or inanimate. This world view is sympathetic with Freya Mathews’ ‘creative co-action’ or ‘synergy’ ‘conducive to a very immediate experience of intersubjectivity’ (Mathews, 2008: 48). It binds (human) animal, vegetable, and mineral into an intimate interconnectedness and materiality. In the modern context this is not so much a communicative claim (Vogel, 2006), but a recognition of co-creation, co-dependencies, and ongoing respect for human and nonhuman.

That human does not have dominion is not to suggest that human does not have a force within the environment – rather it *motivates* human to maintain harmony, ensuring human actions do not debase or abuse the nonhuman. Actions within or on nonhuman elements must enhance, or improve on the original as a mark of respect to intrinsic *tapu* (Williams, 2001). Put another way, humans have responsibilities and obligations to *add value*, to *enhance* and *maintain balance* with the environment and elements within it. Translating these concepts into law in modern Aotearoa the state has taken a route presaged by Christopher Stone in *Should Trees Have Standing?* (Stone, 1972).

Te Awa Tupua, Te Urewera, and Taranaki as bearers of *tapu*, *mana* and *mauri*, have agency – their whole, and individual but integral parts are not objects but subjects. This agency is now recognised in law. Te Awa Tupua, ‘is an indivisible and living whole comprising the Whanganui

River from the mountains to the sea, incorporating its tributaries and all its physical and metaphysical elements (New Zealand Government 2014a: 6).’ Clause 2.2 and 2.3 state: ‘Te Awa Tupua is a legal person’, and ‘Te Awa Tupua has the rights, powers, duties and liabilities of a legal person’ (New Zealand Government, 2014: 6). Furthermore, those ‘rights, powers and duties’ are to be executed by guardians, *Te Pou Tupua*, on behalf of *Te Awa Tupua*. Similarly, for Te Urewera and Taranaki.

The law of Aotearoa recognises the separate and distinct existence of these entities as subjects of rights. It has blended the concepts of *tapu*, *mana* and *mauri* with the legal fiction of personhood, placing each region beyond the reach of human ownership. In doing so the gulf between human and nonhuman is closed: all entities have rights. Given dignity is widely accepted as the foundation of rights this suggests Te Awa Tupua, Te Urewera, and Taranaki are dignity-bearing, and by extension if not in law, all nature has dignity.

Granting personhood to a river, forest range, and mountain, giving them ‘self-governance’ and appointing guardians to act in the interest of each creates a mechanism to draw animate and inanimate into the moral and political community. Similar conceptualisations could have been explored through the constitutional and legal mechanisms employed by Ecuador and Bolivia granting rights to the natural world (La Asamblea Legislativa Plurinacional, 2012; National Assembly Legislative And Oversight Committee, 2008, see also Tanasescu, 2013; 2014).

In each case moral community is expanded and, I suggest, given dignity is the foundation of environmental justice and human obligations and duties, a reconfiguration of the definition of that very dignity is required. The conceptualisation of this form of dignity could be labelled Immersive Functioning Dignity:

- P1 All humans, sentient and non-sentient life (living things) and non-living elements are interlinked
- P2 Living things and non-living elements have form-specific integrity and life force

- P3 Living things and non-living elements have a form-specific flourishing and form-specific capabilities/potential
- P4 Non-living elements of the ecosystem contribute to the flourishing of living things
- P5 The inability of living things and non-living elements to flourish and/or fulfil potential can be identified
- P6 Dignity exists in freedom to access the necessary conditions to flourish and fulfil form specific potential
- C Humans have obligations and duties to uphold and respect the form specific dignity of living things, ecosystems and non-living elements

Here we have a conceptualisation of dignity that supports not only human dignity, but also expands the domain to encompass the *mauri, tapu and mana* in all, and immerses human within elements of an interconnected and interdependent ecosphere. The independent agency and subjectivity of everything is acknowledged. It can form the foundation for expanding duties and obligations to the dynamic interrelationships between components of interdependence and entanglement.

When the gulf between human and other is closed, to award dignity to human alone is nonsensical.

