FOURTH WORLD JOURNAL

THE HIGHLIGHTS

A Critical Review of the United States Government's Guidance for Federal Departments and Agencies on Indigenous Knowledge

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EDITORS

ON THE COVER
Kaiowa child from change.org

LUKANKA

Lukanka is a Miskito word for "thoughts"

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Fourth World nations worldwide claim and assert autonomy or self-government. These nations assert the power to exercise political, social, strategic, and cultural dominance over their peoples and ancestral territories. Asserting and defending such authority by these nations presents states with a perceived threat to their sovereignty and territorial integrity. The perceived threat of Fourth World nation autonomy has led to frequent military attacks, political subversion, and the persistence of cultural and mass violence perpetrated against Fourth World peoples initiated by states' governments or private militias. While states have adopted declarations and international and domestic laws stating the virtues of human rights policies, Fourth World nations are not protected from these enactments.

The Rome Statue that created the International Criminal Court does not provide for the prosecution of states or private militias for crimes against Fourth World nations. Reference to Fourth World nations under terms such as "indigenous peoples" are not identified as beneficiaries of acts to prevent or punish human rights violations. The 1947 first draft of the Convention on the Prevention and Punishment of the Crime of Genocide (http://www.preventgenocide.org/law/convention/drafts/) included language directly relevant to cultural or violent attacks on Fourth World peoples, such as

"forcible transfer of children to another human group,"

"prohibition of the use of the national language in private intercourse," or

"prohibiting the use of the language of the group in daily intercourse or in schools,"

These were understood as pathways to assimilate and dominate Fourth World peoples and thus reduce the populations coercively.

These and similar terms in the initial April 1948 Draft Convention on Genocide prepared by the UN Ad Hoc Committee on Genocide were omitted in the December 9, 1948, Convention adopted by the United Nations General Assembly. The crime of genocide was narrowly defined to mean "mass murder" defined by the experience of the Jewish Holocaust. As a

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result, acts that would be considered cultural genocide perpetrated by states were set aside since authors of the Convention readily recognized that few UN member states would ratify the convention lest they be considered potential defendants before an international court. At the time, the 1948 negotiations were being conducted to between members of the Ad Hoc Committee on Genocide between representatives of China, France, Lebanon, Poland, the USSR, USA and Venezuela to prepare a draft Convention on the Crime of Genocide that would eventually serve as the foundation for the International Criminal Court of 2002. The United States, Canada, Australia, Brazil, Ecuador, Colombia, Sweden, and Norway had embarked on the domestic policies of sterilizing Fourth World nation women against their will. Fourth World nation birth rates were reduced per woman by as much as 50% resulting in significant population declines. Placing Fourth World children in non-native family homes has been practiced by governments in many countries resulting in lost cultural knowledge, family cohesiveness and community continuity. Forced removal of Fourth World children to state and religious administered residential schools in the states of Canada, United States, New Zealand, Norway, Sweden, Finland, Russia, China, and India would have been considered a crime under the Draft 1947 Convention (barring the use of native languages, connections to traditional family and community ties, diets, clothing, and violent punishment of children resulting in the death of many for "not

following the rules"). State-based international laws ignore evident crimes committed by states, businesses, organizations, and private militates, avoiding criminal charges against states. Despite committing apparent cultural destruction and mass violence crimes against Fourth World peoples, the legal system instead focuses only on "individual" acts committing violent crimes against a "people in whole or in part." The decision to narrow culpability for horrific crimes committed by entities resulted in immunity for institutions designed to destroy whole peoples.

Indeed, the Center for World Indigenous Studies has documented more than 160 acts of political or violent genocide committed against Fourth World nations since 1945, resulting in an estimated 12 million deaths. No State has been held accountable for acts of cultural destruction or mass violence resulting in deaths. Forced relocation programs, children forced into residential schools, massively coerced female sterilization, and the use of public schools to obstruct the use of native languages and cultural learning further amplified the fundamental reality that States globally have systematically sought to prevent the exercise of self-government and continued used of ancestral territories using coercive measures and force. Meanwhile, State development policies accelerated the extraction of raw materials from Fourth World ancestral territories; thus, undermining or destroying natural environments on which peoples relied for food, shelter, and medicines.

These facts even more, affirm the fundamental conflict between nations asserting their right

to govern themselves and their territories verse the claims of states to sovereignty and territorial integrity. Many states including, Canada, the United States, South Africa, Kenya, Russia, and China, engaged in systematic state-sponsored genocide to intentionally depopulate Fourth World nations to destroy them as peoples in "whole or in part." The depopulation programs of female sterilization forced residential school re-education programs with the resulting killing of children, and forced relocations continued for more than forty years after the UN adopted the International Convention on Genocide.

The depopulation of Fourth World nations by states' governments accelerated the urgent efforts to formalize self-government and protection of ancestral territories. Describing some influential nations that exercise self-governance reveals how extensive Fourth World nation political authority globally is. The Haudenosaunee (Cayuga, Mohawk, Oneida, Onondaga, Seneca, and Tuscarora) have for more than a thousand years exercised governance over their territories under their Constitution, the Great Law of Peace. The Mayan-speaking peoples of southern Mexico (Tzeltal, Tzotzil, Chol, Tojolabal, Zoque, and Mam) under the banner of the Zapatistas declared their autonomy governing through their councils the schools, health clinics, and cooperatives plus a defensive military force. The more than 30 million Igbo in Nigeria proclaimed the Republic of Biafra as their central government and, after attacks by the central Nigerian government, established their government in exile in 2009. The Sámi of Norway, Sweden, Finland, and Russia

declared their governing authority through their parliaments, courts, and media outlets, and the Māori proclaimed their distinct political authority in New Zealand. Other nations, including the Mapuche of Chile, the Kurds in Turkey, Iraq, Iran, Armenia, and Syria, the Tibetans through their government in exile, and the West Papuans through their government in exile, assert their separate and distinct political authority from the state. After suffering murderous attacks by the Islamic State in the Levant (ISIS) in 2014, the Yezidi in Iraq proactively established their central government of the Nation of Ezidikhan, affirming their more than 6,770 years of autonomy in Mesopotamia. Many more Fourth World nations affirm their power of self-governance, exercising their political authority over their ancestral territories.

The National Congress of American Indians (NCAI) meeting in General Assembly on October 24, 1974, in San Diego, California (U.S.) unanimously adopted the "American Indian Declaration of Sovereignty" in partial response to the depopulation programs of the United States. The Declaration's purpose was to strengthen the will of American Indian communities to govern themselves and exercise their inherent powers. The Declaration stated in part,

> The Government of the United States of America, in negotiating, said solemn treaties, did recognize Aboriginal sovereignty and, by its sacred honor, did agree to honor, preserve, protect, and guarantee to other states and nations and

to the Aboriginal Tribes and nations those inherent sovereign rights and powers of self-government and self-determination afforded every sovereign nation of the world.

The Declaration was signed by NCAI President Mel Tonasket, President (Chairman of the Colville Confederated Tribes), Ernie L. Stevens, First Vice President (Chairman of the Oneida Tribe of Wisconsin and Katherine Whitehorn, Recording Secretary (Osage).

The American Indian Declaration of Sovereignty was initially drafted by a small and young group of Indian writers, and tribal law advocates meeting in the home of Colville Tribal Member and engineer Wendall George. I had the honor as a 28-year-old policy writer to join Wendall George, Ken Hansen, later to become Chairman of the Samish Tribe, Bobbi Miller (Minnis was her married name in years to follow, a Wenatchee and niece of historical leader Colville Confederated Tribes leader Lucy Covington), and Sherwin Broadhead, an attorney and former staff member of Senator William Bora of Idaho and Superintendent of the Colville BIA Agency drafting the American Indian Declaration of Sovereignty. The knowledge that the Colville Confederated Tribes had weathered a decade of the United States government's tribal termination policy intensified the working group's focus on self-government to prevent further U.S. government coercion of tribal members. More than 100 tribes had gone through the termination of members' tribal affiliation, coerced into moving from their reservations to urban settings. The 1953 U.S. government tribal termination policy sought to end the existence of tribal communities

and assimilate tribal members into cities such as Denver, Los Angeles, and Albuquerque threatening the very existence of native peoples in the United States. A declaration of sovereignty was seen by members of the working group as the only way to preserve tribal cultures from forced elimination. This small working group, along with NCAI Executive Director Chuck Trimble, was called the *Colville Mafia* by NCAI President Mel Tonasket.

The National Congress of American Indians Declaration did not stop the US government's continuing efforts to assimilate and reduce American Indian populations. The coerced sterilization program continued, forced and the process of pushing tribal members off the reservations and into the urban centers continued into the 1980s.

Before the Declaration many other nations elsewhere in the world made similar declarations of sovereignty or independence in response to political, and economic coercion and frequently violence prompted by state and corporate efforts to forcibly remove Fourth World peoples from their ancestral lands.

In this issue of the Fourth World Journal, we are pleased to share the insights and analysis of seven authors revealing in considerable detail the challenges and accomplishments of Fourth World nations as they face often systematic state government efforts to eliminate them. Yet there are some nations driven initiatives to turn aside culturcide and other violence in favor of constructive measures for social, economic, and political self-determination.

