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ON THE COVER Papua Tribal Man
Photo by Jojo Cumi

LUKANKA

Lukanka is a Miskito word for “thoughts”

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Fourth World peoples occupy a unique role in the human family. The more than 5000 nations ranging in population size from a few families to more than 25 million people demonstrate their immense cultural diversity on virtually every continent. While corporate societies (organized to demand unrestrained development in socially complex states) become more standardized, Fourth World peoples continue as they have for thousands of years to diversify and evolve cultural ways influenced by their social, economic, and ecological environments. Fourth World nations, no matter the size, tend to be egalitarian and operate on consensus. Do some nations adjust to corporate society and adopt some patterns of corporate society conduct? Yes, they do. Such social patterns are often disruptive of Fourth World societies. Such disruption of cultural continuity can and does break up a nation and cause it to disappear.

Resilience is a term frequently used to describe Fourth World societies that have been disrupted by corporate societal forces that recover their former way of existing—demonstrating human flexibility to adjust and restore. What is it about these societies born from ancient beginnings that permit them to



RUDOLPH C. RYSER
Editor in Chief
Fourth World Journal

A handwritten signature of Rudolph C. Ryser in black ink, written in a cursive style.

recover and continue cultural evolution? The answer is self-evident. The culture, the relationship between the people, the land, and the Cosmos provides the means for restoration and continuity. Organic and dynamic relationships between people for social wellbeing engage the physical environment to support life balancing need versus the capacity of the earth to restore. The Cosmos is the source of wonder that actualizes and affirms human and environmental relationships. In this issue of Fourth World Journal, our contributors elevate our awareness and understanding as a

result of careful research and compelling narratives.

In this volume of the Fourth World Journal, our contributors give narrative reinforcement to the resilience of Fourth World peoples. We are pleased to have such contributors doing work in Kashmir (Gilgit-Baltistan) between Pakistan, China and India; and studies from Nigeria, the Philippines, and a comparison study between the United States and the Israelis and Palestinians.

In From Subjugation to Extinction: A Tragic History of the Indigenous People of Gilgit-Baltistan author **Amir Wali Khan** alerts readers to the prospect of the peoples of Gilgit-Baltistan disappearing. Still, it is apparent from the

article that the Dardic of Dardica (the name of Gilgit-Baltistan) have in the face of multiple colonizations affirmed their resilience.

Participatory Action Research is a challenging enterprise that the authors of **Egongot Tribal Development and an NGO as a Catalyst for Sustainability** report in considerable detail, in Spanish and in English. **Ronnie Amatorio, Marilyn Dela Torre, Marivic Pajaro, Mark Raquino, Paul Watts and Erica Zafra** team up to engage in an active process with the Egongot people to document their process NGO's work with the Egongot; and the results from a project to support tribal recovery. We have published this critical study in English and Spanish due to its implications for non-governmental organization interactions with an indigenous nation.

Dr. Mohammed D. Enaikele, Deputy Provost at the Federal College of Fisheries and Marine Technology in Victoria Island, Lagos, Nigeria and **Mr. Adeniyi Taofeeq, Adeleke**, Senior Instructor at Federal College in Lagos contribute their **PEER-REVIEWED** study **Public Interest In Private Affairs: A non-clinical Survey of Social Construction of Spousal Rape Among Egun Women of Badagry, Lagos State, Nigeria**. As Dr. Enaikele and his co-researcher Mr. Adeleke observe, the frequency of spousal rape in many African nations is rooted in the patriarchal ethos of "husband entitlement." The authors characterize non-consensual sex between married partners as a "form of domestic violence against women." The Egun people are located in Badagry (a former slave port in the 17th and 18th centuries) along the Atlantic coast in Lagos State in south-western Nigeria. The structured interviews of eighty Egun women and a separate focus group of 15 served as the sources for the study that showed more than 96

percent of the women experienced non-consensual sex with her spouse. This study is remarkable in that it notes that in "Africa, the issue of spousal rape is not only alien but indeed a taboo, absurd, hypocritical and risky."

Rudolph C. Rýser, in 1992 led the Center for World Indigenous Studies in collaboration with two other international non-governmental organizations to put in place a Congress of Nations and States hosted by the Russian Federation joined by the states of Japan, Germany and the United States. In my article **To Establish a Congress of Nations and States** (presented in Spanish and English), I memorialize the rationale for a Congress where Fourth World nations and UN member states would stand on the same political plane. In the Congress, they would establish new rules of law and political relations to stabilize relations implementing peaceful solutions to conflicts over land, resources, security, and culture. The 1992 initiative was rooted in dialogues that began at an international conference in Geneva, Switzerland, in 1977. Since 1977 Fourth World nations have called for the right to exercise self-determination, self-government mutually recognized sovereignty with states' governments.

The United Nations Sub-Committee on Racism, Racial Discrimination, Apartheid, and Decolonization of the Special Committee on Human Rights sponsored the International NGO Conference on Discrimination Against Indigenous Populations in the Americas attended by more than 600 non-governmental organizations in consultative status with the United Nations. A UNESCO represented delivered the welcoming speech, and Mr. Theo van Boven of the Division on Human Rights at the United Nations delivered the Opening Plenary remarks at the Geneva, Switzerland assembly. States' government organizations such as the International Labor

Organization provided the platform implying a kind of equality between Fourth World nations and states' governments. Fourth World nation delegates primarily from the Western Hemisphere delivered a "mixed message" requesting "support and assistance" from the "International Community." It was a mixed message since Fourth World delegates, on the one hand, noted at this "first time" meeting that the "Red" people are not allowed to participate in the international community, but at this meeting, these delegates listed a litany of depredations committed against "Red" people. And now these same delegates asked the perpetrators of these depredations to assist and support the Fourth World nations end the problems. As the Northern Cheyenne Tribal Judge Marie Sanchez said in her remarks before the Opening Plenary Session, "... we are the target for the total final extermination of us as people." The Conference authorized an Economic Commission, Social and Cultural Commission, Legal Commission. It adopted the Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere.

The Conference provided the foundational material for what became the revised International Labor Organization Convention (1989), the United Nations Declaration on the Rights of Indigenous Peoples (2007), and the Outcome Document (2014) of the World Conference on the Rights of Indigenous Peoples. In all of these documents and many others since 1977, Fourth World nations have called for "legal solutions" to their political, economic, social, cultural, and security problems. The assumption of these instruments and many decisions by Fourth World nations and states' governments is that the state-based international legal system would provide the solutions. In no instance have Fourth World nations collectively and with states' governments called for a political solution to the centuries-long

contest over land, political status, economics, culture, and security. The frequent call has been for states' to adjust their legal systems to accommodate the "rights of indigenous peoples—and some have done so despite no official monitoring and enforcement mechanisms. To achieve a political solution between nations and states, Fourth World nations and UN member-states must engage each other on the same political plane—based on the same level of political sovereignty. The 1992 Congress of Nations and States was planned and organized to achieve that end.

In 2022, the Center for World Indigenous Studies expects to have once again planned, organized, and convened a Congress of Nations and States. The Center working with eight Fourth World Nations recognizes the global crises of climate change, biodiversity, biocultural collapse, and expanding state violence now demand that Fourth World nations and UN member states recognize each other on the same political plane to establish new rules for global security, environmental stability, and peace.

Dr. Eric Cheyfitz, Professor of American Studies and Humane Letters at Cornell University and former Director of American Indian and Indigenous Studies at Cornell University contributes in **Exceptional Citizens: Religion, Genocide, and Land in the United States and Israel/Palestine** a compelling comparative study of the current and historical situation of American Indians [United States] and Palestinians [Israel]. Noting that the Palestinian experience in relation to Israel stands on "The historical precedent *** backed by the US and Western nation-states *** while the colonizing powers make international law, they also exempt themselves from it in a state of exception." Cheyfitz argues that the colonial histories of Israel and the United States are bound by claims of sovereignty

where the colonizing state is the power with sovereignty, and the occupied peoples are governed as Occupied Territories with local governance “subordinated” to state sovereignty. Cheyfitz points to the paradoxical “exceptionalist narrative” espoused by Israel and the United States as they exact their superior claim over Palestinians and American Indians, respectively. For Israel, Cheyfitz writes that stopping the “repetition of this exceptionalist narrative” should result in Palestinians and Jews living equally in a single state. For the United States renouncing the exceptionalist narrative must mean the recognition of full sovereignty of Fourth World nations.

In the Book Review, **Bertha Miller** considers the works of **Leslie E. Korn**, Clinical Director of the Center for Traditional Medicine: **Natural Woman (2017)**, **The Good Mood Kitchen (2020)**. Miller’s contribution is presented in Spanish and English as she notes Dr. Korn’s wealth

of knowledge in the field of traditional healing arts and sciences. Miller reminds the readers that Korn’s books are not “cookbooks” in the conventional sense—“they are guides for people in search of maintaining good health and mental acuity.”

Expressing appreciation for the conversational tone of the two books, Miller praises the questioning style and story-telling narratives that draw the reader into self-care and the use of traditional herbs, medicines, and foods for health.

We are honored by the contributors’ excellence and the cutting-edged nature of the topics they explore. I thank them all.





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From Subjugation to Extinction

A Tragic History of The Indigenous People of Gilgit-Baltistan

Amir Wali Khan

ABSTRACT

Gilgit-Baltistan, one of the most mountainous regions on Earth, has been home to ancient peoples with a fascinating and unique culture and traditions. It is in a strategically located territory at the crossroads of some of the world's powerful empires. Far from a blessing, its strategic location has attracted endless suffering for its people. They have become sandwiched between expansionist and hostile colonial powers for centuries. Now Gilgit-Baltistan is left divided between the new colonial masters, India and Pakistan since the partition of the Subcontinent in 1947.

In this article, I discuss the geological history of the land, ancient geographic features of the national territory of the historic Gilgit-Baltistan, and the fatally adverse consequences of colonization on culture, biodiversity, and political life of the people introduced by the British and then carried on by Pakistan. Based on his analysis, the author warns the new geostrategic development may lead to an 'extinction crisis' of the ancient people of the region and leave with irreparable damage to its sensitive ecology.

Keywords: Geology, environment, rock art, human trade, India, Pakistan, China, colonization, human rights

About 50 million years ago, the mysterious land that would become Gilgit-Baltistan was a peaceful home to prehistoric sea creatures in the mighty ancient Tethys Ocean, notable for the Kohistan Island Arc on the southern coast of the Eurasian landmass. Due to the collision of Eurasian and Indian continental tectonic plates, these huge land masses compressed the calm undersea land. The continued compression and folding process uplifted the territory of Gilgit-Baltistan, forming the world's high mountain ranges of the Hindu Kush,

Karakoram, and the Himalayas, Kunlun, Pishkom, Transalay, Tien Shah and Tibetan plateau. "The mountain knot, when seen from an airplane, looks like a sea of mountains, and when seen from the valley, reflects the ferocity and mightiness of the collision of the Indian and Euro-Asian continents millions of years ago." [1] The wilderness and ruggedness of each mountain in the region tell the story of the "shifting, shuddering, hot-hearted planet on which we ride." [2]

Over time, these high mountain ranges began to regulate the hydrological cycle. The continuous flow of freshwater formed rivers, cut beautiful valleys through the mountains and deposited fertile soil, where a variety of life-giving plants grew. We cannot accurately assess when wild animals reached these areas. Still, we know that as a result of Great Migration from Africa, groups of humans reached different parts of the world and began cultivating various civilizations. One migrating group did not stop in Africa, Europe, or Central Asia. Instead, they continued their journey until the first group reached and settled in their chosen land, Gilgit-Baltistan, during the Holocene era from about 12,000 to 11,500 BCE.[3], [4] and initiated establishing their society among these mighty mountains.

With gigantic, snow-covered mountains, beautiful streams, rivers, lakes, and dense forest, this place was an ideal spot for them to grow their civilization. Caves in the vast and rocky mountains provided safe shelter, rivers, and lakes yielded fish, and the dense forests and mountains held ibex and other animals that provided ample food and clothing. Those early people were the ancestors of the descendant people today's Gilgit-Baltistan. This early civilization flourished among the gigantic mountains without any significant external interference for almost 15,000 years. During this long period, they established a sophisticated society civilization intimately dependent on the natural environment. They developed a great respect for nature, beautiful mountains and forest, even worshipping them as sacred. They further developed the skill of hunting, stone carving, building mysterious Megaliths, which they had

learned upon their Great Migration journey from Africa to Gilgit-Baltistan.

Over sixty-thousand rock art (petroglyphs) are spread over Gilgit-Baltistan, demonstrating evidence of the human presence in this area dating back thousands of years. They and their coming generations created these large numbers of petroglyphs on rocks across Gilgit-Baltistan, recording their history from early migration to the present day, such as hunting, dancing, religious rituals, games, and everyday life activities. These people inhabited the land and later period, they established it as a free and independent country. The country's geography comprised of Ladakh in the east, Shankari in the south, Dafdar Khojak and Aryjik in the north, and Chitral in the west.

When they arrived in Gilgit-Baltistan, they brought with them a unique culture, consisting of a set of beliefs, thoughts, and understandings about



Figure 1: The Megalith Builders in Hatoon, Ghazir, Gilgit-Baltistan. Image by the author.



Figure 2: A rock adorned with old and new art in upper Gahkuch, Ghazir. Image by author.

the universe, the Earth, and everything on and in it. External influences did not influence their culture. Since the physical structure of Gilgit-Baltistan provided secure protection from outsiders, their beliefs, thoughts, and understandings remained unchanged for centuries.

Ancient texts of historical significance present details about these people. Famous Greek historian Herodotus (4th century BCE) called them ‘Dard’ (the people of Gilgit-Baltistan) describing them as “warrior-like people on the frontier of India, near where the gold-digging ants are found.”[5] Classical historians such as Strabo (64 BCE to CE 23) and Pliny (CE 23 to CE 79) talk about the same people as ‘Daradae,’ ‘Daradrae,’ or ‘Derdae’ indicating the location of today’s Gilgit-Baltistan. The Puranas, an ancient, vast genre of Indian literature, calls them ‘Daradas’.[6] Book II & IV of the eighteen Mahapuranas, a genre of ancient and medieval texts of India, also records Daradas (Durds of the Hindu

Koh) as among the northern nations like the Sakas, Kambojas, Paradas, Pahlavas, Kiratas, Bahlikas, Chinese and Yavanas.[7] Other important ancient Indian epics, such as the Mahabharata, refer to the Daradas as degraded Kshatriyas[8], and the Ramayana refers to a country belonging to Daradas. [9]

Vārāhamihira, a Hindu polymath, who lived in early 6th-century India, wrote an important work entitled *Brhat Samhita*, which was an encyclopedia[10] of various subjects.[11] In this book,[12] he mentions the same ‘Daradas’ nation present in the north.[13],[14],[15] *Rajatarangini*, written by Kalhana in the 12th century CE in Sanskrit, calls Gilgit-Baltistan ‘Daradadesa’ and the people of Gilgit-Baltistan ‘Daradas’ ‘Darada Puri’ and ‘Dard.’[16] Likewise, Chinese, Tibetan, and *Hudud al-Alam* [10th-century Persian Geography Book] provide an important reference about these people and their geography. They have

themselves recorded their history on rocks all over Gilgit-Baltistan. Many inscriptions on rocks along the Indus and Gilgit Rivers provide the earliest epigraphic references to their Dard kings.[17]

These earliest written records show that these people called themselves ‘Dardic,’ ‘Daradae,’ ‘Daradrae,’ or ‘Derdae,’ and they called their motherland ‘Dardica,’ or ‘Daradrae.’ In later periods, every invader changed the land’s name after invading it. When the Chinese invaded, they named it ‘P’o-lu’ or ‘Poliu’ and “Koei-jen”[18]. The Tibetans named it ‘Bruza’ or Bru-Shal.’ Arabs and other Chinese and Muslim sources used ‘Bolor’ ‘Bolur’ name for it. A British colonial officer (Leitner) coined the name ‘Dardistan.’ Due to the unfinished agenda of dividing the Subcontinent, the land of Gilgit-Baltistan fell into the control of Pakistani and Indian administration. Distorting its identity, India

annexed it with Jammu and Kashmir Pakistani administration changed its name ‘Northern Areas of Pakistan.’ After a long struggle by local people, the ‘Gilgit-Baltistan’ name was restored in 2009 by Pakistan. India recently separated India occupied part of Gilgit-Baltistan from the Jammu and Kashmir state and declared it as Union territory in October 2019.

There are also historical references to another significant segment of the indigenous people of Gilgit-Baltistan called ‘Balti.’ Claudius Ptolemy (100 CE-170 CE), a Greco-Roman[19] astronomer, mathematician, and geographer, referred to the people of Baltistan as ‘Byaltae’ and named their motherland ‘Balti-yul’ (land of Baltis).[20] Balti people are of both Tibetan and Dardic ancestry.[21] Most historians subscribe to the theory that Balti people are Tibetan and Dardic admixture. However,



Photo by Syed Mehdi Bukhari

history reference is silent about when the ‘mixture’ took place. We know that Dardic and Mons people were the first to inhabit the whole region, including Ladakh.[22] They migrated to Ladakh from Gilgit and Baltistan in different periods in many “batches.” “Later [they] settled down along [the] Dras, Skardu, Dah, Hanu, Garkon, Darchik, Skrubuchan, Khalatse, etc.”[23] Evidence of their presence can be seen in the rock art they created across the Gilgit-Baltistan. The stone art peppers the land from Kohistan to Ishkoman and Ladakh originating from the Bronze Age to at least the 4th century BCE.[24]

These ancient mountainous people were unaware that beyond the mountains, their fellow humans in neighbors in China, Central Asia, Afghanistan, Tibet, and India had developed civilizations where humans ruled humans. These neighboring peoples had advanced through warfare and mutual destruction and invented a trading system where wherein which people were sold into slavery and treated as commodities. The rulers of the surrounding kingdoms were hostile and greedy for more land, and greater wealth and resources, along with more people to subjugate. They had created organized religions based on belief systems that declared their rulers to be either gods or the manifestations of God on Earth.

Perhaps, when the people of Gilgit-Baltistan settled in the region, they saw the gigantic mountains as a deterrent to invaders. In the 4th Century BCE, they were not as isolated when the forces of imperialist Achaemenid, during the reign of Darius I (the successor of Cyrus 582-480 BCE) [25], entered their haven. They had crossed the Yasin and Ishkoman passes; they indeed realized

that they were not as isolated and safe as they thought. Instead, they found themselves located on strategically important crossroads. Due to the critical geostrategic location, in later periods, these people suffered from invasion and occupations by Scythians, Parthians, the Kushans, the Sassanian, the Huns, the Tibetans, the Chinese, the Arabs, the Indians, the Kashmiris, the Turks, Central Asian, the Punjabis (Sikhs), the Dogras of Jammu and Kashmir, and the British. These foreign invaders subjugated the people of this unique land, gained control over strategic routes, and exploited the area and its natural resources. Historical evidence suggests that as soon as the central power of these invaders weakened, they then left this land. The people of Gilgit-Baltistan forced some of them to go, and geography with its hard-mountainous life and extremely challenging weather conditions also contributed to their departure. However, the power remained in the hands of invading elements ruled for centuries to come.

Although the people of Gilgit-Baltistan experienced the invasion of Scythians, Parthians, Kushans, Sassanian, and the Huns, the Tibetans and the Chinese conflict in the 8th century left a profound and long-lasting impact on these people. These invasions were in the period around 750 CE when the Chinese and Tibetan Empires were struggling to gain a strategic advantage by controlling Gilgit-Baltistan. The Chinese and Tibetan invasions and hostilities forced the people of Gilgit-Baltistan into extreme poverty. The Chinese killed the top Gilgit-Baltistani leadership accusing them of being allies of Tibet, arrested and took the king and queen as captives to China, and destroyed Gilgit-Baltistan’s system of government

and livelihood. The brutal treatment by the Chinese, particularly the killing of the top leadership, resulted in the most serious damage, from which the people of the area would struggle to recover. After that, the people of Gilgit-Baltistan faced new challenges to their sovereignty from invaders such as Arabs, the Indians, the Kashmiris, Turks, Central Asians, the Punjabis (Sikhs), the Dogras of Jammu and Kashmir, and the British.

Also, a large number of troops from China and Tibet brought mysterious diseases to the people of Gilgit-Baltistan, decimating much of its population. It wasn't until later that the people of Gilgit-Baltistan learned that outsiders could bring diseases with them, and cause epidemics. From this learning, Hunza state imposed a law "any person entering into Hunza state from Gilgit or Kashger had to wash, along with their clothes and other belongings, before they were allowed to enter.[26]

When imperialist Chinese and Arabs declined and lost their control on occupied territories due to their internal conflicts around 750CE. Then, for the next 800 years, we do not find any powerful rising empire around Gilgit-Baltistan that attempted to hold this critical, strategically located area for their interest. However, the people of Gilgit-Baltistan remained under the brutal rule of foreign elements such as Azur Jamsheed (from Central Asia or Iran?) Sang Ali (Central Asia?) and Maqpoon of Skardu (Egyptian or Iraqi?) and their generation for almost 800 years.

These foreign elements, with the titles of Raja, Mirs, and Mehtars, continuously fought each other for dominion over Gilgit-Baltistan and Chitral. The

power struggles killed a large number of Gilgit-Baltistanis. The internal battle for control occurred in other princely states in the same fashion of conspiracy and murdering each other. When Mir, Raja, and Mehter declared war on each other, it was the poor people of Gilgit-Baltistan who did the fighting, killing each other, while their rulers, successful or not, continued to fight to hold on to power or to regain it. This tumultuous period was the darkest age in the history of Gilgit-Baltistan. And this 'dark age' continued for almost 800 years. Though the decline of the flourishing civilization of Gilgit-Baltistan started with the fall of Patola Shahi and occupation by Chinese and the Tibetans, it reached its lowest point during the period of these Rajas, Mirs and Mehters. These foreigner elements could only govern through a system of killing, fighting, and heavy taxation.

The only trade these rulers developed in this period was the 'human trade,' and a significant number of Gilgit-Baltistanis and Chitrali were sold into the slave trade market in Central Asia and Afghanistan. They exchanged humans for hunting dogs or horses. The native population of Gilgit-Baltistan lost a large segment of their people in the slave trade practiced by local rulers. Besides, the rulers imposed more than twelve kinds of taxes, divided the country among their sons, and brutally ruled over the people. The rulers would form alliances for others within Gilgit-Baltistan to invade a targeted Raja, Mir, or Mehter. Finally, their internal power struggles brought the cruel Sikh and In the 18th and 19th centuries, imperial powers around Gilgit-Baltistan rose again. The Chinese utterly consolidated power, annexing East Turkistan, the USSR annexed Central Asia, and

the British colonized the Subcontinent. Gilgit-Baltistan, as a strategic meeting point, attracted the USSR, China, and Britain. The British Viceroy Lord Curzon underlined the vital importance of Gilgit to India: "It is one of the northern gates of India, through which the enemy must advance if he advances at all." [27] However, the British considered the mountains of Gilgit-Baltistan bricks in the wall that served to protect British-India. [28] This "protection" the British understood would lead to using this mountainous area as a base camp for the 'Great Game.' However, the British had realized the difficulties in venturing into the territory because they had information from some historical sources about the problematic area and its determined people. After all, ancient historical narratives, like those of Herodotus (4th Century BCE), Strabo (64 BC to CE 23) and Pliny (CE 23 to CE 79), the Mahabharata (ancient texts of Hinduism) Hudud al-Alam (a 10th-century Persian Geography Book), and the Chinese Buddhist pilgrims Fa-Hsian (CE 401), Sung Yun and Xuan Zang (5th century), had already presented the area as a most inhospitable and difficult "hanging passage." [29] The Sikhs first confirmed this description when they attempted to invade Gilgit-Baltistan and the British agents who visited the area. Therefore, the British planned not to take control of the area themselves, but rather to use the Dogras as an instrument to take control of Gilgit-Baltistan, and they would follow them.

Therefore, the British first supported Dogra of Jammu and Kashmir to invade all princely states and later led Dogra forces to invade all of the states. Finally, they controlled all Gilgit-Baltistan. During their invasion, they committed atrocities against the people of the area. One of the brutal and tragic

events is called MODOORI Holocaust. The holocaust happened when Dogra invaded one of the princely states of Gilgit-Baltistan called Yasin State. British orientalist, Gottlieb Leitner describes the atrocities of Dogra force against the indigenous people of Yasin state as follows:

The slaughter lasted five days and nights. The blood of the victims flowed in streams. And there was not a word of exaggeration in all of this. Thus 2,000 men, women, and children above ten years of age and a countless number of infants and babes became martyrs at the hands of the bloody Sikhs. Three thousand persons (chiefly women) a very few children, and also a few older men were kept as prisoners. They brought in three days to Gilgit, Zoraweru (Dogra troop commander) being elated with excessive joy, which he manifested in various routes. When he came to Gilgit, Isa Rahadur (puppet ruler of Gilgit) and Asmat Shah, selecting 1,000 of the more beautiful women took them to Jammu with 3,000 soldiers. They were so delighted that they had to double march to be early with their good news. In public assembly at Jammu, these scoundrels narrated, with much boasting and eloquence, their achievements. They spoke of the Sikhs and spoke with a loud tone in which victories are reported. [30]

After the massacre, instead of being made to feel shame or being punished for perpetrating crimes against humanity, the Dogra authorizing commanders were rewarded with medals by the Kashmiri Government. Similar atrocities were committed in all the states during the invasions by Dogra and the British.

When the British were leaving the Subcontinent in 1947, instead of letting the people of Gilgit-Baltistan rule on their land, they sponsored internal conflict. Rather than restoring the historical geography (Ladakh in the east, Shankari in the south, Dardar Khojak and Aryjik in the north, and Chitral in the west), they promoted conflict by staging rebellion against Dogra. The Dogra became the occupying force. As a result, the first war broke out between the newly independent India and Pakistan. India occupied a large part of Gilgit-Baltistan, and the rest of the territory came under Pakistani administrative control. British did not trust India and considered Pakistan as a future ally against the Soviet Union and the Peoples' Republic of China. The purpose of handing over Gilgit-Baltistan to Pakistan was to keep this geographically strategic territory in the hands of its allies. Britain thought that it might keep its wary eyes on the Soviet Union and China in the north. They sought to use the land whenever they needed it. For this purpose, the British staged rebellions against Dogra of Jammu and Kashmir and caused them to evacuate from all those areas of Gilgit-Baltistan that borders with Afghanistan and China. Such a strategic maneuver would give control over the territory to the Pakistani government.

As soon as these targeted areas were freed from Dogra, the British intervened and stopped the minor war between Pakistan and India for control of Jammu and Kashmir. The British had achieved their objectives and left Jammu and Kashmir issue unsettled. The British did not appear concerned with the right of self-determination of the people of Jammu and Kashmir anymore. The British were right about their predictions for the future of Gilgit-

Baltistan: Britain, USA and capitalist powers later used Pakistani soil as a base camp to launch wars against the Soviet Union and Afghan war.

After arranging the Gilgit-Baltistan rebellion against Dogra and handing over the area to Pakistan, Britain's Major Brown met the first Pakistani Prime Minister, Liaqat Ali Khan. He explained to him why he staged the rebellion against Dogra in Gilgit-Baltistan and why the land was being handed over to Pakistan. In response to his presentation, Liaqat Ali Khan stated, "The Pakistan Government had given the Gilgit Agency a great deal of thought. We have fully appreciated its vital importance to the defense of the Subcontinent and world peace. We have decided that the responsibility has now fallen on us to defend the Agency against aggression." [31] It is this historical context that characterized the newest colonial administration of Pakistan in Gilgit-Baltistan.

With the same understanding, India occupied a large part of Gilgit-Baltistan and committed violent brutalities for more than 70 years and continue. Indian and Pakistani sought to legitimize their control. Both sides created official but biased histories and popularized them to legitimize their control and claim the land for themselves. India wanted to hold the region as a continuation of Kashmiri Dogra's brutal rule, and the British had a plan to deliver Gilgit-Baltistan to Pakistan, as a way of holding onto the strategic location for future use. In this struggle, as with earlier experiences, the battered people and their land were torn into two parts under Pakistani and Indian administration. The world knows a great deal about how India has continued its atrocities in Jammu and Kashmir,

including the Indian side of Gilgit-Baltistan. However, the world knows little about how Pakistan has maintained the British colonial model of ruling in Gilgit-Baltistan; holding the land and denying fundamental human rights to its people for more than seven decades.

To strengthen its control, Pakistan used a 'divide and rule' policy by dividing people into sectarian lines. Whenever the people of Gilgit-Baltistan began to unite in resistance and raised their voice for their fundamental human rights, some invisible hands created sectarian tension in the area. A cursory glance at the history of Pakistani governance in Gilgit-Baltistan gives the impression that the Pakistani government is working towards providing the people their human and political rights and self-rule promised by United Nations Resolutions. However, a more in-depth look into these so-called reform "packages" introduced over 70 years reveals that these changes are merely cosmetic, and serve only to validate Pakistani inaction further. The

purpose of these so-called reform "packages" has been to confuse the people of Gilgit-Baltistan, the international community. The Pakistani government neither gives them equal citizenship rights like other Pakistani citizens, nor the same status as given to Pakistani side Kashmiris. The people of Gilgit-Baltistan have been struggling for more than 70 years to have equal rights as other Pakistani citizens or at least the same status that the Pakistani and Indian sections of Jammu and Kashmiri people enjoy.

The ancient people of Gilgit-Baltistan, a peaceful mountain nation, have long suffered from the actions of invaders and hostile powers. They have not only been denied their self-rule, sovereignty, and dignity, but they also lost a big part of their motherland to aggressive and greedy neighbors. Historically, Ladakh, Kargil, Chitral, Kohistan, and areas along the region's border with China were all part of greater Gilgit-Baltistan. Now Ladkha and Kargil are under Indian Government control,



Figure 3: Gilgit-Baltistan territory - Source: The Author

Chitral and Kohistan annexed by Pakistan, and Taghdumbash Pamir and Raskam territories were lost to China.

It was not only the territory, but the people of Gilgit-Baltistan also lost their identity, culture, and traditions. The process of undermining their traditional heritage fostered Pakistani administration. Pakistan seems to have “placed an unrealistically high premium on its Islamic character. Their goal was a state where Islamic values and identity would overshadow and subsume all differences, including those based on ethnic, linguistic, and cultural diversity”. [32] Pakistan was created in the name of Islam, other cultural elements used for the establishment of national identities like language, social values, and community identity gave way to the sole factor of religion. Islamic religion served as a national rallying cry. Implementing what amounts to cultural genocide, the rulers of Pakistan committed ethnocide and the deliberate destruction of (local) cultures. They also promoted social hegemony to colonize the peoples of Gilgit-Baltistan holistically. The process of imposing “so-called Islamic culture” was carried out very systematically. In the process, the local culture and traditions not only ignored but also rejected naming them ‘unIslamic.’ Local history was rewritten by paid historians and popularized. Local heroes and legends were described as villains, and the invaders were presented as saviors. This was done to create respect for and obedience to the will of the invaders. It also promoted hatred for one’s past. For example, Gilgit-Baltistan history is taught in grades 1 to 3 in public schools. The social studies textbooks presented a cannibalism story portraying Sri Badad, the last indigenous

ruler, as a cannibal. He was killed in a conspiracy planned by some influential locals and an unknown foreigner (possibly originating from Central Asia or Iran) who has nevertheless been called Azur Jamsheed. The textbooks presented this story as ‘fact.’ To further insult the local ruler and his people, they also popularized the story that Sri Badad’s daughter (NoorBakhat) had secret illicit relations with Azur Jamsheed and gave birth to his son. In reality, Sri Badad was a Buddhist king, and during his rule, Gilgit-Baltistan was still an important center of Bonism, Shamanism, and Buddhism. It is not credible to claim he practiced cannibalism since he was a follower of a peaceful tradition of Buddhism. Nevertheless, this inauthentic story was presented to children as fact and “legitimate official knowledge.”

History textbooks and other locally written history books portray the period before Islam as a period of darkness and ignorance and suggest that when Islam came, everything became enlightened. Most of the books claim that before Islam, the people of Gilgit-Baltistan were ignorant savages and worshiped idols. These books do not acknowledge that when the local people ruled themselves on their land, Gilgit-Baltistan was a prosperous area where people learned to pan for gold and use it as currency. These books do not explain that there were republics in different parts of Gilgit-Baltistan (such as Chilas and Tangeer) where the people voted and selected their leaders, where elected councils made decisions, and where democracy was implemented practically and fairly. Neither is it told in these books that Gilgit-Baltistan had a Buddhist University where people came from all over the world to study Buddhism. The oldest

Buddhist Manuscript, called “Gilgit Manuscript,” was discovered from this region. These books never mention that Gilgit-Baltistan has been an “ancient center of Bön, the traditional religion that predates Tibetan Buddhism, the high valleys of the Gilgit-Baltistan region later served as conduits for the diffusion of Buddhism from India to China and Mongolia from the second century CE” [33]

Nor do these books appreciate the beautiful petroglyphs present in Gilgit-Baltistan, produced by the indigenous since prehistoric times. These books never present that in society, women enjoyed the highest power and even one of the states called ‘Women’s Kingdom.’ The history books remain silent about how the people learned to live in such a challenging environment yet with great sustainability. These books ignore how people showed tolerance towards other religions. We do not find in these books that they ever have appreciated the beautiful, peaceful culture, traditions, and beautiful festivals of these people. Furthermore, these history books omit the fact of the atrocities and crimes committed against the people of Gilgit-Baltistan by the Chinese, Tibetan, Kashmiris, Arabs, British, Dogras, and then Pakistan and India. They remain silent about the MODOORI, Chilas, Skerdu, Hunza, Nager, Gilgit, and Ladakh massacre, where thousands of people were put to a horrible death by the Dogra forces while others were enslaved.

The Pakistani colonial education system continued the elimination of the local traditional culture, traditions, and rituals and even portrayed it as a sacred duty done to assist the spread of so-called Islamic and Pakistani culture in the hegemonic way for social, cultural, ideological, or

economic influence. They adopted many of the same measures the European colonizers used in different parts of the world, such as using missionaries and their sectarian institutions to disconnect the people from their past.

Likewise, Urdu was imposed as the national language, and local languages were not only ignored but also removed the indigenous languages of Gilgit-Baltistan from the national census data collection form in March 2017, relegating them to the ‘other’ category. It was beyond the logic of neglecting the languages of a region that existed a sovereign country for centuries and unfortunately fell to Pakistan and India. Such ignorance is not only against the international treaties and resolutions about the cultures and languages of the indigenous people but also against Pakistan’s Constitution. This method of silencing the people of Gilgit-Baltistan was yet another way of marginalizing them.

The people of Gilgit-Baltistan traditionally followed ecological, cosmological customs and traditions. Living among mountains, they highly appreciated nature. They had beautiful seasonal festivals celebrating the arrival of winter, spring, summer, and fall. There were planting and harvest festivals, festivals for the birth of a child, even celebrations to mark the first hair cut each child received. In short, there were hundreds of types of festivals that the people of Gilgit-Baltistan celebrated together. Since those festivals were not based on religion, everyone was able to participate, and all would come together to make music, dance, and enjoy good food and drink. When sectarian Islam became firmly rooted, and after the beginning of Pakistani control, communal ceremonies and

Pakistani national celebrations replaced these local, traditional festivals. Local traditions were discouraged, naming them 'unIslamic.' The imposed sectarian ceremonies and those imposed ceremonies later became the underlying cause of many conflicts, serving to highlight differences between sects further.

As mentioned earlier, for thousands of years, the natural, impenetrable barriers of the great Hindu Kush, Karakorum, and the Himalayas protected the culture and civilization of Gilgit-Baltistan. Although the area was invaded many times, they were able to defend their unique culture survived. The people of Gilgit-Baltistan recorded daily life and important events with the petroglyphs that are present on more than 50,000 rocks all over Gilgit-Baltistan. The earliest of these dates back to between 5,000BCE and 1,000 BCE, showing single animals, people dancing, hunting with dogs, triangular men and hunting scenes in which the animals are larger than the hunters. These carvings were etched into the rock with stone tools and are covered with a thick patina. Many petroglyphs show the records of rulers and the transition of powers, while others depict developments such as the construction of a water dam and irrigation system. Each petroglyph conveys information not only about the culture of the ancient Gilgit-Baltistan people but also of their reactions to various invaders throughout time and the major environmental changes in the area.

Unfortunately, when the Karakoram Highway (KKH) was constructed from the Chinese border through Gilgit-Baltistan to Pakistan, construction blasts destroyed many petroglyphs. According to the famous Pakistani traveler and writer Mustansar

Hussain Tarar, a lot of Buddhist archaeological sites and petroglyphs were destroyed during the construction of the highway, and few of them are remaining. Since there were no systemic surveys conducted before the road was built, only anecdotal accounts from travelers along the Indus River told of these artifacts. It is now feared that even more of the petroglyphs and other cultural artifacts will be lost due to the highway. The Karakoram Highway expansion under the China-Pakistan Economic Corridor project will accommodate heavy-laden vehicles and extreme weather conditions to open the road to more use all year round. Additionally, the Pakistani government has plans to build a huge dam (the Diamer-Bhasha Dam) in the center of one of the areas most populated with petroglyphs. The land allocated for the dam hosts may destroy some 30,000 ancient art carvings and inscriptions forever.

The Karakoram Highway was first established during the British period when Britain constructed a colonial mule track road to facilitate the British and Dogra invasions and help provide for the garrisons in the Gilgit Agency.[34] Imperial Britain dreamed of establishing a railway in the Karakorum Mountains. The colonial mountaineer, Martin Conway, who had thought of the establishment of an extensive railway network in the Karakoram mountains by the end of the 19th century, stated: "... Gilgit must grow to be an important trade center, and possibly, * * * a railway junction on the line from India to Kashgar, where the Samarkand branch will turn off!"[35] Imperial China had similar ambitious plans. Following China's imperial dream, China, with the support of Pakistan, built Karakoram Highway (KKH) between 1966 and 1978,

which opened to the public in 1979. It now connects Islamabad, the Capital of Pakistan, and Kashgar in the Xinjiang Uyghur Autonomous Region of China. The road passes through the Karakoram and Hindu Kush mountain ranges of Gilgit-Baltistan. China and Pakistan have used the KKH as a strategic extension of a communication network in the context of Jammu and Kashmir conflict. Their aims for doing this included the underpinning of territorial claims through the military presence and the provisioning of the Pakistani garrisons in Gilgit-Baltistan.[36]

China intends that its “economic corridor” project will support trade, and has the potential to create new jobs, as well as improve both the regional and national economies. However, “building new railroads, highways, power lines, gas and oil pipelines across ecologically sensitive areas can cause significant environmental damage, including habitat transformation, fragmentation, and loss, oil spills, local pollution, the proliferation of dust and salt (along highways), and much more.”[37] It seems clear that Gilgit-Baltistan, an environmentally sensitive area, will suffer many negative environmental and social consequences as a consequence of the CPEC project.