5 Decolonising Dignity & Democracy

How truly sublime the notion that it is the inhuman – that which most commonly marks humanity’s inhumanity as a lack of compassion – that may be the very condition of possibility of feeling the suffering of the other, of literally being in touch with the other, of feeling the exchange of emotion in the binding obligations of entanglements. That is, perhaps what we must face in thinking responsibility and justice is the existence of the

inhuman as threaded through and lived through us, as enabling us, and every being/becoming, to reach out to the insensible otherness that we might otherwise never touch. (Barad, 1998 219)

Returning to Watene; ‘What insights can Māori values bring to development theory and practice, and to the capability approach to development theory and practice in particular?’ (Watene, 2016; 288). This question may seem tangential to decolonising justice, dignity, and democracy, where the key question is how must they *change* to include nonhuman in a manner inclusive of non-Western epistemologies and ontologies. And yet the two questions are entwined. We are each suggesting there are learnings for the West from *Mātauranga Māori*, and that theory and practice in the settler state democracies do not (yet) adequately recognise them. This suggests theory is unjust and, perhaps, undemocratic in contexts in which people understand themselves as co-constitutive with nonhuman.

The capabilities approach recognises the value of culture to people’s well-being (Nussbaum, 2000; Watene, 2016). However, while Fulfer and Nussbaum have pushed the boundaries of the moral community, and the community to which we owe obligations and duties of justice beyond human alone (Fulfer, 2013; Nussbaum, 2007; 2011), neither basis expresses an understanding of nonhuman in a way that is able to reflect Māori world views and culture. Moreover, they exclude other indigenous peoples for whom nonhuman is bound in co-extensive relationships with human (Alfred, 2005; Bird Rose, 2012; Coulthard, 2014; Whyte, 2017). Taiaiake Alfred suggests an ontological interconnection between human and nonhuman is a common core of indigenous philosophies, and ‘indigenous notions of justice arose within the context of beliefs in a universal relationship among all the elements that make up our universe’ (Alfred, 1999: 42). This paper has taken one possible approach to responding to the existing rupture between theory and Māori world views and in doing suggests that recognising the dignity of nonhuman provides a window to nonhuman participation in democracies. It has done this by taking the foundation concept of dignity from which Nussbaum developed her version of the capabilities approach and reworking it to reflect the concepts of *mauri*, *tapu* and *mana*.

The legitimacy of reconceptualising dignity is grounded by two factors. First, that dignity has multiple conceptions within Western understandings. Second, the inability of dignity-based approaches to justice to account for Māori philosophy nor the philosophies of other Peoples. While personhood/identity status for nonhuman has been incorporated within political agreements and legal-justice structures they remain outside Western political justice theory. Nor is a role for nonhuman recognised in the *demos*. The argument is that flexibility can be bought to the capabilities approach and to democratic political functions, if the already plastic concept of dignity is stretched beyond sentient beings and ecosystems. It is part of the ongoing project of expanding the scope of justice identified as a feature particularly of the EJ community (Schlosberg, 2013). I argue that on a Māori understanding, not only is the ecosystem dignity-bearing as Fulfer suggests, but so too are the constituent parts and the inanimate. Schlosberg shelved dignity as the basis for an inclusive form of capabilities approach because it is understood as an ‘individual psychological state’ within the human rights tradition, and it is hard to trace whether other beings experiences a similar sense of their ‘own self-respect’ (Schlosberg, 2012b: 175). The obligations of justice on his account could be directed at upholding the ‘integrity’ of nonhuman. ‘[A] violation of the integrity of a being is’, he suggests, ‘a better marker for standing’ (ibid). While much closer to the Māori world view, Schlosberg’s integrity still does not capture the essence of *mauri*, *tapu* and *mana*.

Conceptualising dignity from the Māori concepts of *mauri*, *tapu* and *mana*, broadens dignity’s boundaries to include animal, vegetable and mineral. Moreover, it assigns intrinsic worth and demands respect for the environment as a whole, individual features (such as mountains, rivers, or ranges) and their constituent parts. An expansive conceptualisation of dignity such as this can then effectively provide a normative foundation for the personhood Acts of Aotearoa and for the capabilities approach.²¹ It may also motivate and underpin democratic inclusion of nonhuman within national politics – through the mechanism of the ‘voice’ of guardians. Importantly, given nonhuman life-cycles and time scales, it can inject long-term multi-generational consideration into justice theory and politics.