Dr. Eric Cheyfitz, in his article **Responsibilities Into Rights**, **The Settler-Colonial Translation of Native Social Systems into Western Law** discusses Indigenous kinship systems and their characteristics before colonization. These systems were based on extended kinship networks that included humans and other elements of nature. Political power was not institutionalized, but rather consensus was managed among participants. Settler colonialism has brought these systems into conflict with state formations, but they persist in various forms. Examples of Fourth World communities resisting capitalist and extractive industries are mentioned, such as those in the Amazon rainforest, Idle No More in Canada, and the Zapatista villages in Mexico. Indigenous kinship systems are behavior-based and governed by responsibilities, not rights. The land is seen as an inalienable connection to the Earth. Navajo culture is cited as an example, where kinship is based on intense solidarity and governed by moral rules.

In **Fourth World Nations vs. The States' "Nation-Destroying" Projects from 1946 to 2020: Post-WWII Wars, Armed Conflicts, and Indigenous Military Resistance**, **Dr. Hiroshi Fukurai** examines global armed conflicts between nations and states from 1946 to 2020. The analysis is based on empirical data from the Uppsala Conflict Data Program (UCDP) and the International Peace Research Institute in Oslo (PRIO). Other relevant datasets, such as the Correlates of War (WCO), Militarized Interstate Dispute (MID), Minority at Risk (MAR), and Konflict-Simulations-Modell (COSIMO), are

also mentioned. The focus is on the UCDP/PRIO dataset, which provides up-to-date and regionally detailed information on armed conflicts, military confrontations, and violent battles worldwide. The findings reveal that most post-WWII conflicts involve the state and Fourth World nations, particularly in Asia, the Middle East, Africa, and the Americas. These conflicts often revolve around territorial disputes, control of governments, and bureaucratic authority. The article highlights the destructive consequences of state and state-assisted corporate projects on biodiversity and the environment, posing threats to the survival of both human and non-human life on Earth.

From Reconciliation to ReconciliAction by **Nancy Dyson** and **Dan Rubenstein** discuss their experience as childcare workers at St. Michael's Indian Residential School in British Columbia in 1970. The authors witnessed the mistreatment and abuse of Indigenous children at the school and were fired for speaking out against it. Years later, Dyson and Rubenstein felt compelled to share their story and apologize for not advocating for the children after leaving the school. They discovered that many of the children they knew had suffered early deaths due to the tragic legacy of the residential schools, including alcoholism, drug addiction, and suicide. The Truth and Reconciliation Commission of Canada (TRC) was established to inform Canadians about the experiences of residential school survivors. The TRC's reports revealed that the abuses witnessed by the author were widespread across the country. Over 150 years, 132 residential schools operated in Canada, forcibly taking 150,000 Indigenous children. Many children died

in these schools, while others were left broken and disconnected from their culture. The author, with encouragement from Chief Robert Joseph and others, published a book in 2021 titled "St. Michael's Residential School: Lament & Legacy." The book includes the author's firsthand account and excerpts from the TRC reports. It explores the intentions behind the establishment of residential schools and the knowledge of ordinary Canadians about them.

In his **Peer Reviewed** article **Reclaiming Indigenous Voice and Knowledge in the Era of (Re) colonization, Insights from a Rural Indigenous Santal Community, Dr. Mrinal Debnath** examines the effects of colonial practices and policies on indigenous peoples and the environment. It highlights the need to restore indigenous ecological consciousness and alternative ways of knowing to rebuild communities and protect the planet. The elimination of indigenous cultures and knowledge is discussed, emphasizing the damaging influences of modernity and Western values. The study is based on Fourth World nation perspectives and employs a qualitative case study methodology, including in-depth interviews and field observations. The data is analyzed using NVivo software, and the findings reveal issues of injustice, oppression, and dehumanization faced by indigenous communities. The paper emphasizes the importance of ecological education and calls for sustainable education policies and practices to address these challenges and promote respect for indigenous cultures and the environment. The anonymity and confidentiality of participants are protected, and

the research findings are shared with them for feedback and clarification.

Dr. Chika Ezeanya-Esiobu Ph.D. writing with **Opal Almerico, Sakura Arai, Franny DePhillips, Michael Dickson, Ge Xiyang, Goodhue Angelina, Sarah Johnson, Kawai Hiromi, Zama Kunene**, analyzes the recently released White House First-of-a-Kind Indigenous Knowledge Guidance for Federal Agencies in **A Critical Review of the United States Government's Guidance for Federal Departments and Agencies on Indigenous Knowledge: The Department of Education in Perspective**. Their analysis aims to integrate Indigenous Peoples' knowledge into decision-making processes. The article emphasizes the need for Traditional Ecological Knowledge (TEK) to be included in K-12 curricula and discusses possible solutions to achieve this. It critically reviews the government guidance and highlights successful collaborations between federal departments and Indigenous communities in environmental preservation. Dr. Ezeanya-Esiobu and her coauthors suggest that the guidance falls short of fully recognizing Indigenous knowledge as an equal entity and focuses more on how the government can benefit from it. It argues for a deeper understanding and respect for Indigenous worldviews and ways of knowing rather than using TEK solely to solve problems Western science creates. The article concludes that natural solutions can be generated by embracing and valuing Indigenous knowledge independently.

In **Genocide Today, The Guarani-Kaiowa Struggle for Land and Life researcher Dr. Antonio Augusto Rossoto Ioris** reports

on the ongoing genocide of the Guarani-Kaiowa indigenous people in the Brazilian state of Mato Grosso do Sul, referred to as "Kaiowcide." This genocide is not just a result of violence or murder, but a systematic practice rooted in agrarian capitalism and the expansion of the national territory. It is driven by mainstream development, economic growth, and private property interests, which justify genocidal actions. The competition for land and limited social opportunities in an agribusiness-based economy contribute to the genocide. The Guarani-Kaiowa have been subjected to assimilation, confinement, abandonment, and confrontation, with the aim of eradicating their religion, identity, and geography. Despite recurrent genocides, the Guarani-Kaiowa have shown resilience through creative adaptation and collective resistance. The article highlights the violence and intimidation faced by indigenous peoples fighting for their ancestral lands and emphasizes the need for awareness and action to address this ongoing genocide.

Kieren Daley Laursen is a Salmon Recovery Intern for the Affiliated Tribes of Northwest Indians (ATNI) in the United States. He writes in **Affiliated Tribes of Northwest Indians Come Together to Share Common Vision for the Future of Pacific Northwest**

Salmon about the cultural significance of salmon to Indigenous people in the Pacific Northwest and the challenges faced by salmon populations in the region. He highlights the health benefits and economic importance of salmon to Tribal communities. The article also explores the collaboration among Affiliated Tribes of Northwest Indians (ATNI) and other Tribal organizations to address salmon recovery. ATNI Resolution 2022-25 calls for strategic and coordinated action to protect and restore salmon populations. The document, "We are all Salmon People" outlines a shared vision and guiding principles for salmon recovery. The collaboration emphasizes the need for clean water, rebuilt ecosystems, and steady flows to support salmon populations. The article emphasizes the importance of federal agencies and governments working with Tribal Nations to achieve effective salmon recovery. The collaboration aims to demonstrate unity and advocate for the protection of salmon and Tribal rights.

Responsibilities Into Rights
The Settler-Colonial Translation of Native Social Systems into Western Law

By Eric Cheyfitz
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"What I now understand is that rights discourse is not necessarily or automatically relevant to Aboriginal cultures. A system of responsibility makes more sense to the Aboriginal being."

Patricia Monture-Angus.[1]

Prior to the invasion of the Americas, Indigenous communities, except for the relatively short-lived Aztec, Maya, and Inca city-states, lived entirely in extended, egalitarian kinship systems that included both humans and "other-than-humans" (plants, animals, and the very earth itself).[2] In *The Poetics of Imperialism*, citing the anthropologist Eric Wolf, I characterize kinship societies in the following way:

> Thus, while what we term "hierarchies," or "oppositions," such as, for example, ranks according to gender and age, appear to exist in kin-ordered societies, these "oppositions as they are normally played out are particulate, the conjunction of a particular elder with a particular junior of a particular lineage at a particular time and place, and not the general opposition of elder and junior as classes." Further, "[t]he kin-ordered mode inhibits the institutionalization of political power, resting essentially on the management of consensus among clusters of participants," who are geared to flexibly concentrate or disperse their labor "when changing conditions require a rearrangement of commitments. At the same time, the extension and retraction of kin ties create open and shifting boundaries of such societies."[3]

Such systems are still functioning, though settler colonialism's violence has brought them into conflict with nation-state formations.[4] I think, for example, of the traditional Indigenous communities who subsist in the Amazon rain forest, though under constant threat from corporate capitalism and

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[1] Patricia Monture-Angus, *Journeying Forward: Dreaming First Nations Independence* (Halifax, Nova Scotia: Fernwood Publishing Company, 1999), 55.

[2] I take "other-than-human" from Nick Estes, *Are History Is the Future* (London: Verso, 2019).

[3] Eric Cheyfitz, *The Poetics of Imperialism: Translation and Colonization from* "The Tempest" to "Tarzan" (1991; Philadelphia: The University of Pennsylvania Press, 1997), 53-54.