As mentioned more previously, the people of Gilgit-Baltistan greatly suffered from the Tibetan and Chinese power struggle, and later the British used the land as basecamp against China and the USSR. Now another ‘great game’ is about to commence. As the CPEC is taking shape and details are coming out, the international players have suddenly started showing their ‘concerns’ related to Gilgit-Baltistan. In October 2017, US Secretary Mattis testified before the Senate and House Armed

Services panels. He stated that the United States opposed the Chinese One Belt Road going through Pakistani controlled Gilgit-Baltistan, a disputed territory. Still, China and Pakistan rejected US criticism.

On the other hand, India is highlighting its sovereignty by continuously emphasizing that the Chinese economic corridor project is not acceptable in the Gilgit Baltistan region. Ironically, India itself is exploiting the people of Gilgit-Baltistan on its side of the border. On the Indian side of Gilgit-Baltistan, people are experiencing the same issues as the Pakistani controlled. On the other hand, Gwadar, with its natural deep port, is considered to be a serious rival to Dubai and other gulf countries. At the same time, Pakistani and Chinese governments completely ignored the people of Gilgit-Baltistan in the CPEC project. No consultation was carried out with them as a decision-making process, nor any tangible share was given to them.

Additionally, the colossal project started without carrying out any social, cultural, and environmental impact of the project on environmentally sensitive Gilgit-Baltistan. People of the region have already lost their patience due to the denial of basic human rights by Pakistan for more than 70 years. Gilgit-Baltistan’s growing resistance as an ideal concern and a desirable environment to create tension and kick off new ‘great game.’ As a result, the ultimate losers will be the people of Gilgit-Baltistan.

Despite a long period of repression, oppression, and subjugation, the ancient people of Gilgit-

Baltistan have managed to survive, even with the loss of much of their population, unique culture, traditions, customs, rituals, and territory. It has been primarily the natural barriers provided by the area's steep geographical terrain and environment that has saved the plants, animals, and the indigenous people of Gilgit-Baltistan from complete extinction. The natural environment is itself facing the most significant threat ever, due to the disastrous exploitation of this susceptible geographic location, combined with the increasing impacts of climate change and global warming. If the expansion of Karakoram Highway is not planned well, it will cause further damage to the environment, biological diversity, and the remarkable cultural and archaeological heritage of the last descendants of the ancient people of Gilgit-Baltistan who will vanish from the face of the Earth forever.

There is a dreadful similarity between the history of the people of Gilgit-Baltistan and the ancient sea creatures that lived 55 million years ago in the volcanic rocks of Gilgit-Baltistan, under the mighty Tethys Ocean on the bank of the Eurasian landmass. Trapped by the Indian and Eurasian continental collisions, those ancient marine organisms became extinct. Similarly, the invasion, tension, and clashes of expansionist and hostile states have trapped and threatened the ancient people of Gilgit-Baltistan with extinction.

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Egongot Tribal Development and an NGO as a Catalyst for Sustainability

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ABSTRACT

The potential contribution of Indigenous philosophy to global sustainability remains largely unrealized. A significant part of the challenge is the need to actualize the United Nations Declaration on the Rights of Indigenous Peoples within the jurisdictions of specific countries. The Philippines represents countries where Indigeneity is defined more by community of residence and traditional livelihoods, rather than heritage alone. Although Indigenous rights have been recognized in Philippine law, approaches to poverty mitigation and tribal development that support global sustainability may best be advanced through implementation of the catalyst role by Non-Government Organizations as demonstrated for a project with the Egongot Tribe of Aurora Province.

Key words: Philippines, biodiversity, Indigenous entrepreneurship, Egongot, Ancestral Domain

In this article we build on an earlier international paper that considered the historic role of Non-Government Organization (NGO) participation in the linkage between Indigenous Peoples (IP) and the environment (Sabbarwal, 2016); and we profile the status of Philippine implementation of the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). As suggested by McCleary (2016) regarding a global approach, the participatory and inclusive design of our project focused on increasing the capacity and involvement of Indigenous Peoples in research for their Ancestral Domain, managing their relationship to the environment. Effectively, our project incorporated a Participatory Action Research Learning (PARL) cycle on ridge to reef coastal resource management (Watts & Pajaro 2014) with consideration for a Social Artistry process (Ayala et al. 2016).

There is global consensus that the life support systems are in jeopardy due to climate change. We suggest that the flexibility potential of non-governmental organizations (NGOs) to serve the catalyst role with Indigenous communities may provide significant hope for the future of Indigenous Peoples, global life-support systems and health, as suggested by international Ecohealth practitioners (Watts et al., 2015). In this article we illustrate the significance of the catalyst role for a specific project within the Philippine Sierra Madre Biodiversity Corridor (SMBC) with the Aurora Province Egongot tribe. The organization Daluhay,

identified as the local responsible partner for an Egongot project, focused on Ancestral Domain management and facilitated Egongot capacity development on the management of funds. These funds were then transferred to the Egongot. Daluhay is based in Aurora Province and has a mandate that considers balance through Ethnoecology, focused on people as part of sustainable ecosystems.

The discussion of Indigenous Peoples' rights is most often associated with their status resulting from the challenges related to colonization, often by Europeans. However, the Philippines represents many other countries, where there is a national awareness that most citizens are descendants from Indigenous Peoples. This cultural heritage has resulted in substantial legal support for Indigenous Peoples under the 1997 Indigenous Peoples Rights Act (RA 8371), often called IPRA Law which preceded the UNDRIP. In the Philippines, recognition of Indigeneity is generally applied to those living traditional livelihoods in a communal setting, often associated with Ancestral Domain titles or claims. Considering the high national and local level of Indigenous Peoples poverty in these traditional communities, the approach to Indigenous entrepreneurship and the funds allotted for the development of biodiversity friendly enterprise in the current project were critical for community engagement. The NGO role included facilitating the valuation of short and long term potentials associated with revenue generation, biodiversity conservation, and the protection/expansion of forest cover in the Ancestral Domains; helping to ensure that culture and traditions are included.

The Philippines as an Indigenous Homeland

The Philippines is recognized as a biodiversity hotspot, containing 70 to 80% of the world's flora and fauna species, often endemic and mostly threatened. Similarly, the diversity of Indigenous Peoples is large, with over 100 different ethno-linguistic groups spread throughout the archipelago (Jocano 2003), often linked to upland Ancestral Domains. The Indigenous Peoples' territorial claims have historically conserved and sustainably managed their domains using their own traditional systems, thus playing a critical role in the protection of nat-

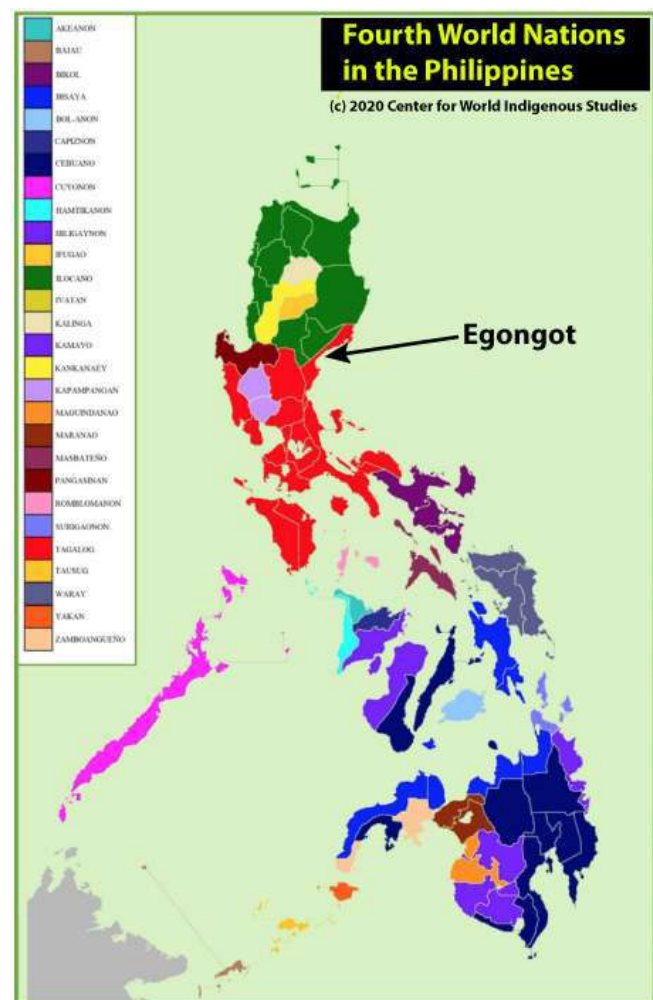


Figure 1: Egongot Tribal Location in the Philippines

ural resources. Although deforestation is a national concern, as much as three-fourths of the remaining forest cover is generally considered to be within Ancestral Domains. Indigenous Peoples are among the most marginalized and disadvantaged Philippine population sector, with the highest occurrence of poverty, illiteracy and unemployment (De Vera, 2007). Given the limited legal recognition of their Ancestral Domains, Indigenous Peoples have been displaced and denied access to the natural resources they have nurtured. Mining, the influx of migrant farmers, poachers, land grabbers, large scale commercial investments and extractive industries have all threatened the various Indigenous Peoples' access to the resources that are entwined with their lives and livelihoods. Their Indigenous knowledge systems and practices have declined in use, often replaced by ecologically unfriendly modern practices causing soil degradation, and loss of both biodiversity as well as cultural heritage.

The 11th Conference of the Parties of the Convention on Biodiversity advocated additional management measures to increase the coverage of protected areas (CBD, 2011). The concept of Indigenous and Community Conservation Areas (ICCAs) emerged with the objective of contributing to biodiversity (Aichi) targets. In Aichi targets 11 and 18, traditional knowledge, innovations and practices of Indigenous and local communities can be fully integrated in the implementation of the Convention. The 1997 passage of Philippine Indigenous Peoples Rights Act¹ provided tenurial security to Indigenous Peoples through the issuance of a Certificate of

Ancestral Domain Titles, The National Commission on Indigenous Peoples (NCIP) is mandated to assist with titling of Ancestral Domain claims. However, the National Commission does not have funds to support individual Ancestral Domains. Further, the government and communities lack skills and capacity to implement the Indigenous Peoples Rights Act. Thus in 2007, a mere 41 domain certificates were awarded to the Indigenous communities which remarkably quadrupled to 162 in 2018 covering about 5 million hectares, which is about one fourth of the total Ancestral Domain claims in the Philippines (Malayang, 2001). However, the process of actualizing Ancestral Domain sustainable development plans remains generally problematic. For example, the vast majority of all Indigenous Peoples in the Philippines do not have bank accounts, project management skills, nor access to funding opportunities. Thus, the role of a local non-governmental organization (NGO) needs to focus on specific settings/situations so as to have a catalytic role for a reflexive response to justice and conservation goals, facilitating quality status for local Indigenous Peoples stakeholders, as suggested by Martin et al. (2016).

In 2015 a project entitled: Strengthening National Systems to Improve Governance and Management of Indigenous Peoples and Local Communities Conserved Areas and Territories was initiated with support from the Global Environment Facility (GEF) through the United Nations Development Program (UNDP). The project known locally as the Philippine ICCA required a level of community development that included a track record for financial management. The Biodiversity Management Bureau of the Philippine Department of Environment and Natural Resources was the Implementing Partner

¹ Indigenous Peoples Rights Act, Republic Act No. 8371, October 29, 1997

for the purpose of strengthening the conservation, protection and management of key biodiversity areas through institutionalizing Indigenous People (IP) engagement on ICCAs. The strategic goals included: to effectively identify, map, recognize and support the governance and management ICCAs, while improving the capacities of IP and other key stakeholders for the effective governance and management of their ICCAs. The priority of Daluhay as the local responsible partner was to focus on community-based capacity development for and by the tribe, complicated by the local nature of clan independence and the relationships between the Egongot Tribal clans of Aurora.

The Egongot Ancestral Domain

The Egongot provincial Certificate of Ancestral Domain Title (CADT) represents a unified claim consisting of different communities across three provinces (Quirino, Nueva Vizcaya and Aurora) with a total two-dimensional area of 139,691 hectares where 23,124 hectares is in Aurora Province is considered CADT # R02- NAG-0703-0012 (ICCA 2019). The actual habitat and potential area for carbon sequestration is much larger due to the dominant mountain terrain with peaks as high as 2000m above sea level. Two municipalities have 8 Egongot settlements; Maria Aurora (Bayanihan settlement) and, Dipaculao (Dimabono, Ditale, Dibutunan, Diarabasin, Borlongan, Dianed and Dinadiawan) straddle this Egongot CADT in the last remaining expanse of Philippine rainforest. Highway construction and a recent tourism boom has led to many development projects implemented without the free and prior informed consent of the Egongots, undermining their efforts to manage and conserve their Ancestral Domains. The Provincial Federa-

tion of Egongot Tribes in Aurora is the Indigenous community partner in the current project for efforts to reverse these development trends. Since they did not have the experience nor track record of running projects, they selected Daluhay - Daloy ng Buhay, Inc as the local responsible NGO partner.

There are eight municipalities in Aurora (Dinagan, San Luis, Maria Aurora, Baler, Dipaculao, Dinalungan, Casiguran and Dilasag) situated at the center of the Sierra Madre Biodiversity Corridor (SMBC), where old growth forest cover is the home to over 400 species of wildlife, 153 of which are endemic to the Philippines (van der Ploeg et al. 2003). This includes many threatened dipterocarp² forest tree species, other endangered flora, the critically endangered Philippine Eagle, several threatened species of marine turtles, whale sharks and dugongs, endemic mammals (Balet et al., 2011) and rare herpetofauna (Brown et al., 2000). The economic activities of the province include agriculture, fisheries, forestry and tourism. The province is a net exporter of rice to other provinces as well as producing coconut, corn and banana. About 60% of the Aurora province is classified as forestland, with either steep or very steep slopes while 40% is considered as alienable and disposable, most of which are agricultural lands (DENR 2019a). About 76% or 201,000 hectares are claimed as Ancestral Domain by either the Dumagats/Agta or Egongots; while about 10% overlaps with other government-declared protected areas. Stakeholders have reported continuing deforestation, extirpation and declining populations of native wildlife species with many of these

² Dipterocarp plants are members of the Dipterocarpaceae family of 695 known species of tropical lowland of evergreen and deciduous trees.

losses involving species such as wild pigs, deer, and the eagles, that are culturally and economically important.

The remarkable biodiversity heritage of the Sierra Madre Biodiversity Corridor (SMBC) is primarily nurtured by disconnected and marginally developed Indigenous groups, somewhat isolated from ecologically limited efforts of local government units. Developing capacity for the Indigenous communities to manage resources requires emphasis on incorporating traditional knowledge, systems and practices with other technologies. Further, ecosystem boundaries extend beyond individual communities and local government units. Thus, there is a need for projects that build Indigenous peoples' capacity and provide linkages between the goals of individual IP clans and inter-community goals. The tribes dominating the central SMBC include the Egongot (also known as Ilongots) and the Dumagat (also known as Agta and Alta). Both Dumagats and Egongots hunt for wildlife, however the former is considered more nomadic and the latter more inclined towards farming. Our organization, Daluhay is active in most of the 20 and more Aurora Dumagat settlements in Aurora as well as the Egongot settlements. Between the two tribes of the Dumagats and Egongots, territories appear to have been defined and governed using customary laws.

The catalyst role of the local NGO includes optimizing the potential for consensus and best practice transfer across the Indigenous groups within the Sierra Madre mountains. However, all actions and development need to be based upon the community-identified goals and objectives. In recent times, cultural transformations have transpired as local

government units were established and customary laws meshed with state laws while the country went through several centuries of colonization. However, the Indigenous communities' dependence on forest and coastal resources remain crucial for their livelihoods and survival. They have also maintained certain areas within their domains as conservation and preservation zones which have deep spiritual and cultural values. Bayanihan in Maria Aurora was originally targeted as the focal site for the Philippine ICCA project in Aurora province. However, consensus could not be reached between the tribal clans in Bayanihan regarding project implementation, perhaps influenced by a centuries-old clan conflict (personal communication, R. Cawad, Egongot Tribal Leader). The clans of the Egongot settlements in Dipaculao, where half of the Aurora-Egongot Certificate of Ancestral Domain Title is placed, unanimously welcomed the project, based upon an agreement that the biodiversity friendly enterprise development funds be divided proportionately amongst the 7 participating settlements. The Daluhay NGO role included adapting set funding allotments for enterprise development in a manner that resulted in 7 parallel and somewhat unique processes rather than the one initially intended when funds were allotted. As part of the Philippine ICCA approach, community residents provided their time as a counterpart for the Ancestral Domain inventory and mapping activities, with the understanding that the Biodiversity-Friendly Enterprise would also be funded.

The Egongot Indigenous Community of Dipacalao: Socio-economics

Aurora's Egongot population is in seven barangays (Brgy.) involving 1,705 Egongot with the greatest number found in Brgy. Diarabasin (Table 1);

representing a mere 14% of the total population of the Municipality of Dipaculao. The influx of migrants occurring over the past century have made the Egongot a minority. Currently, there is a lack of regulation on access to the Ancestral Domains by migrants. The Indigenous knowledge, skills and practices of the Egongot are threatened by modernization and need to be preserved and promoted to the younger generations.

Statistics Authority 2015 Census and 2018 primary data.

The Egongot have a young population, in which children and youth dominate. A survey of 123 adults indicated that income earners rely mostly on farming, livestock raising and fishing for livelihoods (Figure 2). While women declare themselves as housekeepers, they usually join their husbands in farming and take charge of selling the products whether

BANGARAY	Total population	Number of Egongot individuals	Number of non-Egongot individuals	% of Egongot population in barangay	% of Egongot population in Dipaculao
Ditale	1,398	332	1,066	24%	2.7%
Dimabuno	1,368	170	1,198	12%	1.4%
Dibutunan	860	277	583	32%	2.3%
Diarabasin	1,730	468	1,262	27%	3.8%
Borlongan	2,416	210	2,206	9%	1.7%
Dianed	722	200	522	3.61%	1.6%
Dinadiawan	3,733	48	3,685	1.3%	0.4%

Table 1: Egongot Population in Dipaculao, Aurora, Philippines.

Source: Philippine. Statistics Authority 2015 Census and 2018 primary data.

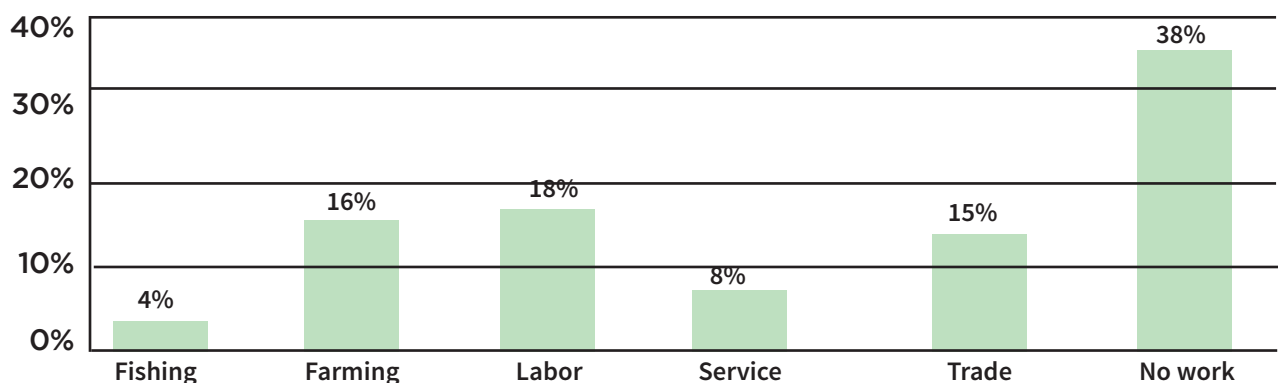


Figure 2: Primary sources of income of Egongots in Dipaculao, Aurora, Philippines

from farming, fishing, hunting or gathering. There is a lack of stable incomes among the Egongot of Aurora. Augmenting their incomes through access to capital, post-harvest facilities and better marketing opportunities can improve their quality of life.

The Philippine Indigenous and Community Conservation Area (ICCA) Program

International ICCA interests facilitated the Philippine Program development, designed to fit with IPRA Law implementation, national goals for protected area development and biodiversity conservation. This program is a significant step in assisting Indigenous Peoples to move forward and actualize some of the potential benefits of their Ancestral Domains while developing skills that will help them with future programs and projects. The primary focus of the program was to have agencies work together to harmonize the objectives of the National Commission on Indigenous Peoples, the Department of Environment and Natural Resources, the Bureau of Fisheries and Aquatic Resources, and the Housing and Land Use Regulatory Board. The accomplishments discussed below focused on Outputs 2.1. to 2.5 of the Philippine-ICCA project framework (Figure 3). Critically, the policy to harmonize objectives was led by the Philippine ICCA Consortium as a primary caveat to program delivery. The local responsible partner catalyst role included insuring that all activities remained focused on the goal of harmonization within implementation. This required systematic/iterative NGO courtesy calls and relationship development with three levels of local government and national agencies as well as the IP communities.

Project Accomplishments

The Philippine-ICCA project contributed to strengthening the conservation, protection, management and institutionalizing of the 41,480 hectares of Egongot Ancestral Domain as their ICCA. Management zones included sacred grounds, marine sanctuaries, traditional hunting areas, as well as tourism and production areas; all with corresponding prescriptions. Tenurial rights for the 15,900 hectares is secure given that it has been awarded a Certificate of Ancestral Domain Title in July 26, 2003. The consistent engagement of the Dipaculao tribal elders and leaders who centered the Local Planning Team, along with representation from women and youth, were crucial in coming up with the appropriate ICCA management decisions and informed conservation plans, guided by the results of the participatory mapping exercises and resource inventory. The capacity of Local Planning Team members was greatly enhanced by acquiring skills such as financial management, the use of Global Positioning Systems (GPS), and the systematics for the collection and recording of data to determine the health of their forest and marine resources.

Participatory Forest and Marine Resource inventory

Capacitated by training sessions designed with the local NGO responsible partner, the Local Planning Team gathered and analyzed data collected through a Forest Resource Inventory and Participatory Coastal Resources Assessment (PCRA). It has been suggested that Indigenous identity cannot be understood by a single concept of nature, but instead requires a specific local approach (Ludert, 2010). This goal was met through trainings for

PHILIPPINE ICCA-PROJECT FRAMEWORK

OBJECTIVE

Strengthening the conversation, protection and management of key biodiversity sites in the Philippines by institutionalizing ICCAs as a sustainable addition to the national protected area estate.

OUTCOME 1: POLICY HARMONIZATION AND IMPLEMENTATION

Legal and regulatory framework and administrative procedures that harmonize the mandates, plans and activities amongst all key stakeholders such as NCIP, BMB, BFAR and relevant local government units are established and effectively implemented for the identification, mapping, recognition and management of ICCAs.

Output 1.1

govt policy issuances address inconsistencies and recognizes ICCAs

Output 1.2

advocacy for and consensus building on the ICCA Bill

Output 1.3

Revised ADSDPP Guidelines (with ICCA) and its roll out

Output 1.4

Enhance (with ICCA) land use guidelines

Output 1.5

Implementing guidelines and procedures for NIPAS PA Mgt planning and zoning (with ICCA)

OUTCOME 2: CAPACITY STRENGTHENING

Capacity of key stakeholders for the effective governance and management of ICCAs strengthened

Output 2.1

ICCA documentation, mapping, registration

Output 2.2

Community conservation plans

Output 2.3

Strengthened capacities of agencies on ICCA documentation

Output 2.4

Strengthened capacities of ICCs to document, map, plan and implement actions to address the identified threats

Output 2.5

ICCA consortium as mechanism for exchange, advocacy, and legal support to ICCAs in distress

Output 2.6

Establishment of national registry of ICCAs

Figure 3: Philippine ICCA Consortium (unpublished program outline) - Program Framework

Egongot skill development focused on empowering the community to monitor their Ancestral Domain natural resources and renew their cultural connection to nature. The inventory determined abundance and distribution of flora and fauna found in various habitat types as well as species richness and diversity concerning species of cultural, ecological and economic significance to the Indigenous community. A carbon stock assessment was considered as one of the important steps to start with sustainable land use planning in relation to global climate change mitigation, carbon trading and marketing. The information generated was also used in formulating their Community Conservation Plan.

The surveys recorded a total of 90 forest species belonging to 36 taxonomic families. Most of the species are endemic to the Philippines, and several are listed as threatened (either critically endangered, endangered, or vulnerable) according to the Department of Environment and Natural Resources (DENR 2019b) and IUCN Red List. Carbon stock were also determined using the data collected from the survey. The aboveground biomass ranged from 78 to 531 Mg C ha⁻¹ which if averaged would be at 199.81 Mg C ha⁻¹. This is a low estimate for similar forest types in the Philippines which is 446 to 1126 81 Mg C ha⁻¹ (Lasco et al., 2006) except for the forests in Ditale which has the highest recorded carbon stored at 531.83 Mg C ha⁻¹ where the trees are bigger in diameter, hence the above ground biomass was also higher compared to the other transect stations. The Ditale carbon stock is comparable to the mature secondary forest of Mt. Makiling observed to be at 576 Mg C ha⁻¹ (Lasco et al., 2004). However, transects were set in accessible areas and the Local

Planning Team members indicated there were much healthier forests with bigger trees further up the slopes towards their sacred areas. Barangay Dimabuno had the highest number of species/individual trees (richness) more than twice that of Borlongan which had the lowest. Dimabuno, Ditale and Dianed had a biodiversity index close to 1, indicating high diversity (Simpson, 1949). Several threats were also observed during the survey. These included timber poaching, slash and burn farming, charcoal making and illegal wildlife hunting.

Participatory Coastal Resource Assessment (PCRA) was conducted for the Dipaculao fishery profile and habitat assessment. Part of the process for the Egongot Ancestral Waters claim in Dipaculao is to re-establish their marine cultural and heritage connection, as well as determining the current status of marine resources in the Ancestral Waters. PCRA was conducted in different habitats, assessing; mangroves, beach forests, seagrasses, intertidal zones, corals and fish. The PCRA was conducted in 6 coastal barangays: 1) Dinadiawan; 2) Dianed; 3) Borlongan; 4) Diarabasin; 5) Dibutunan and; 6) Ditale, and welcomed non-Indigenous local residents. The knowledge and skills required for PCRA were established for each community. The training was designed to work with the volunteer availability of community members, decrease the inconvenience of long travel (especially for elders and mothers with infants), optimizing time and outputs for individual sites. A pre and post training assessment survey was also conducted to monitor the skills learned by the Local Planning Team and others. The majority (66%) of the PCRA survey respondents were male; 54% of the respondents were local but not

recognized members of the Indigenous community. The coastal profile revealed that most participants were dependent on fishing as their primary income with an average monthly income reaching Php 5,000.00 (approximately \$100 U.S.) in Barangay Diarabasin and the lowest recorded income was below Php3,000.00 in Barangay Dianed. In general, fish catch is perceived as declining due to the increase fishers from other municipalities, provinces and Taiwan conducting illegal fishing activities. This pressure on fish stocks is considered locally to have resulted in community fish price increases along with other commodities. Survey respondents identified other causes of depleted fish catch as bad weather caused by climate change, loss of sexually mature fish, and coral reef destruction.

Benthic surveys, fish visual census and seagrass assessment were conducted on the proposed Ancestral Waters. Using a photo transect and Coral Point Count analysis, the status of the corals was determined and results showed that the highest live coral cover (60%) is in Barangay Dibutunan where a Marine Protected Area is located. Dominant fishes recorded were Fusiliers and Surgeon fishes with size range of 1 to 10 centimeters. The size of the fish shows that these are juveniles who are dependent on coral assemblages. Seagrasses were also recorded with two species identified (*Cymodocea rotundata*, *Halodule uninervis*) with percent cover reaching 39%. The core sampling indicated that several invertebrates are present including economically important sea cucumbers and clams.

Participatory Indigenous Geography - mapping

Participatory mapping was done in each of the seven project sites through the development of 3-Dimensional (3D) maps (Figure 4) and the merger of community-based guidelines to establish GIS-based specific management zones including an area for production (Figure 5). Representatives from each of the seven communities were capacitated to build a model that realistically portrays the image of their land.

Egongot mapping involved boundaries that are not simply defined by straight political lines. Settlement demarcation often followed the curve of the



Figure 4: Participatory 3-Dimensional Mapping with the Egongot Indigenous Communities of Dipacalao, Aurora, Philippines

river or the location of one mountain peak relative to another. Landmarks are defined by natural features, such as a cave, an enormous tree, or a rock formation. One particularly important mapping component involved delineating Ancestral Domain management and production zones. The Egongot have traditionally designated different areas for protection and production, with the goal of keeping huge sections of their forest intact while still having an area from which they can harvest daily sustenance for their families and community. Through three dimensional mapping and zoning activity, the Local Planning Team was able to identify nine zones: (1) critical habitat; (2) hunting ground; (3) production area; (4) reforestation area; (5) sacred area; (6) tourist spots; (7) watershed; (8) wildlife sanctuary, and; (9) marine sanctuary. The zones identified incorporated their traditional uses for the

land but also included non-traditional zones such as tourist spots as the local residents worked to access the changing economic opportunities of Dipaculao.

Indigenous Knowledge, Systems, and Practices (IKSP) Documentation

The Indigenous Knowledge, Systems, and Practices (IKSP) characteristics of the Dipaculao Egongot were documented through one-on-one interviews and focus group discussions on specifics including their traditional governance system. Relevant information shared by the Egongot spontaneously during other activities such as during the participatory resource inventories was also recorded. A general orientation on conducting the Indigenous Knowledge, systems and Practices documentation and traditional governance system data gathering was held at the same time during the training

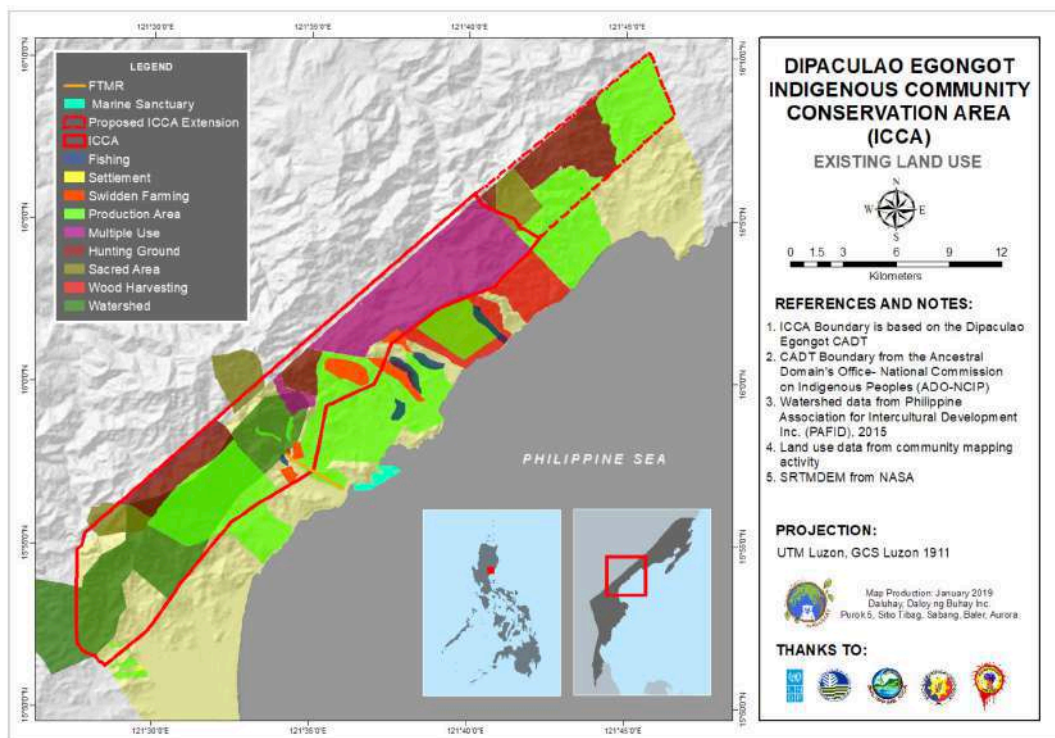


Figure 5: Map of the current land use inside and outside the Egongot Ancestral Domain of Dipaculao, Aurora, Philippines.

on Resource Inventory and Community Profiling where a total of 37 (27 males; 10 females) attended, representing all seven settlements. A more detailed orientation for Egongot youth was conducted for one-on-one interviews that capture socio-economic data and stories of farmers and fisherfolk in relation to their Indigenous community and their natural resources. The volunteer youth who were recruited to gather the knowledge system and practices data visited homes to interview the tribal elders, leaders and other members, to gather data and learn more about the Egongot knowledge system and practices particularly with reference to their Ancestral Domain. Focused group discussions with elders covered topics on environmental changes they have recalled from stories of their forefathers and what they have witnessed throughout the years. The active participation of the first author as a community facilitator, knowledgeable regarding local IKSP, validated the stories and researchers consistently sought clarifications from the elders.

The Ancestral Domain Sustainable Development and Protection Plan authored by the Egongot and other published articles were also used to gather secondary information on their knowledge system and traditional government. A previous project engagement with the Egongot, mainly from Maria Aurora, under the United Nations Development Program Small Grants Program provided the opportunity to initiate the documentation of the Egongot's knowledge system and practices. This knowledge platform was expanded through additional narratives from the Dipaculao Egongot key informants. The traditional governance and many other Indigenous knowledge, skills and practices of the Egongot

are intimately linked to their natural environment. Their art forms depicted in music, dances, clothes, ornaments and architecture are inspired by their close interaction with nature around them.

The Egongot knowledge systems and practices and traditional government have the potential to conserve biodiversity over time. However, present threats to conservation and the Indigenous Peoples' livelihoods include: an increasing migrant population, contact with other people, modern technology which is unsustainable, and practices that consistently focus on increasing the quantity of harvest/production. Through time, traditional ways of Indigenous knowledge have been slowly forgotten. Specifically, the approach of engaging the youth for interviews in the current work was designed to mitigate that concern, hopefully initiating ongoing generational transfer of knowledge. Participants that were aged above 40 years were still able to recall, identify, and explain certain practices or traditions that their parents used to teach them. Related to their concern about cultural decline is the degrading state of their Indigenous and Community Conservation Area (ICCA). Although the entirety of the ICCA itself has yet to be entered by illegal environmental offenders (such as illegal loggers/poachers, illegal miners, etc.) there are cases of illegal logging and hunting of wild animals near the fringes of the Certificate of Ancestral Domain Title. Reviving and institutionalizing their traditional conservation practices and engagement of the youth in sustainable management of the ICCA is urgent and necessary if Aurora Province is to retain the unique biodiversity that is so closely intertwined with the cultural heritage. In terms of mitigating climate change, the global sig-

nificance of tropical projects such as the one herein, is enhanced by the fact that the potential for carbon sequestering is several times greater than that of boreal regions (Winjum et al. 1992).

Biodiversity-Friendly Enterprises (BDFE)

For local residents, primarily focused on the challenge of feeding their children, the Biodiversity-Friendly Enterprise (BDFE) component of the project was critical. The catalyst role of the local NGO responsible partner included advocating for biodiversity conservation in terms of feeding children in the future. This involved the participatory approaches reported above, basic bank account procedural training, financial management and planning and critically, in-depth Philippine accounting requirements. The decision to have seven independent enterprises locally developed, required extensive optimization of budgets and travel, particularly considering hazardous weather conditions. There were four criteria applied for each BDFE: 1. Promotion of environmental protection and conservation, 2. Equitable profit-sharing that includes women, 3. Generate income, 4. Part of which must go back into supporting local ICCA management and protection. More time was required than originally planned and there was a need to justify the approach and the timeframe to the Implementing Partner before the BDFEs were allowed to proceed. This challenge also served as an opportunity for the communities to crystallize their growing sense of project and protected area ownership, management and development.

Stewardship for their Ancestral Domain is innate to the Egongot and the Dipaculao Egongot

welcomed the ICCA project as strengthening the Indigenous communities' capacity for resource management and development. The NGO catalyst role in project implementation typically required an operational balance to allow for scheduling adjustments and cultural engagement, best considered through a fusion of art and science (Ayala et al. 2016). Understandably, the need to feed the family has priority over taking part in efforts to protect their natural resources. The Biodiversity Friendly Enterprise component of the project gave the people an opportunity to improve income generation using their innate and traditional knowledge, skills and practices while putting less pressure on natural resources; attracting international ICCA attention as a potential model. The project provided/facilitated; monetary means for equipment purchase, registration with the Securities and Exchange Commission, local government accreditation, opening bank accounts, bookkeeping skills, etc. A workshop was conducted to guide communities in BDFE planning and start-up. The workshop allowed the participants to design a proposal for their BDFE per settlement. Each group completed their proposal with full consideration of their human, nature, physical, financial and social capitals (Table 2). In the true spirit of bayanihan (community support), the Dipaculao chieftains agreed to include the BDFE proposal from the supportive group in the neighboring Egongot community of Bayanihan whose Ancestral Domain lies adjacent to theirs, as requested by the Provincial Chieftain.