²¹ And also for the Constitutional and legal Rights of Mother Nature/Earth in Ecuador and Bolivia.

It is important to note that the Māori concepts of an integrative metaphysical and material whole, which call on human to act to support the dignity of other as a matter of justice do not suggest human endeavour and development must stop, ossify or regress. Rather, obligations and duties become grounded in respect for the dignity, the wholeness and long-term wellbeing, of all things. Granting the nonhuman dignity pulls it firmly into the scope of justice shaping a body of obligations and duties to not only protect, but also to uphold, support and enhance the flourishing and right to be integrally whole of all elements within the environment. Recognising the dignity in nonhuman establishes a common core of ‘self-interest’, and a means to understand the ‘binding obligations of entanglements’ Karen Barad refers to above. It engages challenges of environmental destruction by addressing the entangled immersion of human and nonhuman, the co-dependencies, and intimate connections.

Dignity conceived this way does not rest in the individual living being. As already identified it can extend to say the Whanganui River, Te Urewera range, or Taranaki, and the individual elements within each. The elements of the ecosystems and the ecosystems themselves are united by *mauri*. In Durie’s words, *mauri* ‘both distinguishes them ... and also unites them within a wider network of entities’. This unity of a wider network includes also ancestors and generates respect for their living continuation within genes, works, monuments, and the gift of a healthy environment to the now living. It encompasses the yet-to-be-born from respect for their place within the continuum of life, heritage, and endeavour, in their group identity as potentialities. And ensures future generations receive an environment that will support their capabilities and dignity.

These concepts demand inclusion of a voice for ancestors, the living and future generations of all elements, human and nonhuman, living and inanimate, within a polity. Expanding our understanding of how dignity can reside in nonhuman, locates human as one among many elements within the environment, rather than in a position of domination over it. Within this ontology, ‘[I]n the kingdom of ends everything has [...] a dignity. ... [Everything] is raised

above all price and therefore admits of no equivalent’ to rephrase Kant (Kant 1988, 42 [4:434–435]).

Furthermore, with a political voice, created by legal personhood, and motivated by the dignity of nonhuman, ‘the environment’ could become a co-participant, a voting agent, in democracy. In Aotearoa, Te Awa Tupua, Te Urewera and Taranaki have voice in resource consents and development projects within their boundaries. Their representatives, their *kaitiaki*, are obligated to stand for the entangled relational whole of animal, vegetable and mineral. This agency is currently ascribed to political decisions that directly and immediately impact each actor. It comes closer to Māori ontological and political frameworks. However, *Kaitiakitanga* includes an obligation to uphold the dignity of land, waterways, seas, and their integrated animal and plant life, and the dignity of ancestors, the dignity of the living and future generations and the dignity of *whakapapa* – the genealogical connection of all. Justice as conceived by the capabilities approach, requires that dignity bearing agents have, according to Nussbaum’s Capability 10 ‘[c]ontrol over [o]ne’s [e]nvironment’, including effective participation in political choices (Nussbaum, 2007: 77). So in Aotearoa at least, to uphold the intrinsic dignity of Te Awa Tupua, Te Urewera and Taranaki persons, invites the nation to include nonhuman in the political process.²² The inclusion of nonhuman in the *demos* of the settler states, at the very least, can be understood as one step towards decolonising democracy.

ACKNOWLEDGEMENTS

This paper is immeasurably better for the contributions of Prof. David Schlosberg and Assoc. Prof. Alex Lefebvre of the University of Sydney, attendees at the HDCA conference Tokyo 2016, particularly Breena Holland and Jeremy Benik-Keymer, and comments from Krushil Watene. Comments, too, from Benjamin Brice, Abigail Taylor and Matthew Joseph and two anonymous reviewers have helped me sharpen the content. My thanks to you all.

²² Even without reconceptualising dignity the idea of including legal persons within the *demos* has precedent. For instance, in local body elections in the City of Sydney Australia, businesses, as incorporated, legal identities, have two votes each in addition to the one person one vote of human citizens.