[4] I use "settler colonialism," following Patrick Wolfe, to distinguish it from traditional colonialism. In the latter, India would be a primary example; the colonial regime governs the country and exploits Native labor for capitalist production, displacing Natives from their land to make way for colonial farms, large and small. In the former regime, the goal is the "elimination" of the Native by whatever means, which includes genocide at one extreme and assimilation at the other. See Patrick Wolfe, "Settler colonialism and the elimination of the native," Journal of Genocide Research (2006), 8(4), December, 387-409.

the neoliberal state; of sociopolitical movements resisting the extractive industries of capitalism and the state like Idle No More in Canada and the DAPL resistance, short-lived as it was, in North Dakota; and of the Zapatista (EZLN) autonomous villages in Chiapas, Mexico, which are based in sustainable economies governed by an Indigenous model of democracy-through-consensus, rule by obeying the people ("*mandar obedeciendo*"): "This method of autonomous government was not simply invented by the EZLN, but rather comes from centuries of indigenous resistance and from the Zapatistas' own experience."[5] In the U.S., to take another example, the 1934 Indian Reorganization Act imposed constitutional forms of representative government on federally recognized tribes, which has had the effect in tribal communities of creating conflicts between tribal officials and those in the community holding to traditional forms of governance.[6]

Indigenous kinship systems are based in behavior, not blood, and the behaviors are governed by responsibilities, not rights. The Western property-individual nexus generates rights foreign to Indigenous kinship, where land is the inalienable, original relation of people to the earth, literally "mother earth" or "Pachamama" in Quechua and Aymara, two of the Native languages of the Andes region of Latin America.[7] At Navajo, a matrilineal and matrifocal society, for example, one is born into one's mother's clan and for one's father's clan. The responsibilities that one has within one's mother's clan is to treat every person in that clan as a mother, ideally, treats a child, that is, with unstinting care without any expectation of return. However, if everyone

in the clan fulfills her responsibilities then return is reflexive. The responsibilities that one has toward one's father's clan is one of reciprocity; what is given must be returned in some form. The anthropologist Gary Witherspoon epitomizes the Navajo "kin universe" as follows:

> The culturally related kin universe is a moral order because it is a statement of the proper order of that universe—that is, the ideal state of affairs or the way things ought to be. It refers to a condition in which everything is in its proper place, fulfilling its proper role and following the cultural rules. The rules which govern the kin universe are moral rules. They state unconditionally how kinsmen behave toward each other and how groups of kinsmen function. They are axiomatic based on a priori moral premises…. In Navajo culture, kinship means intense, diffuse, and enduring solidarity, and this solidarity is realized in actions and behavior befitting the cultural definitions of kinship solidarity.[8]

Witherspoon sums up the ideal functioning of the kin universe in the sentence: "To put it simply and concisely, true kinsmen are good mothers" (Witherspoon 1975, 64).

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[5] El Kilombo Intergalactico, Beyond Resistance Everything: An Interview with Subcomandante Insurgente Marcos (Durham, NC: PaperBoat Press, 2007), 11, 67.

[6] See Eric Cheyfitz, "The Navajo-Hopi Land Dispute: A Brief History," Interventions: International Journal of Postcolonial Studies, Volume 2, Number 2 (2000), 248-275.

[7] See Thomas Fatheuer, Buen Vivir (Heinrich Böll Stiftung, Publication Series on Ecology, Volume 17, 2011), Trans. John Hayduska, 20-21.

[8] Gary Witherspoon, Navajo Kinship and Marriage (Chicago: The University of Chicago Press, 1975), 12.

The Diné bahanè, literally the "narrative of the people," or more precisely, narratives, tells in various stories the Navajo search for kinship between communities of human persons (resulting in the formation of clans), and between humans and other-than-humans. And the "boundaries" between these categories, following Eric Wolf, previously cited, are "open and shifting."[9] When Naayéé neizghání (Monster Slayer) finishes the task of restoring kinship to the world, he tells his mother Asdzáá nádleehé (Changing Woman or, literally, woman of indeterminate gender), the central figure in Navajo history and philosophy: "Everywhere I go I find that I am treated like a kinsman." And at the end of a tough negotiation in which Changing Woman agrees to cohabit with the Sun, the father of Monster Slayer and his twin brother, the narrative says: "So it is that she agreed; they would go to a place in the West where they would dwell together in the solid harmony of kinship" (Zolbrod 1984, 275).

The Navajo term for the kinship system is "k'e." Witherspoon explains:

> The Navajo term "k'e" means "compassion," "cooperation," "friendliness," "unselfishness," "peacefulness," and all these positive virtues which constitute intense, diffuse, and enduring solidarity. The term "k'ei" means "a special or particular kind of k'e." It is this term (k'ei) which is used to signify the system of descent relationships and categories found in Navajo culture. "Shik'ei" ("my relatives by descent") distinguishes a group of relatives with whom one relates according to a special kind of k'e. (Witherspoon 1975, 37).

That is, one's clans (father's and mother's).

Mohawk political theorist Taiaiake Alfred suggests that the overall form of government that stems from the range of Indigenous kinship systems are all motivated by differing forms of k'e:

> The Native concept of governance is based on what a great student of indigenous societies, Russell Barsh, has called "primacy of conscience." There is no central or coercive authority, and decision-making is collective. Leaders rely on their persuasive abilities to achieve a consensus that respects the autonomy of individuals, each of whom is free to dissent from and remain unaffected by the collective decision. The clan or family is the basic unit of social organization, and larger forms of organization from tribe through nation to confederacy, are all predicated on the political autonomy and economic independence of clan units through family-based control of lands and resources.... The indigenous tradition sees government as the collective power of the individual members of the nation; there is

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9 Paul G. Zolbrod, Diné bahanè: The Navajo Creation Story (Albuqueque: The University of New Mexico Press, 1984), 269.

no separation between society and state…. By contrast, in the European tradition power is surrendered to the representatives of the majority, whose decisions on what they think is the collective good are then imposed on all citizens.[10]

Imposed, I would add, in the form of rights.

When considering the difference between a system of kinship and a system of rights, the key point is that in the former, "there is no separation between society and state." That is, in systems of k'e there is no sovereign. In contrast, the discourse of rights implies a sovereign who both guarantees these rights but against whose potential tyranny (the state of exception) these rights are a bulwark. In liberal, representative democracies, this sovereign is theoretically "the people" but in practice is the state, which, following Marx, Althusser defines as a "class state, existing in the repressive State apparatus [the police, the army etc.], [which] casts a brilliant light on all the facts observable in the various orders of repression whatever their domains…;

it casts light on the subtle everyday domination beneath which can be glimpsed, in the forms of political democracy, for example, what Lenin, following Marx, called the dictatorship of the bourgeoisie.[11]

One of the marks of settler colonialism, then, is the translation of Indigenous kinship systems grounded in responsibilities into systems of rights as codified in declarations and formal legal documents, including constitutions. In the remainder of this paper, I will focus on three forms of this translation: U.S. federal Indian law, the U.N. Declaration on the Rights of Indigenous Peoples, and the Constitution of the Plurinational State of Bolivia.

II: Subordinating Native Sovereignty

U.S. federal Indian law is grounded in the Commerce Clause of the US Constitution, from which Congress derives its "plenary power" in Indian affairs, a power affirmed, though not without question, in the Supreme Court's interpretations of the clause.[12] In *Worcester v. Georgia* (31 U.S. 515[1832]), the third case in the

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[10] Taiaiake Alfred, Peace, Power, Righteousness: An Indigenous Manifesto (Ontario: Oxford University Press Canada, 1999), 25.

[11] Louis Althusser, Essays On Ideology (London: Verso, 1971), 13.

[12] See U.S v. Kagama (118 U.S. 375, 1886) in which the Court on its way to affirming the Major Crimes Act (1885), which reversed the jurisdiction of Indian on Indian crime instituted in the Non-Intercourse Acts, questions the extent of congressional power under the Commerce clause: "But we think it would be a very strained construction of this clause…for the common-law crimes of murder, manslaughter, arson, burglary, larceny, and the like, without any reference to their relation to any kind of commerce, [if it] was authorized by the grant of power to regulate commerce with the Indian tribes" (at 378). Nevertheless, the Court proceeded to recognize the "plenary power" of Congress in all Indian matters. In the case of U.S. v. Lara (124 S. Ct. 1628, 2004), Justice Thomas in a concurring opinion that upholds the dual sovereignty doctrine, nevertheless, citing Kagama, raises questions about Congress's plenary power: "I do, however, agree that this case raises important constitutional questions that the Court does not begin to answer. The Court utterly fails to find any provision of the Constitution that gives Congress enumerated power to alter tribal sovereignty…. I cannot agree that the Indian Commerce Clause "'provide[s] Congress with plenary power to legislate in the field of Indian affairs'" (at 1648). Thomas here concurs with the dicta in Kagama that finds the Commerce Clause does not contain a rationale for criminal jurisdiction but he does not agree with the plenary power doctrine, which Kagama locates extra-constitutionally in a broad political power over the Indians. In this, Thomas finds that "federal Indian law is at odds with itself" in both asserting plenary power and yet finding an inherent sovereignty in the tribes that supports the dual sovereignty doctrine (at 1649). "Federal Indian policy is, to say the least, schizophrenic. And this confusion continues to infuse federal Indian law and our cases" (at 1645-46).

foundational Marshall Trilogy,[13] Chief Justice John Marshall, writing the opinion of the Court, noted: "The words 'treaty' and 'nation' are words of our own language, selected in our diplomatic and legislative proceedings by ourselves, having each a definite and well understood meaning. We have applied them to Indians as we have applied them to the other nations of the earth. They are applied to all in the same sense" (at 519).