The Community Conservation Plan formulated by the Egongots of Dipaculao identified initiatives to implement BDFE activities that address low incomes; limited employment openings and a gener-

Borlongan	Fish trade and ecotourism
Dianed	Fish and Vegetable trade; rice grain
Diarabasin	Coffee production and trade
Dibutunan	Rice grain trade; barter trade
Dimabuno	Rice farming
Dinadiawan	Banana chips production
Ditale	Abaca nursery and planting
Bayanihan	Souvenir items development and production; ecotourism

TABLE 2:
Biodiversity Friendly Enterprise (BDFE)
Start-ups in 8 Egongot Settlements of
Aurora Province, Philippines.

al lack of access to economic opportunities that could help them meet their daily needs. The BDFE activities were based upon business plans and targeted by the Egongot of Dipaculao, were nature and culture-based, making profits that promote and enhance not only biodiversity and ecosystem services but also their culture and traditions. Two groups focused in part on ecotourism as a non-extractive source of income development. However, more generally the settlements focused upon specific agriculture or production innovations. These included:

- 1) production of high value and high quality agricultural commodities such as coffee, cacao and abaca;
- 2) improvement and promotion of their handicraft products given their skills and knowledge in weaving, embroidery, carpentry and painting

(hence, handicraft products such as native bags, hats, fans, other ornaments);

3) production, processing and marketing of basic agricultural and fisheries commodities such as rice, fish, banana and root crops. In terms of poverty mitigation, the BDFE activities were able to enhance the business-mindset for livelihoods in the communities. Locally, earning money from livelihoods is blended with a more traditional form of a barter economy. The project helped to crystalize an initial process for local sustainability efforts through enterprise.

The NGO experience with implementation of the BDFE among the Egongot provided a better understanding on how local Indigenous Peoples conduct their enterprise activities, primarily based upon their culture, available resources, knowledge, skills and experiences. Egongot Indigenous entrepreneurship appears to be egalitarian and based on kinship ties, relying on immediately available resources so that jobs are less permanent compared to those in the mainstream societies and therefore may not be in direct response to market needs, as described for other settings (Dana, 2015). While Western models of entrepreneurship takes place in the market, the Egongot conducted much of their enterprise activity internally with no formal transactions. Hence, all the Chieftains and other leaders initially agreed informally that each settlement would partake in individualized yet meager budget allocation instead of venturing into one larger enterprise concept. They also accommodated the neighboring Egongot settlement from Bayanihan. The results highlight how Indigenous entrepreneurship needs to consider the balance between current economics and the

cultural perception of opportunity, particularly as it pertains to BDFE that also serve to move the Indigenous tribal culture and economic status forward in development.

Conclusions: Local and National Project Innovations

The primary goal reached was the establishment of community-based capacity to move forward with their Indigenous and Community Conservation Area (ICCA) management plans. The communities were engaged in the entire planning process from situational analysis to the defining of vision, mission, goals and the formulation of a strategic plan. The project provided opportunity for Daluhay to facilitate and help define strategies, while the Egongot communities learned implementation strategies to meet local challenges, including finances; moving forward with community goals as tribal development. Daluhay's catalyst role helped the Dipaculao Egongot community to establish their ICCA and further develop as an organization. The project also served as a model for Daluhay's work with other Indigenous communities through the development of sector-specific relationships within communities. Although there were significant overlaps, there were valuable inputs gained by talking with individual sectors, for example; women, fisherfolk, farmers and youth. Daluhay staff had the opportunity to develop sectoral relationship-building skills that can be applied to different Indigenous cultures in other local settings. The project provided the platform for the Egongot community to be capacitated in financial and organizational management that was inclusive of ecological resources. The residents developed an understanding regarding the value of community

capacity. Through the project the community grew to appreciate the significance of being organized and having a legal personality for the advancement of conservation, protection and economic development work. For this community, the project provided a progression in local ownership and valuation of their cultural heritage through a two-way learning process with Daluhay. Further, the ICCA highlighted the knowledge systems and practices of the Egongot and provided a template for how youth can also embrace their previously eroding culture. Legacy and valuation renewal regarding the Ancestral Domain was particularly evident in the youth participants. The Egongots became more aware of the processes in documenting Indigenous Knowledge Skills and Practices and their huge role in establishment and management of their ICCA. Their interest to claim the ancestral waters also provided the opportunity for the Egongot to become aware of the process on securing marine tenure for the Egongot community. The community developed new skills linking culture with science to monitor their Ancestral Domains. Skill development included standardized forest and marine inventories considering traditional knowledge, resource management and habitat protection. Effective implementation and documentation of this monitoring and evaluation system could serve as a national model for globally significant discussions regarding Aichi biodiversity targets 11 (protected area coverage) and 18 (Indigenous knowledge inclusion) as well as contributing to the 2050 vision for the Convention on Biodiversity prioritized targets and actions.

The project's success directly contributed to Philippine United Nations Declaration on the Rights

of Indigenous Peoples (UNDRIP) implementation while connecting participants to an ICCA network and gathering support for future project funding. Given the need to establish more Philippine ICCAs, this approach is now being implemented by Daluhay in other Ancestral lands of the province. The critical learning on a national scale involved the required adaptation to optimize Indigenous entrepreneurship and locally-relevant biodiversity friendly initiatives. Creative linkages that encompass the local socio-economic culture appear increasingly significant where low existing incomes create higher pressure for natural resources that can potentially increase exploitation. Biodiversity financing solutions can serve as a bridge to this connection, mitigating poverty while protecting and conserving biodiversity, if they are based upon sound business plans. International ICCA discussions have recently included consideration of using this Egongot community biodiversity conservation approach as a model – based in part upon ongoing monitoring. The biodiversity finance solutions created strategically included conservation principles while providing livelihoods for communities. Biodiversity Friendly Enterprise can be an important approach to Indigenous entrepreneurship if localized valuation and political consensus can be realized. The initial NGO catalyst role provided a community-based foundation for sustainable development. Future monitoring and documentation of the success and challenges of the local initiatives will serve as an evolving model for the NGO when initiating similar processes for other communities in the globally significant Sierra Madre Biodiversity Corridor. Acknowledgements: The functions and success of the project were a direct result of the participation by the Egongot People of

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ABOUT THE AUTHORS



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Ronnie Amatorio is an Egongot artist and a local traditional knowledge expert. He shares his passion for passing on Indigenous knowledge systems and practices to the younger generations through his artworks of paintings, artefacts and handicrafts that showcase the rich culture of his Egongot roots. Ronnie's project role focused on community facilitation where he took the lead in the engagement of the communities or settlements that were directly engaged in the current project as well as project coordination.



Marilyn Dela Torre

Marilyn Dela Torre is a member of the Dumagat Tribe from Dibut, San Luis, Aurora. Her Indigenous roots and heart are close to the forests. Marilyn is determined to help empower marginalized sectors and conserve natural resources. She started off as a volunteer in Daluhay as she pursued her degree and earned a license in Forestry before landing a research position. Marilyn, also a Rainforest Trust Fellow provides technical assistance on tree nurseries, reforestation, and resource inventories.



Dr. Marivic Pajaro

Dr. Marivic Pajaro's has built her career based upon her early work at the University of the Philippines-Marine Science Institute and the Haribon Foundation before obtaining her doctoral degree at the University of British Columbia. Central to her work is recognizing and facilitating the role of local people in resource management and secondly, actualizing the scaling-up of the ecological approach for sustainability. Leading the project, Marivic serves as the Executive Director of Daluhay.



Mark Edison Raquino

Mark Edison Raquino role as Daluhay's Research and Development Coordinator applies his background in environmental management and tropical marine ecosystems management. Mark is also part of the team that helps build capacity for local and Indigenous communities for resource management and governance. Mark was formerly one of the ASEAN Youth Biodiversity Leaders and is currently a Fellow of the Rainforest Trust working on Ancestral Domains and biodiversity conservation.



Dr. Paul Watts

Dr. Paul Watts, President of Daluhay, has a background in Wildlife Biology and sociology. This perspective evolved into an Ethnoecology Program through the University of Manitoba with a focus on involving indigenous leaders as co-instructors. In 2004, he expanded his life-long interest in volunteering to work on international development. Paul met Dr. Pajaro while training at the University of British Columbia and together they established Daluhay.



Erica Zafra

Erica Zafra's passion for stray animals evolved into a concern for other living beings as she learned about the global illegal wildlife trade. Erica majored in Geography at the University of the Philippines learning about the interconnections between people, wildlife, and the environment, and where she developed more as an environmental advocate through GIS and Remote Sensing. Erica currently serves as a Daluhay project manager in Northern Aurora.

Desarrollo Tribal Ilongote y una Organización No Gubernamental como Catalizadora de la Sostenibilidad

Por Ronnie Amatorio^{1,2}, Marilyn Dela Torre^{2,3}, Marivic Pajaro², Mark Raquino², Paul Watts²⁺, y Erica Zafra^{2*}

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RESUMEN

La contribución potencial de la filosofía indígena a la sostenibilidad mundial permanece en gran parte no realizada. Una parte importante del desafío es la necesidad de actualizar la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas dentro de la jurisdicción de países específicos. Filipinas representa un país donde la indigeneidad se define más por la comunidad de residencia y sustento tradicional, que por sólo la herencia. Aunque los derechos indígenas han sido reconocidos en la ley filipina, las propuestas de mitigación de la pobreza y el desarrollo tribal que respaldan la sostenibilidad mundial, deben fomentarse mediante la implementación de un papel catalizador por medio de Organizaciones No Gubernamentales como lo demuestra un proyecto con la Tribu Ilongote de la Provincia de Aurora.

Palabras clave: Filipinas, biodiversidad, emprendimiento indígena, Ilongote, dominio ancestral.

En este artículo desarrollamos un artículo internacional previo que consideraba el papel histórico de la participación de las Organización No Gubernamental (ONG) en la conexión entre los Pueblos Indígenas (PI) y el ambiente (Sabbarwal, 2016); y describimos el estado de la implementación Filipina de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas (UNDRIP, por sus siglas en inglés). Como sugiere McCleary (2016) en cuanto a un enfoque mundial, el diseño participativo e inclusivo de nuestro proyecto enfocado en mejorar la capacidad y la participación de los Pueblos Indígenas en la investigación de su dominio ancestral, administrando su relación con el ambiente. En la práctica, nuestro proyecto incluyó un ciclo de Investigación Acción-Participativa (IAP) en el manejo de recursos costeros de la fuente al mar (Watts & Pajaro 2014) con la consideración del Proceso de Arte Social (Ayala et al. 2016).

Existe un consenso mundial que los sistemas que sostienen la vida están en riesgo debido al cambio climático. Proponemos que el potencial de flexibilidad de las ONG's para desempeñar un papel catalizador con las comunidades indígenas puede proporcionar una esperanza significativa para el futuro de los pueblos indígenas, los sistemas que sostienen la vida y salud mundiales, como lo sugieren los practicantes

de la ecosalud (Watts et al., 2015). En este artículo mostramos la importancia del papel catalizador para un proyecto específico dentro del Corredor de Biodiversidad de la Sierra Madre, Filipinas (SMBC, por sus siglas en inglés) con la tribu Ilongote de la Provincia Aurora. La organización Daluhay, identificada como el socio local responsable para un proyecto ilongote, enfocado en la administración del dominio ancestral y que promueve el desarrollo de la capacidad ilongote en la administración de fondos. Esos fondos fueron luego transferidos a los Ilongotes. Daluhay está situada en la Provincia de Aurora y tiene una misión que considera el equilibrio a través de la etnoecología, enfocada en el pueblo como parte de los ecosistemas sostenibles.

La discusión sobre los derechos de los pueblos indígenas está con mayor frecuencia relacionada con su estatus de minoría, que es resultado de los desafíos relacionados con la colonización, más frecuentemente de los europeos. Sin embargo, Filipinas representa a muchos otros países, donde existe una conciencia nacional que la mayoría de los ciudadanos son descendientes de pueblos indígenas. Esta herencia cultural ha resultado en un considerable apoyo legal para los pueblos indígenas bajo el Acta de Derechos de los Pueblos Indígenas de 1997 (RA 8371), o ley sobre los derechos de los pueblos indígenas (IPRA) la cual precedió a la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas (UNDRIP). En Filipinas el reconocimiento de la indigeneidad es generalmente aplicado a aquellos que tienen un sustento tradicional en un entorno comunal, con frecuencia relacionado con los títulos o derechos del dominio ancestral. Considerando el alto nivel nacional y local de la pobreza de los pueblos indígenas en esas

comunidades tradicionales, el enfoque del espíritu emprendedor indígena y los fondos asignados para el desarrollo de la empresa respetuosa de la biodiversidad en el proyecto actual fue fundamental para que la comunidad se involucrara. El papel de la ONG incluía facilitar la valoración de posibilidades a corto y largo plazo relacionadas con la generación de ingresos, conservación de la biodiversidad y la protección/expansión de la cubierta forestal en los dominios ancestrales; también se incluye ayudar a asegurar la cultura y las tradiciones.

Filipinas como Tierra Indígena

Filipinas es reconocido como un centro de biodiversidad, que contiene del 70% al 80% de las especies

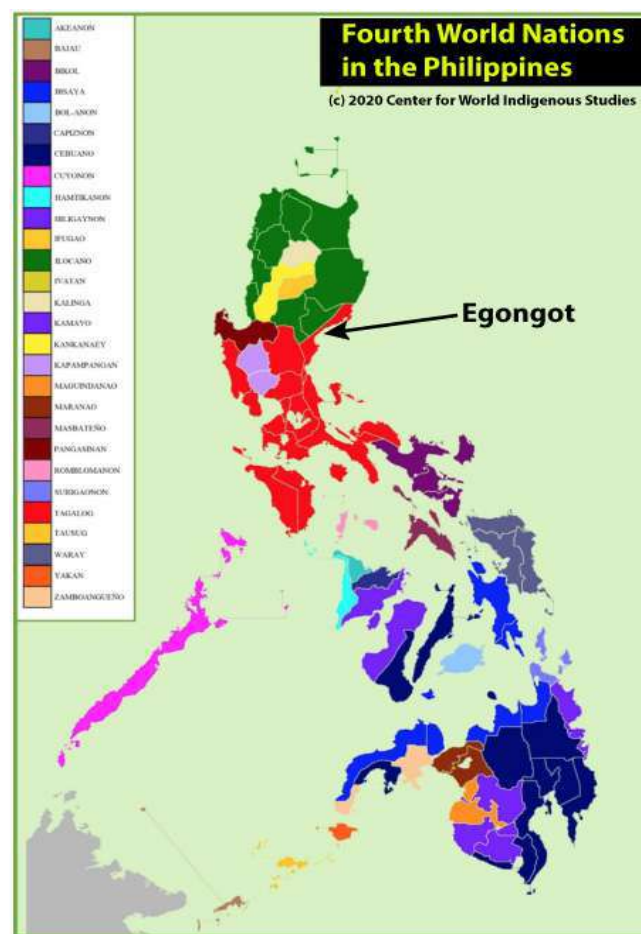


Figura 1: Locación de la Tribu Ilongote en Filipinas

de flora y fauna del mundo, con frecuencia endémicos y en su mayoría en peligro. De manera similar, la diversidad de los pueblos indígenas es grande, con más de 100 grupos etno-lingüísticos diferentes esparcidos por todo el archipiélago (Jocano 2003), ligados con los dominios ancestrales montañosos. Las demandas territoriales de los pueblos indígenas se han conservado históricamente y de manera sostenible han administrado sus dominios utilizando sus propios sistemas tradicionales, y de este modo juegan un papel fundamental en la protección de los recursos naturales. A pesar de que la deforestación es un problema nacional, tanto como tres cuartos de la cubierta forestal restante, se considera estar dentro de los dominios ancestrales. Los pueblos indígenas se encuentran entre el sector de población filipina más marginado y en desventaja, con la mayor incidencia de pobreza, analfabetismo y desempleo (De Vera, 2007). Dado el reconocimiento legal limitado de sus dominios ancestrales, los pueblos indígenas han sido desplazados y negado el acceso a los recursos naturales que han cultivado. La minería, el influjo de agricultores extranjeros, cazadores furtivos, acaparadores de tierras, inversiones comerciales a gran escala e industrias extractoras amenazan el acceso de distintos pueblos indígenas a los recursos que están entrelazados con sus vidas y sustento. Sus sistemas y prácticas de conocimiento indígena han disminuido en uso, con frecuencia reemplazados por prácticas modernas no ecológicas que provocan la degradación del suelo, y pérdida tanto de la biodiversidad como de la herencia cultural.

La 11^a Conferencia de las Partes de la Convención sobre Biodiversidad promovió medidas de administración adicionales para aumentar la cobertura de áreas protegidas (CBD, 2011). El concepto de Áreas Conservadas por Pueblos Indígenas y Comunidades locales (ICCAs, por sus siglas en inglés) apareció con el objetivo de contribuir a la biodiversidad (Metas Aichi). En las metas Aichi 11 y 18, el conocimiento tradicional, innovaciones y prácticas de los pueblos indígenas y comunidades locales puede estar completamente integrado en la implementación de la Convención. El pasaje del Acta de Pueblos Indígenas de Filipinas de 1997¹ proporcionó seguridad de tenencia a los pueblos indígenas por medio de la publicación de un Certificado de Títulos de Dominio Ancestral, la Comisión Nacional sobre Pueblos Indígenas (NCIP, por sus siglas en inglés) tiene como cometido ayudar con la titulación de los derechos de dominios ancestrales. Sin embargo, la Comisión Nacional no tiene fondos para apoyar dominios ancestrales individuales. Además, el gobierno y las comunidades no tienen aptitudes ni capacidad para implementar el Acta de Derechos de los Pueblos Indígenas. De este modo, en 2007, sólo 41 certificados de dominio fueron otorgados a las comunidades indígenas que notablemente cuadruplicaban a 162 en 2018 y que cubría cerca de cinco millones de hectáreas, lo que es cerca de un cuarto del total de los derechos de dominio ancestral en Filipinas (Malayang, 2001). Sin embargo, el proceso de actualizar los planes de desarrollo sostenible del dominio ancestral sigue siendo problemático. Por ejemplo, la vasta mayoría de todos los pueblos indígenas en Filipinas no tienen cuentas bancarias, habilidades de administración de proyecto, ni acceso a oportunidades de financiamiento. De este

¹ Acta de Derechos de los Pueblos Indígenas, Acta República No. 8371, 29 de octubre de 1997.

modo, el papel de una organización no gubernamental local necesita enfocarse en situaciones/entornos específicos como tener un papel catalizador para una respuesta refleja a los objetivos de conservación y justicia, facilitando el estado de calidad para los accionistas indígenas, como sugiere Martin et al. (2016).

En 2015, un proyecto titulado: Reforzar los Sistemas Nacionales para Mejorar la Gestión y Administración de las Territorios y Áreas Conservados por Pueblos Indígenas y Comunidades Locales (Strengthening National Systems to Improve Governance and Management of Indigenous Peoples and Local Communities Conserved Areas and Territories) se inició con el apoyo del Centro del medioambiente mundial (GEF, por sus siglas en inglés) a través del Programa de las Naciones Unidas para el Desarrollo (UNDP, por sus siglas en inglés). El proyecto conocido localmente como áreas protegidas de Filipinas necesitaba un nivel de desarrollo comunitario que incluía un historial para la administración financiera. La Oficina de Administración de la Biodiversidad del Departamento de medioambiente y recursos naturales de Filipinas fue el Socio de aplicación con el propósito de reforzar la conservación, protección y administración de áreas claves de biodiversidad mediante la institucionalización de la participación de los Pueblos Indígenas en las áreas conservadas (ICCAs). Las metas estratégicas incluían: identificar de manera efectiva, cartografiar, reconocer y mantener la gestión y administración de las áreas protegidas, al mismo tiempo que mejorar las capacidades de los pueblos indígenas y otros accionistas claves para la gestión y administración de las áreas protegidas. La prioridad de Daluhay como socio local responsable fue enfocar

el desarrollo de la capacidad basada en la comunidad para y por la tribu, complicado por la naturaleza local de la independencia del clan y la relación entre los clanes tribales ilongotes de Aurora.

El Dominio Ancestral Ilongote

El Certificado Provincial del Título de Dominio Ancestral Ilongote (CADT, por sus siglas en inglés) representa un derecho unificado que consiste en diferentes comunidades a lo largo de tres provincias (Quirino, Nueva Vizcaya y Aurora) con un total de un área bidimensional de 139,691 hectáreas donde 23,124 hectáreas en la Provincia de Aurora son consideradas CADT # RO2- NAG-0703-0012 (ICCA 2019). El hábitat actual y área potencial para secuestro de carbono es mayor debido al terreno montañoso dominante con picos de 2000m de alto sobre el nivel del mar. Dos municipalidades tienen 8 asentamientos ilongotes; Maria Aurora (asentamiento Bayanihan) y Dipaculao (Dimabuno, Ditale, Dibutunan, Diarabasin, Borlongán, Dianed y Dinadiawán) combinan este certificado provincial del título de dominio ancestral en la última extensión de la selva filipina. La construcción de carreteras y un auge turístico reciente ha provocado que muchos proyectos de desarrollo sean implementados sin el consentimiento libre, previo e informado de los ilongotes, desvirtuando sus esfuerzos para administrar y conservar sus dominios ancestrales. La Federación Provincial de las Tribus Ilongotes en Aurora es la comunidad socia indígena en el proyecto actual para los esfuerzos para revertir esos fenómenos del desarrollo. Ya que no tuvieron la experiencia ni hay historial de proyectos en curso, seleccionaron a

² Dipterocarp plants are members of the Dipterocarpaceae family of 695 known species of tropical lowland of evergreen and deciduous trees.

Daluhay – Daloy ng Buhay, Inc como la ONG socia local responsable.

Hay 8 municipalidades en Aurora (Dingalan, San Luis, Maria Aurora, Baler, Dipaculao, Dinalungan, Casiguran y Dilasag) ubicadas en el centro del Corredor de Biodiversidad de la Sierra Madre (SMBC, por sus siglas en inglés), donde una cubierta forestal antigua alberga a más de 400 especies de vida salvaje, 153 de las cuales son endémicas de Filipinas (van der Ploeg et al., 2003). Esto incluye muchas especies de árboles tropicales dipterocarp, otra flora en peligro, el águila filipina en peligro crítico, muchas especies amenazadas de tortugas marinas, ballenas, tiburones y dugongo, mamíferos endémicos (Balet et al., 2011) y herpetofauna extraña (Brown et al., 2000). Las actividades económicas de la provincia incluyen la agricultura, pesca, silvicultura y turismo. La provincia es una exportadora neta de arroz a otras provincias, así como productora de coco, maíz y plátano. Cerca del 60% de la provincia Aurora está clasificada como tierras forestales, con pendientes o pendientes pronunciadas mientras que el 40% es considerada tanto alienable y desechable, la mayoría de los cuales son tierras agrícolas (DENR 2019a). Cerca del 76% o 201,000 hectáreas son reclamadas como dominio ancestral tanto por los Dumagats/Agta o Ilongotes; mientras que cerca de 10% se superponen con otras áreas protegidas declaradas por el gobierno. Los accionistas han reportado la deforestación continua, la desaparición y población decreciente de las especies de vida salvaje autóctona con muchas de esas pérdidas que incluyen especies tales como los cerdos salvajes, venado y las águilas, que son importantes tanto para la cultura como para la economía.

La notable herencia de biodiversidad del Corredor de Biodiversidad de la Sierra Madre está cuidada principalmente por grupos indígenas desarrollados de manera marginal y desconectados, de alguna manera alejados de los esfuerzos limitados ecológicamente de la Unidad de Gobierno Local. La capacidad de desarrollo para las comunidades indígenas para administrar los recursos enfatiza incluir conocimiento tradicional, sistema y prácticas con otras tecnologías. Además, las fronteras del ecosistema se extienden más allá de las comunidades individuales y las unidades de gobierno locales. De este modo, hay una necesidad de proyectos que desarrollen las capacidades de los pueblos indígenas y proporcionen conexiones entre las metas de los clanes individuales de los pueblos indígenas y las metas entre comunidades. Las tribus que dominan el corredor principal incluyen a los Ilongotes y los Dumagat (también conocidos como Agta y Alta). Tanto los Dumagat como los Ilongotes cazan animales silvestres, sin embargo, la primera es considerada más nómada que la última que se dedica más a la agricultura. Nuestra organización Daluhay es activa en más de los 20 asentamientos Dumagat en Aurora, así como los asentamientos ilongotes. Entre las dos tribus, los territorios parecen haber definido y regido utilizando leyes consuetudinarias.

El papel catalizador de la ONG local incluye optimizar el potencial para el consenso y una mejor transferencia práctica en todos los grupos indígenas dentro de las montañas de la Sierra Madre. Sin embargo, todas las acciones y desarrollo necesitan basarse en las metas y objetivos identificados por la comunidad. En tiempos recientes, las transformaciones culturales han sucedido como si fueran unidades de gobierno locales establecidas y las

leyes consuetudinarias combinadas con las leyes del estado mientras que el país enfrentó varios siglos de colonización. Sin embargo, la dependencia de las comunidades indígenas en el bosque y los recursos costeros siguen siendo fundamentales para su sustento y supervivencia. También han mantenido ciertas áreas dentro de sus dominios como zonas de conservación y preservación y que tienen valores espirituales y culturales profundos. Bayanihan en María Aurora tuvo originalmente como objetivo ser el sitio central para el proyecto de áreas conservadas (ICCA) en la provincia de Aurora. Sin embargo, no se podía alcanzar un consenso entre los clanes tribales en Bayanihan con respecto a la implementación del proyecto, quizás influenciado por siglos de conflicto (comunicación personal, R. Cawad, Líder Ilongote). Los clanes de los asentamientos ilongotes en Dipaculao, donde se encuentra la mitad de los Certificados de Títulos de Dominio Ancestral, aceptaron de manera unánime el proyecto, con base

en un acuerdo que los fondos de desarrollo empresarial amable con la biodiversidad fueran divididos de manera proporcional entre los 7 asentamientos participantes. El papel de la ONG Daluhay incluía adaptar las asignaciones de fondos establecidos de una manera que resultaran en 7 procesos paralelos y de cierta manera únicos más que en uno solo cuando los fondos fueran establecidos. Como parte de la propuesta de áreas conservadas de Filipinas, los residentes de la comunidad proporcionaron sus nombres como contraparte para el inventario del dominio ancestral y actividades cartográficas, con el entendido de que también se financiara la empresa amigable con la biodiversidad.

La Comunidad Indígena Ilongote de Dipacalao: socio-economía

La población ilongote de Aurora se encuentra en siete barangays que abarcan 1,705 ilongotes con el mayor número encontrado en Brgy. Diarabasin

BANGARAY	Población Total	Número de individuos Ilongotes	Número de individuos no-ilongotes	% de población ilongote en Barangay	% de población ilongote en Dipaculao
Ditale	1,398	332	1,066	24%	2.7%
Dimabuno	1,368	170	1,198	12%	1.4%
Dibutunan	860	277	583	32%	2.3%
Diarabasin	1,730	468	1,262	27%	3.8%
Borlongan	2,416	210	2,206	9%	1.7%
Dianed	722	200	522	3.61%	1.6%
Dinadiawan	3,733	48	3,685	1.3%	0.4%
TOTAL	12,227	1,705	10,522		14%

Tabla 1: Población ilongote en Dipaculao, Aurora, Filipinas.

Fuente: Autoridad de Estadística de Filipinas, Censo 2015 información primaria 2018.

(Tabla 1); representa sólo un 14% de la población local de la Municipalidad de Dipaculao. El flujo de migrantes el siglo pasado ha convertido a los ilongotes en una minoría. Actualmente, no hay regulación de acceso a los dominios ancestrales por los migrantes. El conocimiento indígena, habilidades y prácticas de los ilongotes se encuentran amenazados por la modernización y necesitan preservarse y promoverse a las generaciones más jóvenes.

Autoridad de Estadística de Filipinas, Censo 2015 información primaria 2018.

Los ilongotes tienen una población joven, en la que dominan los niños y jóvenes. Una encuesta realizada a 123 adultos indicó que el ingreso depende en su mayoría de la agricultura, cría de ganado y pesca para el sustento (Figura 2). Mientras que las mujeres se declaran amas de casa, con frecuencia ayudan a sus esposos en la agricultura y se hacen cargo de vender productos ya sea de la agricultura, pesca, caza o recolección. Existe una falta de ingresos estables entre los ilongotes de Aurora. Al aumentar sus ingresos por medio del acceso al capital, instalaciones

post-cosecha y mejores oportunidades de mercado puede mejorar su calidad de vida.

El Programa de Áreas Conservadas por Pueblos Indígenas y Comunidades Locales (ICCA) de Filipinas

Los intereses internacionales del programa facilitaron el desarrollo del mismo, diseñado para ajustarse a la implementación de la ley sobre los derechos de los pueblos indígenas (IPRA), las metas nacionales para el desarrollo de las áreas protegidas y la conservación de la biodiversidad. Este programa es un paso significativo para ayudar a los pueblos indígenas a progresar y actualizar algunos de los potenciales beneficios de sus dominios ancestrales mientras que se desarrollan habilidades que los ayudarán con programas y proyectos futuros. El enfoque principal del programa era tener agencias trabajando juntas para armonizar los objetivos de la Comisión Nacional sobre Pueblos Indígenas, el Departamento de Medio ambiente y Recursos Naturales, la Oficina de Recursos Acuáticos y Pesqueros, y el Consejo Regulador de Vivienda y Uso de la Tierra. Los logros que se analizan a

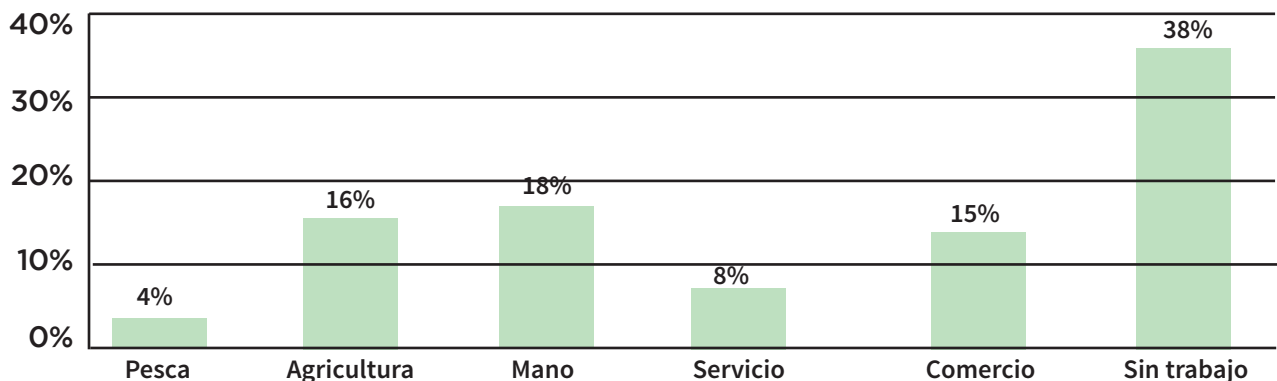


Figura 2: Fuentes Principales fuentes de ingreso o estatus económico del Pueblo Ilongote en Dipaculao, Aurora, Filipinas.

MARCO DEL PROYECTO DE ÁREAS CONSERVADAS POR PUEBLOS INDÍGENAS Y COMUNIDADES LOCALES DE FILIPINAS (ICCA)

OBJETIVO

Reforzar la conservación, protección y administración de sitios de biodiversidad claves en Filipinas al institucionalizar las áreas conservadas por pueblos indígenas y comunidades locales como un complemento sostenible al área protegida nacional.

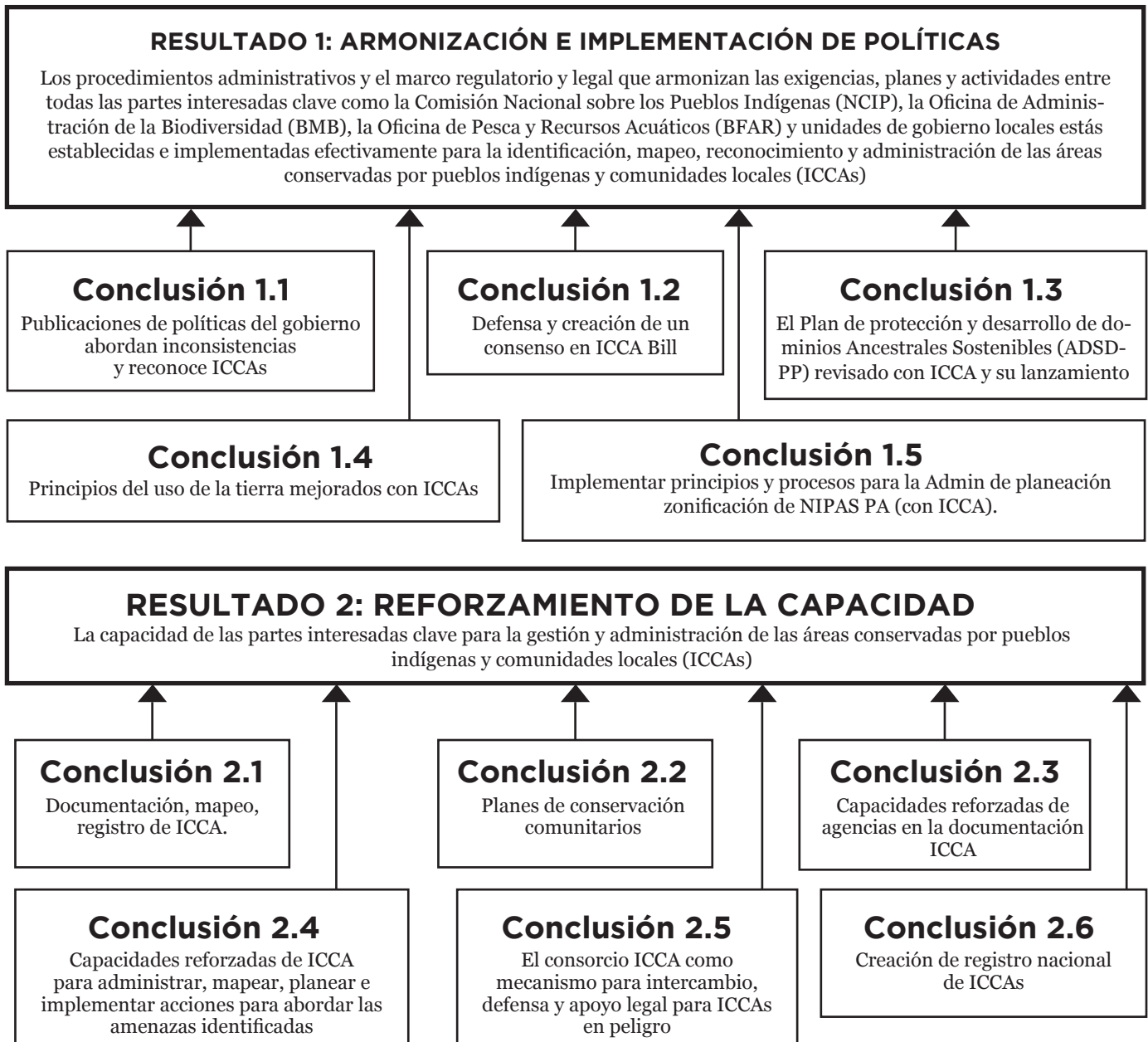


Figura 3: Consorcio de Áreas Conservadas de Filipinas. (ICCA) (esbozo del programa no publicado) – Marco del Programa

continuación se enfocaron en los resultados 2.1 a 2.5 del marco del proyecto de áreas conservadas de Filipinas (ICCA) (Figura 3). De manera crítica, la política para unificar los objetivos fue conducido por el Consorcio de áreas conservadas de Filipinas (ICCA) como aviso principal para la realización del proyecto. El papel catalizador del socio responsable local incluía asegurar que todas las actividades estuvieran enfocadas en la meta de unificarse dentro de la implementación. Esto requería llamadas de cortesía sistemáticas/reiterativas por parte de la ONG y desarrollo de la relación con los tres niveles de gobierno local y agencias nacionales, así como las comunidades de pueblos indígenas.

Logros del Proyecto

El proyecto de áreas conservadas de Filipinas contribuyó a reforzar la conservación, protección, administración e institucionalización de las 41,480 hectáreas de dominio ancestral ilongote como su área conservada. Las zonas de administración incluían sitios sagrados, santuarios marítimos, áreas de caza tradicionales, así como áreas de turismo y producción; todas con las prescripciones correspondientes. Los derechos de tenencia por las 15,900 hectáreas son seguros ya que se les ha otorgado un Certificado de Título de Dominio Ancestral el 26 de julio de 2003. El compromiso consistente de los ancianos y líderes de Dipaculao, quienes centraron el Equipo de Planeación Local, junto con la representación de mujeres y jóvenes, fue fundamental para tomar decisiones adecuadas en la administración del proyecto y planes informados de conservación, guiado por los resultados de los ejercicios de mapeo y el inventario de recursos. La capacidad de los miembros del

Equipo de Planeación local fue mejorado al adquirir habilidades tales como administración financiera, el uso de Sistemas de Posicionamiento Global (GPS), y los sistemas para la recaudación y registro de datos para determinar la salud de sus fuentes marinas y del bosque.

Bosque Participativo e inventario de Recursos Marinos

Capacitados por las sesiones de entrenamiento diseñados con la ONG socia responsable local, el Equipo de Planeación local reunió y analizó datos reunidos por medio de un Inventario de Recursos del Bosque y Evaluación de Recursos Costeros Participativos (PCRA, por sus siglas en inglés). Se ha sugerido que la identidad indígena no puede entenderse por un solo concepto de naturaleza, sino que requiere una participación local específica (Ludert, 2010). Esta meta fue alcanzada mediante entrenamientos para desarrollo de habilidades enfocadas en empoderar a la comunidad para monitorizar sus recursos naturales del dominio ancestral y renovar su conexión cultural a la naturaleza. El inventario determinó la abundancia y distribución de la flora y fauna en varios tipos de hábitat, así como riqueza de especies y diversidad de importancia cultural, ecológica y económica a la comunidad indígena. Una evaluación de reserva de carbono se consideró como uno de los pasos importantes para comenzar con el planeamiento del uso de tierras sostenibles en relación con la mitigación del cambio climático mundial, intercambio y comercialización de carbono. La información generada también se utilizó para formular su Plan de Conservación de la Comunidad.