Bibliography

- Alfred, T. (1999). *Peace, Power, Righteousness*. Don Mills, Ontario: Oxford University Press.
- Alfred, T. (2005). Wasáse. Retrieved May 29, 2017, from <https://www.mmduvic.ca/index.php/ctheory/article/view/14533/5380>
- Barad, K. (2012). On Touching – The Inhuman That Therefore I Am. *Differences a Journal of Feminist Cultural Studies*, 25(5), 206–223.
- Bendik-Keymer, J. (2014). From humans to all of life. In F. Comim & M. C. Nussbaum (Eds.), *Capabilities, Gender, Equality* (pp. 175–191). Cambridge University Press.
- Bennett, J. (2004). The Force of Things. *Political Theory*, 32(3), 347–372. Retrieved from <http://www.jstor.org/stable/4148158>
- Bird Rose, D. (2012). Why I Don't Speak of Wilderness. *EarthSong*, (Spring 2012), 9–11.
- La Asamblea Legislativa Plurinacional, Bolivia. (2012). Law of the Rights of Mother Earth Retrieved from <http://www.worldfuturefund.org/Projects/Indicators/motherearthbolivia.html>
- Carruthers, D. & Schlosberg, D. (2010). Indigenous Struggles, Environmental Justice, and Community Capabilities. *Global Environmental Politics*, 10(4), 12–35.
- Charman, K. (2008). Ecuador First to Grant Nature Constitutional Rights. *Capitalism Nature Socialism*, 19(4), 131–133.
- Coulthard, G. (2014). *Red Skin White Masks*. University of Minnesota Press.
- Durie, M. (2010). Outstanding universal value: how relevant is indigeneity? In R. Selby, P. Moore, & M. Mulholland (Eds.), *Māori and the Environment* (pp. 239–249). Wellington, Aotearoa New Zealand: Huia Publishers.
- Francis, H. F. (2015). *Laudato Si'*. Vatican City: The Holy See.
- Fulfer, K. (2013). The Capabilities Approach to Justice and the Flourishing of Nonsentient Life. *Ethics and Environment*, 18(1), 19–42.
- Henare, M. (2001). Tapu, Mana, Mauri, Hau, Wairua. In J. A. Grim (Ed.), *Indigenous Traditions and Ecology*. Cambridge, Massachusetts: Harvard University Press.

- India court gives sacred Ganges and Yamuna rivers human status. (2017). India court gives sacred Ganges and Yamuna rivers human status, 1–13.
- Kateb, G. (2011). *Human Dignity*. Harvard University Press.
- La Asamblea Legislativa Plurinacional, Bolivia. (2012). *Law of the Rights of Mother Earth*
Retrieved from <http://www.worldfuturefund.org/Projects/Indicators/motherearthbolivia.html>
- Mathews, F. (2008). Thinking from Within the Calyx of Nature. *Environmental Values*, 17(1), 41–65. <http://doi.org/www.jstor.org/stable/30302623>
- Mead, H. M. (2003). *Tikanga Māori*. Wellington, Aotearoa New Zealand: Huia publishers.
- National Assembly Legislative and Oversight Committee, Ecuador. *Constitution of the Republic of Ecuador* (2008). Ecuador. Retrieved from <http://pdba.georgetown.edu/Constitutions/Ecuador/english08.html>
- New Zealand Government. (2014) *Whanganui River Deed of Settlement Ruruku Whakatupua*. New Zealand Government. Retrieved from <https://www.govt.nz/treaty-settlement-documents/whanganui-iwi/>
- Nussbaum Wichert, R., & Nussbaum, M. C. (2017). Scientific Whaling? The Scientific Research Exception and the Future of the International Whaling Commission. *Journal of Human Development and Capabilities: a Multi-Disciplinary Journal for People-Centred Development*, 18(3), 356–369. <http://doi.org/10.1080/19452829.2017.1342386>
- Nussbaum, M. C. (2000). *Women and Human Development*. Cambridge: Cambridge University Press.
- Nussbaum, M. C. (2004). Beyond ‘Compassion and Humanity.’ In C. R. Sunstein & M. C. Nussbaum (Eds.), *Animal Rights* (pp. 299–320). New York: Oxford University Press.
- Nussbaum, M. C. (2006). The Moral Status of Animals. *Chronicle of Higher Education*, 52(22), B6–B8–1–7.
- Nussbaum, M. C. (2007). *Frontiers of Justice*. Cambridge, Mass: The Belnap Press of Harvard University Press.
- Nussbaum, M. C. (2011). *Creating Capabilities: A Human Development Approach*. The Belknap Press of Harvard University Press.