Marshall's words here make clear the process of translation by which Indian communities were translated into Western law, by which kinship societies, grounded in responsibilities, were translated into the keywords of U.S. and international law: "treaty" and "nation." Indian treaties, as is the case with all treaties, do outline the responsibilities of the signatories (rights to a certain extent imply responsibilities). However, these responsibilities are based in a vertical system of authority (the treaties were forced on Native communities through an asymmetry of material power in the course of a genocide) not in a horizontal system of kinship, where the intrinsic equality of the participants obviates the need for rights. Translated through treaties into the term "nation" (treaties by definition are signed between foreign nations), kinship communities were translated into the regime of "sovereignty," in which they were recognized by the sovereign as sovereign only in the sense that Glen Coulthard has elaborated in his book *Red Skin White Masks: Rejecting the Colonial Politics of Recognition*. Writing in "the Canadian context" of federal Indian law, which parallels with differences that of the U.S. because of their common origin in British colonial politics,

Coulthard notes that "colonial relations of power are no longer reproduced primarily through overtly coercive means, but rather through the asymmetrical exchange of mediated forms of state recognition and accommodation." Next, following Frantz Fanon's book *Black Skin, White Masks*, he continues to elaborate the argument that animates *Red Skin, White Masks*:

> Fanon's analysis suggests that in contexts where colonial rule is not reproduced through force alone, the maintenance of settler-state hegemony requires the production of what he liked to call "colonized subjects": namely, the production of the specific modes of colonial thought, desire, and behavior that implicitly or explicitly commit the colonized to the types of practices and subject positions that are required for their continued domination. However, unlike the liberalized appropriation of Hegel that continues to inform many contemporary proponents of identity politics, in Fanon recognition is not posited as a source of freedom and dignity for the colonized, but rather as the field of power through which colonial relations are produced and maintained.[14]

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[13] The Marshall trilogy is the name given in U.S. federal Indian law to the three generative cases that along with treaties and Congressional acts form the foundation of U.S. relations with Indian tribes in the lower forty-eight states. The three cases, which I discuss in this essay, are Johnson v. M'Intosh (1823), Cherokee Nation v. Georgia (1831), and Worcester v. Georgia (1832). The federal government has a wholly different legal arrangement with Alaska Natives articulated in the Alaska Native Claims Settlement Act of 1971. As yet, there is no formal legal arrangement between the federal government and Native Hawaiians.

[14] Glen Sean Coulthard, Red Skin, White Masks: Rejecting the Colonial Politics of Recognition (Minneapolis: The University of Minnesota Press, 2014), pp. 15, 16.

Fanon's analysis, as Coulthard suggests with his use of the term "hegemony," recalls Antonio Gramsci's definition of the term in his prison writings, where he defines it as "[t]he spontaneous consent given by the great masses of the population to the general direction imposed on social life by the dominant fundamental group."[15] This "consent" must be scrutinized within the context of ongoing forms of Native resistance to settler colonialism. That is, it is coerced consent, a contradiction in terms. And Coulthard appears to recognize this when he terms Fanonian "recognition" as a "*field of power*."

U.S. federal Indian law is constituted by the form of asymmetrical recognition that Coulthard defines. Under this law, Native sovereignty is a subordinate sovereignty in which Native communities were defined by the Marshall Court as "domestic dependent nations," in *Cherokee Nation v. Georgia* (30 U.S. at 17[1831]), the second case in the Marshall Trilogy, a definition that is constituted by a contradiction and yet still holds today. In international law, a nation is defined precisely by its independence and its foreignness in relation to other nations. Indeed, the Cherokees came to the Marshall Court asserting their position as a foreign nation by virtue of the treaties they had signed with the U.S. Treaties, by definition, are only negotiated between foreign nations. Nevertheless, they left the Court with their status as an independent, foreign nation denied and reconfigured in a contradictory definition, for a subordinate sovereign cannot be sovereign, though it should be noted that Marshall seemed to be aware of this contradiction because he commissioned

a dissenting opinion from Justices Thompson and Story that supported the Cherokee claim. Thompson wrote the opinion, which Story joined.[16]

The history of US federal Indian law teaches us that kinship regimes of responsibility were translated into rights regimes in order to implement the settler colonial project of disappearing Indians, in this case socially and culturally, under cover of law, just as Indian land, the literal ground of Native kinship, was translated into property in *Johnson v. M'Intosh* (21 U.S. 543[1823]), the first case in the Marshall Trilogy, in order to steal that land under the same cover. I argue that the translation of kinship into rights is a way of disappearing Indians in the sense that it is a form of assimilation, just as I would argue that the Congressional Act of 1924 that translated all Indians into citizens of the U.S. and thus formally if not actually bearers of constitutional rights was an act of assimilation, which has, significantly, been resisted by Native nations that recognize themselves first of all as the primary source of citizenship for their people, even though the U.S refuses this recognition.[17]

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[15] David Forgacs, ed. *The Antonio Gramsci Review: Selected Writings1916-1935* (New York: New York University Press, 2000). 306-307.

[16] See Jill Norgren, *The Cherokee Cases: Two Landmark Federal Decisions in the Fight For Sovereignty* (1996; Norman: The University of Oklahoma Press, 2003), 108-109.

[17] See, for example, the Haudenosaunee (Iroquois) Nationals lacrosse team's passport conflict with the British government in 2010. 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, saying they did not want to travel to an international competition on what they consider to be a foreign nation's passport." Thomas Kaplan, "Iroquois Defeated by Passport Dispute" at https://www.nytimes.com/2010/07/17/sports/17lacrosse.html.

The translation of Native land—understood across Indigenous cultures, as the nonfungible, literal matrix, of the community, the basis of kinship in "mother earth,"—into property, which is by definition a fungible commodity, is not simply a way of stealing that land, rendering it in effect transferable to other parties, of which the federal government was the primary recipient as the *Johnson* case asserts. But this translation enacts a primal violence on Native communities seeking to tear them from the very ground of identity. In that sense, this translation is genocidal. The translation of kinship responsibility into rights must be understood in this settler-colonial context.

A key manifestation of this translation is the history of the Indian Civil Rights Act of 1968 (ICRA), discussed in what follows. As Marshall's words in *Worcester v. Georgia* cited previously make clear, the language of "sovereignty" implied in the terms "nation" and "treaty" was imported into the language of federal Indian law from international law, not to recognize the full sovereignty of foreign nations in the Indian tribes. However, as the Marshall Trilogy makes clear to consign them to a sovereignty subordinate to the United States. Recently, critical questions have been raised about using the term "sovereignty" in a Native discourse of liberation because of its hierarchical meaning in European discourse. For example, Taiaiake Alfred remarks:

> But few people have questioned how a European term and idea...came to be so embedded and important to cultures that had their own systems of government since the time before the term *sovereignty*

was invented in Europe. Fewer still have questioned the implications of adopting the European notion of power and governance and using it to structure the postcolonial systems that are being negotiated and implemented within indigenous communities today.[18]

What this critique points to is the way the language of sovereignty/rights has displaced the language of kinship in Native governance under the regime of federal Indian law, which increasingly structured the governance of these communities hierarchically. Here I want to quote at length a passage from a previously published essay of mine that incapsulates the history of this displacement:

> ...beginning with [the Supreme Court case] *Talton v. Mayes* [163 U.S.376, 1898] formal issues of individual civil rights began to emerge in conflict with issues of sovereignty within tribal communities. While the Supreme Court's decision in *Talton* affirmed tribal sovereignty in the matter of making tribal laws over an individual tribal member's federal appeal to constitutional rights, the conflict between sovereignty and individual right persisted and intensified. This conflict culminated, in the first instance, in the Indian Civil Rights Act of 1968 (ICRA), Title I of which

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[18] Taiaiake Alfred, "Sovereignty," in Joanne Barker, ed. *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination* (Lincoln: The University of Nebraska Press, 2005), 39. See also, Alvaro Reyes and Mara Kaufman, "Sovereignty, Indigeneity, Territory: Zapatista Autonomy and the New Practices of Decolonization," in Eric Cheyfitz, N.Bruce Duthu, and Shari M. Huhndorf, eds. *Sovereignty, Indigeneity, and the Law* (South Atlantic Quarterly, 110:2, Spring 2011), 505-525.

sought to set limits on the sovereignty of tribes over their members, thus modifying *Talton*. In the second instance, however, the conflict culminated in *Santa Clara Pueblo v. Martinez* [436 U.S. 49, 1978], which, citing *Talton* as precedent, argued tribal sovereignty's precedence over civil rights, except in the case of habeas corpus appeals to federal courts sanctioned under 25 U.S.C. §1303 (ICRA), although in this case *Martinez* makes it clear that the respondent is not the tribe but the individual tribal official holding the prisoner. Thus, today the ten constitutional rights of Indian in their tribes, as enumerated in 25 U.S. C. § 1302 come under the sole authority of tribal courts; and the tribes are protected from federal lawsuits in this area through the principal of "sovereign immunity," which the *Martinez* decision reasserts.[19]

Traditional Native governance systems of kinship-consensus now become, under federal Indian law, systems of sovereignty but subordinate to the federal government's sovereignty ("domestic dependent nations"). Concomitantly, systems of communal kinship responsibilities become systems of *individual* rights that ironically are subordinated to a subordinated sovereignty. The settler-colonial agenda of erasing the Native is manifest in this legal agenda.