Las encuestas registraron un total de 90 especies forestales pertenecientes a 36 familias taxonómicas. La mayoría de las especies son endémicas de Filipinas, y muchas están clasificadas como en peligro (ya sea en peligro crítico, en peligro o vulnerables) de acuerdo con el Departamento de Medio ambiente y Recursos Naturales (DENR 2019b) y la Lista Roja de la Unión Internacional para la Conservación de la Naturaleza (Libro Rojo). La reserva de carbono también fue determinada utilizando los datos recolectados de la encuesta. La biomasa terrestre oscilaba de 78 a 531 Mg C ha⁻¹ que si se promediara sería de 199.81 Mg C ha⁻¹. Este es un estimado bajo para tipos de bosque similares en Filipinas que es de 446 a 1126 81 Mg C ha⁻¹ (Lasco et al., 2006) excepto los bosques de Ditale que tiene la reserva de carbono más grande en 531.83 Mg C ha⁻¹ donde los árboles son más grandes en diámetro, por lo tanto, la biomasa terrestre también era mayor comparada con las otras secciones transectas. La reserva de carbono de Ditale se compara con el bosque secundario maduro del Monte Makiling que se observó estaba en 576 Mg C ha⁻¹ (Lasco et al., 2004). Sin embargo, los transectos estaban ubicados en áreas accesibles y los miembros del Equipo de Planeación local indicaron que había bosques mucho más saludables con árboles más grandes más arriba en las laderas hacia sus áreas sagradas. Barangay Dimabuno tiene el mayor número de árboles especies/individuales (riqueza) más del doble que en Borlongan que tiene el menor. Dimabuno, Ditale y Dianed tienen un índice de biodiversidad cerca del 1, indicando gran diversidad (Simpson, 1949). También se observaron muchos peligros durante la encuesta. Estas incluían tala indiscriminada, corte y quema de la agricultura, fabricación de carbón y caza ilegal de vida silvestre.

Se llevó a cabo la Evaluación de Recursos Costeros Participativos (PCRA, por sus siglas en inglés) para el perfil de pesca de Depaculao y la evaluación del hábitat. Parte del proceso para el reclamo de aguas ancestrales de los ilongotes es re-establecer su conexión cultural y herencia marina. La evaluación se llevó a cabo en hábitats diferentes, evaluando: manglares, bosques de playa, praderas, zonas intermareales, corales y peces. La evaluación fue realizada en seis barangays costeros: 1) Dinadiawan; 2) Dianed; 3) Borlongan; 4) Diarabasin; 5) Dibutunan y; 6) Ditale y acogió a residentes locales no indígenas. El conocimiento y habilidades requeridas para la evaluación fueron establecidos por cada comunidad. El entrenamiento fue diseñado para trabajar con la disponibilidad voluntaria de los miembros de la comunidad, disminuir el inconveniente de un viaje largo (especialmente para los ancianos y madres con niños), optimizar el tiempo y rendimiento de los sitios individuales. También se realizó una encuesta de evaluación previa y posterior a la capacitación para monitorizar las habilidades aprendidas por el equipo de planificación local y otros. La mayoría (66%) de los encuestados eran hombres; 54% de los encuestados eran locales, pero no eran miembros reconocidos de la comunidad indígena. El perfil costero reveló que la mayoría de los participantes eran dependientes de la pesca como su principal ingreso con un ingreso promedio mensual de 5,000.00 pesos filipinos (aproximadamente \$100 Dólares americanos) en Barangay Diarabasin y el ingreso más bajo registrado estaba por debajo de los 3,000.00 pesos filipinos en Barangay Dianed. En general, la pesca se percibe como en decadencia debido al aumento de pescadores de otras municipalidades, provincias y las actividades de Taiwán que realiza pesca

ilegal. Esta presión en el abastecimiento de pescado es considerada como el resultado en un aumento de los precios del pescado en la comunidad junto con otros productos. Los encuestados identificaron otras causas de la reducción en la pesca como el mal clima ocasionado por el cambio climático, pérdida de peces sexualmente maduros y la destrucción de los arrecifes de coral.

Se llevaron a cabo encuestas bentónicas, censos visuales de peces y evaluación de praderas marinas en las aguas ancestrales sugeridas. Utilizando fotografía de transectos y un análisis de Conde Coral Point con extensiones de Excel (CPCe, por sus siglas en inglés), se determinó el estado de los corales y los resultados mostraron que la cubierta de coral vivo más grande (60%) se encuentra en Barangay Dibutunan donde se localiza un área marina protegida. Los peces dominantes registrados fueron los peces fusileros y cirujanos con un tamaño promedio de 1 a 10 centímetros. El tamaño del pez muestra que son jóvenes y que son dependientes del conjunto coral. Las praderas marinas también fueron registradas con dos especies identificadas (*Cymodocea rotundata*, *Halodule uninervis*) con un porcentaje de cubierta del 39%. El muestreo del núcleo indicó que hay varios invertebrados, incluidos los pepinos de mar y almejas, que son económicamente importantes.

Geografía Indígena Participativa - Mapeo

Se realizó un mapeo participativo en cada uno de los siete sitios del proyecto por medio del desarrollo de mapas en 3ª dimensión (3D) (Figura 4) y la fusión de las guías basadas en la comunidad para establecer administración de zonas basadas en el

sistema de información geográfica (GPS) incluyendo un área para la producción (Figura 5). Se capacitó a los representantes de cada una de las siete comunidades para construir un modelo que represente la imagen de su tierra.

El mapeo ilongote incluyó fronteras que no están definidas por líneas políticas rectas. La demarcación de los asentamientos, con frecuencia siguen la curva del río o la ubicación de la punta de una montaña relativa a otra. Los puntos de referencia se definen por características naturales, como una cueva, un árbol enorme, o una formación rocosa. Un componente particularmente importante del mapeo incluía



Figura 4: Mapeo tridimensional participativo con las Comunidades Indígenas Ilongotes de Dipaculao, Aurora, Filipinas.

delinear zonas de producción y administración del dominio ancestral. Los ilongotes tienen designadas tradicionalmente diferentes áreas para la protección y producción, con el objetivo de mantener grandes secciones de su bosque intactas mientras que mantiene un área de la cual pueden cosechar el sustento diario para sus familias y la comunidad. Mediante el mapeo en 3D y actividad en la zona, el equipo de planificación local pudo identificar nueve zonas: (1) hábitat crítico; (2) suelo de caza; (3) área de producción; (4) área de reforestación; (5) área sagrada; (6) puntos turísticos; (7) cuenca; (8) santuario de vida silvestre; (9) santuario marino. Las zonas identificadas incorporaron sus usos tradicionales para la tierra, pero también incluyeron zonas no tradicionales como puntos turísticos ya que los residentes locales trabajaron para tener acceso a las oportunidades económicas cambiantes de Dipaculao.

Documentación de Conocimiento, Sistemas y Prácticas Indígenas (IKSP, por sus siglas en inglés)

El conocimiento, sistemas y prácticas indígenas (IKSP) característicos de los ilongotes de Dipaculao fueron documentados por medio de entrevistas individuales y discusiones en grupos focales en cuestiones específicas incluyendo su sistema de gobierno tradicional. Los ilongotes compartieron de manera espontánea información relevante durante otras actividades como durante los inventarios de recursos participativos. Una orientación general para dirigir la documentación del conocimiento, sistemas y prácticas indígenas y los datos del sistema de gobierno tradicional recabados se llevó a cabo al mismo tiempo que el entrenamiento en Inventario de Recursos y Perfil de la Comunidad donde un total de 37 (27 hombres; 10 mujeres) asistieron, y representaban

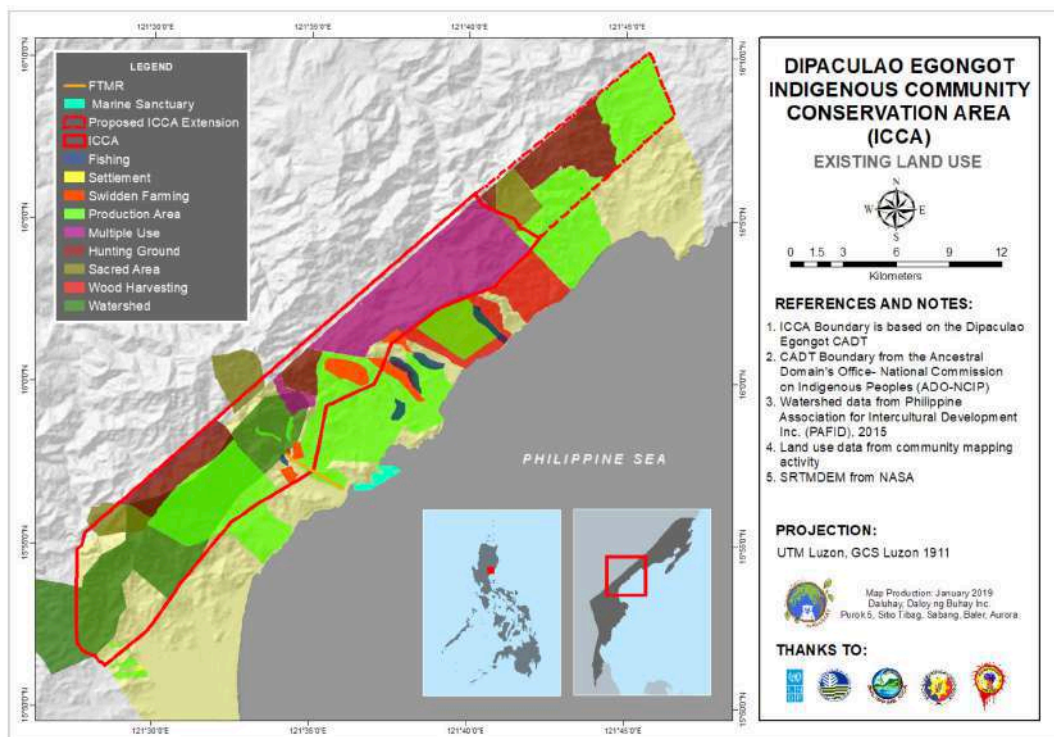


Figura 5: Mapa del uso actual de la tierra dentro y fuera del Dominio Ancestral Ilongote de Dipaculao, Aurora, Filipinas.

los 7 asentamientos. Se realizó una orientación más detallada para los jóvenes ilongotes para entrevistas individuales que reflejan datos e historias socioeconómicas de granjeros y pescadores en relación con su comunidad indígenas y sus recursos naturales. Los jóvenes voluntarios que fueron reclutados para recabar los datos de sistema y prácticas de conocimiento visitaron casas para entrevistar a los ancianos, líderes y otros miembros, para recabar datos y aprender más sobre el sistema y prácticas de conocimiento ilongote, particularmente con referencia a su dominio ancestral. Las discusiones de los grupos focales con los ancianos cubrieron temas sobre cambios ambientales que recordaban de historias de sus antepasados y que habían sido testigos a través de los años. La participación activa del primer autor como facilitador de la comunidad, experto en el conocimiento, sistemas y prácticas indígenas, validó las historias y buscó consistentemente aclaración de los ancianos.

El Plan Sostenible de Protección y Desarrollo del Dominio Ancestral escrito por los ilongotes. También se utilizaron otros artículos publicados para recabar información secundaria sobre su sistema de conocimiento y gobierno tradicional. Además, un compromiso previo del proyecto con los ilongotes, principalmente de María Aurora, conforme al Programa de Desarrollo de las Naciones Unidas, el Programa de Pequeñas Donaciones ofreció la oportunidad de iniciar la documentación del sistema de conocimiento y prácticas de los ilongotes se expandió con narrativas adicionales de los informantes de los ilongotes de Dipaculao. El gobierno tradicional y muchos otros conocimientos, habilidades y prácticas indígenas de los ilongotes están íntimamente ligadas a su ambiente natural. Sus formas de arte

representadas en la música, danzas, vestimentas, adornos y arquitectura están inspiradas en su interacción cercana con la naturaleza alrededor de ellos.

Los sistemas de conocimiento y prácticas y el gobierno tradicional de los ilongotes tiene el potencial de conservar la biodiversidad a lo largo del tiempo. Sin embargo, las amenazas actuales para la conservación del sustento de los pueblos indígenas incluyen: un aumento de la población migrante, contacto con otros pueblos, la tecnología moderna que no es sostenible, y prácticas que se enfocan en el aumento de calidad de cosecha/producción. A través del tiempo, las formas tradicionales del conocimiento indígena han sido olvidadas lentamente. Específicamente, comprometer a los jóvenes en las entrevistas en el actual trabajo fue diseñado para mitigar esa preocupación, iniciando una transferencia de conocimiento. Los participantes mayores de 40 años aún podían recordar, identificar y explicar ciertas prácticas o tradiciones que sus padres solían enseñarles. En relación con su preocupación sobre el declive cultural es el estado degradante de su área de conservación por la comunidad indígena. Aunque la totalidad de las áreas conservadas aún no ha sido ingresada por delincuentes ambientales ilegales (como tala de árboles ilegal, mineras ilegales, etc.) existen casos de tala ilegal y caza de animales salvajes cerca de las franjas del Certificado de Título de Dominio Ancestral. Al revivir e institucionalizar sus prácticas de conservación tradicional y compromiso de los jóvenes en la administración sostenible de las áreas conservadas es urgente y necesaria si la Provincia de Aurora va a conservar su biodiversidad única que está íntimamente entrelazada con la herencia cultural. En términos de mitigar el cambio climático, la importancia mundial de proyectos

tropicales como el presente, se realiza por el hecho de que el potencial secuestro de carbón es muchas veces mayor que en las regiones boreales (Winjum et al., 1992).

Empresa Amable con la Biodiversidad (BDFE)

Para los residentes locales, principalmente enfocados en alimentar a sus hijos, el componente del proyecto de la empresa amable con a biodiversidad era fundamental. El papel catalizador de la ONG socia local responsable incluía defender la conservación de la biodiversidad en términos de alimentar a sus hijos en el futuro. Esto incluía los enfoques participativos reportados arriba, entrenamiento de procedimiento de cuentas bancarias, administración financiera y planeación. La decisión de tener siete empresas independientes localmente desarrolladas, requirió de una optimización extensa de presupuestos y viaje, particularmente considerando las condiciones peligrosas del clima. Se aplicaron cuatro criterios para cada empresa amigable con la biodiversidad: 1. Promoción de la protección y conservación ambiental, 2. Participación equitativa de las ganancias que incluye a las mujeres, 3. Generar ingresos, 4. Parte del cual debe regresar a la administración y protección de las áreas conservadas. Se requirió más tiempo que el planeado originalmente y hubo una necesidad de justificar el enfoque y periodo de tiempo para el socio implementador antes de que se autorizara a proceder a la empresa amigable con la biodiversidad. Este desafío también sirvió como una oportunidad para las comunidades para cristalizar su sentido creciente del proyecto y la propiedad, administración y desarrollo del área protegida.

La administración de su dominio ancestral es innata a los ilongotes y los ilongotes de Dipaculao acogieron el proyecto de áreas conservadas por reforzar la capacidad de la comunidad indígena para la administración y desarrollo de los recursos. El papel catalizador de la ONG en la implementación del proyecto requería un balance en la operación para permitir programar ajustes y participación cultural, mejor considerado a través de la fusión del arte y ciencia (Ayala et al., 2016).

Lógicamente, la necesidad de alimentar a la familia tiene prioridad sobre tomar parte en los esfuerzos por proteger sus recursos naturales. El componente del proyecto de la empresa amigable con la biodiversidad dio al pueblo una oportunidad para mejorar la generación de ingresos utilizando su conocimiento tradicional innato, habilidades y prácticas mientras ponían menos presión en los recursos naturales; atrayendo la atención de las áreas conservadas como modelo potencial. El proyecto proporcionó/facilitó; medios económicos para compra de equipo, registro con la Comisión de Seguridad e Intercambio, acreditación gubernamental local, abrir cuentas bancarias, habilidades de contabilidad, etc. Se llevó a cabo un taller para guiar a las comunidades en planeación y pone en marcha una empresa amigable con la biodiversidad. El taller permitió a los participantes diseñar una propuesta para su empresa por asentamiento. Cada grupo completó su propuesta con total consideración de sus capitales humanos, naturales, físicos, financieros y sociales (Tabla 2). En el verdadero espíritu de bayanihan (apoyo comunitario), los jefes Dipaculao acordaron incluir la propuesta de empresa de un grupo de apoyo en la comunidad

ilongote vecina de Bayanihan cuyo dominio ancestral se encuentra junto al suyo, como lo solicitó el Jefe de la Provincia.

TABLA 2:
Puesta en marcha de la Empresa Amable con la Biodiversidad (BDFE) en 8 asentamientos ilongotes de la Provincia de Aurora, Filipinas

Borlongan	Comercio de pescado y ecoturismo
Dianed	Comercio de pescado y vegetales; arroz
Diarabasin	Producción y comercio de café
Dibutunan	Comercio de arroz; trueque
Dimabuno	Cultivo de arroz
Dinadiawan	Producción de chips de plátano
Ditale	Invernadero y siembra de abacá
Bayanihan	Desarrollo y producción de artículos de recuerdo; ecoturismo

El Plan de Conservación Comunitario formulado por los ilongotes de Dipaculao identificó iniciativas para implementar actividades de las empresas amigables con la biodiversidad que identifican ingresos bajos; aperturas de empleos limitados y una falta general de acceso a oportunidades económicas que pudieran ayudar a satisfacer las necesidades diarias. Las actividades de las empresas se basaron en planes de negocio y abordados por los ilongotes de Dipaculao, eran basados en la cultura y la naturaleza, obteniendo ganancias que promueven y mejoran no solo la biodiversidad y servicios del ecosistema sino también su cultura

y tradiciones. Dos grupos enfocados en parte en el ecoturismo como una fuente no extractora de desarrollo de ingresos. Sin embargo, de manera más general los asentamientos se enfocaron en innovaciones de agricultura o producción. Estos incluían:

- 1) Producción de productos agrícolas de alto valor y calidad tales como café, cacao y abacá;
 - 2) Mejora y promoción de sus productos artesanales de acuerdo a sus habilidades y conocimiento en tejido, bordado, carpintería y pintura (de ahí, los productos tales como bolsas típicas, sombreros, abanicos, otros adornos);
 - 3) Producción, procesamiento y comercialización de productos básicos de agricultura y pesca tales como arroz, pescado, plátano y tubérculos.
- En términos de mitigación de la pobreza, las actividades de las empresas pudieron mejorar el espíritu de empresa para el sustento de las comunidades. Localmente, ganar dinero de los sustentos está mezclado con una forma más tradicional de economía de trueque. El proyecto ayudó a cristalizar un proceso inicial para los esfuerzos de sostenibilidad local a través de la empresa.

La experiencia de la ONG con la implementación de la empresa amigable con la biodiversidad entre los ilongotes proporcionó un mejor entendimiento sobre cómo los pueblos indígenas dirigen sus actividades empresariales, sobre todo basadas en su cultura, recursos disponibles, conocimiento, habilidades y experiencias. El espíritu empresarial ilongote parece ser igualitario y basado en lazos de parentesco, dependiendo en recursos disponibles inmediatamente de manera que los trabajos son menos permanentes comparados con aquellos en las sociedades dominantes y por lo tanto pueden no es-

tar en respuesta directa con las necesidades del mercado, como descritos para otros ambientes (Dana, 2015). Mientras que los modelos occidentales de espíritu empresarial tienen lugar en el mercado, los ilongotes dirigieron mucha de su actividad empresarial internamente sin transacciones internas. Por lo tanto, todos los jefes y otros líderes acordaron inicialmente de manera informal que cada asentamiento pudiera ser parte en un presupuesto reducido individualizado en lugar de aventurarse en un concepto empresarial más grande. También adaptaron el asentamiento ilongote vecino de Bayanihan. Los resultados destacan cómo el espíritu empresarial indígena necesita considerar el equilibrio entre la economía actual y la percepción cultural de la oportunidad, particularmente si pertenece a la empresa amigable con la biodiversidad que también sirve para mover el estado de la economía y cultura indígena hacia el desarrollo.

Conclusiones: Inovaciones de Proyecto Local y nacional

El principal objetivo alcanzado fue el establecimiento de la capacidad basada en la comunidad para avanzar con sus planes de administración de las Áreas Conservadas por Pueblos Indígenas y Comunidades locales. Las comunidades participaron en el proceso de planeación de análisis circunstancial para definir la visión, misión, objetivos y la formulación de un plan estratégico. El proyecto dio oportunidad a los Daluhay facilitar y ayudar a definir estrategias, mientras que las comunidades ilongotes aprendieron la implementación de estrategias para cumplir objetivos locales, incluyendo las finanzas; al avanzar con los objetivos de la comuni-

dad como el desarrollo tribal. El papel catalizador de Daluhay ayudó a la comunidad ilongote de Dipaculao a establecer su área conservada y además desarrollarse como organización. El proyecto también sirvió como un modelo para el trabajo de Daluhay con otras comunidades por medio del desarrollo de relaciones específicas de sector dentro de las comunidades. Aunque hubo superposiciones significativas, hubo aportaciones valiosas obtenidas por hablar con los sectores individuales, por ejemplo; las mujeres, pescadores, agricultores y los jóvenes. El equipo de Daluhay tuvo la oportunidad de desarrollar habilidades de construcción de relaciones por sectores que puedan aplicarse a diferentes culturas indígenas en otro ambiente local. El proyecto proporcionó la plataforma para la comunidad ilongote de estar capacitada en la administración financiera y organizativa que era inclusiva con los recursos ecológicos. A través del proyecto la comunidad llegó a apreciar la importancia de estar organizada y de tener una personalidad legal para el fomento de la conservación, protección y trabajo de desarrollo económico. Para esta comunidad, el proyecto proporcionó una progresión en la propiedad local y valoración de su herencia cultural por medio de un proceso de aprendizaje de dos caminaos con Daluhay. Además, las áreas conservadas desatacaron los sistemas de conocimiento y prácticas de los ilongotes y proporcionaron un modelo de cómo los jóvenes también pueden adoptar su cultura minada. La renovación del legado y la valoración del dominio ancestral fue particularmente evidente en los participantes jóvenes. Los ilongotes se volvieron más conscientes del proceso de asegurar la tenencia marina para la comunidad ilongote. La comunidad desar-

rolló nuevas habilidades para ligar la cultura con la ciencia para monitorizar sus dominios ancestrales. El desarrollo de las habilidades incluía inventarios marinos y forestales estandarizados considerando el conocimiento tradicional, la administración de recursos y la protección del hábitat. La implementación y documentación efectivas de este sistema de evaluación y monitoreo podría servir como un modelo nacional para las discusiones importantes mundiales sobre los objetivos de biodiversidad Aichi 11 (cobertura de área protegida) y 18 (inclusión de conocimiento indígena) así como contribuir a la visión 2050 para la convención sobre objetivos y acciones prioritarios de biodiversidad.

El éxito del proyecto contribuyó directamente con la implementación de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas Filipinos además de unir a los participantes a una red de áreas conservadas por Pueblos Indígenas y Comunidades locales y reunir apoyo para el financiamiento de futuros proyectos. Dada la necesidad de establecer más áreas conservadas por pueblos indígenas y comunidades locales en Filipinas, este método ahora se está implementando por Daluhay en otras tierras ancestrales de la provincia. El aprendizaje a escala nacional necesitó de la adaptación requerida para optimizar el espíritu empresarial indígena y las iniciativas amables con la biodiversidad localmente relevantes. La conexión creativa que acompaña a la cultura socioeconómica parece cada vez más importante donde los ingresos bajos existentes crean mayor presión para los recursos naturales que potencialmente aumentan la explotación. Las soluciones de financiamiento de la

biodiversidad pueden servir como puente para esta conexión, mitigando la pobreza mientras se protege y conserva la biodiversidad, si están basadas en planes de negocio. Las discusiones internacionales sobre áreas conservadas por pueblos indígenas y comunidades locales han incluido recientemente la consideración de utilizar el método de conservación de biodiversidad de la comunidad ilongote como modelo – basado en parte en un monitoreo continuo. Las soluciones de financiamiento de la biodiversidad creadas estratégicamente incluyeron principios de conservación mientras proporcionaban sustento para las comunidades. La empresa amigable con la biodiversidad puede ser un método importante para el espíritu empresarial indígena si se puede llevar a cabo un consenso político y valoración localizada. El papel catalizador inicial de la ONG proporcionó un fundamento basado en la comunidad para el desarrollo sostenible. El monitoreo y documentación futuros del éxito y objetivos de las iniciativas locales servirán como un modelo en evolución para la ONG cuando inicie procesos similares para otras comunidades en el mundialmente importante Corredor de la Biodiversidad de la Sierra Madre.

Agradecimientos: el éxito del proyecto fue un resultado directo de la participación del pueblo ilongote de Dipaculao. También queremos agradecer a la oficina de la Comisión Nacional de Pueblos Indígenas de Aurora y la Municipalidad de Dipaculao por su colaboración. El proyecto también está en deuda con el Coordinador de Administración y Finanzas de Daluhay, Srita. Angela Baltazar por las facilidades para el desarrollo de habilidades para la administración financiera. El trabajo fundamental

del Consorcio de Áreas Conservadas por Pueblos Indígenas y Comunidades Locales dirigido por el Programa de Desarrollo de las Naciones Unidas, el Centro Mundial del Medioambiente y el Departamento de Medioambiente y Recursos Naturales. Sus esfuerzos llevaron a definir y fundar esta iniciativa dentro del programa de áreas conservadas por pueblos indígenas y comunidades locales de Filipinas, todos los resultados positivos en el mismo, así como los proyectos paralelos.

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ACERCA DE LOS AUTORES



Ronnie Amatorio

Ronnie Amatorio es un artista ilongote y experto en conocimiento tradicional. Comparte su pasión por transmitir los sistemas de conocimiento indígena y prácticas a las nuevas generaciones por medio de sus trabajos de pintura, artefactos y artesanías que muestran la riqueza cultural de sus raíces ilongotes. El papel del proyecto de Ronnie se enfocó en el asesoramiento a la comunidad donde tomó la iniciativa en la participación de las comunidades o asentamientos que participaban directamente en el actual proyecto, así como en la coordinación del proyecto.



Marilyn Dela Torre

Marilyn Dela Torre es miembro de la Tribu Dumagat de Dibut, San Luis, Aurora. Sus raíces indígenas y su corazón están cerca de los bosques. Marilyn tiene la determinación de ayudar a empoderar a los sectores marginales y conservar los recursos naturales. Comenzó como voluntaria en Daluhay mientras obtenía su grado y ganaba una licencia en silvicultura antes de obtener un puesto de investigadora. Marilyn, también Miembro del Fondo del Bosque Tropical proporciona asistencia técnica en tres viveros e inventarios de recursos.



Dr. Marivic Pajaro

Dra. Marivic Pajaro ha hecho su carrera basándose en su trabajo en la Universidad del Instituto de Ciencias Marinas de Filipinas y la Fundación Haribon antes de obtener su doctorado en la Universidad de la Columbia Británica. Es fundamental para su trabajo reconocer y facilitar el papel de un pueblo local en la administración de recursos y en segundo grado, actualizar el enfoque ecológico de sostenibilidad. Conduciendo el proyecto, Marivic ejerce como Directora de Daluhay.



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Dr. Paul Watts, Presidente de Daluhay, tiene experiencia en Biología de Vida Silvestre y sociología. Su perspectiva evolucionó en un Programa etonecológico a través de la Universidad de Manitoba con el enfoque de involucrar a los líderes indígenas como instructores adjuntos. En 2004 expandió su interés de vida en el trabajo voluntario para trabajar en el desarrollo internacional. Paul conoció al Dr. Pajaro en un entrenamiento en la Universidad de la Columbia Británica y juntos fundaron Daluhay.



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La pasión de Erica Zafra por los animales sin hogar se convirtió en una preocupación por otros seres vivos mientras aprendía sobre el comercio ilegal de la vida silvestre. Erica se especializó en Geografía en la Universidad de Filipinas y aprendió sobre las interconexiones entre los pueblos, la vida silvestre y el ambiente, y se desarrolló más como defensora ambiental mediante el sistema de información geográfica (GIS) y sensores remotos. Erica actualmente ejerce como director de proyecto de Daluhay en Aurora del Norte.

Public Interest In Private Affairs: A Nonclinical Survey Of Social Construction Of Spousal Rape Among Egun Women Of Badagry, Lagos State, Nigeria.

Peer Reviewed

By Enaikele, M. D. and A.T. Adeleke

ABSTRACT

Spousal rape commonly manifest in non-consensual sexual intercourse. This study explores the prevalence of spousal rape among Egun women, the strategies adopted to avoid or cope with their husbands' sexual aggression and their social construction of spousal rape. A simple random sampling technique was used to select the sampled population. A total of eighty (80) married Egun women (respondents) were sampled with structured interview while fifteen (15) additional women were also purposively selected for the focus group discussion (FGD). The result shows prevalence of spousal rape. The issue of spousal rape is strange to the women. Even when the sexual aggression of their spouse can be defined as spousal rape, the women socially construct their non-valid consent to sex as marital obligation. The test of hypothesis shows that there is no relationship between the women's experience of non-consensual sexual intercourse and spousal rape. The study concludes that the issue of spousal rape is capable of having serious implications for the social and cultural distortion of the sacredness of sex and sexuality in marriage.

Keywords: Public interest, private affairs, social construction, spousal rape, Egun women.

INTRODUCTION

In the African cultural setting, sex and sexuality are regulated through the institution of marriage. Marriage therefore, is the most widely approved social institution that legitimizes the right to sexual intercourse between spouses. In most cultures within Africa, this right is especially rooted in the patriarchal culture of the husband's entitlement to sex anytime he demands for it, regardless of whether the woman is interested or not. Supporting this view, the Holy Quran (Chapter 2 vs. 223) and the Bible (1 Corinthians 7: 4-5) also clearly state that "a man should marry a woman to avoid fornication and adultery and that the spouses should not refuse one another". Following this, marriage is often rationalized as entailing obligation on the part of the woman to be sexually available to the husband except at certain times such as during menstruation, after child birth or ill health (Tinuola, 2006). This situation leaves a woman with little or no regard to herself determination of sexual interest, dignity of valid consent and emotion anytime the husband de-

mands for sex (Basile, 2002). This of course, largely supports the concept of rape in marriage, within the paradigm of common definition of rape as sex without valid consent.

Following this background, consent in spousal sexual intercourse is a very critical issue as to whether rape is possible or not in marriage. At the Maryland Court of Appeals, United States of America, the common understanding of the word consent was expanded to include that a man can be found guilty of spousal rape for failing to heed to the wife's call to stop even when she had initially given consent. This implies that consent can be withdrawn in the act of sex at any time, and that continuation after the withdrawal of initial consent constitutes spousal rape (Huff, 2009).

Spousal rape also known as marital rape is therefore defined as "non-consensual sex in which the perpetrator is the victim's spouse". By this definition, spousal rape occurs when a man refuses to accept "no" or uses force, deception, assault, intimidation, threat or coercion to secure sex with the spouse regardless of whether she is interested or not. The refusal to accept "no" or the use of force, deception, assault, intimidation, threat or coercion in this context, indicates that the man did not receive a valid consent of his spouse. Likewise, the absence of objection after excessive pressure, tantamount to duress especially when the woman had earlier said no, does not itself constitutes valid consent because the woman may have succumbed to pressure not out of valid interest, but rather for fear of being abandoned by her spouse for concubine outside the matrimonial home. This is a frequent occurrence especially when the man is known to be

seeing other women outside the matrimonial home (Ushie et al, 2011)

Article 2 of the 1993 United Nations Declaration of the Elimination of Violence against Women defines spousal rape as "sexual intercourse without valid consent and a violation of human rights". Yet the statutory formulation and definition of rape in the Criminal Code Act of the Law of the Federation of Nigeria, 1990, Part 5 Chapter 3 excludes non-consensual spousal sexual intercourse. This exclusion indicates that rape in marriage is still not considered as criminal offence but rather as social or cultural issue compared with other forms of rape. Central to this is perhaps, because culture, religion and legal systems differ in acceptability of spousal rape. This is so because to equate non-consensual spousal sexual intercourse to rape, assault and violence may weaken the whole concept of rape and the institution of marriage. Therefore, the concept of whether rape is possible or not in marriage is a question of legal and social debate.

Yet spousal rape is one of the most prevalent and pervasive forms of rape, and it is also, a form of domestic violence against women because it is often associated with physical force, coercion, assault and abuse (Weiss, 2010). Spousal rape is rarely a onetime incident but a repeated, if not frequent occurrence in some marriages (Tinuola and Oloagun, 2009). When this becomes an ongoing pattern of sexual intercourse in marriage, it may leave the woman with gynecological and reproductive health challenges, feelings of powerlessness, lack of freedom to negotiate safe sex and the feeling of being safe within the confines of her home is eroded (WHO, 2010).

Spousal rape is a hidden sexual assault and violence against women in marriages (Stermac et al 2001). Although victims are often more reluctant to report or disclose their experience like other forms of physical assaults and violence, it is still a very serious problem of violence against women (Bergen, 2006) because each time a man takes sexual advantage of his wife through spousal rape, he devalues her person and sense of worth (Bennice, et al, 2003). Against this background, this paper will attempt to provide a social discourse on the phenomenon of spousal rape with special reference to the Egun women of Badagry, with theories showing causes, prevalence and social construction of spousal rape. Other objectives of this study include the followings:

1. To explore the prevalence of spousal rape among Egun women;
2. To examine the strategies adopted by the women to avoid or cope with their spouse's sexual aggression;
3. To determine the social construction of spousal rape.

Above all, this study will test the relationship between the Egun women's experience of non-consensual sexual intercourse with their spouses and their social construction of the sexual act as rape or not rape.

Theoretical Framework

Since the adoption of the United Nations Universal Declaration of Human Rights of 1948, and the 1995 International Women Conference in Beijing, China, the concept of human rights has provided radical feminist movements the opportunity to protest against what they perceive as gender inequality,

discrimination, oppression, and domination. Following this, they ultimately demanded the rights of Women to control marital sexual intercourse as a core component of equality with men. The conscious aim of these radical feminist movements was the attempt to restructure societal institutions, which they claim are largely woven into the social fabric of patriarchy and socio-cultural socialization of the women to endure domestic violence including spousal rape (Yusuff, 2013). Increasingly, these feminist movements work to overturn the presumed right of men to engage in non-consensual sexual intercourse with their wives, and eventually coining the concept of "spousal rape" as a situation where a man uses force, deception, assault, intimidation, threat or coercion to secure sex with his spouse without any valid consent.

In 1993, the United Nations Declaration of Elimination of Violence against Women finally criminalized spousal rape as an offense against the liberty, self-determination, valid consent and dignity of women. This eventually established spousal rape as a reproductive health rights violation of married women (United Nations Commission on the Status of Women, 1993). Since then, a body of empirical studies, especially in the field of sociology of gender relations and women studies have spurred efforts to provide theories to complement the general theory of rape. The consensus is that the general theory of rape is not sufficient enough to singularly analyze and explain the phenomenon of the social construction of spousal rape because culture, religion and legal systems differ in acceptability of spousal rape, especially where the marriage vow is socio-culturally rationalized as consent to sexual intercourse between spouses.

The broad effects of this argument nevertheless laid a valid and structural basis for the application of an integrated body of theories modeled to provide wider knowledge and orientation for the analysis of the cause, prevalence and the social construction of spousal rape. The phenomenon of spousal rape is a product of social construction of reality. What is important to the sociologists in this context is how a woman could socially perceive and construct meaning to her husband's non-consensual sexual action. The way the woman defines and interprets the non-consensual sexual action of her husband has important consequences for the marriage because it represents the reality upon which she structures her perception and meaning of her husband's non-consensual sexual action. Sociologists call this social construction of reality

This insight is, by all means relevant showing explicit considerations leading to the application of social action theory. The classical sociologist who had the most impressionistic influence both on substantive discussion and analysis of social action theory is Max Weber. Weber's idea has been mostly used, both subtly and overtly, to explain the important fact, that social action is an action carried out by an individual to which other individuals socially construct meanings. Central to this is that definition of action, interpretive understanding, meaning, and subjective judgments always necessarily precede social construction (Morrison, 2006).

Though Weber was one of the first social theorists to attach importance to subjective judgment in his analysis of social action, another theorist who

made a substantive contribution to social action theory is Talcott Parsons. In his analysis, Parsons paid significant attention to the social norm, culture and value system in the definition of social action. According to Parsons, the society or social group to which we belong has norms, value system and particular views of life, which individuals internalize. These norms, value system and particular views of life are recalled by an individual through subjective judgment and understanding to form the way an individual perceives issues and the meaning individual gives to another person's action. That the way an individual socially defines and constructs meaning to another person's action has a significant influence on the social norm, culture, value system and social views of life of that individual's social group. It structures the perception upon which the individual bases his/her social construction of reality. This implies, of course, that the meaning given to another person's action is socially constructed; it is a product of norms, value system and particular view of the life of a social group to which individual belongs.

However, the way social action theory has been applied to explain the social construction of spousal rape demonstrates the understanding that the theories of spousal rape are numerous and complex because a large number of theories generated from different disciplines are combined to form the general theories of spousal rape. Especially also, the intellectual perspectives of these theories are such that while one theory explains the cause of spousal rape; others maybe explaining the prevalence of spousal rape. For example, the socio-cultural theory states that although cultures differ in prevalence and acceptability of spousal rape but almost all societies encourage

marriage institution even if these perpetrates spousal rape in one way or another. That this view offers credible evidence to support the idea that society tacitly sacrifices women to rape through the institution of marriage that compel them to render sexual gratification to their husbands as a form of matrimonial duty and to prevent them from engaging in fornication and adultery.

On the other hand, the **biomedical theory** posits that men who rape their wives are those with a huge sexual appetite caused by hormonal secretion of excessive testosterone. This view could explain the reason or cause of spousal rape, because research in neurophysiology has shown a positive correlation between testosterone level in a man and the aggressiveness commonly involved in sexual violence such as spousal rape. The important thing about this theory is that it explains the cause of spousal rape from the perspective of an inherent trait or characteristics of men who rape their wives (Bergen, 2006) and end-up using medically proven research evidence to draw a conclusion on violence commonly involved in spousal non-consensual sexual intercourse. Central to this theoretical analysis is the issue of violence, which explains women's oppression, domination, and subjugation. According to biomedical theory, this violence may not necessarily take the form of overt physical cruelty; it is more hidden in the complex emotion and aggression commonly embedded in spousal non-consensual sexual intercourse because women are uniquely taken as objects or means for satisfying male sexual desire.