- Patterson, J. (1994). Māori Environmental Virtues. *Environmental Ethics*, 16, 397–409.
- Rawls, J. (2009). *A Theory of Justice*. Harvard University Press.
- Roberts, M., Haami, B., Benton, R. A., Satterfield, T., Finucane, M. L., Henare, M., & Henare, M. (2004). Whakapapa as a Maori Mental Construct: Some Implications for the Debate over Genetic Modification of Organisms. *The Contemporary Pacific*, 16(1), 1–28.
<http://doi.org/10.1353/cp.2004.0026>
- Rosen, M. (2012). *Dignity*. Harvard University Press.
- Schachter, O. (1983). Human Dignity as a Normative Concept. *The American Journal of International Law*, 77(4), 848–854.
- Schlosberg, D. (2012a). Climate Justice and Capabilities: A Framework for Adaptation Policy. *Ethics and International Affairs*, 26(4), 445–461.
<http://doi.org/10.1017/So892679412000615>
- Schlosberg, D. (2012b). Justice, Ecological Integrity, and Climate Change. In A. Thompson & J. Bendik-Keymer (Eds.), *Ethical Adaptation to Climate Change: Human Virtues of the Future* (pp. 165–183). Cambridge, Mass.: The MIT Press.
- Schlosberg, D. (2013). Theorising environmental justice: the expanding sphere of a Discourse. *Environmental Politics*, 22(1), 37–55, <http://dx.doi.org/10.1080/09644016.2013.755387>
- Schlosberg, D. (2014). Ecological Justice for the Anthropocene. In M. Wissenburg & D. Schlosberg (Eds.), *Political Animals and Animal Politics* (pp. 75–89). London, UK: Palgrave Macmillan.
- Schroeder, D. (2010). Dignity: One, Two, Three, Four, Five, Still Counting. *Cambridge Quarterly of Healthcare Ethics*, 19(01), 118–125.
<http://doi.org/10.1017/S0963180109990302>
- Schroeder, D., & Bani-Sadr, A.-H. (2017). *Dignity in the 21st Century*. Cham: Springer International Publishing. <http://doi.org/10.1007/978-3-319-58020-3>
- Shirres, M. P. (1982). Tapu. *The Journal of the Polynesian Society*, 91(1), 29–51. Retrieved from <http://www.jstor.org/stable/20705620>
- Stone, C. D. (1972). Should Trees Have Standing--Toward Legal Rights for Natural Objects.

- Southern California Law Review, 45(450), 450–501.
- Tanasescu, M. (2013). The rights of nature in Ecuador: the making of an idea. *International Journal of Environmental Studies*, 70(6), 846–861.
<http://doi.org/10.1080/00207233.2013.845715>
- Tanasescu, M. (2014). Rethinking representation: The challenge of non-humans. *Australian Journal of Political Science*, 49(1), 40–53. <http://doi.org/10.1080/10361146.2013.874404>
- Tanasescu, M. (2015). Nature Advocacy and the Indigenous Symbol. *Environmental Values*, 24(1), 105–122. <http://doi.org/10.3197/096327115X14183182353863>
- United Nations General Assembly. (1948). *The Universal Declaration of Human Rights*.
- Vogel, S. (2006). The Silence of Nature. *Environmental Values*, 15(2), 145–171.
<http://doi.org/www.jstor.org/stable/30302146>
- Waldron, J. (2012). *Dignity, Rank, and Rights*. (M. Dan-Cohen, Ed.). Oxford University Press.
<http://doi.org/10.1093/acprof:oso/9780199915439.001.0001>
- Watene, K. (2016). Valuing nature: Māori philosophy and the capability approach. *Oxford Development Studies*, 44(3), 287–296. <http://doi.org/10.1080/13600818.2015.1124077>
- Whyte, K. P. (2017). Is it colonial déjà vu? In J. Adamson & M. Davis (Eds.), *Humanities for the Environment* (pp. 88–105). London & New York: Earthscan.
- Williams, D. (2001). *Mātauranga Maori and Taonga*. Wellington, New Zealand: Waitangi Tribunal.