III: UN Translating Responsibilities

In 2007, the UN General Assembly ratified The Declaration on the Rights of Indigenous Peoples. The Declaration is meant to recognize, because it has no power to redress legally, "that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests" (Preamble). In effect, what the Declaration recognizes implicitly in its very form is that colonization has forced the translation of kinship responsibilities to land, human, and other-than-humans into rights. These rights, as articulated in Article 46 (1), are subordinated to the "rights" of the colonizer, that is, to the rights of the states in which Indigenous communities due to colonial violence are now located:

> Nothing in this Declaration may be interpreted as implying for any State, people, group or person any right to engage in any activity or to perform any act contrary to the Charter of the United Nations or construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States.[20]

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[19] Eric Cheyfitz, "The Colonial Double Bind: Sovereignty and Civil Rights in Indian Country," University of Pennsylvania Journal of Constitutional Law, Volume 5, Number 2, January 2003, 223-240.

[20] UNDRIP. (2007) Article 46 paragraph 1 of the United Nations Declaration on the Rights of Indigenous Peoples was inserted at the last stages of Human Rights Council consideration and is widely interpreted by states' governments as intended to clarify that the rights recognized in the Declaration are subject to the principles and purposes of the United Nations Charter, which include respect for the sovereignty and territorial integrity of states. It is also intended to ensure that the Declaration is not interpreted as authorizing or encouraging any actions that would threaten the unity or integrity of states.

The irony here is that a significant number of the states that formed the U.N. (including, of course, the United States and Canada) were created precisely by the subordination of the autonomous Indigenous kinship systems of responsibilities that the Declaration now promises to protect through the extension of a set of rights that can only be enforced by the very states that claim prior rights over and against Indigenous responsibilities.[21] In effect the Declaration is a contradiction in terms. In the first place, because in translating kinship systems into a system of rights it enacts the assimilation of these egalitarian Indigenous systems into a hierarchical system of Western sovereignty, even as Article 8 states: "Indigenous peoples... have the right not to be subjected to forced assimilation or destruction of their culture." One could argue, of course, that the Declaration is not based in "forced" but in "consensual," or strategic, assimilation, with the caveat I suggested previously about the term *consensual*, remembering that there was (is) resistance to this form of the Declaration.[22] The Declaration is, then, following Coulthard, a system of recognizing the "other" not as an equal sovereign, even as it declares in Article 2 that "Indigenous peoples... are free and equal to all other peoples" but as a subordinate. It is worth noting in this respect that the term *sovereign* is not used in the Declaration in relation to Indigenous communities. However, *nation* is used but only once in Article 9.

In the second place, the Declaration is contradictory on the level of the articles themselves. So, for example, Article 3 states: "Indigenous peoples have the right to self-

determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development." But it is evident throughout the Declaration that this "self-determination" is subordinated to the sovereignty of the states in which Indigenous peoples live. It is, then, a limited self-determination. Thus Article 4 states: "Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions." It would seem that declaring the right to "self-determination" as Article 3 does would automatically include "the right to autonomy or self-government in matters relating to their internal or local affairs." For how can a community exercise self-determination without self-government? So why the need for Article 4 except a kind of unconscious admission that "self-determination" in this document is one limited to the internal affairs of the community, which is the status quo in U.S. federal Indian law. In all honesty, then, Article 4 should read: "Indigenous peoples, in exercising their right to self-determination, *have* only the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions."

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[21] See Eric Cheyfitz, "Native American Literature and the UN Declaration on the Rights of Indigenous Peoples," in Deborah L. Madsen, ed. The Routledge Companion to Native American Literature (London: Routledge, 2016), 192-202.

[22] See note 21: my discussion of the "Alta Outcome Document" in Madsen, which in effect represents Indigenous resistance to the Declaration even as it affirms it, pp.194-195.

Similarly, Article 26 (1) states a right that is virtual and utopian, if it refers to precolonial lands: "Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired" while Article 28 (1) states the colonial status quo that contradicts or compromises article 26(1), if Article 26 (1) does refer not to the lands left to Indigenous peoples after colonial dispossession but to the "lands" occupied by Indigenous peoples prior to colonization: "Indigenous peoples have the right to redress, by means that can include restitution or, when this is not possible, just, fair and equitable compensation, for the lands, territories and resources which they have traditionally owned or otherwise occupied or used, and which have been confiscated, taken, occupied, used or damaged without their free, prior and informed consent." It is quite clear from the history of settler-colonial nations that "restitution" in any significant sense is not a possibility because of the conversion of most Indigenous lands into state-owned property. The ambiguity in Article 26(1), probably unintentional, blurs the boundary between a revolutionary and a conservative right, which is representative of the entire Declaration. In its very form, then, the Declaration tells us that stating a right and realizing that right are two entirely different matters mediated by the real politics of settler-colonialism, to which the Declaration subordinates itself in its formulation.

IV: Bolivia's Fragile Translation of Responsibility

After an Indigenous and worker-led revolutionary movement in Bolivia from 2000-2003, Evo Morales, an Aymara Indian, was elected, in 2005, president of the country, 62% of whose people identify as Indigenous. Subsequently elected twice more (2009-2014 and 2014-2019), he was deposed by a right-wing coup supported by the United States in November 2019. Then in October 2020 his political party, MAS (Movement To Socialism), was returned to power in the national election, and in November 2020, Morales returned to Bolivia from exile in Argentina.

Under the Morales government,[23] the Constitution of the Plurinational State of Bolivia was enacted by national referendum in 2009, though its drafting in the preceding three years by a popularly elected Constituent Assembly was complicated in terms of representation but, to quote Miguel Centellas, "There can be no denying that the 2009 Constitution [recognizing 35 Indigenous languages (Article 5, Paragraph 1)] is a significant advancement for multiculturalism in Bolivia—and for the rights of indigenous peoples in particular,"[24] rights, I would emphasize, grounded in Indigenous kinship responsibilities. There is an attempt, then, in the Bolivian Constitution to reconcile what I have been describing as the conflict or contradiction between kinship responsibilities and rights. Article 8, Paragraph II of the Constitution reads: "The State is based on the values of unity, equality, inclusion, dignity, liberty, solidarity,

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[23] I am using the translation of the Bolivian constitution by Luis Francisco Valle V. No publisher is given.

[24] Miguel Centellas, "Bolivia's New Multicultural Constitution: The 2009 Constitution in Historical and Comparative Perspective," in Todd A. Eisenstadt, Michael S. Danielson, Moisés Jaime Bailón Corres, and Carlos Sorroza Polo eds., *Latin America's Multicultural Movements: The Struggle Between Communitarianism, Autonomy, and Human Rights* (New York: Oxford University Press, 2013). Kindle Edition, 100.

reciprocity, respect, interdependence, harmony, transparency, equilibrium [balance], equality of opportunity, social and gender equality in participation, common welfare, responsibility, social justice, distribution and redistribution of the social wealth and assets for well-being." We recognize here the key terms representing the values that generate kinship responsibilities such as "solidarity, reciprocity...interdependence, harmony...equilibrium [balance]...social and gender equality in participation, responsibility... distribution and redistribution of the social wealth and assets for well-being." In comparison, the key Navajo term, *hozho*, for example, represents the state of harmony, balance, and well-being, all of which are contained in the idea of "beauty."

The Constitution, a voluminous document at 130 pages, encountering the present while projecting a yet-to-be-realized future, repudiates in its Introduction "the colonial, republican, and neo-liberal State" of the past in order to "found Bolivia anew" on the values of kinship elaborated above. The complication, indeed the contradiction, in this promise is the problem of founding a state (a vertical system of rights) on kinship (a horizontal system of responsibilities); the problem of founding a sovereign unitary structure on a structure of heterogeneous autonomous communities (plurinationalism) without the state becoming a neocolonial force privileging its own rights over those of the nation's within the nation, that is, without those nations becoming a version of U.S. Indian "domestic dependent nations."

Under Morales, Bolivia has faced from its beginning as revolutionary state conflicts with Indigenous communities arising from the incompatibility of the responsibilities within the rights model. This condition of conflicts has centrally come into play in the Amazon basin over the conflict between the state's right to development versus the community's responsibility to sustain the biodiversity of the environment, with the former taking precedence, even though Article 289 of the Constitution reads: "Rural native indigenous autonomy consists in self-government as an exercise of free determination of the nations and rural native indigenous peoples, the population of which shares territory, culture, history, languages, and their own juridical, political, social and economic organization or institutions."