Materials And Methods

Egun is a language and people. The people are geographically situated in Badagry in Lagos state,

south-western Nigeria. They form part of the indigenous ethnolinguistic group of Lagos State. The study was carried out among the Egun people of Badagry in Lagos, Nigeria. Badagry is a town located along the Atlantic coastline, with lagoon, creeks, and lakes, bordered on the south by the Gulf of Guinea and to the west by the Republic of Benin. Badagry has a fascinating history as a slave port during the slave trade of the 17th and 18th centuries. The paramount ruler is the Wheno Aholu Meno Toyi who traditionally administers the town together with his white cap chiefs, who are the heads of the eight quarters to which Badagry is divided. For this study, a simple random sampling technique was used to select the sampled population. A total of eighty (80) married Egun women (respondents) were sampled with a structured interview while fifteen (15) additional women were also purposively selected for the focus group discussion (FGD). The group discussants had three sessions of five discussants, at a time, in order to have a manageable team of discussants. The data was collected and analyzed using descriptive statistics with the aid of a Statistical Package for the Social Sciences (SPSS).

Results And Discussion

A. Prevalence of Spousal Rape.

To address the issue of the prevalence of spousal rape, the following factors were analyzed.

- (i) If the respondents had experienced non-consensual sexual intercourse with their spouses.
- (ii) If yes, how did their spouses succeed in having non-consensual sexual intercourse with them?

These two factors are keys to understanding the issue of prevalence spread of spousal rape especially

when spousal rape is conceptualized as non-consensual sexual intercourse between a man and his spouse. That is to say, where a man engages his spouse in sexual intercourse without her valid consent. This act is mostly perpetrated under a situation where a man refuses to accept no from his spouse or uses physical force, deception, assault, abuse, intimidation, threat or coercion to secure sex with her. Spousal rape is rarely a onetime incident but a repeated if not common experience in some marriages, where such sexual assault is perceived as sexual obligation that a woman should have for her husband to keep the marriage and to prevent the man from fornication and adultery (Tinuola and Olaogun, 2009).

The composition of data in Table 1 shows that 96.25% of the respondents had experienced non-consensual sexual intercourse with their spouse while 3.75% had not experienced non-consensual sexual intercourse with their spouse.

Table 1:
Distribution of Respondents Based on Experience of Non-consensual sexual Intercourse with Spouse

Non-consensual sex with spouse	Frequency	Percentage (%)
Yes	77	96.25
No	3	3.75
Total	80	100.00

The few respondents (3.75%) who apparently indicated that they had not experienced non-consensual sexual intercourse with their spouse are probably those who felt that discussing spousal sexual assault in public is somehow taboo and very embarrassing.

The composition of data in Table 2 shows that 24.67% of the respondent indicated that their spouse used force to secure sex with them. 46.75% of the respondents indicated that their spouse pets them to have their way even when the women insisted on “no”, 4.49% of the respondents indicated that their spouse threatens them with divorce, while 22.07% of the respondents indicated that their spouse threatens them with going out to have a mistresses.

Table 2: Distribution of Respondents Based on how the Husbands Succeed in Securing Non-consensual Sexual Intercourse with them.

How Husbands Secured Sex	Frequency	Percentage (%)
Used Force	19	24.67
Petting me even when I insisted on no	36	46.75
Threatening me with divorce	5	6.49
Threatening to go and have mistress	17	22.07
Total	77	100.00

The implication of the above finding is that even when the majority of the respondents did not identify themselves as being forced into sex by their spouses, they had, in fact, experienced some forms of pressure, intimidation, threats, and coercion to have sex with their spouses against their valid consent, which suggests sexual assault. Spousal sexual assault and abuse are defined in Article 2 of the 1993 United Nations Declaration of Elimination of Vio-

lence Against Women as spousal rape and violation against self-determination, valid consent and rights to dignity of a person of the victim. This finding corroborates the view in the most existing literature that spousal rape is prevalent and pervasive (Basile, 2008, Ushie et al 2011). Also, studies have shown a correlation between the prevalence of sexual violence (such as spousal rape) and other forms of physical violence in marriage (Bergen 2006). That women who have experienced sexual violence are more disposed to experience other forms of physical violence in marriage. Generally, the prevalence and pervasiveness of violence against women in sub-Saharan Africa are higher compared with other places (McCloskey et al, 2005). In Nigeria, violence against women is not only widespread but also tolerated because culture, religion and traditional practices place more value on women submissiveness to their spouses (Stewart 1995). This, of course, puts victims of spousal rape at greater risk of sexual assault and other forms of violence perpetrated by their spouses.

B. Strategies Adopted to Avoid or Cope with Spouse Sexual Aggression

The composition of data in Table 3 shows that more than one third (37.50%) of respondents endure by allowing their spouses to have their way anytime they want sex, 21.25% give excuses of tiredness, 13.75% lie about their menstrual/safe period, 11.25% feign sickness, 8.75% take refuge (i.e. sleep) in their children's room, while 7.50% stated that they have time table for sex.

The significance of this finding suggests that even though the women adopt various forms of strategies

to avoid or cope with spouse's sexual aggression yet, the institution of marriage that exposes them to sexual aggression commonly embedded in spousal rape is still a desire and life goal of the women. In Africa, societies place a great cultural expectation on women to marry and render sexual obligation to their spouses as a form of matrimonial duty and to prevent them from engaging in fornication and adultery. This implies that women who shy away from marriage and from rendering sexual obligation to their spouses are in a way not living up to expectation in the eyes of society.

Table 3: Distribution of Respondents Based on Strategy Adopted to Avoid or Cope With Spouse's Sexual Aggression

Strategy to Avoid or Cope	Frequency	Percentage (%)
I endure by allowing him to have sex anytime he wants it	30	37.50
We have time table for sex	6	7.50
I lie about my menstrual/safe period	11	13.75
I lie that I am feeling sick	9	11.25
I sleep in my children's room	7	8.75
I give excuse of tiredness	17	21.25
Total	80	100.00

C. Social Construction of Spousal Rape

The composition of data in Table 4 shows that majority (95.00%) of respondents did not socially construct the non-consensual sexual act of

their spouse as rape while 5.00% tend to see such non-consensual sexual action as rape.

Table 4: Distribution of Respondents Based on Social Construction of Non-consensual Sexual Action of Spouse as Rape

Social Construction of Non-consensual Sexual Action of Spouse as Rape	Frequency	Percentage (%)
Yes	4	5.00
No	76	95.00
Total	80	100.00

The responses of the women used for the FGD could be summarized as follows: Men are naturally aggressive on the bed. Sexual aggressiveness of men is a common experience in marriage. It is worse when they are drunk or when they are sexually starved. Besides, it is one way they assert their domination. A woman whose spouse commonly demonstrates aggressiveness on the bed should learn to manage or moderate his aggressiveness instead of defining such action as spousal rape. Over time, as a sexual obligation to her spouse, the woman will get used to her spouse's sexual aggressiveness to keep her matrimonial home. Marriage is an institution where couples are meant to teach one another the act of lovemaking. Sex is a pleasurable thing that cements marriage and makes the couple to be more intimate. If Egun men were to be prosecuted for non-consensual sexual action fitted into the definition of spousal rape, no man will want to marry for fear of being sentenced to jail for rape. On whether the women will like to seek legal redress for sexual violence or divorce when the non-consensual sexual activity of their spouses clearly fits into the

definition of spousal rape, their responses revealed that they still want to remain in the marriage for the sake of their children. What if a woman leaves her marriage for this single reason, culturally, she will not only lose her pride, she will also be a subject of mockery among her peers. In fact, there are women out there waiting to take over her spouse.

The significance of these findings suggests that those women who did not see the non-consensual sexual action of their spouse as rape (even when such non-consensual sexual action fitted into the definition of spousal rape) are those who have internalized the cultural expectation of sexual obligation as a matrimonial duty. Nigeria is a traditionally patriarchal society. It has ratified the 1993 United Nations Declaration of Violence against Women. Also, the 1999 Constitution of the Federal Republic of Nigeria, Section 34 (1) and the Violence Against Persons Prohibition Act (VAPPA) (2015), provide for the respect and dignity of the human person that 'no person shall be subjected to any form of inhuman degradation, assaults, and violence'. Even though these statutory laws may not have specifically addressed or mentioned spousal rape, however, it is useful to observe that certain elements in these legal instruments reveal that spousal rape could be interpreted in certain quarters, especially by the radical feminist movements, as a component part of inhuman degrading treatment, assault or violence that most men subject the person of their spouse to just in the name of marital rights to sex.

Yet, the issue of spousal rape as a form of degrading treatment, assault or violence has not been given an iota of consideration in the criminal justice of our national laws especially because culture,

value system, religion, ethnic-traditional practices, and customary laws differ in acceptability of spousal rape. The Nigeria Marriage Act and the Customary Laws provide legal evidence that further deepens the trivialities of spousal rape because rape in marriage is not considered as a criminal offense but rather as a social or cultural issue compare with other forms of rape. Yet, these laws typically recognize marriage as the only institution that bestowed women with the responsibility to render sexual obligation to their spouses, especially where the prescribed bride-price has been paid to the family of the woman. The implication is that where marriage is contracted under the Nigeria Marriage Act, Customary Law or Islamic Law, the marital vow has a legal understanding of the consent of the woman to be submissive to render sexual obligation to her spouse. As such, the husband cannot be guilty of rape upon his own wife because of the consent in the marital vow she took. This consent is only valid where the woman involved is not a minor. The age of consent is eighteen (18) years. The Nigeria Childs Rights Act (2003) and the Nigeria Sexual Offences Act (2015) prohibit child marriage for the obvious reason that children are not capable of consent because they do not have the reasoning capacity to understand what they are consenting to.

The Criminal Code Act of the Law of Federation of Nigeria 1990, part 5 chapter 3 defines rapist as “any man who has unlawful carnal knowledge of a woman or girl without her consent or with her consent if the consent is obtained by force or means of threat, coercion or intimidation of any kind or by fear of harm. By extension, this definition sees an absence of objection especially on the part of the victim who is asleep, intoxicated or

otherwise mentally helpless as not constituting consent. But the issue of spousal rape is not acknowledged and defined as rape by our statutory laws except if the woman (i.e, the victim) had before the incident divorced the spouse. Apart from this, the issue of spousal rape is trivialized with differences in culture, value system, religion, ethnic-traditional practices, and customary laws because to equate non-consensual spousal sexual intercourse to rape, assault, and violence may weaken the institution of marriage.

Test of Hypothesis.

To determine whether there is a relationship between the women’s experience of non-consensual sexual intercourse with their spouse and their social construction of the social action as spousal rape, a Pearson Chi-Square test was undertaken with Statistical Package of the Social Sciences (SPSS). The result shows: $X^2 = \text{Chi-Square} = 173.861$, $df = \text{Degree of freedom} = 12$, $P = \text{probability value} = 0.000$, tested at 0.05 level of significance.

Since the probability value of 0.000 is less than the 0.05 level of significance, the null hypothesis which states that the women’s experience of non-consensual sexual intercourse with their spouses is not significantly related to their definition (i.e, social construction) of their spouse’s sexual action as spousal rape is rejected. Instead, the alternative hypothesis, which states that the women’s experience of non-consensual sexual intercourse with their spouses is significantly related to their definition (i.e, social construction) of their spouse’s sexual action as not rape, is accepted. What to infer from this is that the women experience of non-consensual sexual intercourse is perceived as sexual obligation expected of them as a form of matrimonial duty to

their spouses and as such, they could not perceive it as spousal rape. Of course, these women have socio-culturally been socialized to accept the sexual obligation to their spouses as a matrimonial duty. This finding corroborates the social action theory view of Talcott Parsons (in the theoretical orientation of this study) that the meaning given to another person's action is socially constructed; it is a product of culture, norms, value system and particular views of life of a social group to which individual belongs. That these norms, value system and particular views of life are internalized through socialization but individuals recall them through subjective judgment and understanding to form the way an individual perceives issues and the meaning individual gives to another person's action.

CONCLUSION

There is a prevalence of spousal rape among Egun women. The institution of marriage that exposes these women to spousal rape is still a desire and life goal of the women. The issue of spousal rape is strange and not culturally assimilated by the women who generally consider consent to their spouse's demand for sex as not a matter of choice but an obligation, which is internalized culturally as a marital duty, even when the sexual activity of their spouse fitted into the definition of spousal rape.

Nigeria has ratified the 1993 United Nations Declaration of the Elimination of Violence against Women, but the issue of spousal non-consensual sexual intercourse as rape, assault, and violence against women have not been given consideration in the national laws. The main reason for this is because culture, religion and legal systems differ in acceptability of spousal rape, especially where the marriage vow is ethnocultural rationalized as con-

sent to sexual intercourse between spouses. And, of course, because to equate spousal non-consensual sexual intercourse to rape, assault, and violence against women, may trivialize the whole concept of rape and ridicule the sacredness of sex and sexuality in marriage.

It is therefore prudent to conclude that in Africa, the issue of spousal rape is not only alien but indeed a taboo, absurd, hypocritical and risky because the demand for the right of women to control marital sexual intercourse as a core component of equality with men is capable of having serious implications on social and cultural distortion of sacredness of sex and sexuality in marriage. Above all, since marriage is the most widely approved social institution that legitimizes the right to sexual intercourse between spouses, women should develop confidence and maturity to manage the sexual appetite of their spouses by discussing and actively participating in sex-related decisions of their marriage to prevent spousal sexual violence. Especially where the prescribed "bride-price" is paid to the family of the woman, the marital vow that legitimizes the marriage has a legal understanding of the consent of the woman to be submissive to render sexual obligation to her spouse. This consent is valid where the woman involved is not a minor. As such, the husband cannot be guilty of rape upon his own wife because of the consent in the marital vow she took. Following this, it is difficult if not absurd, hypocritical or risky to equate non-consensual spousal sexual intercourse to rape, assault, and violence, because this may weaken the institution of marriage and distort the sacredness of sex and sexuality in marriage.

Many radical feminists in the West see themselves as saviour to African women; little do they know that their conception of spousal rape is grossly odd with the real lives and concerns of African women. Even in Beijing, at the Fourth World Conference on women in 1995, African women were indifference to the priority that the radical feminists from the West put on reproductive rights and the issue of spousal rape that was ambitiously conceived without consideration to culture, norms and value system of the Africans. To the African feminists, the whole gamut of argument of the West about spousal rape seems to suggest lesbianism as a viable option to escape spousal rape.

Dr. M. D. Enaikele

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To Establish a Congress of Nations and States (CNS)

By Dr. Rudolph R yser

*In my book entitled, **Biodiversity Wars: Coexistence of Biocultural Collapse in the 21st Century** (DayKeeper Press, 2019)[1] I discuss at length the need for a renewed effort to identify and advance an analysis and proposals for new mechanisms to bridge the economic, social, political and cultural gap between Fourth World nations and the world's 203 states. I point to the ultimate necessity of establishing constructive mechanisms for cooperation between nations and states with an urgency that responds to the global emergency that is the impending environmental collapse threatening sustainable biodiversity and the diversity of Fourth World peoples. The threat I maintain is in no small measure the result of human waste and the promotion of unrestrained development and consumption that destroys life-supporting plants and animals and radically alters the global climate. Central to all of this is a needed shift in international policy toward the respect and acceptance of Fourth World self-determination—the right of Fourth World peoples to exist—by states, corporations, trans-state religions, and non-governmental organizations. I propose the convening of a permanent Congress of Nations and States—an innovative international relations solution to long-standing disputes between Fourth World nations and the internationally recognized states. And further, I propose that this Congress authorize the establishment of an International Criminal Court on Genocide for Fourth World nations. These are central topics in my book, but here I wish to share an extract from a chapter focused on the development of the Congress of Nations and States.*

The following extract from Chapter 4 of my book summarizes the process in 1992 of organizing and implementing a plan to establish the Congress of Nations and States with the newly formed government of the Russian Federation serving as the host. The Preparatory Committee had the states of Germany, Japan, and the United States as participants and the six Fourth World participating nations: Lummi Nations, San Blas Kuna, Saami, Tibet, Yakut-Sakah, and Maasai.

The Center for World Indigenous Studies collaborating with the then Seattle-based Foundation for International Cooperation and Development and the Moscow, Russia-based International Non-Governmental Association “Union of Lawyers took action to organize and convene a Congress of Nations and States. A series of historic events converged in 1991 and 1992 that prompted this extraordinary diplomatic effort intended to stage an international Congress hosted by the recently declared Russian Federation. The Union of Soviet Socialist Republics (USSR) had collapsed on 21 December 1991. This political event occurred

after years of decline, and then suddenly, the USSR military fragmented and Fourth World nations withdrew their support of the “center”—the Kremlin. Lithuania, Estonia, Latvia, Ukraine, Tajikistan, Kazakhstan, Georgia, and Uzbekistan were among the states that spun out of the USSR, taking with them many Fourth World nations.

The United Nations Working Group on Indigenous Populations, established in 1982, had completed ten years of public sessions in Geneva, Switzerland. That five-person Working Group met with representatives of hundreds of Fourth World nations at the Palais des Nations and heard their testimony. Hundreds of hours of testimony and recommendations resulted in the issuance of a draft Declaration on the Rights of Indigenous Peoples submitted to the Working Group’s parent body, the Sub-Commission on the Promotion and Protection of Human Rights. The “bi-polar” Cold War that had for so long after World War II dominated international relations was essentially dead. For a brief time, the international political system would become “multi-polar,” including the internationally recognized indigenous nations. Indeed, state-based international policy leaders pronounced indigenous nations as a “subject” of international relations.

With a world in transition, it seemed an entirely appropriate time to initiate diplomatic action to establish a new international mechanism to bridge the now recognized gap (pointed out by the UN Declaration on the Rights of Indigenous Peoples) between the rights of Fourth World nations and the rights of internationally recognized states. Planners of the Congress reasoned that placing states and nations

on the same political level to assess the potential for new rules of conduct that would respect the UN defined rights of indigenous peoples would go some distance to fill the gap between them.

The initiative required establishing an International Organizing Committee including six delegates representing Nations: Lummi Nation [United States] Yakut-Sakah [Russia] Maasai [Africa], Tibet [PR China], San Blas Kuna [Panama] and Saami [Sweden, Norway, Finland, and Russia]; and four delegates representing States: United States, Japan, Germany and Russia; and the three initiating non-governmental organizations serving as the Congress Secretariat.

Since the United Nations World Conference on Indigenous Peoples (2014) delegated the UN Secretary-General at paragraph 33 of the Outcome Document the responsibility to identify “ways to enable the participation of indigenous peoples’ representatives and institutions in meetings of relevant United Nations bodies on issues affecting them, including any concrete proposals made by the Secretary-General....” This directive is tantamount to establishing an international commitment by states and by indigenous nations to the principle of nations participating in international affairs on the same plain as states. A Congress of Nations and States fully conforms to the internationally agreed standards of indigenous nations and states acting on the same plane in the international sphere.

Strong demands for new international policy in the highly specialized area concerning indigenous nations are being made by NGOs and indigenous

peoples, as well as by state governments. The World Council of Churches (Geneva), the Anti-Slavery Society (London), International Working Group on Indigenous Affairs (Denmark), and Amnesty International (London), are among the NGOs pressing for new standards protecting the rights of indigenous nations. The Haudenosaunee (Six Nations Iroquois Confederacy), West Papuans, Yanomami, Cree, Quechua, Mapuche, Maori, and Chakma are among the indigenous nations playing an active role. Norway has been the most active state pressing for the formulation of an international declaration on “indigenous peoples’ rights.” Still, the Netherlands is perhaps the only state that is actively developing a new foreign policy based on evolving standards concerned with the rights of indigenous peoples.

The International Labour Organization

In 1959, ILO Convention 107 came into force. In addition to the 1944 Inter-American Treaty on Indian Life between the United States and seventeen South and Central American States, Convention 107 was, until the Helsinki Act of 1975, the only other primary international instrument concerned with state government treatment of Fourth World nations as distinct peoples. Twenty-five state governments, including the United States, ratified the Convention 107.

The ILO is a tripartite organization controlled by state governments but involving delegate participation of labor unions and businesses. Its Secretariat decided that Convention 107 should be changed to correspond with the new international standards of the United Nations. The central issue motivating the Secretariat to push for revisions in Convention 107

was the belief that the language advocating assimilation of indigenous peoples into state societies was antiquated and should be changed to reflect modern political realities. The states had poorly formulated land rights provisions contained in Convention 107, causing ILO members to recognize that the terms of reference required updating. This movement for revision arose in conjunction with the growing visibility of indigenous peoples’ concerns on the international plane and the greater clarity and importance of the United Nations efforts that began in 1982 and the 1986 drafting of the U.N. Declaration on the Rights of Indigenous Peoples.

After two years of negotiations, a draft for a new ILO Convention, Convention 169, was tabled for final consideration in 1989. The three active groups that serve as members of the ILO who were permitted to engage in debate to determine the final Convention language were representatives of labor unions, businesses, and state governments. Only state governments had the power of decision to accept or not accept the proposed terms of reference. Representatives of Fourth World nations and indigenous peoples’ organizations participated as observers, with the right to lobby official delegates, but no right to speak during the negotiations. [2] Andrew Gray reported that the representatives of four nations officially observing the ILO negotiations (Treaty Six Chiefs, the Federation of Saskatchewan Indians, the Four Directions Council of Canada, the Ainu of Japan, and the National Coalition of Aboriginal Organizations of Australia). Representatives of the World Council of Indigenous Peoples (WCIP), Nordic Saami Council, the Pacific Council of Indigenous Peoples, and the Indian Council of South America join the four nations. Also, the Coordinadora of the

Amazon Basin, indigenous peoples of Brazil, Inuit Circumpolar Conference, and delegates of the Mohawk nation participated in what became known as the “Indigenous Peoples’ Caucus.”

Representatives of indigenous nations were not allowed to present their positions personally, so their views were represented at the negotiating table by Labour Union representatives and by delegations representing the states of Portugal, Colombia, and Ecuador. The business group representatives resisted all proposals for changes in the original language of Convention 169. Other participating states, including Peru, Argentina, Brazil, Venezuela, India, Japan, Canada, and the United States, formed into three mutually supportive blocs. The South American, Asian, and North American blocs formed with the intent to ensure that international standards remained well below the domestic state standards already set in the laws of each state. [3]

Among the leading issues concerning delegates were the questions of whether the revised Convention should use the term “peoples” or the term “populations” to describe the subject text. This subject also led to the questions of whether the revised Convention should use the term “self-determination” explicitly in the text. And the question of whether the revised Convention should use the word “land” or the term “territory” in the text proved demanding to the delegates. Finally, the delegates took up the question of whether the revised Convention should use the word “consent” or the term “consultation” in the text. [4] The choice of these particular terms would make the difference between an International Convention that enhanced the rights of indigenous peoples, or a Convention that had little political

meaning, except as a cover for continued state exploitation of Fourth World peoples.

The representatives of Canada and the United States led diplomatic efforts to limit and narrow the terms of reference in the proposed text of Convention 169. These representatives worked to defeat the use of “peoples” as a term of reference, advocating the word “populations” instead. [5] They argued, along with delegates from India and Venezuela, that the word “peoples” implied the right of secession from the state. Still, the term “populations” implies demographic units of “metropolitan state citizens.” [6] Further, they asserted that the right of self-determination granted to “peoples” would pose an unacceptable threat to the territorial integrity of the state, and, therefore, use of the term without qualifiers would be unacceptable. The term “peoples” constitutes a broader concept, presumably non-self-governing, and each “people” is presumably distinguishable from other “peoples” by virtue of language, culture, shared history, or a common heritage. Identification as a “people” is a requisite qualification for a nation to secure international guarantees of fair treatment in relation to state governments. [7]

States’ governments deliberately worked to limit the use of the term “peoples”—as a term of reference to identify the subject of Convention 169 that was titled, “Indigenous and Tribal Peoples Convention.” The states intended to limit the number of nations entitled to exercise a claim to self-determination. In the attempt to create a new meaning for “peoples” in international law, states’ governments included a disclaimer in the final text of the new Convention: [t]he use of the term ‘peoples’ in this Convention

shall not be construed as having any implications as regards the rights which may attach to the term under international law. [8]

The pattern of confusion and the constant shifting of positions exhibited by the United States and Canadian representatives during the debate on the term “peoples” continued during the debates over the reference terms “land,” “territory,” “self-determination,” and “consent and consultation.”[9] Representatives of Fourth World nations lobbied for the use of the term “territories” to cover all lands and resources belonging to the particular people,[10] while Canadian and U.S. representatives, along with other resistant states, viewed the use of “territories” as a threat to a state’s integrity.[11] After two days of debate and negotiations, Article 13 of the revised text read:

[i]n applying the provisions of this Part of the Convention governments shall respect the special importance for the cultures and spiritual values of the peoples concerned of the relationship with the lands or territories, or both as applicable, which they occupy or otherwise use, and in particular the collective aspects of this relationship. [12]

A second paragraph immediately followed this paragraph: “[t]he use of the term ‘lands’ in Article 15 and 16 shall include the concept of territories, which covers the total environment of the areas which the peoples concerned occupy or otherwise use.”[13]

By introducing the term “territories” in Article 13, the drafters avoided inserting the term in Article 14, which dealt with the rights of ownership and possession of land for people who traditional-

ly occupied it.[14] Similar efforts were made to emphasize the difference between “consult” and its more active counterpart, “consent,” and the term “self-determination” was completely left out of the text in favor of indirect references.

The effect of the United States and other states’ demands for language adjustments was to prevent the advancement of international law protecting the rights of Fourth World peoples and affirming the right of self-determination. After completing the revision process Convention 169 was opened for ratification by ILO member states, Mr. Lee Swepston of the Secretariat addressed the United Nations Working Group on Indigenous Populations: [15]

[a]n effort was made at every stage to ensure that there would be no conflict between either the procedures or the substance of the ILO Convention and the standards which the UN intends to adopt. Thus, the ILO standards are designed to be minimum standards, in the sense that they are intended to establish a floor under the rights of indigenous and tribal peoples and, in particular, to establish a basis for government conduct in relation to them. [16]

In essence, states’ governments led by the United States government extended state-based international law in ILO Convention 169 to deny Fourth World peoples the rights granted to “peoples” in existing international agreements and laws. Rights recognized for Fourth World peoples under the ILO would remain under the control of states. Representatives of states’ governments would continue to block any effort to extend the

right of self-determination to Fourth World nations. However, their compromises in language may still open future possibilities for changed practices.

Obstruction in the Draft UN Declaration on the Rights of Indigenous Peoples

In 1986, the U.N. Working Group on Indigenous Populations officially requested that the Commission on Human Rights grant the Working Group full responsibility for drafting and introducing the Draft U.N. Declaration before the General Assembly. The initial impetus for developing such a declaration had come from a combination of sources. Strong encouragement came to the Working Group from Human Rights Commission Special Rapporteur Jose R. Martinez Cobo.[17] His twelve-year study and recommendations from the World Council of Indigenous Peoples[18] adoption of resolutions calling for the enactment of new international laws to protect nations,[19] and an International Conference of NGOs sponsored by the U.N. Economic and Social Council, Sub-Committee on Racism, Racial Discrimination, Apartheid, and Decolonization of the Special Committee on Human Rights in 1977[20] combined to reinforce Cobo's 1981 recommendations. With these political pressures, the U.N. Working Group on Indigenous Populations' favorable embrace of the job of formulating a Declaration.

As work continued on the development of this document of international consensus concerning accepted standards for the rights of indigenous peoples, key terms of reference in its text have become central to a growing debate. ILO Convention 169 played an important role in the evolution of the draft U.N. Declaration on the Rights of Indigenous

Peoples. By July 1993, five of the 144 member ILO states had ratified Convention 169.[21] Despite the relatively low level of interest by state governments, Convention 169 nevertheless became the authoritative influence to support arguments for limiting the meaning of the terms "peoples," "territories," "self-determination," and "self-government" in the Draft U.N. Declaration.[22] The more restricted meanings, states such as the United States and Sweden argued, should be included in the Draft U.N. Declaration. Many states' governments participated in the formulation of the Draft U.N. Declaration, along with hundreds of representatives of Fourth World nations. The work of the representatives of the United States, Sweden, Canada, Australia, New Zealand, Japan, and the Peoples Republic of China should be recognized as attempts to limit international terms of reference in connection with Fourth World nations. These states, beginning in 1986, began working to prevent the U.N. Declaration on the Rights of Indigenous Peoples and its fully adopted language in 2007 from including critical terms of reference such as "peoples" and "self-determination." In other words, these states worked to impose limitations on customary international law in an apparent effort to prevent Fourth World peoples from obtaining international political status—leaving them under the control of states.

To constrain the meaning of terms such as "self-determination," the representative of the U.S. government speaking before the U.N. Working Group on Indigenous Populations urged Working Group members to characterize "the concepts of "self-determination," "peoples," and "land rights," as "desired objectives rather than rights" in August 1992.[23] Kathryn Skipper, a member of the U.S.

delegation, expressed serious questions about the definition of “indigenous peoples” as a term of reference in July of 1993.[24] Discussing provisions of the Draft U.N. Declaration, she said:

[t]he draft declaration does not define ‘indigenous peoples.’ Hence, there are no criteria for determining what groups of persons can assert the proposed new collective rights ... [W]e are concerned that in some circumstances, the articulation of group rights can lead to the submergence of the rights of individuals.[25] The position of the U.S. government set the tone of state delegation interventions with the intent of narrowing and limiting the meaning of terms of reference in the same way as Convention 169.[26]

Dr. Rolf H. Lindholm, on behalf of the Swedish government, amplified the U.S. government’s serious questions by specifically urging the narrow application of the term “peoples.” Stating that the Swedish government “favors a constructive dialogue between governments and indigenous peoples,” Lindholm nevertheless called for “consensus language” that would make the Draft U.N. Declaration acceptable to various bodies within the United Nations system, including the General Assembly. [27] Lindholm called for a consensus understanding regarding the reference term “self-determination.” Lindholm averred:

[i]t is important that we recognize in this context, as we have in others, that the concept, as used in international law, must not be blurred. It is, therefore, necessary to find another term in the declaration, or to introduce an explanatory

definition such as that included in ILO Convention No. 169, which provides that “[t]he use of the term ‘peoples’ in this Convention shall not be construed as having any implications as regards the rights which may attach to the term under international law.”[28]

Fourth World nations’ representatives participating in the proceedings argued that it was necessary to maintain the term “peoples” to remain consistent with existing international laws. In particular, the language originally proposed in 1987 representatives stressed: “[i]ndigenous nations and peoples have, in common with all humanity, the right to life, and to freedom from oppression, discrimination, and aggression.”[29]

As to the efforts of state governments aimed at narrowing the meaning of the word “peoples,” the Chairman of the U.N. Working Group on Indigenous Populations, Erica-Irene Daes, responded:

[i]ndigenous groups are unquestionably “peoples” in every political, social, cultural, and ethnological meaning of this term. It is neither logical nor scientific to treat them as the same “peoples” as their neighbours, who obviously have different languages, histories, and cultures. The United Nations should not pretend, for the sake of a convenient legal fiction, that those differences do not exist. [30]

She offered moreover, “[t]he right of indigenous peoples to self-determination should comprise a new contemporary category of the right to self-determination.”[31] Fourth World nation delegates moreover argued the need to introduce their par-

agraph on the subject of self-determination that stated:

[a]ll indigenous nations and peoples have the right to self-determination, by virtue of which they have the right to whatever degree of autonomy or self-government they choose. This includes the right to freely determine their political status, freely pursue their own economic, social, religious, and cultural development, and determine their own membership and/or citizenship, without external interference.[32]

The Canadian, Japanese, Brazilian, and U.S. objections to the use of “self-determination” as a term of reference in the Draft U.N. Declaration flew in the face of eighty years of expanding usage of the term in the international arena. In the case of the United States, objections to the term contradicted the long-standing Indian affairs policy that affirmed the sovereignty of Indian nations as well as their right to self-determination. As a response to general state objections to the use of this term in association with Fourth World nations, delegates of indigenous nations at the 12th Session of the U.N. Working Group on Indigenous Populations authorized the preparation and distribution of the International Covenant on the Rights of Indigenous Nations[33] for direct ratification by nations all over the world. Fourth World nations shared the paragraph on self-determination in this Covenant:

Indigenous Nations have the right of self-determination, in accordance with international law, and by virtue of that right they freely determine

their political status and freely pursue their economic, social and cultural development without external interference.”[34]

The United States and other states have had to contend with the consequences of their obstruction to the application of international principles to Fourth World nations. Numbers of nations proceeded to implement their plans of action to change their political status from “incorporated peoples” to self-governing nations. Of perhaps greater importance is the growing movement by Fourth World nations to take international law into their own hands by actively formulating new laws such as the International Covenant on the Rights of Indigenous Nations.

The International Mechanism we worked very hard to formally establish in 1992 with Fourth World nations, states, and non-governmental organizations may now find much more acceptability in the international arena. The real experience all parties have now had working for constructive policy and legal changes. The United States, Canada, Australia, Russia, and other states sought and achieved a measure of success obstructing the incorporation of language opening Fourth World nations to exercise the free right of self-determination in new international laws. Language (specifically the uses of “peoples,” territory, and “collective”) in the International Labor Organization Convention 169 and the UN Declaration on the Rights of Indigenous Peoples sought by Fourth World nations would not have explicit meaning for nations’ claims to self-determination in state-based international law. Extensive diplomatic interactions between nations and states over the past 28 years have begun to weaken state obstruction. Still, the states of Spain,

Iraq, Syria, Turkey, Pakistan, India, the United States of America, Australia, and Canada persist in their obstruction by blocking self-determination initiatives.

First Congress of Nations and States 1992

Fundamental political changes in states' political conduct over the previous decade revealed a shift in the world community from bi-polar (Cold War Structure) to a multi-polar power structure following the collapse of the Soviet Union. The diffusion of power into many power centers destabilized many states and opened new international conflicts; at the same time, it created new conditions for forming new and more constructive international political relations. New approaches in their dealings with indigenous peoples (nations) challenged states as well as emerging political powers such as China, the European Union, and Middle Eastern states. This climate of instability took its toll on states and nations: There were 77 interstate and intra-state wars taking place around the world in 1992 due to either conflicts between nations or between nations and states. The former Soviet Union was fertile ground for such conflicts as Fourth World nations engaged in political maneuvers to step away from the Kremlin.

The Russian Federation recognized 78 nations within the territory of the former Soviet Union whose political, economic, cultural, and social rights were considered an important priority for the future of the reformed state led by the Yeltsin government. The problems seen in Russia were not unique. Nations and States experienced these concerns in almost every part of the world.

In January 1992, the Russian government recognized the need to address these issues and proposed an international conference[35] on the legal aspects of the free development of nations, and specifically on the economic, social, cultural, political, strategic and geographic relations between nations and between nations and states. The Congress of Nations and States (CNS) initiative intended to create a confluence of nations' and states' representatives to jointly formulate and agree to new methods to resolve disputes and identify constructive pathways for future relations.

In July of 1992, the Russian government designated a spokesman to present the Congress of Nations and States initiative to the United Nations Working Group on Indigenous Populations, where it was enthusiastically supported. Simultaneously, the Supreme Soviet of the Russian Federation issued invitations to the states' governments of Japan, Germany and the United States, and the nations' governments of Saami, Maasai, Lummi, San Blas Kuna, Yakut-Sakah and Tibet, to serve on the Preparatory Committee. The Preparatory Committee would plan and convene the Congress of Nations and States. Because the goal of this Congress was to discuss means of resolving disputes and not to solve specific conflicts, the member nations, and states of the Preparatory Committee were chosen to avoid the discussion of individual disputes. This approach, planners thought, would for broad representation of the issues, which are of most significant concern to nations and states.

In early October 1992, a delegation from the Russian Parliament, headed by Mr. Yuri Yarov, the Vice Premier of the Russian Federation, met with

the United States Department of State, the U.S. Congress, and the U.S. Bureau of Indian Affairs and with the Senate Select Committee on Indian Affairs. The government of the United States had officially confirmed its participation. All invited nations agreed to participate, and confirmation was pending from the governments of Japan and Germany. In short order, both Japan and Germany agreed to participate.

In addition to these nation and state representatives, the United Nations' Office on Human Rights (HRO) and the International Labour Office (ILO), along with other multi-lateral non-governmental organizations agreed to participate as official observers of the Preparatory Committee. The Center for World Indigenous Studies (CWIS), the Foundation for International Cooperation and Development (FJCD), and the International Non-governmental Association "Union of Lawyers" (Union of Lawyers) were to serve as administrative bodies for the Congress.

Russia's Endorsement: Trebkov Presentation before the UN Working Group

The Russian government directed Mr. Serge Kossenko, Counsellor of the Permanent Mission of the Russian Federation at the United Nations to introduce Mr. A. Trebkov to present the plans for the Congress before the Tenth Session of the Working Group on Indigenous Populations (20-31, July 1992). Mr. Trebkov was a representative of the International non-governmental association, the Union of Lawyers in Moscow, Russia. In his statement, he said, "The process of democratic reforms in Russia has led to a radical change in the approach to the needs

of indigenous peoples. One of the results of these changes is the law "Fundamentals of the legal status of national minorities, elaborated and approved in the first reading by the Supreme Soviet of the Russian Federation."

Mr. Trebkov continued,

"We see the significance of the proposed Congress being that the representatives of central governments and the representative of indigenous populations will be equal participants. * * * The Congress will hopefully develop new approaches to the discussion of the problems of national minorities, have a long-term favorable impact on the development of events in many countries and contribute to the progressive codification of international law and national legislation, and provide a stimulus for constructive collaboration of national minorities and state governments. * * * It is planned that within the framework of the Congress a number of protocols on the relations between indigenous populations and states in economic, political, social and strategic spheres should be discussed and hopefully agreed upon."

The United Nations Assembly room, where the Working Group met with as many as 600 indigenous delegates roundly applauded Trebkov's presentation.

Endorsement by the United States: Secretary of State

The United States government gave its blessing to the Congress of Nations and States in a letter from US Department of State Assistant Secretary of State for European and Canadian Affairs Thomas

M.T. Niles to Deputy Chairman of the Supreme Soviet of Russia, Yuriy Voronin declaring,

“As you know, United States policy regarding the resolution of such conflicts [referring to Russian conflicts with Georgia, Tajikistan, Nagorno-Karabakh, and Yugoslavia] is founded upon peaceful negotiation rather than military confrontation. * * * I therefore strongly endorse your objective of exploring a new international framework for relations between nations and states, based upon the Helsinki Final Act [1975]. * * * I have requested our Embassy in Moscow to represent the Government of the United States when your conference convenes in early 1993.”