In theory, the Bolivian Constitution, in contrast to U.S. federal Indian law and the UN Declaration, offers us a faithful translation of kinship responsibilities into nation-state rights. In practice, the two forms remain in conflict. Centellas puts it this way:

> Looking explicitly at the relationship between Bolivia's indigenous peoples and the state, there is little evidence of a multicultural consociational model. Indigenous peoples are now constitutionally granted autonomy, but in a rather limited way: it is restricted by preexisting territorial boundaries; it is limited to small rural communities; it places significant restrictions on the

use of *usos y costumbres* ; and it does not grant communities veto rights on decisions involving their resources. Like people in many other countries, Bolivians have been forced to wrestle with potential conflicts between practices that fall under *usos y costumbres* and their commitments to human rights. Thus, for example, one can understand restrictions on the use of capital or corporal punishments—a practice sometime defended as falling under the category of *usos y costumbres*. However, it is less understandable why far less controversial elements of usos y costumbres—such as traditional ways of selecting community leaders—should be brushed aside. (106)

In sum, Centellas understands Indigenous autonomy within the Bolivian nation-state as follows:

Overall, the evidence suggests that despite indigenous autonomy originating as a grassroots demand, the application of indigenous autonomy is still primarily understood as structured and applied 'from above' in ways that privilege the central state. Despite legal and constitutional assurances, indigenous autonomy is still very fragile in Bolivia (Centellas 2013, 90).

From the models I have analyzed, it would appear that a regime of responsibilities, an egalitarian kinship regime, is not, finally, compatible with regimes of rights, grounded as such regimes necessarily are in nation-state sovereignty. The moment we move from a kinship to a nation-state regime, from responsibilities to rights, is the moment we move from democracy to something the nation-state calls democracy but is more accurately a majoritarian form of representative politics in which power is not circulated horizontally and thus equally but is distributed vertically and unequally from the top down. We move, that is, from regimes of sustainability to regimes of growth, production, and consumption, based on extractive industries, which are engineering climate collapse today. The western European thought calls this "progress." Thinking from a different place, a place of responsibility, one might understand it as "regress." Put another way; we need a regime of not only human but environmental rights because we have abandoned a regime of responsibility to the living world.

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De la Responsabilidad al Derecho
La Traducción Colonial de los Sistemas Sociales Indígenas al Derecho Occidental

Por Eric Cheyfitz
Programa de Estudios Indígenas y Amerindios
Traducción al Español por Aline Castañeda Cadena

"Lo que ahora entiendo es que el discurso de los derechos no es necesariamente o automáticamente relevante para las culturas aborígenes. Un sistema de responsabilidad tiene más sentido para el aborigen".

Patricia Monture-Angus.[1]

Antes de la invasión de las Américas, a excepción de las ciudades-estado azteca, maya e inca, de vida relativamente corta, las comunidades indígenas vivían enteramente en sistemas de parentesco e igualitaridad extendidos que incluían tanto a humanos como a "no humanos" (plantas, animales y la tierra misma).[2] En The Poetics of Imperialism, citando al antropólogo Eric Wolf, caracterizo a las sociedades de parentesco de la siguiente manera:

Así, mientras que lo que llamamos "jerarquías" u "oposiciones", como, por ejemplo, los rangos según el género y la edad, parecen existir en las sociedades ordenadas por parentesco, estas "oposiciones, tal como se desarrollan normalmente, son particuladas, la conjunción de un anciano en particular con un menor en particular de un linaje particular en un momento y lugar en particular, en lugar de la oposición general de anciano y menor como clases". Además, "[l] a forma de orden por parentesco inhibe la institucionalización del poder político, descansando esencialmente en la gestión del consenso entre grupos de participantes", quienes están preparados para concentrar o dispersar su trabajo de manera flexible "cuando las condiciones cambiantes requieren una reorganización de los compromisos"... Al mismo tiempo, la extensión y retracción de los lazos de parentesco crean fronteras abiertas y cambiantes en tales sociedades".[3]

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[1] Patricia Monture-Angus, *Journeying Forward: Dreaming First Nations Independence* (Halifax, Nova Scotia: Fernwood Publishing Company, 1999), 55.

[2] Tomo el término "no humanos" de Nick Estes, *Are History Is the Future* (London: Verso, 2019).

[3] Eric Cheyfitz, *The Poetics of Imperialism: Translation and Colonization from* "The Tempest" to "Tarzan" (1991; Philadelphia: The University of Pennsylvania Press, 1997), 53-54.

Dichos sistemas siguen funcionando, aunque la violencia del colonialismo de asentamiento los ha puesto en conflicto en cuanto a la formación de estados-nación.[4] Pienso, por ejemplo, en las comunidades indígenas tradicionales que subsisten en la selva amazónica, aunque bajo la amenaza constante del capitalismo corporativo y del estado neoliberal; en los movimientos sociopolíticos que resisten las industrias extractivas del capitalismo y el estado como Idle No More en Canadá y la resistencia al DAPL (The Dakota Access Pipeline, el oleoducto de Dakota Access), con la corta duración que tuvo, en Dakota del Norte; y de los pueblos autónomos zapatistas (EZLN) en Chiapas, México, que se basan en economías sustentables regidas por un modelo indígena de democracia por consenso, gobernar obedeciendo al pueblo ("'mandar obedeciendo'"): "Este método de gobierno autónomo no fue simplemente inventado por el EZLN, sino que proviene de siglos de resistencia indígena y de la propia experiencia de los zapatistas".[5] En Estados Unidos, por mencionar otro ejemplo, la Ley de Reorganización Indígena de 1934 impuso formas constitucionales de gobierno representativo a las tribus reconocidas a nivel federal, lo que ha tenido un efecto sobre las comunidades tribales de crear conflictos entre los funcionarios tribales y aquellos en la comunidad que mantienen las formas tradicionales de gobierno.[6]

Los sistemas de parentesco indígena se basan en el comportamiento, no en la sangre, y los comportamientos se rigen por responsabilidades, no a través de los derechos. El nexo occidental propiedad-individuo genera derechos ajenos al concepto de parentesco indígena, donde la tierra es la relación original e inalienable de las personas con la Tierra, literalmente "Madre Tierra", o la "Pachamama" en quechua y aimara, dos de las lenguas nativas de la región andina de América Latina.[7] En la Nación Navajo, una sociedad matrilineal y matrifocal, por ejemplo, uno nace en el clan de su madre y para el clan de su padre. Las responsabilidades que uno tiene dentro del clan de su madre es tratar a cada persona de ese clan como una madre idealmente trataría a un niño, es decir, con un cuidado ilimitado sin ninguna expectativa de recibir algo a cambio. Sin embargo, si todos en el clan cumplen con sus responsabilidades, a modo de reflejo, todos reciben algo. Las responsabilidades que uno tiene hacia el clan de su padre son de reciprocidad; lo que se da debe ser devuelto de alguna forma. El antropólogo Gary Witherspoon personifica el "universo familiar" navajo de la siguiente manera:

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[4] Uso "colonialismo de asentamiento" siguiendo a Patrick Wolfe, para distinguirlo del colonialismo tradicional. En este último, India sería un ejemplo principal; el régimen colonial gobierna el país y explota el trabajo nativo para la producción capitalista, desplazando a la gente originaria de sus tierras para dar paso a haciendas coloniales, grandes y pequeñas. En el primer régimen, el objetivo es la "eliminación" de los indígenas por todos los medios, lo que incluye genocidio en un extremo y asimilación en el otro. Ver Patrick Wolfe, "Settler colonialism and the elimination of the native," Journal of Genocide Research (2006), 8(4), Diciembre, 387-409.

[5] El Kilombo Intergalactico, Beyond Resistance Everything: An Interview with Subcomandante Insurgente Marcos (Durham, NC: PaperBoat Press, 2007), 11, 67.

[6] See Eric Cheyfitz, "The Navajo-Hopi Land Dispute: A Brief History," Interventions: International Journal of Postcolonial Studies, Volume 2, Number 2 (2000), 248-275.

[7] See Thomas Fatheuer, Buen Vivir (Heinrich Böll Stiftung, Publication Series on Ecology, Volume 17, 2011), Trans. John Hayduska, 20-21.

El universo de parentesco culturalmente relacionado es un orden moral porque es una declaración del orden propio de ese universo, es decir, el estado ideal de las cosas o la forma en que deberían ser. Se refiere a una condición en la que todo está en su debido lugar, cumpliendo su función y siguiendo las reglas culturales. Las reglas que gobiernan el universo familiar son reglas morales. Afirman incondicionalmente cómo se comportan los parientes entre sí y cómo funcionan los grupos de parientes. Son axiomáticos basados en premisas morales a priori…. En la cultura navajo, parentesco significa solidaridad intensa, extensa y duradera, y esta solidaridad se materializa en acciones y comportamientos acordes con las definiciones culturales de solidaridad de parentesco.[8]

Witherspoon resume el funcionamiento ideal del universo familiar en la frase: "Para decirlo de manera simple y concisa, los verdaderos parientes son buenas madres" (Witherspoon 1975, 64).

El Diné bahanè, literalmente la "narrativa del pueblo", o más precisamente, narrativas, cuenta en varias historias la búsqueda de parentesco de los navajos entre comunidades de personas humanas (lo que resulta en la formación de clanes), y entre humanos y no humanos. Y los "límites" entre estas categorías, de acuerdo a Eric Wolf, citado anteriormente, son "abiertos y cambiantes". Cuando Naayéé neizghání (Asesino de Monstruos) termina la tarea de restaurar el parentesco hacia el mundo, le dice a su madre Asdzáá nádleehé (Mujer Cambiante o, literalmente, mujer de género indeterminado),

la figura central en la historia y filosofía navajo: "Dondequiera que voy, descubro que me tratan como a un pariente".[9] Y al final de una dura negociación en la que Mujer Cambiante acepta cohabitar con el Sol, con el padre de Asesino de Monstruos y su hermano gemelo, la narración dice: "Así es que ella accedió; irían a un lugar en Occidente donde vivirían juntos en la sólida armonía del parentesco" (Zolbrod 1984, 275).