Senator Daniel K. Inouye’s endorsement of the Congress

Acting in his capacity as Chairman of the Senate Select Committee on Indian Affairs Senator Daniel K Inouye sent a letter on October 7, 1992, to Secretary of State Lawrence S. Eagleburger where he wrote,

I enthusiastically endorse the Russian government’s initiative to convene a Congress of Nations and States. It seems to me that the United States government should welcome this opportunity to demonstrate its commitment to new international efforts to directly address innovative approaches to conflict resolution between Nations and States. The Congress of Nations and States is, I believe, just such an approach. I have received a personal invitation from the Chairman of the Russian Supreme Soviet, Ruslan Khasbulotov, to attend a session of the Congress, and I hope to be able to participate.”

Senator Inouye’s letter continued,

“My colleagues on the Select Committee on Indian Affairs join me in urging an affirmative response to the Russian invitation, and a commitment of \$250,000 as our contribution in support of planning and convening the Congress.”

National Congress of American Indians Endorsement of the Congress

Under the leadership of National Congress of American Indians President Gaiashkibos, the NCAI Executive Committee adopted its resolution DC-92-77 declaring,

... throughout the world, there are numerous conflicts between nations and nations and states, which causes [sic] instability in the social, legal political, and economical climates of the global * * * a call to convene a First Congress of Nations and States to directly address the need of governments of both nations and states to meet to deliberate, and to act on new international conventions concerning resolution of disputes between nations and nations and nations and states is absolutely essential in light of the current inability of the United Nations forum to officiate such peaceful resolutions under its current institutional format * * * ... the NCAI supports the First Congress of Nations and States and endorses the Plan of Action developed to secure the goals and objectives.” [Executive Council, 49th Annual Convention 11-16, 2992, Crystal City, Virginia].

With endorsements from Russia, the United States, the US Senate Committee, and the National Congress of American Indians as well as the

governments of Germany, Japan, Lummi Nation, Maasai, Saami, San Blas Kuna Yakut-Sakha and Tibet it was possible to declare further plans for the Congress.

The Preparatory Committee will meet early in 1993 to initially select states' and nations' representatives for service on the five working groups and assign to them the development of protocols relating to the following subjects:

1. Economic Relations: the term "economic," in the context of the working group, shall encompass, but not be limited to, distribution of goods and services; use and regulation of natural resources; environmental administration, regulation, and policy; banking and finance; trade and commerce development.

2. Political Relations: the term political, in the context of the working group, shall encompass, but not be limited to a framework for government-to-government relations; governmental authority; the exercise of jurisdiction; representation in government, civil and political rights; human rights; law and justice; and refugee and settlement populations.

3. Social & Cultural Relations: the terms social and cultural, in the context of the working group, shall encompass, but not be limited to matters of education; health and health services; printed, electronic communications and telecommunications: technology; social systems; articles of patrimony; art and artifacts of historical merit; religious rights; and rights to knowledge.

4. Strategic Relations: the term strategic, in the context of the working group, shall encompass, but not be limited to location of military facilities, maneuvers, and testing; nuclear/environmental restoration and waste management and disposal; energy resource and administration, management, and regulation; shipping routes; and space access and administration.

5. Geographic Relations: the term geographic, in the context of the working group, shall encompass but not be limited to regional and global locations of states and nations.

The universal significance of CNS is that it presents a distinct and unprecedented opportunity to encourage democracy and stability in multinational states. Many of these states face either the possibility or the reality of fragmentation. States participating in CNS will demonstrate an increasing willingness to address disputes with indigenous peoples in a constructive and non-violent manner, thereby enhancing governmental legitimacy in the eyes of those peoples and increasing the chances of their continued cooperation and stability. Nations participating in CNS will find universally acknowledged avenues by which they will be able to present their positions, whereas before, there were no such means. Here, the nations will participate in the creation of the CNS protocols, an act, which will enhance nation legitimacy within the eyes of the state governments while simultaneously enabling the nations to trust the protocols as fitting their needs. The successful conduct of the CNS and negotiation of its protocols could promote the likelihood of stability and

advancement of representational government in multi-national countries.

The CNS answers the demand to address issues openly, which can no longer be ignored or discussed unilaterally. The failure to consider and acknowledge the loss of life, rights, territories, and livelihood of nations by states and the international community does nothing but exacerbate the situation until it reaches the point of economic and political instability and bloodshed on both sides. It has proven ineffectual for nations to meet with nations to discuss conflicts with states, or for states to unilaterally decide their policies toward the nations within their territories. The international community, which abounds with institutions and agreements tailored to the old bi-polar system, is now reaching for a new understanding of conflicts between nations and states. Together, through the Congress of Nations and States, nations and states may be able to create means of communing and resolving these issues.

Organizing NGOs planned for the first general session of the Congress of Nations and States to convene in Moscow May 17- 21, 1993. The purpose of this general session was to define and agree upon the terms of reference to be used in discussions at the CNS. And the plan called for drafting new protocols, and to decide on the scope of the five protocols. Additionally, the CNS would define and agree upon the long-term purpose and aims of the Congress of Nations and States. Representatives from all nations and all states were invited to participate in this session and its deliberations

In today 's unprecedented climate of volatile nation-nation, and nation to state relationships. The success of this global stabilization initiative would be a profound accomplishment for every nation and state involved.

And then the United States backed out at the last minute.

After months of organizing with the Preparatory Committee, the politics of the American government's Department of State Legal Affairs Department stepped in during meetings in Washington, DC to undermine the very constructive process by injecting its opposition to the Congress. A decision in the US State Department brought the Congress to a halt despite all appropriate agreements between states' parties and Fourth World nations. The US government's action pulled the CNS up short despite endorsements and approvals by the United States Secretary of State Lawrence S. Eagleburger, the US Senate's Senator Daniel K. Inouye. Also, the leader of the Russian Federation Supreme Soviet Ruslan Khasbulatov, and the Foreign Ministers of Germany and Japan joined six nations and the non-governmental organization. The US State Department Legal Affairs attorney's objected to Indigenous nations working and being recognized on the same plane as states' governments. The United States political representatives withdrew from talks, the Russian Federation was embarrassed, and Germany wondered "what happened!" And Japan breathed a sigh of relief. The Fourth World nations parties simply stepped back accepting that the United States had blocked the most promising new international effort

at constructive cooperation between peoples and states since the League of Nations (the United States would not participate in that body either).

Fourth World nations actively engaged the international community ruled under state-based laws to encourage the United Nations Human Rights Commission to authorize a study of the “situation of indigenous populations” in the early 1970s triggering the Cobo Study released in 1981. The Congress of Nations and States process in 1992 was a watershed moment that followed “turning point events” including formation of the World Council of Indigenous Peoples in 1975 in Port Alberni, Canada, the Geneva Conference led by indigenous delegations from the Western Hemisphere in 1977, the establishment of the UN Working Group on Indigenous Populations in 1982 and the issuance of the Draft Declaration on the Rights of Indigenous Peoples to the UN Human Rights Commission. These landmark events sandwiched hundreds of international meetings of Fourth World nations and sub-regional meetings of the United Nations, considering specific issues affecting the existence and rights of Fourth World nations.

Twenty-eight years after the original Congress of Nations and States Plan of Action was developed and implemented with broad political support in 1992, the prospect exists once again to convene the Congress under a somewhat different political environment. Since the early 1970s, Fourth World peoples’ organizations have been formed as international bodies, regional organizations, and country-specific organizations. These organizations have developed and issued a significant collection of policy recommendations, declarations of action, and reports refining Fourth World nations’ political, economic, social, cultural, and security terms of reference. The experience and influence of Fourth World nations and their diplomatic representatives in the international theatre reflect their proactive intentions to engage states and their institutions on the same political plain. A second Congress of Nations and States initiative began in 2019.

REFERENCES

[1] You can begin reading the book from the first sections on <https://www.cwis.org/books/biodiversity-wars/> But for now, you can get a preview here.]

[2] See Andrew Gray, Report on International Labor Organization Revision of Convention 107, 1989 INT’L WORKGROUP FOR INDIGENOUS AFF. [hereinafter Report on Revision of Convention 107].

[3] See id

[4] See id

[5] See id

[6] This argument is significant since it is the basis for using the word “indigenous” as a term demonstrating the domestic identity of peoples under the control of a state. The term had the effect of indirectly classifying Fourth World nations as sub-populations or minorities within a state.

[7] Aureliu Cristescu, Special Rapporteur to the U.N. Commission on Human Rights, gives a clear and incisive history of the term’s usage in the UN system. See *Historical and Event Development*, supra note 1.

[8] ILO Convention 169, supra note 53, at 1385.

[9] See Report on Revision of Convention 107, supra note 54.

[10] They noted that the strongest part of the 1957 Convention was Article 11: “[t]he right of ownership, collective or individual, of the members of the population concerned over the lands which these populations traditionally occupy shall be recognized.” ILO Convention 107, supra note 52, at 256.

[11] See Report on Revision of Convention 107, supra note 54

[12] ILO Convention 169, supra note 53, at 1387.

[13] Id.

[14] See id.

[15] The United Nations Working Group on Indigenous Populations was established in 1982 after NGOs and representatives of indigenous peoples urged the establishment of a United Nations mechanism to examine the situation of indigenous peoples. The Sub-Commission on Prevention of Discrimination and Protection of Minorities proposed in its resolution 2 (XXXIV) of Sept. 8, 1981, the establishment of the working group. The Commission on Human Rights endorsed the Sub-Commission’s proposal in its resolution 1982/19 of Mar. 10, 1982. The United Nations Economic and Social Council formally authorized in its resolution 1982/34 of May 7, 1982, the Sub-Commission to establish annually a working group to meet for the purposes of reviewing developments pertaining to the promotion and protection of human rights and fundamental freedoms of indigenous peoples, and examining the evolution of standards concerning the rights of indigenous peoples.

[16] Lee Swepston, Paper Presented to the Working Group on Indigenous Peoples (July 31, 1989) (International Labour Organization, on file with author).

[17] See generally Study of the Problem of Discrimination Against Indigenous Populations, *supra* note 51.

[18] The World Council of Indigenous Peoples (WCIP) was formed in 1975 under the Presidential leadership of Grand Chief George Manuel at Port Alberni, Canada, at a conference hosted by the Sheshaht Band of the Nuu-chah-nulth. Representatives at the founding sessions included 260 delegates from Fourth World nations in Argentina, Australia, Bolivia, Canada, Colombia, Ecuador, Finland, Greenland, Guatemala, Mexico, New Zealand, Nicaragua, Norway, Panama, Paraguay, Peru, Sweden, and the United States. They produced some of the most detailed policy initiatives the international community had experienced. The WCIP was dissolved in 1996 after having produced numerous policy resolutions on self-determination, genocide, trans-national corporations, mineral extraction, economics, social policy, political development, and security.

[19] See World Council of Indigenous Peoples, Resolution of 1975; see also World Council of Indigenous Peoples, Resolution of 1977 (available at the Center for World Indigenous Studies on file).

[20] International NGO Conference on Discrimination Against Indigenous Populations, Geneva, Switzerland (Oct. 1977). The Conference produced policies from an Economic Commission, Social and Cultural Commission, Legal Commission, and issuing a Resolution containing 22 parts to a Program of Action principally focused on political, legal, social, cultural, and economic concerns of western hemisphere Fourth World nations. The Conference also issued the Declaration of Principles for the Defense of the Indigenous Nations and Peoples of the Western Hemisphere.

[21] As of 1 January 2020, a total of 23 states had ratified the ILO Convention 169, not including the United States, Canada, Australia, Russia, China, South Africa, United Kingdom, France, and Germany.

[22] The Organization of American States cited the ILO Convention 169 as the rationale for its narrow application of the terms peoples and territory in the American Declaration on the Rights of Indigenous Populations (June 15, 2016).

[23] Discrimination against Indigenous Peoples, *supra* note 51, at 14.

[24] Kathryn Skipper, Statement Before the United Nations Working Group on Indigenous Populations, 11th Sess. (July 12, 1993) (on file on file with the Center for World Indigenous Peoples).

[25] *Id.*

[26] Ryser, R. Indian Nations & United States Debate Self-Determination and Self Governance at the United Nations (July 18-31, 1993) (unpublished paper, on file with the Center for World Indigenous Peoples).

[27] Rolf H. Lindholm, Statement Before the United Nations Working Group on Indigenous Populations, 11th Sess. (July 12, 1993).

[28] *Id.*

[29] Declaration of Principles on Indigenous Peoples, (as amended). Adopted by a Consensus of Indigenous Peoples' Organizations Meeting at Geneva, 27-31 July 1987. U.N. Doc. E/CN.4/Sub.2/1987/22/Annex V.

[30] Erica-Irene A. Daes, Discrimination Against Indigenous Peoples, Explanatory Notes Concerning the Draft Declaration on the Rights of Indigenous Peoples, U.N. ESCOR, 45th Sess., Agenda Item 14, at 2, U.N. Doc. F/CN.4/Sub.2/1993/26/Add.1 (1993).

[31] *Id.* at 3.

[32] Declaration of Principles on Indigenous Peoples, *supra* note 77.

[33] International Covenant on the Rights of Indigenous Nations. Initialed on 28 July 1994 (Crimean Tatars, Numba People of Sudan, Treaty Six First Nations, Opethesah First Nation, West Papua Peoples Front/OPM) this new international instrument as the culmination of nearly twenty years of meetings between indigenous delegations striving to formulate new language to instruct international law concerning the conduct of relations between indigenous nations and between indigenous nations and states. The Covenant draws on evolving language offered in meetings concerned with social, economic and political relations as well as strategic and cultural issues. Materials generated by meetings organized by the World Council of Indigenous Peoples, International Indian Treaty Council, South American Indigenous Regional Council, Central American Indigenous People's Organization, North American Indigenous Peoples' Regional Council (comprised of representatives from the National Indian Brotherhood, the First Nations Assembly and the National Congress of American Indians) formed the terms of reference framing the Covenant.

[34] *Id.*

[35] The Center for World Indigenous Studies developed the plan and its non-governmental organization partners carried it forward to the Russian Supreme Soviet.

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Establecer un Congreso de Naciones y Estados (CNS, por sus siglas en inglés)

Por Dr. Rudolph Rýser

Traducción de inglés a español por Aline Castañeda Cadena

*En mi libro titulado, **Guerras de Biodiversidad: Coexistencia o Colapso Cultural en el Siglo 21** (DayKeeper Press, 2019) [1] discuto ampliamente la necesidad de un esfuerzo renovado para identificar y avanzar en el análisis y propuestas para nuevos mecanismos para reducir la distancia económica, social, política y cultural entre las naciones del Cuarto Mundo y los 203 estados del mundo. Señalo la necesidad fundamental de establecer mecanismos constructivos para la cooperación entre naciones y estados con una urgencia que responde a la emergencia global que es el colapso ambiental inminente que amenaza a la biodiversidad sustentable y la diversidad de los pueblos del Cuarto Mundo. La amenaza que afirmo es, en no menor medida, el resultado de los desechos humanos y la promoción del desarrollo y consumo incontrolados que destruyen las plantas y animales que mantienen la vida y que radicalmente alteran el clima global. Fundamental a todo esto, está el cambio necesario en la política internacional hacia el respeto y aceptación de la auto-determinación del Cuarto Mundo – el derecho de los pueblos del Cuarto Mundo a existir – por estados, empresas, religiones transestatales y organizaciones no gubernamentales. Propongo la organización de un Congreso permanente de Naciones y Estados – una solución innovadora en relaciones internacionales para las disputas antiguas entre naciones del Cuarto Mundo y los estados reconocidos internacionalmente. Y, además, propongo que este Congreso autorice el establecimiento de una Corte Pena Internacional sobre Genocidio para las naciones del Cuarto Mundo. Estos son temas fundamentales en mi libro, pero aquí deseo compartir un extracto de un capítulo enfocado en el desarrollo del Congreso de Naciones y Estados.*

El siguiente extracto del Capítulo 4 de mi libro resume el proceso de organizar e implementar un plan para establecer el Congreso de Naciones y Estados en 1992 con el gobierno recientemente formado de la Federación Rusa como anfitrión. El Comité Preparatorio estaba conformado por los estados de Alemania, Japón y los Estados Unidos como participantes y las seis naciones del Cuarto Mundo participantes: Naciones Lummi, San Blas Kuna, Saami, Tibet, Yakut-Sakah y Maasai.

El Centro de Estudios Indígenas del Mundo en colaboración con la Fundación para la Cooperación Internacional y Desarrollo entonces con sede en Seattle y la Asociación No Gubernamental Internacional con sede en Moscú, Rusia “Unión de Abogados tomaron acción para organizar y reunir un Congreso de Naciones y Estados. Una serie de eventos históricos convergentes en 1991 y 1992 que impulsaron este extraordinario esfuerzo diplomático que busca preparar un Congreso internacional organizado por la recién declarada Federación Rusa. La Unión de Repúblicas Socialistas Soviéticas (URSS) ha colapsado el 21 de diciembre de

1991. Este evento político ocurrió después de años de declive, y repentinamente, la URSS fragmentada militarmente y las naciones del Cuarto Mundo sin apoyo del “centro” – el Kremlin, Lituania, Estonia, Latvia, Ucrania, Tajikistán, Kazajistán, Georgia y Uzbekistán se encontraban entre los estados que surgieron de la URSS, llevándose con ellas muchas naciones del Cuarto Mundo.

El Grupo de Trabajo de las Naciones Unidas sobre Poblaciones Indígenas, establecido en 1982, ha completado diez años de sesiones públicas en Ginebra, Suiza. El Grupo de Trabajo de cinco personas se reunieron con representantes de cientos de naciones del Cuarto Mundo en el Palais des Nations y escucharon su testimonio. Cientos de horas de testimonio y recomendaciones resultaron en la expedición de un proyecto de Declaración sobre los Derechos de los Pueblos Indígenas presentado al órgano matriz del Grupo de Trabajo, la Sub-Comisión en la Promoción y Protección de los Derechos Humanos. La Guerra Fría “bipolar” que dominó por tanto tiempo después de la Segunda Guerra Mundial las relaciones internacionales, estaba muerta en esencia. Por un corto tiempo, el sistema político internacional se convertiría en “multi-polar”, incluyendo las naciones indígenas reconocidas internacionalmente. De hecho, los líderes de políticas internacionales basados en el estado declararon a las naciones indígenas como “tema” de relaciones internacionales.

En un mundo en transición, parece un momento adecuado para iniciar acciones diplomáticas para establecer un nuevo mecanismo internacional que reduzca la brecha ahora reconocida (señalada por la Declaración de las Naciones Unidas sobre los Dere-

chos de los Pueblos Indígenas) entre los derechos de las naciones del Cuarto Mundo y los derechos de los estados reconocidos internacionalmente. Planificadores del Congreso consideraron que colocar estados y naciones en el mismo nivel político para valorar el potencial de nuevas reglas de conducta que respetaran los derechos de los pueblos indígenas definidos por las Naciones Unidas les tomaría tiempo reducir la brecha entre ellos.

La iniciativa requería establecer un Comité Organizador Internacional que incluyera seis delegados que representaran a las Naciones: Nación Lummi [Estados Unidos], Yakut-Sakah [Rusia], Maasai [África], Tíbet [República Popular de China], San Blas Kuna [Panamá] y Saami [Suecia, Noruega, Finlandia y Rusia]; y cuatro delegados que representaran a los Estados: Estados Unidos, Japón, Alemania y Rusia; y las tres organizaciones no-gubernamentales iniciadoras que sirvan como Secretarías del Congreso.

Desde que la Conferencia Mundial sobre Pueblos Indígenas de las Naciones Unidas (2014) delegó al Secretario General, en el párrafo 33 del Documento final la responsabilidad de identificar “formas para permitir la participación de representantes de los pueblos indígenas e instituciones en asambleas de cuerpos relevantes de las Naciones Unidas en asuntos que los afecten, incluyendo cualquier propuesta concreta hecha por el Secretario General...” Esta directiva equivale a establecer un compromiso internacional por parte de los estados y naciones indígenas al principio de naciones que participan en asuntos internacionales en el mismo plano que los estados. Un Congreso de Naciones y Estados se ajusta absolutamente a las normas acordados in-

ternacionalmente de naciones indígenas y estados que actúan en el mismo plano en la esfera internacional.

Se están realizando fuertes demandas de nuevas políticas internacionales en el área altamente especializada en naciones indígenas por ONG's y pueblos indígenas, así como por gobiernos estatales. El Consejo Mundial de Iglesias (Ginebra), la Sociedad Anti-Esclavitud (Londres), Grupo de Trabajo Internacional sobre Asuntos Indígenas (Dinamarca), y Amnistía Internacional (Londres), se encuentran entre las ONG's que abogan por nuevas normas que protejan los derechos de las naciones indígenas. Los iroquis (Confederación Iroquesa de las Seis Naciones), Papúa Occidental, Yanomamis, Cree, Qechua, Mapuche, Maori, y Chakma se encuentran entre las naciones indígenas que juegan un papel activo. Noruega ha sido el estado más activo promoviendo la formulación de una declaración internacional sobre "derechos de los pueblos indígenas". Aún así, los Países Bajos es quizá el único estado que está desarrollando activamente nuevas políticas extranjeras basadas en mejorar las normas relacionados con los derechos de los pueblos indígenas.

La Organización Internacional del Trabajo

En 1959, el Convenio 107 de la OIT (ILO, por sus siglas en inglés) entró en vigencia. Además del Tratado Interamericano sobre Temas Indígenas de 1944 entre los Estados Unidos y diecisiete estados del Sur y Centroamérica, el Convenio 107 era, hasta el Acta Helsinki de 1975, el único otro instrumento internacional primario relacionado con tratamiento de gobierno estatal de las naciones del

Cuarto Mundo como pueblos distintos. Veinticinco gobiernos estatales, incluyendo lo Estados Unidos, ratificaron el Convenio 107.

La OIT es una organización tripartita controlada por los gobiernos estatales, pero involucra la participación delegada de uniones de trabajo y empresas. Su Secretaría decidió ese Convenio 107 debía cambiarse para corresponder con las nuevas normas internacionales de las Naciones Unidas. El tema fundamental que motiva a la Secretaría a impulsar revisiones en el Convenio 107 era la creencia que el lenguaje que aboga por la asimilación de los pueblos indígenas en sociedades de estado era anticuado y debería cambiarse para reflejar realidades políticas modernas. Los estados han formulado deficientemente las disposiciones sobre los derechos de la tierra comprendidos en el Convenio 107, provocando que los miembros de la OIT reconocieran que los términos de referencia necesitaban actualizarse. Este movimiento de revisión surgió junto con la creciente visibilidad de las preocupaciones de los pueblos indígenas en el plano internacional y la mayor claridad e importancia de los esfuerzos de las Naciones Unidas que comenzaron en 1982 y el proyecto de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas de 1986.

Después de dos años de negociaciones, se presentó un nuevo proyecto del Convenio de la OIT, el Convenio 169, para consideración final en 1989. Los tres grupos activos que sirven como miembros de la OIT quienes participaron en el debate para determinar el lenguaje final del Convenio fueron representantes de uniones de trabajo, empresas y gobiernos estatales. Sólo los gobiernos estatales tuvieron el

poder de decisión de aceptar o no aceptar los términos de referencia propuestos. Los representantes de las naciones del Cuarto Mundo y organizaciones de pueblos indígenas participaron como observadores, con el derecho de presionar a los delegados oficiales, pero sin derecho a hablar durante las negociaciones [2]. Andrew Gray reportó que los representantes de las cuatro naciones que oficialmente observaban las negociaciones de la OIT (Tratado de los Seis Jefes, la Federación de Indígenas Saskatchewan, el Consejo de las Cuatro Direcciones de Canadá, el Ainu de Japón, y la Coalición Nacional de Organizaciones Aborígenes de Australia).

Los representantes del Consejo Mundial de Pueblos Indígenas (WCIP, por sus siglas en inglés), Consejo Nórdico Saami, el Consejo del Pacífico de Pueblos Indígenas, y el Consejo Indígena de Sudamérica se unieron a las cuatro naciones. También, la Coordinadora de la Cuenca del Amazonas, pueblos indígenas de Brasil, Conferencia Circumpolar Inuit, y delegados de la nación Mohawk participaron en lo que se conoció como el “Comité de Pueblos Indígenas”.

A los representantes de las naciones indígenas no se les permitió presentar sus posiciones personales, así que sus puntos de vista fueron representados en la tabla de negociación por representantes de la Unión del Trabajo y por delegaciones representando a los estados de Portugal, Colombia y Ecuador. Los representantes del grupo empresarial se opusieron a todas las propuestas de cambiar el lenguaje original del Convenio 169. Otros estados participantes, incluyendo Perú, Argentina, Brasil, Venezuela, India, Japón, Canadá, y los Estados Unidos, formaron tres bloques de ayuda mutua. Los bloques de Sudaméri-

ca, Asia y Norteamérica se formaron con la intención de garantizar que las normas internacionales se mantuvieran muy por debajo de las normas estatales nacionales ya establecidas en las leyes de cada estado. [3]

Entre los temas principales relacionados con los delegados fueron las preguntas sobre si la Convenio revisada debería utilizarse el término “pueblos” o el término “poblaciones” para describir el tema del texto. Este tema también llevó a las preguntas de si el Convenio revisada debería utilizar el término “auto-determinación” explícitamente en el texto. Y la pregunta de si el Convenio revisada debería utilizar el término “tierra” o el término “territorio” en el texto resultó exigente para los delegados. Finalmente, los delegados retomaron la pregunta de si el Convenio revisado debería utilizar la palabra “consentimiento” o el término “consulta” en el texto. [4] La elección de esos términos en particular harían la diferencia entre un Convenio Internacional que promovía los derechos de los pueblos indígenas, o un Convenio que tuviera poco significado político, excepto como para cubrir la explotación continua de los pueblos del Cuarto Mundo por medio del estado.

Los representantes de Canadá y los Estados Unidos condujeron esfuerzos diplomáticos para limitar y restringir los términos de referencia en el texto propuesto en el Convenio 169. Esos representantes trabajaron para evitar el uso de “pueblos” como un término de referencia, abogando por la palabra “poblaciones” [5]. Argumentaron, junto con los delegados de India y Venezuela, que la palabra “pueblos” implicaba unidades demográficas de “ciudadanos de estados metropolitanos” [6].

Además, afirmaron que el derecho a la auto-determinación otorgado a los “pueblos” sería una amenaza inaceptable para la integridad territorial del estado, y, por lo tanto, el uso del término sin calificadores sería inaceptable. El término “pueblos” constituye un concepto amplio, supuestamente de no auto-gobierno, y cada “pueblo” se distingue supuestamente de otros “pueblos” en virtud del lenguaje, cultura, historia compartida, o una herencia común. La identificación como “pueblo” es una clasificación que es requisito para una nación para asegurar las garantías internacionales de trato justo en relación con los gobiernos de estado. [7]

Los gobiernos de Estados trabajaron deliberadamente para limitar el uso del término “pueblos” – como un término de referencia para identificar el tema del Convenio 169 que llevaba como título “Convenio de Pueblos Tribales e Indígenas”. Los estados intentaron limitar el número de naciones autorizadas para ejercer el derecho a la auto-determinación. En el intento de crear un nuevo significado para “pueblos” en la ley internacional, los gobiernos de los estados incluyeron una cláusula en el texto final del nuevo Convenio:

[el] uso del término “pueblos” en este Convenio no debe ser interpretado como que tenga implicaciones con respecto a los derechos que pueden atribuirse al término según el derecho internacional. [8]

El motivo de confusión y el cambio continuo de posiciones mostrados por los representantes de los Estados Unidos y Canadá durante el debate sobre el término “pueblos” continuaron durante los debates sobre los términos de referencia “tierra”,

“territorio”, “auto-determinación”, y “consentimiento y consulta” [9]. Los representantes de las naciones del Cuarto Mundo presionaron por el uso del término “territorios” para cubrir todas las tierras y recursos que pertenecen al pueblo particular, [10] mientras que los representantes de Canadá y Estados Unidos, junto con otros estados reticentes, vieron el uso de “territorios” como una amenaza a la integridad del estado [11]. Después de dos días de debate y negociaciones, el Artículo 13 del texto revisado dice:

[i] al aplicar las provisiones de esta Parte del Convenio, los gobiernos respetarán la especial importancia para las culturas y los valores espirituales de los pueblos implicados en la relación con las tierras o territorios, o ambos como aplique, que ocupan o, de lo contrario, utilizan, y en particular los aspectos colectivos de esa relación [12].

Un segundo párrafo seguido inmediatamente de este párrafo: “[e]l uso del término “tierras” en el Artículo 15 y 16 deberá incluir el concepto de territorios, que cubre el ambiente total de las áreas en las que los pueblos interesados ocupan o utilizan” [13].

Al introducir los términos “territorios” en el Artículo 13, los redactores evitaron insertar el término en el Artículo 14, lo que condujo a los derechos de propiedad y posesión de la tierra para el pueblo que tradicionalmente los ocupaban [14]. Se realizaron esfuerzos similares para enfatizar la diferencia entre “consulta” y su contraparte más activa “consentimiento”, y el término “auto-determinación” fue completamente eliminado del texto en favor de referencias indirectas.

El efecto de las peticiones de los Estados Unidos y otros estados por ajustes en el lenguaje fue prevenir el avance de la ley internacional que protege los derechos de los pueblos del Cuarto Mundo y afirma el derecho a la auto-determinación. Después de completar el proceso de revisión se abrió el Convenio 169 para su ratificación por los estados miembros de la OIT, el Sr. Lee Swepston de la Secretaría se dirigió al Grupo de Trabajo sobre las Poblaciones Indígenas de las Naciones Unidas: [15]

[s]e hizo un esfuerzo en cada etapa para asegurar que no habría conflicto entre ninguno de los procedimientos o el contenido de la Convención de la OIT y las normas que las Naciones Unidas intenta adoptar. De este modo, las normas de la OIT están diseñadas para ser normas mínimas, en el sentido que se intenta establecer un fondo bajo los derechos de los indígenas y los pueblos tribales y, en particular, para establecer las bases para la conducta del gobierno en relación con ellos [16].

En esencia, los gobiernos del estado dirigido por el gobierno de los Estados Unidos extendieron la ley internacional basada en el estado en la Convención 169 de la OIT para negar a los pueblos del Cuarto Mundo el derecho otorgado a los “pueblos” en acuerdos y leyes internacionales existentes. Los derechos reconocidos por los pueblos del Cuarto Mundo bajo la OIT permanecerán bajo control de los estados. Los representantes de los gobiernos de los estados continuarán bloqueando cualquier esfuerzo para extender el derecho a la auto-determinación para las naciones del Cuarto Mundo. Sin embargo, sus compromisos en el lenguaje seguirán abriendo futuras posibilidades para prácticas cambiantes.

Obstrucción del Proyecto de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas.

En 1989, el Grupo de Trabajo sobre Poblaciones Indígenas de las Naciones Unidas solicitó oficialmente que la Comisión de Derechos Humanos otorgara al Grupo de Trabajo la responsabilidad de redactar la Declaración introductoria de las Naciones Unidas antes de la Asamblea General. El ímpetu inicial para desarrollar tal declaración vino de una combinación de fuentes. El estímulo más fuerte vino del Relator Especial del Grupo de Trabajo de la Comisión Jose R. Martinez Cobo [17]. Su estudio de doce años y recomendaciones del Consejo Mundial de Pueblos Indígenas [18] implementación de resoluciones exigiendo la promulgación de nuevas leyes internacionales para proteger a las naciones [19] y una Conferencia Internacional de ONG's patrocinadas por el Consejo Económico y Social de las Naciones Unidas, junto con el Sub-Comité de Racismo, Discriminación Racial, Apartheid, y Descolonización del Comité Especial de Derechos Humanos en 1977 [20] para reforzar las recomendaciones de Cohe de 1981. Con estas presiones políticas, el Grupo de Trabajo de los Pueblos Indígenas de las Naciones Unidas sobre la aceptación favorable del trabajo de formular una Declaración.

Mientras el trabajo continuó en el desarrollo de este documento de consenso internacional relacionado con aceptar las normas para los derechos de los pueblos indígenas, los términos clave de referencia en su texto se hicieron fundamentales para un debate creciente. El Convenio OIT 169 jugó un papel importante en la evolución del Proyecto de la Declaración de las Naciones Unidas sobre los

Derechos de los Pueblos Indígenas. En julio de 1993, cinco de los 144 estados miembros de la OIT habían ratificado el Convenio 169 [21]. A pesar del relativamente bajo nivel de interés por medio de los gobiernos estatales, el Convenio 169 se convirtió en la influencia fidedigna para respaldar argumentos para limitar el significado de los términos “pueblos”, “territorios”, “auto-determinación”, y “auto-gobierno” en el Proyecto de la Declaración de las Naciones Unidas [22]. Para las definiciones más restringidas, los estados tales como los Estados Unidos y Suecia protestaron, que deberían incluirse en el Proyecto de la Declaración de las Naciones Unidas. Muchos gobiernos participaron en la formulación del Proyecto de la Declaración de las Naciones Unidas, junto con cientos de representantes de las naciones del Cuarto Mundo. El trabajo de los representantes de los Estados Unidos, Suecia, Canadá, Australia, Nueva Zelanda, Japón, y la República Popular de China debían reconocerse como intentos de limitar los términos internacionales de referencia relacionados con las naciones del Cuarto Mundo. Esos estados comenzaron en 1986 a trabajar para prevenir que la Declaración sobre los Derechos de los Pueblos Indígenas y su lenguaje adoptado por completo en 2007 incluyera términos de referencia críticos tales como “pueblos”, y “auto-determinación”. En otras palabras, esos estados trabajaron para imponer limitaciones a la ley consuetudinaria internacional en un esfuerzo aparente por prevenir que los pueblos del Cuarto Mundo obtengan un estatus político internacional – dejándolos bajo el control de los estados.

Para limitar el significado de los términos tales como “auto-determinación”, en agosto de 1992 el

representante del gobierno de los Estados Unidos, ante un Grupo de Trabajo de Poblaciones Indígenas de las Naciones Unidas, exhortó a los miembros del Grupo de Trabajo a caracterizar “los conceptos de auto-determinación”, “pueblos”, y “derechos de la tierra”, como “objetivos deseados más que derechos” [23]. Kathryn Skipper, miembros de la delegación de los Estados Unidos, expresó preguntas serias sobre la definición de “pueblos indígenas” como un término de referencia en julio de 1993 [24]. Al discutir las disposiciones del Proyecto de la Declaración de las Naciones Unidas, dijo:

[e]l proyecto de declaración no define a los “pueblos indígenas”. Por lo tanto, no hay criterio para determinar qué grupos de personas pueden afirmar los nuevos derechos colectivos propuestos... [N]osotros estamos preocupados de que, en algunas circunstancias, la articulación de los derechos del grupo pueda llevar a la emergencia de los derechos de los individuos [25]. La posición del gobierno de los Estados Unidos fijó el tono de las intervenciones de la delegación del estado con el intento de ajustar y limitar el significado de los términos de referencia de la misma manera que el Convenio 169 [26].

El Dr. Rolf H. Lindholm, en representación del gobierno de Suecia, amplificó las serias cuestiones del gobierno de los Estados Unidos, exhortando la aplicación del término “pueblos”. Declarando que el gobierno sueco “favorece el dialogo constructivo entre los gobiernos y los pueblos indígenas”, Lindholm, sin embargo, convocó a un “lenguaje mayoritario” que pudiera volver el Proyecto de Declaración de las Naciones Unidas aceptable para varios cuerpos dentro del sistema de las Naciones Unidas, incluyendo la Asamblea General [27]. Lindholm convocó a un en-

tendimiento unánime sobre el término de referencia “auto-determinación”. Lindholm declaró:

[e]s importante que reconozcamos en este contexto, como lo hemos hecho en otros, que el concepto, como se utiliza en la ley internacional, no debe ser impreciso. Por lo tanto, es necesario encontrar otro término en la declaración, o introducir una definición explicativa como en la incluida en la Convención OIT No. 169, que dispone “el uso del término “pueblos” en este Convenio no deberá interpretarse como que tiene implicaciones relacionadas con los derechos que se pueden anexar al término bajo la ley internacional.” [28]

Los representantes de las naciones del Cuarto Mundo participando en los procedimientos sostuvieron que era necesario mantener el término “pueblos” para ser consistentes con las leyes internacionales existentes. En particular, el lenguaje originalmente propuesto en 1987 en donde los representantes destacaron: “[l]as naciones y los pueblos indígenas tienen en común con toda la humanidad, el derecho a la vida, a la libertad de opresión, discriminación y agresión.” [29]

En cuanto a los esfuerzos de los gobiernos estatales por limitar el significado de la palabra “pueblos” la presidenta del Grupo de Trabajo sobre Pueblos Indígenas de las Naciones Unidas, Erica-Irene Daes, respondió:

[l]os grupos indígenas son sin duda alguna “pueblos” en el sentido político, social, cultural y etnológico del término. No es ni lógico ni científico tratarlos como los mismos “pueblos” que sus vecinos, quienes obviamente tienen diferentes idiomas,

historias y culturas. Las Naciones Unidas no debería pretender, por el bien de una ficción legal conveniente, que aquellas diferencias no existan [30].

Ofreció, además, “[e]l derecho de los pueblos indígenas a la auto-determinación debería comprender una nueva categoría contemporánea del derecho a la auto-determinación” [31]. Los delegados de la nación del Cuarto Mundo además argumentan la necesidad de introducir su párrafo en el tema de la auto-determinación que declara:

[t]odas las naciones y pueblos indígenas tienen el derecho a la auto-determinación, en virtud de lo cual tienen el derecho a cualquier grado de autonomía o auto-gobierno que escojan. Esto incluye el derecho a determinar libremente su estatus político, a buscar libremente su propio desarrollo económico, social, religioso y cultural, y determinar su propia ciudadanía sin interferencia externa [32].