El término navajo para el sistema de parentesco es "k'e". Witherspoon explica:

El término navajo "k'e" significa "compasión", "cooperación", "amistad", "altruismo", "pacificación" y todas estas virtudes positivas que constituyen una solidaridad intensa, extensa y duradera. El término "k'ei" significa "un tipo especial o particular de k'e". Es este término (k'ei) el que se usa para significar el sistema de relaciones y categorías de descendencia que se encuentran en la cultura navajo. "Shik'ei" ("mis parientes por descendencia") distingue a un grupo de parientes con los que uno se relaciona según un tipo especial de k'e. (Witherspoon 1975, 37).

Es decir, los clanes de uno (padre y madre).

El teórico político Mohawk Taiaiake Alfred sugiere que la forma general de gobierno que se deriva de la gama de sistemas de parentesco indígena está motivada por diferentes formas de k'e:

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[8] Gary Witherspoon, Navajo Kinship and Marriage (Chicago: The University of Chicago Press, 1975), 12.

[9] Paul G. Zolbrod, *Diné bahanè: The Navajo Creation Story* (Albuqueque: The University of New Mexico Press, 1984), 269.

El concepto nativo de gobierno se basa en lo que un gran estudioso de las sociedades indígenas, Russell Barsh, ha llamado "primacía de la conciencia". No existe una autoridad central o coercitiva, y la toma de decisiones es colectiva. Los líderes confían en sus habilidades persuasivas para lograr un consenso que respete la autonomía de los individuos, cada uno de los cuales es libre de disentir y no verse afectado por la decisión colectiva. El clan o la familia es la unidad básica de la organización social, y las formas más amplias de organización, desde la tribu hasta la nación y la confederación, se basan todas en la autonomía política y la independencia económica de las unidades del clan a través del control familiar de las tierras y los recursos... La tradición indígena ve al gobierno como el poder colectivo de los miembros individuales de la nación; no hay separación entre sociedad y estado.... Por el contrario, en la tradición europea, el poder se entrega a los representantes de la mayoría, cuyas decisiones sobre lo que creen que es el bien colectivo se imponen a todos los ciudadanos.[10]

Impuesta, añadiría, en forma de derechos.

Al considerar la diferencia entre un sistema de parentesco y un sistema de derechos, el punto clave es que en el primero "no hay separación entre sociedad y estado". Es decir, en los sistemas de k'e no hay soberano. En contraste, el discurso de los derechos implica un soberano que garantiza estos derechos, pero contra cuya tiranía potencial (el estado de excepción) dichos derechos son un baluarte. En las democracias

liberales representativas, este soberano es teóricamente "el pueblo", pero en la práctica es el Estado, el cual Althusser, siguiendo a Marx, define como un "estado de clase, existente en el aparato represivo del Estado [la policía, el ejército, etc.], [que] arroja una luz brillante sobre todos los hechos observables en los diversos órdenes de represión cualquiera que sean sus dominios...; arroja luz sobre la sutil dominación cotidiana bajo la cual se vislumbra, en las formas de la democracia política, por ejemplo, lo que Lenin, de acuerdo con Marx, llamó la dictadura de la burguesía".[11]

Una de las características del colonialismo de asentamiento, entonces, es la traducción de los sistemas de parentesco indígenas basados en responsabilidades a sistemas de derechos codificados en declaraciones y documentos legales formales, incluidas las constituciones. En el resto de este documento, me centraré en tres formas de esta traducción: la ley federal indígena de Estados Unidos, la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas y la Constitución del Estado Plurinacional de Bolivia.

II: Subordinación de la Soberanía Indígena

La Ley Federal Indígena de Estados Unidos se basa en la Cláusula de Comercio de la Constitución de EUA, de la cual el Congreso deriva su "poder plenario" en los asuntos indígenas, un poder afirmado, aunque no sin cuestionamientos, en las interpretaciones de

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[10] Taiaiake Alfred, *Peace, Power, Righteousness: An Indigenous Manifesto* (Ontario: Oxford University Press Canada, 1999), 25.

[11] Louis Althusser, *Essays On Ideology* (London: Verso, 1971), 13.

la cláusula por parte de la Suprema Corte.[12] En Worcester v. Georgia (31 U.S. 515[1832]), el tercer caso de la Trilogía Marshall fundamental,[13] el Presidente del Tribunal Supremo John Marshall, al escribir la opinión de la Corte, señaló: "Las palabras 'tratado' y 'nación' son palabras de nuestro propio idioma, seleccionadas en nuestros procedimientos diplomáticos y legislativos por nosotros mismos, teniendo cada una un significado definido y bien entendido. Las hemos aplicado a los indígenas como las hemos aplicado a las demás naciones de la tierra. Se aplican a todos en el mismo sentido" (en 519).

Estas palabras de Marshall dejan en claro el proceso de traducción mediante el cual las comunidades indias fueron traducidas al derecho occidental, por medio de lo cual las sociedades de parentesco, basadas en responsabilidades, fueron traducidas a las palabras clave del derecho estadounidense e internacional:

"tratado" y "nación". Los tratados indios, como es el caso con todos los tratados, describen las responsabilidades de los signatarios (los derechos hasta cierto punto implican responsabilidades). Sin embargo, estas responsabilidades se basan en un sistema vertical de autoridad (los tratados fueron impuestos a las comunidades indígenas a través de una asimetría de poder material en el transcurso de un genocidio) y no en un sistema horizontal de parentesco, donde la igualdad intrínseca de los participantes obvia la necesidad de derechos. Traducidas a través de tratados al término "nación" (los tratados, por definición, se firman entre naciones extranjeras), las comunidades de parentesco se tradujeron al régimen de "soberanía", en el que el soberano las reconocía como tal sólo en el sentido que Glen Coulthard elabora en su libro *Red Skin White Masks: Rejecting the Colonial Politics of Recognition*.

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[12] Véase U.S v. *Kagama* (118 U.S. 375, 1886) en donde la Corte, en vías a afirmar la Ley de Crímenes Mayores (1885), la cual revirtió la jurisdicción del indígena sobre el crimen indígena, instituida en la Ley de No Intercambio Comercial, cuestiona el alcance del poder del Congreso bajo la cláusula de comercio: "Pero creemos que sería una interpretación muy forzada de esta cláusula… para los delitos de derecho consuetudinario de asesinato, homicidio involuntario, incendio premeditado, robo con allanamiento de morada, hurto y similares, sin ninguna referencia a su relación con ningún tipo de comercio, [si] fue autorizado por la concesión del poder para regular el comercio con las tribus indias" (en 378). No obstante, la Corte procedió a reconocer la "facultad plenaria" del Congreso en todos los asuntos indígenas. En el caso de U.S. v. Lara (124 S. Ct. 1628, 2004), el juez Thomas, en una opinión concurrente que defiende la doctrina de la soberanía dual, aunque citando a *Kagama*, plantea dudas sobre el poder plenario del Congreso: "Sin embargo, sí coincido en que este caso plantea importantes interrogantes constitucionales que la Corte no comienza a responder. La Corte falla por completo en encontrar alguna disposición de la Constitución que otorgue al Congreso poderes enumerados para alterar la soberanía tribal…. No puedo estar de acuerdo con que la Cláusula de Comercio Indígena "'brinde al Congreso el poder plenario para legislar en el campo de los asuntos indígenas'" (en 1648). Thomas aquí está de acuerdo con el dictamen de Kagama que encuentra que la Cláusula de Comercio no contiene una justificación para la jurisdicción penal, pero no está de acuerdo con la doctrina del poder plenario, que *Kagama* ubica extraconstitucionalmente en un amplio poder político sobre los indígenas. En esto, Thomas encuentra que "la Ley Federal Indígena está en desacuerdo consigo misma", tanto al afirmar el poder plenario como al encontrar una soberanía inherente en las tribus que apoya la doctrina de la soberanía dual (en 1649). "La política federal indígena es, por decir lo menos, esquizofrénica. Y esta confusión continúa impregnada en la Ley Federal Indígena y en nuestros casos" (en 1645-46).

[13] La trilogía de Marshall es el nombre dado en la Ley Federal Indígena de Estados Unidos a los tres casos generativos que, junto con los tratados y las leyes del Congreso, conforman el fundamento de las relaciones de Estados Unidos con las tribus indias en los cuarenta y ocho estados inferiores. Los tres casos, los cuales analizo en este ensayo, son Johnson v. M'Intosh (1823), Cherokee Nation v. Georgia (1831) y Worcester v. Georgia (1832). El gobierno federal tiene un arreglo legal completamente diferente con los nativos de Alaska, articulado en la Ley de Liquidación de Reclamos de los Nativos de Alaska de 1971. Hasta el momento, no existe un acuerdo legal formal entre el gobierno federal y los nativos de Hawái.