Las objeciones canadiense, japonesa, brasileña y estadounidense al uso de “auto-determinación” como término de referencia en el Proyecto de Declaración de las Naciones Unidas contradice ochenta años de expandir el uso del término en el ámbito internacional. En el caso de los Estados Unidos, las objeciones al término contradicen los viejos asuntos de políticas indígenas que afirmaron la soberanía de las naciones indígenas, así como su derecho a la auto-determinación. Como respuesta a las objeciones del gobierno general al uso de este término en relación con las naciones del Cuarto Mundo, los delegados de las naciones indígenas en la doceava sesión del Grupo de

Trabajo de Poblaciones Indígenas de las Naciones Unidas autorizaron la preparación y distribución del Convenio Internacional sobre los Derechos de las Naciones Indígenas [33] para una ratificación directa por las naciones de todo el mundo. Las naciones del Cuarto Mundo compartieron el párrafo sobre auto-determinación en este Convenio:

Las Naciones Indígenas tienen derecho a la auto-determinación, de acuerdo con la ley internacional, y en virtud del derecho que libremente determinan su estatus político y buscan libremente su desarrollo económico, social y cultural sin interferencia externa” [34].

Los Estados Unidos y otros estados han tenido que contender y han tenido como consecuencia la obstrucción de la implementación de principios internacionales a las naciones del Cuarto Mundo. El número de naciones que procedieron a implementar sus planes de acción para cambiar su estatus político de “pueblos constituidos” a naciones auto-gobernadas. O quizá de mayor importancia es el creciente movimiento de las naciones del Cuarto Mundo para tomar la ley internacional en sus propias manos formulando activamente nuevas leyes como el Convenio Internacional sobre los Derechos de las Naciones Indígenas.

El Mecanismo Internacional en el que trabajamos para establecer formalmente en 1992 con las naciones del Cuarto Mundo, estados y organizaciones no-gubernamentales pudo no haber encontrado mucha aceptación en el ámbito internacional. La experiencia real que todas las partes han tenido ahora es trabajar por cambios legales y en políticas constructivas. Los Estados Unidos,

Canadá, Australia, Rusia y otros estados buscaron y alcanzaron una medida para obstruir con éxito la incorporación del lenguaje que haga que las naciones del Cuarto Mundo ejerzan el derecho libre a la auto-determinación en nuevas leyes internacionales. El lenguaje (específicamente los usos de “pueblos”, “territorio” y “colectivo”) en el Convenio de la Organización Internacional del Trabajo 169 y la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas pretendido por las naciones del Cuarto Mundo no tendría significado explícito por las demandas de las naciones a la auto-determinación en la ley internacional basada en los estados. Durante los últimos 20 años ha habido muchas interacciones diplomáticas entre naciones y estados para debilitar la obstrucción de los estados. Aun así, los estados de España, Irak, Siria, Turquía, Pakistán, India, los Estados Unidos de América, Australia y Canadá persisten en su obstrucción bloqueando las iniciativas de auto-determinación.

Primer Congreso de Naciones y Estados 1992

Los cambios políticos fundamentales en la conducta política de los estados en la década anterior revelaron un cambio en la comunidad mundial de una estructura de poder bipolar (estructura de la Guerra Fría) a una estructura de poder multipolar después del colapso de la Unión Soviética. La difusión del poder en muchos centros de poder desestabilizó a muchos estados y abrió nuevos conflictos internacionales; al mismo tiempo, creó nuevas condiciones para formar relaciones políticas internacionales nuevas y más constructivas. Los nuevos enfoques para abordar a los pueblos indígenas (naciones) desafiaron a los estados, así como

a los poderes políticos emergentes tales como China, la Unión Europea y los estados del Medio Oriente. Este clima de inestabilidad pasó factura a los estados y naciones: había 77 guerras interestatales e intraestatales en todo el mundo en 1992 debido tanto a conflictos entre naciones o entre naciones y estados. La antigua Unión Soviética era tierra fértil para tales conflictos ya que las naciones del Cuarto Mundo participaban en maniobras políticas para apartarse del Kremlin.

La Federación Rusa reconoció a 78 naciones dentro del territorio de la ex Unión Soviética cuyos derechos políticos, económicos, culturales y sociales eran considerados una prioridad importante para el futuro del estado reformado liderado por el gobierno de Yeltsin. Los problemas vistos en Rusia no eran únicos. Las naciones y estados experimentaron esas preocupaciones en casi cada rincón del mundo.

En enero de 1992, el gobierno ruso reconoció la necesidad de abordar esos temas y propuso una conferencia internacional [35] en los aspectos legales del desarrollo libre de las naciones, y específicamente en las relaciones económicas, sociales, culturales, políticas, estratégicas y geográficas entre las naciones y entre naciones y estados. La iniciativa del Congreso de Naciones y Estados (CNS, por sus siglas en inglés) trataba de crear una confluencia de representantes de naciones y estados para formular y acordar conjuntamente nuevos métodos para resolver las disputas e identificar caminos constructivos para futuras relaciones.

En julio de 1992, el gobierno ruso designó a un portavoz para presentar la iniciativa del Congreso de Naciones y Estados del Grupo de Trabajo sobre Po-

blaciones Indígenas de las Naciones Unidas, donde estaba efusivamente apoyada. Simultáneamente, el Sóviet Supremo de la Federación Rusa envió invitaciones a los gobiernos estatales de Japón, Alemania y los Estados Unidos y los gobiernos de las naciones de Saami, Maasai, Lummi, San Blas Kuna, Yakut-Sakah y Tibet, para servir en el Comité Preparatorio. El Comité Preparatorio planeará y reunirá el Congreso de Naciones y Estados. Ya que la meta de este Congreso era discutir los medios de resolver disputas y no resolver conflictos específicos, las naciones miembros y estados del Comité Preparatorio se escogieron para evitar la discusión de disputas individuales. Este enfoque, pensaron los organizadores, sería para una representación amplia del problema, que son de preocupación más significativa para las naciones y estados.

A principios de octubre de 1992, una delegación del Parlamento Ruso, liderado por el Sr. Yuri Yarov, el Viceprimer Ministro de la Federación Rusa se reunió con el Departamento de Estado de los Estados Unidos, el Congreso de los Estados Unidos y la Oficina de Asuntos Indígenas de los Estados Unidos y con el Comité Selecto del Senado en Asuntos Indígenas. El gobierno de los Estados Unidos había confirmado oficialmente su participación. Todas las naciones invitadas acordaron participar, y sólo quedó pendiente la confirmación de los gobiernos de Japón y Alemania. A corto plazo, tanto Japón con Alemania accedieron a participar.

Además de esos representantes de estados y naciones, la Oficina de Derechos Humanos de las Naciones Unidas (HRO, por sus siglas en inglés) y la Oficina Internacional del Trabajo (ILO, por sus

siglas en inglés), junto con otras organizaciones no gubernamentales multilaterales aceptaron participar como oficiales observadores del Comité Preparatorio. El Centro de Estudios Indígenas del Mundo (CWIS, por sus siglas en inglés), la Fundación Internacional para la Cooperación y el Desarrollo (FJCD, por sus siglas en inglés), y la Asociación Internacional No Gubernamental “Unión de Abogados” (Unión de Abogados) servirían como cuerpos administrativos para el Congreso.

Aprobación de Rusia: Presentación de Trebkov ante el Grupo de Trabajo de las Naciones Unidas

El gobierno ruso dirigido por el Sr. Serge Kossenko, consejero de la misión permanente de la federación rusa en las Naciones Unidas para presentar al Sr. A. Trebkov para presentar los planes para el Congreso antes de la Décima Sesión del Grupo de Trabajo de las Poblaciones Indígenas (20-31 de julio de 1992). El Sr. Trebkov era representante de la asociación internacional no gubernamental la Unión de Abogados en Moscú, Rusia. En su declaración, dijo: “el proceso de reformas democráticas en Rusia ha llevado a un cambio radical en el enfoque a las necesidades de los pueblos indígenas. Uno de los resultados de dichos cambios es la ley “Fundamentos del estatus legal de las minorías nacionales, elaborados y aprobados, en la primera lectura, por el Sóviet Supremo de la Federación Rusa.”

El Sr. Trebkov continuó,

“Vemos la importancia del Congreso propuesto siendo que los representantes de los gobiernos centrales y los representantes de las poblaciones

indígenas serán participantes iguales. * * * El congreso, con suerte, desarrollará nuevos enfoques a la discusión de los problemas de las minorías nacionales, que tienen un impacto favorable en el desarrollo de los eventos en muchos países y contribuyen a la codificación progresiva de la ley internacional y la legislación nacional, y proporcionan un estímulo para la colaboración constructiva de las minorías nacionales y los gobiernos estatales. * * * Se planea que dentro del marco del Congreso se puedan discutir cierto número de protocolos sobre las relaciones entre las poblaciones indígenas y los estados en las esferas económica, políticas, sociales y estratégicas, y con suerte, se llegue a acuerdos.”

La sala de Asambleas de las Naciones Unidas, donde el Grupo de Trabajo se reunió, así como 600 delegados indígenas aprobaron rotundamente la presentación de Trebkov.

Aprobación de las Naciones Unidas: Secretario de Estado

El gobierno de los Estados Unidos dio su bendición al Congreso de Naciones y Estados en una carta del Secretario Asistente del Departamento de Estado de los Estados Unidos para Asuntos Europeos y Canadienses Thomas M. T. Niles al Vice presidente del Sóviet Supremo de Rusia, Yuriy Voronin, declarando:

“Como sabe, la política de los Estados Unidos sobre la resolución de tales conflictos [refiriéndose a los conflictos de Rusia con Georgia, Tajikistan, Nagorno-Karabakh y Yugoslavia] se funda en la negociación pacífica más que en la confrontación militar. * * * Por lo tanto apruebo su objetivo de

explorar un nuevo marco internacional para las relaciones entre naciones y estados, basado en el Acta Final de Helsinki [1975]. * * * He solicitado a nuestro embajador en Moscú representar al gobierno de los Estados Unidos cuando se lleve a cabo su conferencia a principios de 1993.”

Aprobación del Congreso del Senador Daniel K. Inouye

Actuando en su capacidad de presidente del Comité Selecto del Senado sobre Asuntos Indígenas, el senador Daniel K. Inouye envió una carta el 7 de octubre de 1992 al secretario de estado Lawrence S. Eagleburger donde escribió:

“Apruebo con entusiasmo la iniciativa del gobierno ruso para llevar a cabo un Congreso de Naciones y Estados. Me parece que el gobierno de los Estados Unidos debería apreciar esta oportunidad para demostrar su compromiso con los nuevos esfuerzos internacionales para abordar directamente los enfoques innovadores para la resolución de conflictos entre Naciones y Estados. El Congreso de Naciones y Estados es, creo, justo esa manera de abordarlo. He recibido una invitación personal del presidente del Sóviet Supremo ruso, Ruslan Khasbulotov, para asistir a una sesión del Congreso, y espero poder participar.”

La carta del Senador Inouye continúa:

“Mis colegas en el Comité Selecto sobre Asuntos Indígenas me acompañan en rogar por una respuesta afirmativa a la invitación rusa, y un compromiso de \$250,000 como contribución para apoyar la organización y convocatoria del Congreso.”

Aprobación del Congreso Nacional de Amerindios al Congreso

Bajo el liderazgo del Congreso Nacional de Amerindios del presidente Gaiashkibos, el Comité Ejecutivo del Congreso adoptó su resolución DC-92-77 declarando:

... hay numerosos conflictos entre naciones y estados alrededor del mundo, lo que provoca [sic] inestabilidad en los climas social, legal, político y económico del mundo * * * un llamado a aprobar un Primer Congreso de Naciones y Estados para abordar directamente la necesidad de los gobiernos tanto de las naciones como de los estados para reunirse y deliberar, y actuar sobre nuevas convenciones internacionales relacionadas con la resolución de disputas entre naciones y estados es absolutamente esencial en vista de la actual incapacidad del foro de las Naciones Unidas para oficiar tales resoluciones pacíficas bajo su formato institucional actual * * * ... el Congreso Nacional de Amerindios apoya al Primer Congreso de Naciones y Estados y aprueba el Plan de Acción desarrollado para asegurar las metas y objetivos.” [Consejo Ejecutivo, 49 Convención Anual 16-11-1992, Crystal City, Virginia].

Con la aprobación de Rusia, los Estados Unidos, el Comité del Senado de los Estados Unidos, y el Congreso Nacional de Amerindios así como los gobiernos de Alemania, Japón, la Nación Lummi, Maasai, San Blas Kuna, Yakut-Sakha y Tíbet fue posible declarar futuros planes para el Congreso.

El Comité Preparatorio se reunirá a principios de 1993 para seleccionar a los representantes de las naciones y estados para servicio en los cinco grupos

trabajo y designarles el desarrollo de los protocolos relacionados con los siguientes temas:

1.Relaciones Económicas: el término “económico”, en el contexto del grupo de trabajo, deberá abarcar, pero no limitarse a, la distribución de bienes y servicios; el uso y regulación de los recursos naturales; administración ambiental, regulación, y políticas; actividades bancarias y financieras; desarrollo de la industria y el comercio.

2.Relaciones Políticas: el término político, en el contexto del grupo de trabajo, deberá abarcar, pero no limitarse a un marco para relaciones de gobierno a gobierno; autoridad gubernamental; el ejercicio de la jurisdicción; representación en el gobierno, derechos civiles y políticos; derechos humanos; ley y justicia; y poblaciones de refugiados y asentamientos.

3.Relaciones Sociales & Culturales: los términos social y cultural, en el contexto del grupo de trabajo deberá abarcar, pero no limitarse a asuntos de educación; salud y servicios de salud; comunicaciones impresas, electrónica y telecomunicaciones: tecnología; sistemas sociales; artículos de patrimonio; arte y artefactos de mérito histórico; derechos religiosos; y derecho al conocimiento.

4.Relaciones Estratégica: el término estratégico, en el contexto del grupo de trabajo deberá abarcar, pero no limitarse a la ubicación de infraestructura militar, maniobra y pruebas; restauración nuclear/ambiental y manejo y almacenamiento de desechos; recursos energéticos

y administración, gestión y regulación; rutas de embarque; y acceso y administración de espacios.

5.Relaciones Geográficas: el término geográfico en el contexto del grupo de trabajo deberá abarcar, pero no limitarse a ubicaciones regionales y globales de los estados y naciones.

La importancia universal del Congreso de Naciones y Estados es que presenta una oportunidad distinta y sin precedentes para fomentar la democracia y estabilidad en los estados multinacionales. Muchos de esos estados se enfrentan tanto a la posibilidad o la realidad de la fragmentación. Los estados participantes en el Congreso demostrarán un deseo creciente de abordar disputas con pueblos indígenas de una manera constructiva y sin violencia, y de esa manera reforzar la legitimidad gubernamental a los ojos de esos pueblos y aumentar las oportunidades de su cooperación y estabilidad continuas. Las naciones que participan en el Congreso de Naciones y Estados encontrarán posibilidades reconocidas universalmente por las que serán capaces de presentar sus posturas, donde antes no había dichos medios. Aquí, las naciones participarán en la creación de los protocolos del Congreso de Naciones y Estados, un acto, que reforzará la legitimidad de la nación a los ojos de los gobiernos estatales mientras simultáneamente permite a las naciones confiar en que los protocolos cumplan con sus necesidades. La conducta exitosa del Congreso de Naciones y Estados y la negociación de sus protocolos podrá promover la probabilidad de la estabilidad y avance de la representación gubernamental en países multinacionales.

El Congreso responde a la demanda de abordar temas abiertamente, que no pueden seguir siendo ignorados o discutidos unilateralmente. La falla para considerar y reconocer la pérdida de vida, derechos, territorios, y sustento de las naciones por los estados y por la comunidad internacional no hace nada sino exacerbar la situación hasta que alcance el punto de inestabilidad económica y política y el derramamiento de sangre en ambos lados. No ha sido efectivo para las naciones reunirse con las naciones para discutir conflictos con los estados, o para los estados decidir unilateralmente sus políticas hacia las naciones dentro de sus territorios. La comunidad internacional, que abunda con instituciones y acuerdos adaptados al viejo sistema bipolar, ahora está logrando un nuevo entendimiento de los conflictos entre las naciones y los estados. Juntos, por medio del Congreso de Naciones y Estados, las naciones y los estados deberán ser capaces de crear medios de comunión y resolver esos temas.

Organizaciones No Gubernamentales planearon la primera sesión general del Congreso de Naciones y Estados para reunirse en Moscú del 17 al 21 de mayo de 1993. El propósito de esta sesión general era definir y convenir los términos de referencia que se utilizarán en las discusiones en el Congreso. Y el plan para elaborar nuevos protocolos, y decidir el alcance de los cinco protocolos. Adicionalmente, el Congreso definirá y acordará el propósito y objetivos a largo plazo del Congreso de Naciones y Estados. Los representantes de todas las naciones y estados fueron invitados a participar en esta sesión y sus deliberaciones en un clima actual de relaciones volátiles entre naciones y entre naciones y estados sin precedentes. El éxito de esta iniciativa de estabi-

lización mundial será un profundo logro para cada nación y estado involucrados.

Y entonces los Estados Unidos se retractaron en el último minuto.

Después de meses de organizar con el Comité Preparatorio, las políticas del Departamento del gobierno americano de Asuntos Legales del Estado intervinieron durante las reuniones en Washington, DC para desvirtuar el proceso tan constructivo para introducir su oposición al Congreso. Una decisión en el Departamento de Estado de los Estados Unidos puso fin al Congreso a pesar de todos los convenios adecuados entre las partes de los estados y las naciones del Cuarto Mundo. La acción del gobierno de los Estados Unidos frenó el Congreso de Naciones y Estados a pesar del apoyo y aprobación del Secretario de Estado de los Estados Unidos Lawrence S. Eagleburger, el Senador de los Estados Unidos Daniel K. Inouye. También, el líder del Sóviet Supremo de la Federación Rusa Ruslan Khasbulatov, y los ministros del Extranjero de Alemania y Japón junto con las seis naciones y la organización no gubernamental. Los abogados del Departamento de Estado de Asuntos Extranjeros de los Estados Unidos objetaron que las naciones indígenas trabajaran y fueron reconocidas en el mismo plano que los gobiernos estatales. Los representantes políticos de los Estados Unidos se retiraron de las pláticas, la Federación Rusa estaba avergonzada, y Alemania se preguntó “¿qué sucedió!” Y Japón suspiró. Las partes de las naciones del Cuarto Mundo simplemente dieron un paso atrás y aceptaron que los Estados Unidos hayan bloqueado el nuevo esfuerzo internacional más prometedor por una cooperación

constructiva entre pueblos y estados desde la Liga de las Naciones (los Estados Unidos tampoco participaron)

Las naciones del Cuarto Mundo se comprometieron activamente con la comunidad internacional en las leyes basadas en el estado para exhortar a la Comisión de Derechos Humanos de las Naciones Unidas a autorizar un estudio de la “situación de las poblaciones indígenas” a principios de los años 70 que desencadenaron el Estudio Cobo lanzado en 1981. El Proceso del Congreso de Naciones y Estados en 1992 fue un momento decisivo que siguió de “giros decisivos” incluyendo la formación del Consejo Mundial de Pueblos Indígenas en 1975 en Port Alberni, Canadá, la Conferencia de Ginebra liderada por delegaciones indígenas del Hemisferio Oeste en 1977, el establecimiento del Grupo de Trabajo de Pueblos Indígenas de las Naciones Unidas en 1982 y la publicación del Proyecto de Declaración sobre los Derechos de los Pueblos Indígenas en la Comisión de Derechos Humanos de las Naciones Unidas. Esos eventos históricos intercalados con cientos de reuniones internacionales de naciones del Cuarto Mundo y reuniones

subregionales de las Naciones Unidas, considerando temas específicos que afectan la existencia y derechos de las naciones del Cuarto Mundo.

Veintiocho años después del Congreso de Naciones y Estados original y el Plan de Acción de los Estados fue desarrollado e implementado con amplio apoyo político en 1992, el prospecto existe una vez más para convocar al Congreso bajo un clima político algo diferente. Desde principios de los años 70, las organizaciones de pueblos del Cuarto Mundo se han ido formando como cuerpos internacionales, organizaciones regionales y organizaciones de países específicas. Esas organizaciones han desarrollado y publicado una cantidad significativa de recomendaciones de políticas, declaraciones y reporte que refinan los términos de referencia políticos, económicos, sociales, culturales y de seguridad de las naciones del Cuarto Mundo. La experiencia e influencia de las naciones del Cuarto Mundo y sus representantes diplomáticos en el teatro internacional reflejan las intenciones proactivas de llevar a los estados y a sus instituciones al mismo plano político. En 2019 comenzó una segunda iniciativa del Congreso de Naciones y Estados.

REFERENCIAS

[1] Puede comenzar a leer el libro desde las primeras secciones en <https://www.cwis.org/books/biodiversity-wars/> pero por ahora, puede obtener una vista previa aquí]

[2] Ver Andrew Gray, Reporte de la Organización Internacional del Trabajo Revisión del Convenio 107, 1989 GRUPO DE TRABAJO INTERNACIONAL PARA ASUNTOS INDÍGENAS. [en los sucesivo Reporte sobre la Revisión del Convenio 107].

[3] Ver ídem

[4] Ver ídem

[5] Ver ídem

[6] Este argumento es significativo ya que es la base para utilizar la palabra “indígena” como un término que demuestra la identidad doméstica de los pueblos bajo el control de un estado. El término tuvo un efecto de clasificar indirectamente a las naciones del Cuarto Mundo como sub-poblaciones o minorías dentro del estado.

[7] Aureliu Cristescu, Relator Especial del Comisionado de Derechos Humanos de las Naciones Unidas, presenta una historia clara e incisiva del uso de los términos en el sistema de las Naciones Unidas. Ver Desarrollo Histórico y del Evento supra nota 1.

[8] Convenio 169 OIT, supra nota 53, en 1385

[9] Ver Reporte de la Revisión del Convenio 107, supra nota 54.

[10] Se dieron cuenta de que la parte más fuerte del Convenio de 1957 era el artículo 11: “[e]l derecho de propiedad, colectiva o individual, de los miembros de la población involucrada en las tierras que estas poblaciones tradicionalmente ocupan deberá ser reconocida.” Convenio OIT, supra nota 52, en 256.

[11] Ver Reporte de la Revisión del Convenio 107, supra nota 54

[12] Convención 169 OIR, supra nota 53, en 1387.

[13] ídem

14] Ver ídem

[15] El Grupo de Trabajo sobre las Poblaciones Indígenas de las Naciones Unidas se estableció en 1982 después de que las Organizaciones No Gubernamentales y representantes de los pueblos indígenas exhortaron por el establecimiento de un mecanismo de las Naciones Unidas para examinar la situación de los pueblos indígenas. La sub comisión para la Prevención de la Discriminación y Protección a las Minorías propuesta en su resolución 2 (XXXIV) del 8 de septiembre de 1981, el establecimiento del grupo de trabajo. La comisión de los derechos humanos aprobó la propuesta de la sub comisión en su resolución 1982/19 del 10 de marzo de 1982. El Consejo Económico y Social de las Naciones Unidas autorizó formalmente en su

resolución 1982/34 del 7 de mayo de 1982, la sub comisión para establecer anualmente un grupo de trabajo para reunirse para los propósitos de revisar el progreso relacionado con la promoción y protección de los derechos humanos y libertades fundamentales de los pueblos indígenas y examinar la evolución de normas relacionadas con los derechos de los pueblos indígenas.

[16] Lee Swepston, documento presentado al grupo de trabajo de los Pueblos Indígenas (31 de julio de 1989) (Organización Internacional del Trabajo, en el expediente con el autor.)

[17] Ver Estudio del Problema de la Discriminación en contra de las Poblaciones Indígenas, supra nota 51.

[18] El Consejo Mundial de los Pueblos Indígenas (WCIP, por sus siglas en inglés), se formó en 1975 bajo el liderazgo presidencial del Gran Jefe George Manuel en Port Alberni, Canadá, en una conferencia organizada por la Banda Sheshaht de Nuuchahnulth. Representantes de las sesiones fundadoras incluían a 260 delegados de las naciones del Cuarto Mundo en Argentina, Australia, Bolivia, Canadá, Colombia, Ecuador, Finlandia, Groenlandia, Guatemala, México, Nueva Zelanda, Nicaragua, Noruega, Panamá, Paraguay, Perú, Suecia y los Estados Unidos. Produjeron la mayoría de las iniciativas de políticas detalladas que haya experimentado la comunidad internacional. El Consejo fue disuelto en 1996 después de haber producido numerosas resoluciones de políticas sobre auto-determinación, genocidio, compañías transnacionales, extracción mineral, economía, política social, desarrollo político, y seguridad.

[19] Ver Consejo Mundial de Pueblos Indígenas, Resolución de 1975; ver también Consejo Mundial de los Pueblos Indígenas, Resolución de 1977 (disponible en archivo en el Centro de Estudios Indígenas del Mundo).

[20] Conferencia Internacional sobre la Discriminación en contra de las Poblaciones Indígenas, Ginebra, Suiza (octubre, 1977). La Conferencia elaboró políticas de una Comisión Económica, Social y Cultural, Comisión Legal y emitió un Resolución que contenía 22 parte de un Programa de Acción principalmente enfocado en intereses políticos, legales, sociales, culturales y económicos de las naciones del Cuarto Mundo del hemisferio occidental. La Conferencia también emitió la Declaración de Principios para la Defensa de los Pueblos y las Naciones Indígenas del hemisferio occidental.

[21] A partir del 1 de enero de 2020, un total de 23 estados han ratificado la Convención 169 de la OIT, sin incluir a los Estados Unidos, Canadá, Australia, Rusia, China, Sudáfrica, Reino Unido, Francia y Alemania.

[22] La organización de los Estados Americanos citó a la Convención 169 de la OIT como los fundamentos de su aplicación de los términos “pueblos” y “territorio” en la Declaración Americana de los Derechos de las Poblaciones Indígenas (15 de junio de 2016)

[23] Discriminación en contra de los Pueblos Indígenas, supra nota 51, en 14

[24] Kathryn Skipper, Declaración ante el Grupo de las Naciones Unidas sobre Poblaciones Indígenas, Sesión 11 (12 de julio de 1993) (en archivo en el Centro de Estudios Indígenas del Mundo).

[25] ídem.

[26] Ryser, R. Debate de las Naciones Indígenas & los Estados Unidos sobre la auto-determinación y el auto-gobierno en las Naciones Unidas (18-31 de julio de 1993) (artículo sin publicar, en archivo en el Centro de Estudios Indígenas del Mundo).

[27] Rolf H. Lindholm, Declaración ante del Grupo de Trabajo de las Naciones Unidas sobre Poblaciones Indígenas, Sesión 11 (12 de julio de 1993).

[28] ídem.

[29] Declaración de los Principios de los Pueblos Indígenas (reformados). Adoptado por un Consenso de la Reunión de las Organizaciones de los Pueblos Indígenas en Ginebra, 27-31 de julio de 1987. U.N. Doc. E/CN.4/Sub.2/1987/22/Anexo V.

[30] Erica Irene A. Daes, Discriminación en Contra de los Pueblos Indígenas, Notas Explicativas relacionadas con el Proyecto de Declaración sobre los Derechos de los Pueblos Indígenas, Naciones Unidas. ESCOR. Sesión 45. Asunto de Agenda 14, en 2, N.U.Doc.F/CN.4/Sub.2/1993/26/Add.1 (1993).

[31] ídem en 3

[32] Declaración sobre los Principios de los Pueblos Indígenas, supra nota 77.

[33] El Convenio Internacional sobre los Derechos de los Pueblos Indígenas. Inicio el 28 de julio de 1994 (tártaros de Crimea, Pueblo Numba de Sudán, los Pueblos Originarios del Tratado de los Seis, el Frente de los Pueblos de Papúa de Nueva Guinea) este nuevo instrumento internacional como la culminación de casi veinte años de reuniones entre delegaciones indígenas luchando por formular un nuevo lenguaje para asignar a la nueva ley relacionada con la conducta de las relaciones entre las naciones indígenas y estados. El Convenio recurre a un lenguaje evolucionado ofrecido en reuniones relacionadas con relaciones sociales, económicas y políticas, así como asuntos estratégicos y culturales. Los materiales generados en las reuniones organizadas por el Consejo Mundial de Pueblos Indígenas, el Consejo Internacional de Tratados Indí-

genas, Consejo Regional Indígena de Sudamérica, Organización de Pueblos Indígenas de Centroamérica, Consejo Regional de Pueblos Indígenas de Norteamérica (comprendido por representantes de la Hermandad Nacional Indígenas, la Asamblea de Pueblos Originarios y el Congreso Nacional de Amerindios) formularon los términos de referencia que se plantean en el Convenio.

[34] ídem.

[35] el Centro de Estudios Indígenas del Mundo desarrolló el plan y sus organizaciones colaboradoras no gubernamentales lo enviaron al Sóviet Supremo Ruso.

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Ryser, R., (2020) Establecer un Congreso de Naciones y Estados (CNS, por sus siglas en inglés). *Fourth World Journal*. Vol 19, N2. pp. 95-113.

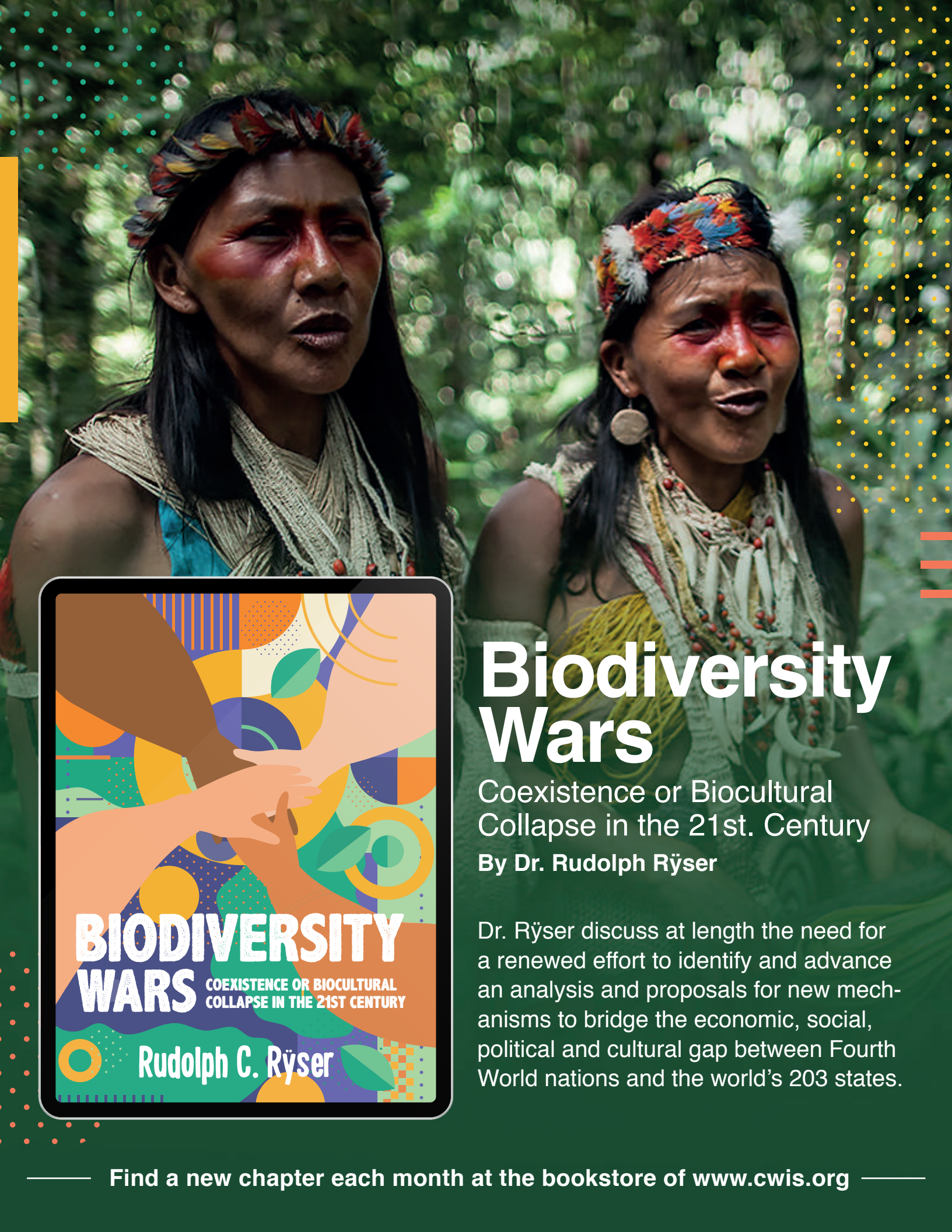
ACERCA DEL AUTOR



Rudolph Ryser

Rudolph Rýser ha trabajado en el campo de Asuntos Indígenas por más de treinta y cinco años como escritor, investigador y abogado de los derechos de los indígenas. Rudolph ha enseñado ampliamente sobre el trauma histórico, modelos culturales de recuperación de adicciones, diabetes y cultura, alimentos y medicina. Es el arquitecto líder de la Geopolítica del Cuarto Mundo – el estudio y práctica de las relaciones sociales, económicas, políticas y estratégicas

entre las Naciones del Cuarto Mundo y los Estados. Ha desarrollado y dirigido talleres tribales y de dos o más tribus y seminarios de salud, organización de la comunidad, auto gobierno, cumplimiento de la ley y manejo de recursos naturales. Ha dirigido esos programas en Estados Unidos, Canadá, Australia, México y Perú en comunidades indígenas. Rýser se desempeñó como Director Ejecutivo Interino del Congreso Nacional de Indios Americanos y fue miembro del personal de la Comisión de Revisión de Políticas de los Indios Americanos. Tiene un doctorado en relaciones internacionales y es autor de *Naciones Indígenas y Estados Modernos*, publicado por Rutledge en 2012.



Biodiversity Wars

Coexistence or Biocultural Collapse in the 21st. Century

By Dr. Rudolph Rýser

Dr. Rýser discuss at length the need for a renewed effort to identify and advance an analysis and proposals for new mechanisms to bridge the economic, social, political and cultural gap between Fourth World nations and the world's 203 states.



Exceptional Citizens: Religion, Genocide, and Land in the United States and Israel/Palestine

By Eric Cheyfitz
Cornell University

“This is the basis of the Israeli ‘homeland’—not rights, or history, or escape from persecution. Only violence: ‘We drove them out and took their land. We set the village on fire, blew it up, and sent the people into exile.’”¹

This epigraph from the Palestinian poet Mahmoud Darwish could be said as well of the US homeland with the dispossession of American Indians². Both Zionism and the Puritan “errand in the wilderness” are in their very beginnings driven by religious agendas³. Philip Weiss’s characterization of “Israel [as] a militant religious-nationalist project” could be applied to the origins of the US as well⁴.

Considering that, we understand the United States and Israel are built on stolen Indigenous land. Both the US and Israel justify this theft by erasing it with exceptionalist narratives that find their origins in the same place, the Old Testament narrative of the “chosen people.” This narrative acts to exempt Israel and the US from the history of violence by which they were established. This is an exemption projected onto a God who favors each of these states as translators of His word in history. Thus, exceptionalism is a way of thinking of national history outside of history, without, of course, noting the paradox.

¹ Mahmoud Darwish, *Journal of an Ordinary Grief*, trans. Ibrahim Muhawi (1973; Brooklyn, NY: Archipelago Books, 2010), 31.

² The US dispossessed Alaska Natives and Native Hawaiians as well, but that dispossession began at a much later moment in both cases and without the same religious justification.

³ See Perry Miller, *Errand Into The Wilderness* (1956; New York: Harper Torchbooks, 1964). Miller’s work remains definitive for detailing the Puritan religious agenda that infused the initial stages of settler colonialism in New England. However, it is also notable for

its lack of concern for the Indigenous inhabitants. Likewise, Theodor Herzl *The Jewish State* (1896), the “bible” of Zionism, discussed at the end of this essay, expressed a similar lack of concern for the

⁴ Philip Weiss, “Bill de Blasio ruins the liberal Zionists’ glorious hour,” *Mondoweiss*, October 4, 2014 - See at: http://mondoweiss.net/2014/10/liberal-zionists-glorious?utm_source=Mondoweiss+List&utm_campaign=464b18b236-RSS_EMAIL_CAMPAIGN&utm_medium=email&utm_term=0_b86bace129-464b18b236-398512405-sthash.ZE4AUIFi.dpuf

For the US, the exceptionalist narrative has its beginnings in the seventeenth-century Puritan narratives of the Indian wars in New England. The 17th-century clash culminated in 1675-76 with what the English termed King Philip's War. The name "King Philip" was the name colonists gave the Wampanoag sachem Metacomet, who became their figurehead for the causes of the War. This War ultimately ended in what we now characterize as a genocide, repeated across the continent, during two and a half centuries. In King Philip's war, 40% of the Native population of the United Colonies (Massachusetts Bay, Plymouth, and Connecticut) died⁵. What forced the War was not the perfidy of Metacom, as the Puritan narratives tell it, but increasing Puritan theft of Indian lands, beginning in 1620, enabled by a market system that forced the Indians into debt and then took their lands in "legal" payment for that debt. But, as the Puritans imagined it, that land was already theirs in the first place. The very opening sentence of Increase Mather's classic *A Brief History of the Warr with the Indians in New England* (1676) makes prior English ownership manifest:

That the Heathen People amongst whom we live, and whose land the Lord God of our Fathers hath given to us for a rightfull Possession, have at sundry times been plotting mischievous devices against that part of the English Israel which is seated in these goings down of the Sun, no man that is an Inhabitant of any considerable standing, can be ignorant⁶.

⁵ Pauline Turner Strong, *Captive Selves, Captivating Others: The Politics and Poetics of Colonial American Captivity Narratives* (Boulder: Westview Press, 1999), p.85.

In the Puritan narrative, the land transactions, then, enacted with the machinery of Western law (bills of sale, deeds, etc.) were only ratification of a divine gift to "English Israel," a phrase that figures the Puritan identification with God's original chosen people. The passage also makes it plain that the Puritans did not think of themselves as starting the War by forcing Native land sales (sales of land that was never fungible in traditional Native theory and practice). Rather, the English understood the Indians as aggressors, terrorists, in fact, devious plotters of violence that had to be stopped. However, it should be noted that Mather's tract, as he notes, was, in part, motivated by a minority of Englishmen who dissented from the official story.

Nevertheless, the official story prevailed and by the nineteenth century had been secularized into the ideology of Manifest Destiny, a term coined in 1845 by the journalist John O'Sullivan to rationalize US imperial designs in the Mexican War. In our own time, American exceptionalism has been wielded by American Presidents from John F. Kennedy to Barack Obama, who referred to "America" as "the one indispensable nation."⁷ That American exceptionalism was also wielded by the Republicans in accusing Obama of not believing in this credo is merely an irony of a one-party corporate state dissembling as a two-party democracy⁸, just as Israel claims to

⁶ Pauline Turner Strong, *Captive Selves, Captivating Others: The Politics and Poetics of Colonial American Captivity Narratives* (Boulder: Westview Press, 1999), p.85.

⁷ See, for example, <https://www.youtube.com/watch?v=BZ-ORmMITFQ>

⁸ See Eric Cheyfitz, *The Disinformation Age: The Collapse of Liberal Democracy in the United States* (New York, Routledge, 2017), 15-17.

be the only democracy in the Middle East, while enforcing a system of apartheid in the Occupied Territories and treating Arab Israelis as exceptional, that is, marginalized citizens. Their subordinate status is now codified in Israel's Jewish state law. While the US is by law a secular state, one forgets its fundamentalist Christian origins, manifest in crucial aspects of US life, at the risk of historical disorientation. Thinking of Israel as both a democracy and an exclusively Jewish state, without noticing the contradiction, is similarly disorienting.

At the end of the eighteenth century, the land theft begun by the Puritans under religious auspices was carried on by the government under the secular auspices of US federal Indian law. The primal crime of this law was and is to formalize the translation of non-fungible Native land into the commodity the European tradition knows as "property," thus facilitating the forcible seizure of that land by Western legal means, the primary engine of which was the treaty. This act of translation, which I have written about extensively in my published work, was codified in 1823 in the Supreme Court case *Johnson and Graham's Lessee v. M'Intosh* (21 U.S. 543), which the legal scholar Robert Williams Jr. has called the "legal basis" of "genocide."⁹ Johnson was the gateway through which marched the forces of genocide, codified in acts of Congress—the Indian Removal Act of 1830—and case law—*Cherokee Nation v.*

Georgia (30 U.S. 1[1831])—both of which were instrumental in creating the Trail of Tears, where between 1831 and 1840 over 60,000 Indians from the Cherokee, Choctaw, Muscogee (Creek), Chickasaw and Seminole nations were forced to march west of the Mississippi River as part of a massive federal ethnic cleansing program that resulted in thousands of deaths on the trail.¹⁰

By the end of the nineteenth century, an original Native population, estimated by the demographer Russell Thornton at "5+ million" in 1492, in what would become the lower forty-eight states, had been reduced by genocide (preemptive war, ethnic cleansing, biological warfare) to 250,000.¹¹ Today, while, according to the US census, the Native population in the US (including Alaska Natives) has grown to 3.08 million, "Indian country," the legal term for the 340+ federally recognized tribes in the lower forty-eight states, contains a colonized population, caught between the different agendas of tribal and US citizenship, the latter having been enacted by Congress in 1924. In the US, then, Indians are exceptional citizens. For example, the Haudenosaunee (Iroquois) Nationals lacrosse team's passport conflict with the British government in 2010 makes this point. Writing about the conflict in *The New York Times* on July 16, 2010, Thomas Kaplan notes: "The dispute has superseded lacrosse, prompting diplomatic tap-dancing abroad and reigniting in the United States a centuries-old debate over the sovereignty of American Indian nations. The Iroquois refused to accept United States passports,

⁹ Cited in David H. Getches, Charles F. Wilkinson, and Robert A. Williams, Jr., *Cases and Materials in Federal Indian Law*, 4th ed. (St. Paul: West, 1998), 71.

¹⁰ See "Trail of Tears" at https://en.wikipedia.org/wiki/Trail_of_Tears. Wikipedia lists the number of Indians who walked the Trail of Tears as 46,000 between 1830 and 1837. The Cherokees were forced onto the Trail in 1838 and added to that number according to Wikipedia 16, 543.

¹¹ Russell Thornton, *American Indian Holocaust, and Survival: A Population History Since 1492* (Norman: University of Oklahoma Press, 1987), 43.

saying they did not want to travel to an international competition on what they consider to be a foreign nation's passport."¹²

While both Israel and the US are settler-colonial societies, they are clearly in different stages of that colonialism. After what is possibly the largest single land-theft in the history of the world, the United States holds most of the 66 million acres of land that remains to the Indian nations in the lower forty-eight states in perpetual "trust." The United States government encoded this control in laws going back to the early nineteenth-century.¹³ Based on the US Supreme Court decision in *Cherokee Nation v. Georgia*, US laws define the tribes to this day oxymoronically as "domestic dependent nations," with "[t]heir relation to the United States resemb[ling] that of a ward to his guardian" (30 U.S. 1 at 17). This dicta characterizes Indian nations as minors before the law. Still, Indians as individuals, in contradistinction to the Palestinians in the Occupied Territories, are citizens of the occupying power and entitled to all the Constitutional rights thereof, when not living on a reservation, where they come under the jurisdiction of US federal Indian law. The 1924 Indian Citizenship Act, then, acts as one way of leveraging assimilation, of encouraging Indians to leave reservation homelands, which, because of US policy, are the most impoverished communities in the United States. On the other hand, Israel is in an earlier stage of settler colonialism, holding the West

Bank and East Jerusalem under military law, and Gaza under military siege:

The late human rights lawyer and Center for Constitutional Rights Board President Michael Ratner also charged Israel with committing "incremental genocide" against the Palestinian people: "There's no doubt again here this is 'incremental genocide,' as [Israeli historian] Ilan Pappé says. It's been going on for a long time, the killings, the incredibly awful conditions of life, the expulsions that have gone on from Lydda in 1947 and '48, when 700 or more villages in Palestine were destroyed, and in the expulsions that continued from that time until today. It's correct and important to label it for what it is."¹⁴

Like the US occupation of Indian country, the Israeli occupation of the Territories has reduced them to poverty, with the exception in both cases of an Indigenous elite, which enriches itself through various forms of collaboration with the occupying power. Such profitable arrangements are endemic to both colonialism and neocolonialism.

While land theft may appear to be a thing of the past in the United States, it is, in fact, ongoing through the way Native land claims cases are

¹² Thomas Kaplan, "Iroquois Defeated by Passport Dispute" at <https://www.nytimes.com/2010/07/17/sports/17lacrosse.html>.

¹³ See <https://www.quora.com/What-percent-of-US-land-is-still-owned-by-Native-Americans>.

¹⁴ The Center for Constitutional Rights, "The Genocide of the Palestinian People: An International Law and Human Rights Perspective," at <https://ccrjustice.org/genocide-palestinian-people-international-law-and-human-rights-perspective>. See also Mark Levine and Eric Cheyfitz, "Israel, Palestine, and the Poetics of Genocide," in *Jadaliyya* at <https://www.jadaliyya.com/Details/34248/Israel,-Palestine,-and-the-Poetics-of-G>, May 2, 2017. Levine and Cheyfitz argue that while Israel has committed and continues to commit war crimes against the Palestinians, these crimes do not conform to the legal definition of genocide as it is articulated in international law.

adjudicated to deny or reduce claims or denied adjudication altogether.¹⁵ Genocide by other means than war and ethnic cleansing, which are staple parts of Israeli state policy, continues as well in the United States. Perhaps the prime example of this is the lack of federal enforcement of “Major Crimes” laws on Indian reservations. Under federal Indian law, Native nations do not have the right to enforcement in this area. On November 12, 2012, The New York Times ran a story by Timothy Williams titled “Washington Steps Back From Policing Indian Lands, Even as Crime Rises”: “The federal government has cut the size of its police force in Indian country, reduced financing for law enforcement and begun fewer investigations of violent felony crime, even as rates of murder and rape there have increased to more than 20 times the national average, according to data.”¹⁶ The situation has not changed since the article was published.

In keeping with an earlier stage of colonialism, land theft in Israel from Palestinians and Bedouins (principally through settlement) is blatant, unapologetic, and ongoing in clear violation of international law as is the continued Israeli violence against Israel’s occupied population. The historical precedent

¹⁵ See, for example, *City of Sherrill v. Oneida Indian Nation of New York* (544 US 197 [2005]) and *Cayuga Indian Nation of New York v. Pataki* (413 F.3d 266 [2d Cir. 2005]). These are land claims stemming from illegal treaties forced on the Cayugas and the Oneidas by New York State in the post-revolutionary war period. Both land claims and monetary compensation (in the Cayuga case) were denied by the courts (the Supreme Court in the Oneida case and the 2nd Circuit in the Cayuga case) based on the doctrine of laches, which is a failure to assert one’s rights in a timely manner, resulting in a claim being barred. The use of laches in Indian land claims cases sets a dangerous precedent precisely because of the barriers put in the way of Indian nations pressing these claims in the courts until the second half of the 20th century. Thus, the very notion of “timely” means something entirely different, if it means anything at all, in these cases than it does in ordinary civil suits.

here backed by the US and Western nation states is that while the colonizing powers make international law, they also exempt themselves from it in a state of exception. While the colonial histories of Israel and the United States are at different stages, what binds the situation of the Palestinian territories and Indian nations together is the issue of sovereignty. It is worth noting in this respect that had they been enacted both the Oslo (1993–95) and Camp David II (2000) accords would have created the Occupied Territories and East Jerusalem as a “domestic dependent nation” of Israel, which has been Israel’s endgame in negotiations to date.¹⁷ Simply put, Israel

¹⁶ <https://www.nytimes.com/2012/11/13/us/as-crime-rises-on-indian-lands-policing-is-cut-back.html>. See also: Eric Cheyfitz and Shari Huhndorf: “Genocide by Other Means: US Federal Indian Law and Violence against Native Women in Louise Erdrich’s *The Round House*” in Elizabeth S. Anker and Bernadette Meyler, eds. *New Directions in Law and Literature* (New York: Oxford University Press, 2017), 264-278.

¹⁷ For what he refers to as the “asymmetrical Oslo accords,” see Clayton E. Swisher, *The Truth About Camp David: The Untold Story About The Collapse Of The Middle East Peace Process* (New York: Nation Books, 2004), 134-44. The specific phrase cited is on p. 142. Robert Malley, one of the US negotiators at Camp David II, and his co-author Hussein Agha remark that from the Palestinian point of view “Oslo... was not about negotiating peace terms but terms of surrender” (“Camp David: The Tragedy of Errors,” *The New York Review of Books*, August 9, 2001 Issue). For a cogent analysis of the failure of Camp David II, see Norman Finkelstein, *Journal of Palestine Studies*, Vol. 36, No. 2 (Winter 2007), pp. 39-53. Contrary to the US explanation for the failure, which places the failure on the intransigence of the Palestinians, Finkelstein argues that it was Israel and the US that engineered the collapse by displacing what should have been the legitimate framework of Palestinian “rights” with a framework of “needs,” in which Israeli needs were primary, leading to a continued Israeli presence on the West Bank and East Jerusalem. In a detailed analysis of the Camp David II negotiations cited above, Malley and Agha also confirm that the Israeli-U.S. narrative of Palestinian intransigence is a political myth. Their view of the failure of Camp David II is complex, analyzing the positions on both sides that led to the collapse of the summit. Wikipedia has a well-documented article on Camp David II, which details that for “security” purposes Israel demanded a continued military presence on the West Bank and control of Palestinian foreign policy, at https://en.wikipedia.org/wiki/2000_Camp_David_Summit#Security_arrangements

is governing the Occupied Territories modeled on Indian reservations, with local governance subordinated to Israeli sovereignty. In Israel, however, the model of implementing military law as the rule replicates the practice in a nineteenth-century Indian reservation. Thus, Israel and the United States are bound together not merely by strategic concerns, which are increasingly counterproductive if peace in the Middle East, as stated, is the goal, but by their intertwined exceptionalist narratives. These narratives function to deny the ongoing settler-colonial histories of both countries so that they can continue to practice settler-colonialism while denying the practice.

The Middle East Research and Information Project begins its “Primer on Palestine, Israel and the Arab-Israeli Conflict” with the following statement:

The conflict between Palestinian Arabs and Zionist (now Israeli) Jews is a modern phenomenon, which began around the turn of the 20th century. Although the two groups have different religions (Palestinians include Muslims, Christians and Druze), religious differences are not the cause of the strife. The conflict began as a struggle over land.¹⁸

I want to take exception with this decoupling of religion and land. As I have suggested in the case of the US, the original justification for the Puritan seizure of Native land was, in fact, religious, as the Jewish idea of the “chosen people” is clearly a religious idea. The idea is grounded in the opposition “Jew” versus “Gentile,” as the Puritan idea of

¹⁸ See https://web.stanford.edu/group/sper/images/Palestine-Israel_Primer_MERIP.pdf

the “chosen people” is grounded in the opposition “Christian” versus “pagan.” The “doctrine of discovery,” a cornerstone of international law from the very beginning of the European invasion of the Americas, and still, tellingly, a tenet of US federal Indian law, is based on the idea of Christian rights over pagan lands.¹⁹ Indeed, what that doctrine does is effectively erase an Indigenous presence from those lands, translating them into “terra nullius.” In this respect, it is significant that Theodor Herzl’s *Zionest manifesto The Jewish State (1896)* does not mention any Arab presence in Palestine, which is referenced as “the Promised Land.”²⁰ Gershon Shafir summarizes this colonial mindset:

The inherent hostility between the indigenous population and the immigrants was principally because the immigrants insisted the territory chosen by them was “empty” of other nationalities. In practical terms, this meant that the newcomers viewed the native populations as part and parcel of the environment that was to be subdued, tamed, and made hospitable for themselves.²¹

While Herzl’s plan for colonizing Palestine is ostensibly secular, based on “scientific principles” of

¹⁹ See *Johnson and Graham’s Lessee v. William M’Intosh* (21 U.S. 543 [1823]). John Marshall cites the “doctrine of discovery” in this generative case to declare the US’s right to the title of Indian lands. And in *City of Sherrill* (see footnote 15), Justice Ginsburg in her opinion for the Court cites in the first footnote the “doctrine of discovery” to buttress her decision denying the Oneida Nation’s claim to place into trust their purchase of private land that was once part of their former reservation.

²⁰ Theodor Herzl, *The Jewish State* (New York: Dover Publications, 1988). Kindle Edition. Location 1675.

²¹ Gershon Shafir, “Changing Nationalism and Israel’s ‘Open Frontier’ on the West Bank,” *Theory and Society*, Vol. 13, No. 6 (Nov., 1984), 804.

organization, nevertheless in describing the layout of “workmen’s dwellings,” he notes: “The Temple will be visible from long distance, for it is only our ancient faith that has kept us together” (location 1188). The secular is driven by the sacred. Jewishness, located in maternity, remains the predominant requirement for citizenship in the secular state, creating a state of exception for Jews exercising the “law of return.” When Benjamin Netanyahu demands of the Palestinians recognition of Israel as a Jewish state as the bottom line of negotiations for the by now ever receding two-state solution, he inseparably intertwines land and religion.

In his memoir of the Nakba, *Journal of An Ordinary Grief*, in the chapter entitled, pointedly, “The Homeland: Between Memory and History,” Mahmoud Darwish captures the way the relation between religion and land operates in the colonial context of Israeli occupation. Darwish begins by quoting the Jewish theologian Martin Buber: “The Arabs exist in Palestine in a relationship of “I-It.” The Jews, on the other hand, exist in Palestine in a relationship of “I-Thou.”” The “I-It” relationship in Darwish’s reading of Buber is a historical, or contingent, relationship:

In this relationship, there is no freedom, only necessity. The “I-Thou” relationship, on the other hand, exists outside space and time, beyond causality. Here there is freedom and not necessity. On this understanding, human existence is inauthentic if it is an “I-It” relationship. The Jewish faith is the only religion based on the “I-Thou” relationship. And because the Jews still believe in the truth of this religion, they are the chosen people, and on that basis the state of Israel must come into being in Palestine. (40)

Like the paradoxical exceptionalist narrative, which unfolds outside of history in order to explain history, the “I-Thou” relationship of Israel to God exists outside of history but for Buber explains and justifies the Jewish right to Palestine. For, as Darwish notes, the logic of this relationship, “The relationship of the Jews to Palestine is not the same as that of the Arab relationship to it, because Arabs exist in Palestine in an ‘I-It’ relationship, and for that reason, it is easy for them to sever that relationship, and it would be possible to transfer them elsewhere”(40). According to this logic, the Arab relationship to the land is a godless relationship; the land is an “It,” a thing, as opposed to a living entity, a “Thou”; and thus, because, according to Buber, the Arabs have no religious, that is, original, relationship to the land, it is not a crime for the Jews to displace the indigenous inhabitants of Palestine. It follows that any Palestinian resistance to this displacement can only be interpreted by the Jews as a crime against God. This characterization, then, returns us to the Puritan exceptionalist narrative with which I began this essay and which works perfectly in either the American colonial context of 1676 or the Israeli colonial context of the present moment. The narrative bears repeating precisely because, catastrophically, it continues to happen in both Israel and the United States:

That the Heathen People amongst whom we live, and whose land the Lord God of our Fathers hath given to us for a Rightfull Possession, have at sundry times been plotting mischievous devices against that part of the English Israel which is seated in these goings down of the Sun, no man that is an Inhabitant of any considerable standing, can be ignorant.

What remains, then, is the work of stopping the repetition of this exceptionalist narrative and replacing it in the case of Israel/ Palestine with an unexceptional secular, democratic one within which both Jews and Palestinians (and anyone else for that matter) can live equally in a single state. In the case of Native America, the reunciation of this narrative by the United States would mean the recognition of full sovereignty in the Native nations in the United States. This would mean ending Congress' "plenary power" in Indian country with the abrogation of federal Indian law and according Native nations the status of nations-within-the-nation with a special interdependent relationship with the United States, of the kind that is envisioned in the Plurinational Constitution of Bolivia.,enacted on February 7th, 2009 by President Evo Morales Ayma.

The fate of this visionary document in the wake of the November, 2019, right-wing coup in Bolivia, supported by both the United States and Israel, is certainly in jeopardy, though its anti-colonial, Indigenous values and its promise of democracy persist. Given the history of the U.S. and Israel elaborated in this paper, their support for this coup, fundamentally staged against the Indigenous people of Bolivia, is not surprising but should not be defeating given the ongoing resistance both at home and abroad to settler-colonial power in its current guise as neoliberalism.

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Eric Cheyfitz

Eric Cheyfitz is Ernest I. White Professor of American Studies and Humane Letters at Cornell University. He is a faculty member and former director of the American Indian and Indigenous Studies Program, where he teaches Native American literature, Indigenous philosophies, and U.S. federal Indian law. His current research is focused on the intersectionality of settler-colonialism in Israel/Palestine and the U.S. His latest book is *The Disinformation Age: The Collapse of Liberal Democracy in the United States* (PaperBoat Press, 2019).



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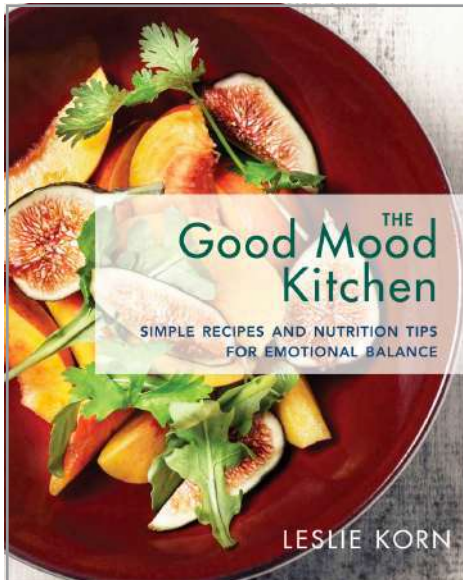
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BOOK REVIEW: THE GOOD MOOD KITCHEN, SIMPLE RECIPES AND NUTRITION TIPS FOR EMOTIONAL BALANCE. THE NATURAL WOMAN, HERBAL REMEDIES FOR RADIANT HEALTH AT EVERY AGE AND STAGE OF LIFE. BY LESLIE KORN.



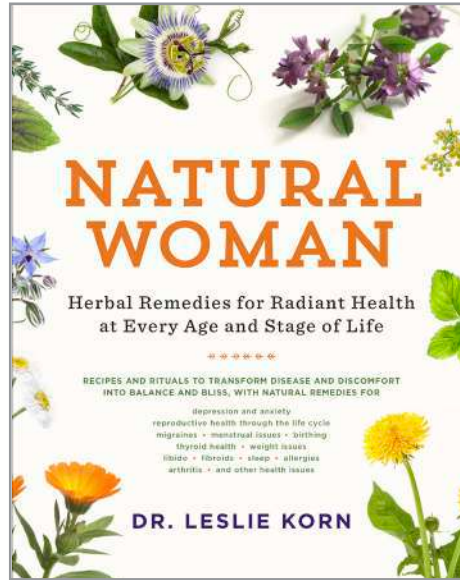
The Good Mood Kitchen, Simple Recipes and Nutrition Tips for Emotional Balance

By Leslie Korn

Publisher: W.W. Norton & Company.
New York, London
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ISBN 9780393712223

By Bertha Miller

Dr. Leslie Korn draws the connection between nutrition and mental health that is accessible, practical, and thoroughly readable. She demonstrates the wealth of her extensive knowledge of traditional healing arts and sciences in her earlier book *Nutrition Essentials for Mental Health: The Complete Guide to the Food-Mood Connection* (W.W. North & Company, 2016) was written for health professionals. In *Good Mood Kitchen* (2017) and *Natural Woman* (2020), Dr. Korn smoothly transitions from the “health professional” to the self-care reader. Both of these books provide nutritional



Natural Woman Herbal Remedies for Radiant Health at Every Age and Stage of Life

By Leslie Korn

Publisher: Shambhala Publications, Inc.
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ISBN 987654321]

advice and, importantly, food preparation instructions to maximize body and mental health based on different metabolisms. Korn’s two books taken together offer women and men detailed information in recipes, herbs, and ingredients informed by her knowledge of traditional cultures, foods, and medicines. These are not “cookbooks” in the conventional sense; they are detailed guides for people in search of maintaining good health and mental acuity. Dr. Korn translates cultural knowledge practiced by traditional societies into practical guidance for indigenous peoples and people in state societies,

often presented in stories and recipes delivered in a conversational style.

Leslie Korn is a licensed clinician concentrating her practice and her publications for more than 40 years on mental health nutrition, herbal medicines, and integrative medicine. She is a former Clinical Fellow at Harvard Medical School, a Fulbright Scholar, and a research scientist specializing in mind/body medicine. She has authored ten books and consults with mental health professions and provides support for indigenous communities worldwide.

In Good Mood Kitchen, one easily learns that Dr. Korn asks the same questions one could ask about personal eating habits, the kinds of foods that “make you feel good,” and the types of foods that “make you feel bad.” The reader is carried forward into the book by such questions that are not judgmental but helpfully revealing. Her questions help make understandable what food choices a person makes and what changes might be made to identify a more healthful diet, uniquely suited to better health. In a way, Good Mood Kitchen offers a helpful and friendly hand to anyone who experiences depression or other mood challenges by illustrating how food choices can directly affect emotional behaviors. Korn’s narrative style quickly leads the reader to personal changes in diet that are understandable and directly connected to outcomes.

An essential focus of Good Mood Kitchen takes the reader into a conversation about the connection between medications (prescribed or not), nutrients, and herbs. Handy tables included in the book help

the reader discover the potential possible interactions that can produce unwanted side effects. Indeed, Dr. Korn tends to encourage the reader to depend on natural substances in their diet and herbal sources rather than commercially produced medications to avoid unwanted interactions or adverse effects. This guidance is especially important to individuals suffering from medicinal and food allergies that can trigger headaches, muscle tension, and anxiety. Knowing the effects or potential conflicts between medicinals, foods, and herbs can have a direct impact on moods.

Natural Woman speaks directly to women with recipes and rituals to restore balance after suffering disease, discomfort, or emotional depression or anxiety. Continuing the theme in her earlier works, Dr. Korn points her readers toward and demonstrates the use of natural plant medicine remedies and supports for body and mental health. In this volume, the reader has complete access to selecting, preparing, and using various herbs and plant medicines found to be beneficial for treating menstrual problems, thyroid health, allergies, weight, and reproductive health problems. Self-care is a hallmark of Dr. Korn’s advice and discussion. She frequently points out the importance of “listening to your body” or said another way “body awareness” as an essential emphasis leading to self-care. Natural Woman reflects the idea of balance complemented by self-care.

Both Good Mood Kitchen and Natural Woman are perfect as companions for men and women reflecting traditional knowledge and contemporary analysis informed by experience, practice in indige-

nous communities, and critical scholarship. The publishers of both books have presented attractive publications, but they would be enormously more useful for those of us who don't know how all of the various plant medicines look. Still, the conversational narrative brings the knowledge and information into the home, the family, and into the community where the conversation is essential.

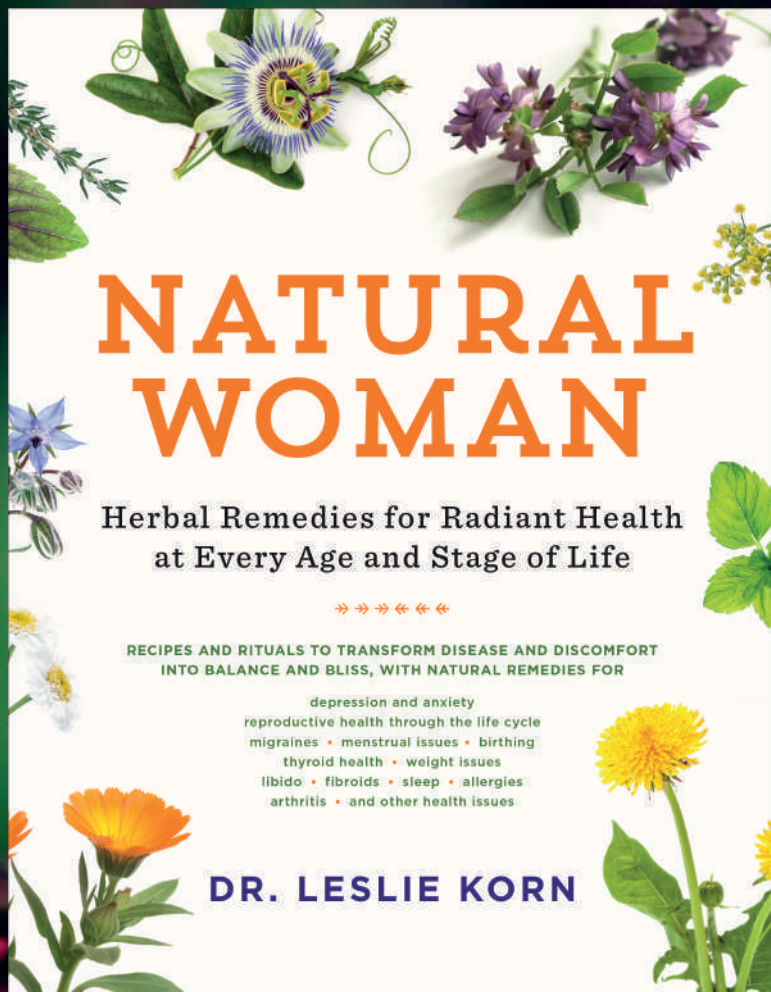
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Bertha Miller is a Wenatchee with a degree in Anthropology.



NATURAL WOMAN

Herbal Remedies for Radiant Health at Every Age and Stage of Life

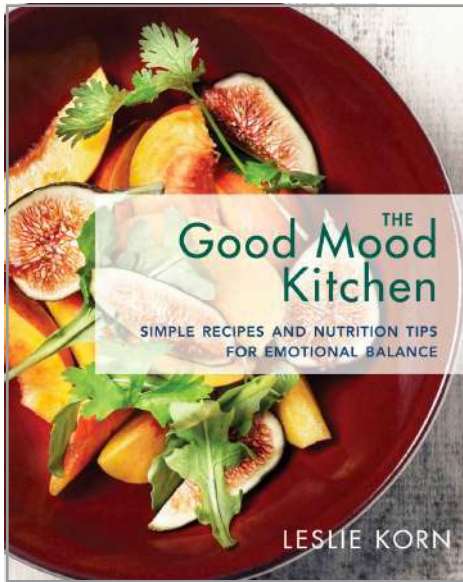
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The Good Mood Kitchen, Simple Recipes and Nutrition Tips for Emotional Balance

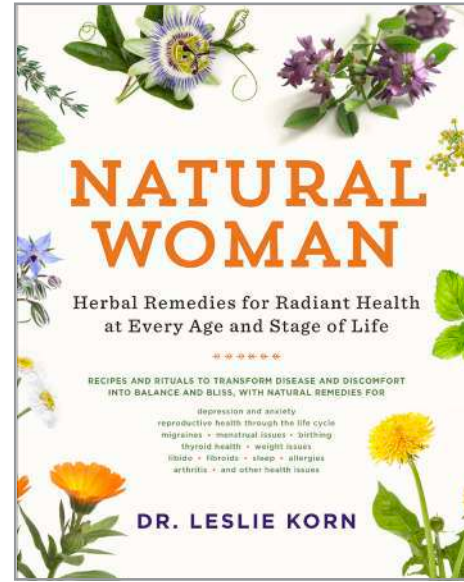
Por Leslie Korn

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Por Bertha Miller

Traducción de inglés a español por Aline Castañeda Cadena

La Dra. Leslie Korn traza una conexión entre la salud nutricional y mental accesible, práctica y sobre todo entretenida. Demuestra la riqueza de su extenso conocimiento sobre las artes y ciencias de sanación tradicionales en su libro más reciente Nutrition Essentials for Mental Health: The Complete Guide to the Food-Mood Connection (W.W. North & Company, 2016) escrito para profesionales de la salud. En The Good Mood Kitchen (2017) y Natural Woman (2020), la Dra. Korn hace una suave transición de los “profesionales de la nutrición” al



Natural Woman Herbal Remedies for Radiant Health at Every Age and Stage of Life

Por Leslie Korn

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lector de auto-cuidado. Ambos libros proporcionan consejos nutricionales y, más importante, instrucciones para preparar alimentos para potenciar la salud mental y corporal basándose en diferentes metabolismos. Los dos libros de Korn juntos ofrecen a hombres y mujeres información detallada de recetas, hierbas e ingredientes fruto de su conocimiento sobre las culturas, alimentos y medicinas tradicionales. No son “libros de recetas” en el sentido convencional; hay guías detalladas para las personas que buscan mantener una salud óptima y agudeza

mental. La Dra. Korn traduce el conocimiento tradicional practicado por las sociedades tradicionales en una guía práctica para los pueblos indígenas y las personas en las sociedades, con frecuencia presentadas en historias y recetas en un estilo convencional.

Leslie Korn es médico con licencia que concentra su práctica y sus publicaciones por más de 40 años en la nutrición para la salud mental, herbolaria y medicina integral. Es ex becaria de la Escuela de Medicina de Harvard, Becaria Fullbright e investigadora científica especializada en la medicina mente/cuerpo. Es creadora de diez libros y consultas con profesionales de la salud mental y proporciona ayuda a las comunidades indígenas de todo el mundo.

En **The Good Mood Kitchen**, uno aprende fácilmente que la Dra. Korn hace las mismas preguntas que uno podría preguntar sobre hábitos alimenticios personales, los tipos de alimentos que “te hacen sentir mejor”, y los tipos de alimentos que “te hacen sentir mal”. El lector es transportado a lo largo del libro por tales preguntas que no son críticas sino útilmente reveladoras. Sus preguntas ayudan a entender las elecciones de alimentos que hace una persona y qué cambios pueden hacerse para identificar una dieta más saludable, exclusivamente adecuada para una salud óptima. De una forma, *The Good Mood Kitchen* ofrece una ayuda amistosa y útil para cualquier persona que experimente depresión o cambios de humor ilustrando cómo las elecciones de alimentos pueden afectar directamente los comportamientos emocionales. El estilo de narrar de Korn rápidamente lleva al lector a implementar cambios personales en la dieta que

son comprensibles y están directamente conectados con los resultados.

El enfoque esencial de *The Good Mood Kitchen* lleva al lector a una conversación sobre la conexión entre los medicamentos (prescritos o no), nutrientes, y hierbas. Tablas prácticas incluidas en el libro ayudan al lector a descubrir las posibles interacciones potenciales que pueden producir efectos secundarios no deseados. De hecho, la Dra. Korn suele animar al lector a depender de sustancias naturales en su dieta y fuentes herbales en lugar de medicamentos producidos de manera comercial para evitar interacciones no deseadas o efectos adversos. Esta guía es especialmente importante para los individuos que sufren alergias alimenticias o a medicamentos que pueden desencadenar dolores de cabeza, tensión muscular y ansiedad. Conocer los efectos o los conflictos potenciales entre los medicamentos, alimentos y hierbas puede tener un impacto directo en los estados de ánimo.

Natural Woman habla directamente a las mujeres con recetas y rituales para restaurar el equilibrio después de sufrir una enfermedad, malestar, depresión emocional o ansiedad. Continuando el tema de sus trabajos anteriores, la Dra. Korn señala al lector y demuestra el uso de remedios medicinales de plantas naturales y apoyos para la salud mental y corporal. En este volúmen, el lector tiene acceso total a seleccionar, preparar y utilizar varias hierbas y plantas medicinales conocidas por ser benéficas en el tratamiento de problemas menstruales, salud de la tiroides, alergias, peso, y problemas de la salud reproductiva. El auto-cuidado es una característica del consejo y análisis de la Dra. Korn. Con frecuen-

cia destaca la importancia de “escuchar a tu cuerpo” o dicho de otra manera “la conciencia corporal” como esencial para el auto-cuidado.

Tanto *The Good Mood Kitchen* como *Natural Woman* son perfectos como compañeros para mujeres y hombres y reflejan el conocimiento tradicional y el análisis contemporáneo fruto de la experiencia, práctica en comunidades indígenas y erudición crítica. Los editores de ambos libros han presentado publicaciones atractivas, pero serán enormemente más útiles para aquellos de nosotros que no sabemos cómo lucen las distintas plantas medicinales. Aún así, la narrativa conversacional trae conocimiento e información a la casa, familia y a la comunidad donde la conversación es fundamental.

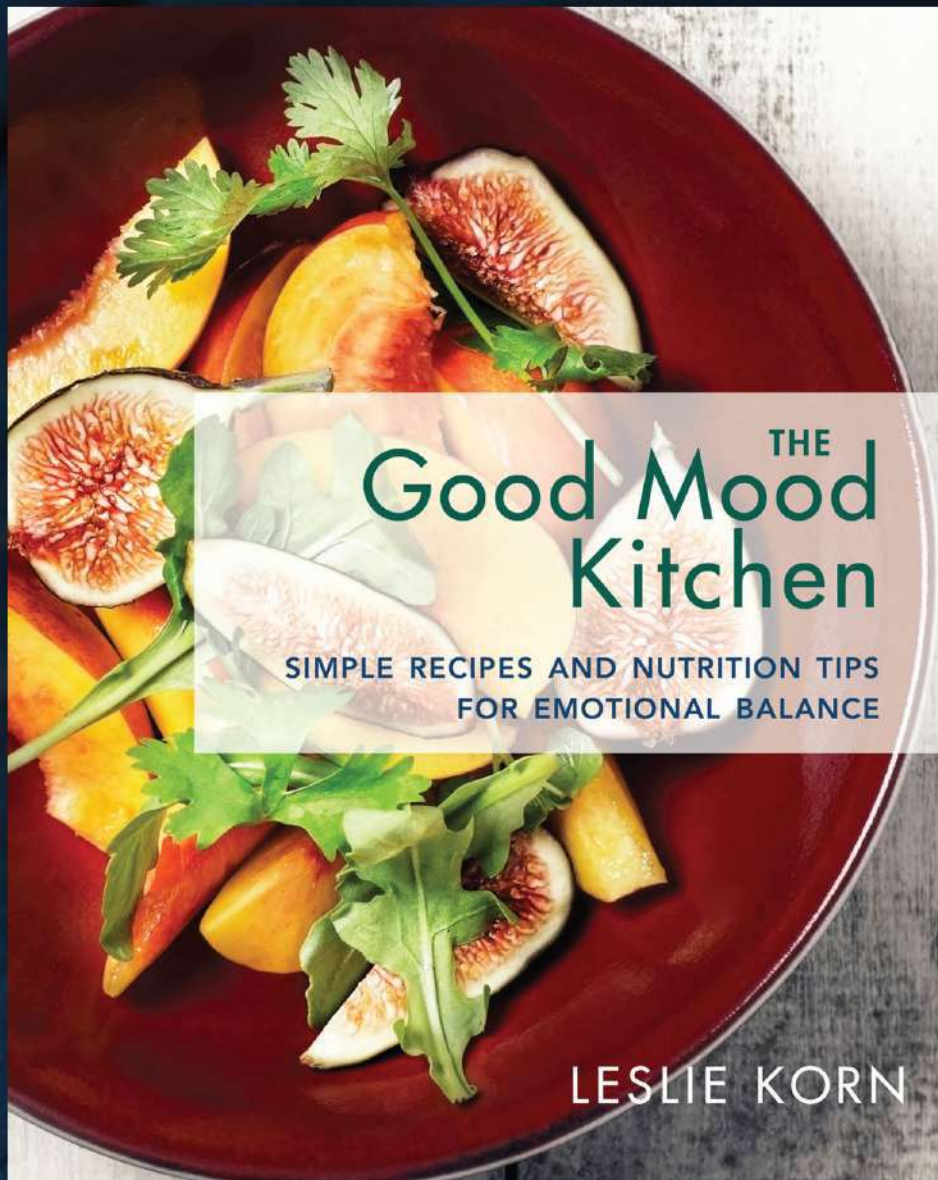
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Bertha Miller

Bertha Miller es Wenatchee con un título en Antropología.



The Good Mood Kitchen

Simple Recipes and Nutrition tips for Emotional Balance

Revolutionize your personal cooking and eating habits for optimal energy, health, and emotional well-being. Find mood-savvy tips, tools, and delicious recipes to guide you step by step through all the essentials.



Dr. Leslie Korn is a traumatologist working in the fields of Traditional Medicine and Mental Health Nutrition.

Find it on the CWIS Bookstore