Escribiendo desde el "contexto canadiense" de la Ley Federal Indígena, que se asemeja con ciertas diferencias a las de Estados Unidos debido a su origen común en la política colonial británica, Coulthard señala que "las relaciones de poder coloniales ya no se reproducen principalmente a través de medios abiertamente coercitivos, sino más bien a través del intercambio asimétrico de formas mediatizadas de reconocimiento y acuerdo estatal". A continuación, basándose en el libro de Frantz Fanon Black Skin, White Masks, continúa elaborando el argumento esencial de *Red Skin, White Masks*:

El análisis de Fanon sugiere que en contextos donde el gobierno colonial no se reproduce a través de la fuerza únicamente, el mantenimiento de la hegemonía del Estado de colonos requiere la producción de lo que a él le gustaba llamar "sujetos colonizados": a saber, la producción de los modos específicos del pensamiento colonial, deseo y comportamiento que implícita o explícitamente comprometen al colonizado a los tipos de prácticas y posiciones del sujeto que se requieren para su continua dominación. Sin embargo, a diferencia de la apropiación liberalizada de Hegel que continúa informando a muchos defensores contemporáneos de las políticas de identidad, con Fanon el reconocimiento no se postula como una fuente de libertad y dignidad para los colonizados, *sino como el campo de poder a través del cual se producen y mantienen las relaciones coloniales*.[14]

El análisis de Fanon, como sugiere Coulthard con su uso del término "hegemonía", recuerda la definición del término en los escritos carcelarios de Antonio Gramsci, donde lo define como "[e]l consentimiento espontáneo dado por las grandes masas de la población a la dirección general impuesta a la vida social por el grupo fundamental dominante".[15] Este "consentimiento" debe ser escrutado en el contexto de las formas continuas de resistencia nativa al colonialismo de asentamiento. Es decir, es consentimiento forzado, una contradicción en los términos. Y Coulthard parece reconocer esto cuando denomina el "reconocimiento" fanoniano como un *"campo de poder"*.

La Ley Federal Indígena estadounidense está constituida por la forma de reconocimiento asimétrico que define Coulthard. Según esta ley, la soberanía indígena es una soberanía subordinada en la que las comunidades indígenas fueron definidas por el Tribunal de Marshall como "naciones domésticas dependientes", en *Cherokee Nation v. Georgia* (30 U.S. at 17[1831]), el segundo caso de la Trilogía Marshall, una definición que está constituida por una contradicción y, sin embargo, todavía se mantiene hoy. En el derecho internacional, una nación se define precisamente por su independencia y su extrañeza en relación con

[14] Glen Sean Coulthard, *Red Skin, White Masks: Rejecting the Colonial Politics of Recognition* (Minneapolis: The University of Minnesota Press, 2014), pp. 15, 16.

[15] David Forgacs, ed. *The Antonio Gramsci Review: Selected Writings1916-1935* (New York: New York University Press, 2000). 306-307.

otras naciones. De hecho, los Cherokees llegaron a la Corte de Marshall afirmando su posición como nación extranjera en virtud de los tratados que habían firmado con Estados Unidos. Los tratados, por definición, solo se negocian entre naciones extranjeras. Sin embargo, dejaron la Corte con su condición de nación extranjera independiente negada y reconfigurada en una definición contradictoria, ya que un soberano subordinado no puede ser soberano, aunque cabe señalar que Marshall parecía ser consciente de esta contradicción porque encomendó una opinión discrepante de los jueces Thompson y Story la cual apoyaba el reclamo de los Cherokee. Thompson escribió la opinión, a la cual se unió Story.[16]

La historia de la Ley Federal Indígena de Estados Unidos nos enseña que los regímenes de parentesco de responsabilidad se tradujeron en regímenes de derechos para implementar el proyecto colonialista de desaparición de los indígenas, en este caso social y culturalmente, bajo el amparo de la ley, de la misma forma en que la tierra indígena, literalmente el territorio de parentesco indígena, se tradujo en propiedad en *Johnson v. M'Intosh* (21 U.S. 543[1823]), el primer caso en la Trilogía Marshall, para robar esa tierra bajo la misma fachada. Yo sostengo

que la traducción del parentesco en derechos es una estrategia para desaparecer a los indígenas en el sentido de que es una forma de asimilación, de la misma manera en que afirmaría que la Ley del Congreso de 1924 que convirtió a todos los indígenas en ciudadanos de Estados Unidos, y por lo tanto formalmente si no de no es que de hecho, en sujetos de derechos constitucionales, fue un acto de asimilación que, significativamente, ha sido resistido por las naciones indígenas que se reconocen ante todo como la principal fuente de ciudadanía para su pueblo, a pesar de que Estados Unidos rechace este reconocimiento.[17] La traducción de la tierra indígena —entendida en todas las culturas indígenas literalmente como la matriz no fungible de la comunidad, la base del parentesco en la "madre tierra"— en propiedad, que es por definición una mercancía fungible, no es simplemente una forma de robar esa tierra, haciéndola en efecto transferible a terceras partes, de las cuales el gobierno federal fue el principal beneficiario, como bien afirma el caso *Johnson*. Esta traducción representa una violencia primaria sobre las comunidades indígenas a las que se busca arrancarles el fundamento mismo de su identidad. En ese sentido, esta traducción es genocida. La traducción de la responsabilidad del parentesco en derechos debe entenderse en este contexto colonialista.

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[16] Véase Jill Norgren, *The Cherokee Cases: Two Landmark Federal Decisions in the Fight For Sovereignty* (1996; Norman: The University of Oklahoma Press, 2003), 108-109.

[17] Véase, por ejemplo, el conflicto de pasaportes del equipo de lacrosse Haudenosaunee (Iroqués) Nationals con el gobierno británico en 2010. Escribiendo sobre el conflicto en *The New York Times* el 16 de julio de 2010, Thomas Kaplan señala: "La disputa ha reemplazado al lacrosse, lo que provocó un alboroto internacional, y en Estados Unidos, revivió un debate centenario sobre la soberanía de las naciones indígenas americanas. Los iroqueses se negaron a aceptar pasaportes de Estados Unidos, diciendo que no querían viajar a una competencia internacional con lo que consideran un pasaporte de una nación extranjera". Thomas Kaplan, "Iroquois Defeated by Passport Dispute" en https://www.nytimes.com/2010/07/17/sports/17lacrosse.html.

Una manifestación clave de esta traducción es la historia de la Ley de Derechos Civiles de los Indios de 1968 (ICRA), que se analiza a continuación. Como aclaran las palabras de Marshall en *Worcester v. Georgia* citadas anteriormente, el lenguaje de "soberanía" implícito en los términos "nación" y "tratado" fue importado al lenguaje de la Ley Federal Indígena desde el derecho internacional, no para reconocer la plena soberanía de naciones extranjeras en las tribus indígenas, sino, como la Trilogía Marshall evidencia, para consignarlos a una soberanía subordinada a Estados Unidos. Recientemente, se han planteado preguntas críticas sobre el uso del término "soberanía" en un discurso indígena de liberación debido a su significado jerárquico en el discurso europeo. Por ejemplo, Taiaiake Alfred comenta:

> Pero pocas personas han cuestionado cómo un término e idea europea... llegó a estar tan arraigado y a ser importante para las culturas que tenían sus propios sistemas de gobierno desde antes de que se inventara el término *soberanía* en Europa. Menos aún se han cuestionado las implicaciones de adoptar la noción europea de poder y gobierno y utilizarla para estructurar los sistemas poscoloniales que se están negociando e implementando dentro de las comunidades indígenas en la actualidad.[18]

A lo que apunta esta crítica es a la forma en que el lenguaje de la soberanía y los derechos ha desplazado al lenguaje del parentesco en el gobierno indígena bajo el régimen de la Ley Federal Indígena, que estructuró cada vez más jerárquicamente el gobierno de estas comunidades. Aquí quiero citar extensamente un pasaje de un ensayo mío publicado anteriormente que resume la historia de este desplazamiento:

> ...a partir de [el caso de la Corte Suprema] *Talton v. Mayes* [163 U.S.376, 1898] comenzaron a surgir cuestiones formales de derechos civiles individuales en conflicto con cuestiones de soberanía dentro de las comunidades tribales. Si bien la decisión de la Corte Suprema sobre *Talton* afirmó la soberanía tribal en los asuntos de creación de leyes tribales sobre la apelación federal de los derechos constitucionales de un miembro tribal individual, el conflicto entre la soberanía y el derecho individual persistió y se intensificó. Este conflicto culminó, en primera instancia, con la Ley de Derechos Civiles de los Indios de 1968 (ICRA), cuyo Título I pretendía poner límites a la soberanía de las tribus sobre sus miembros, modificando así lo estipulado en *Talton*. En segunda instancia, sin embargo, el conflicto culminó en *Santa Clara Pueblo v. Martinez* [436 U.S. 49, 1978], que, citando a *Talton* como precedente, argumentó la precedencia de la soberanía tribal sobre los derechos civiles, excepto en el caso de apelaciones habeas corpus ante tribunales federales sancionados bajo 25 U.S.C. §1303 (ICRA), aunque en este caso

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[18] Taiaiake Alfred, "Sovereignty," en Joanne Barker, ed. *Sovereignty Matters: Locations of Contestation and Possibility in Indigenous Struggles for Self-Determination* (Lincoln: The University of Nebraska Press, 2005), 39. Véase también, Alvaro Reyes y Mara Kaufman, "Sovereignty, Indigeneity, Territory: Zapatista Autonomy and the New Practices of Decolonization," en Eric Cheyfitz, N.Bruce Duthu, y Shari M. Huhndorf, eds. *Sovereignty, Indigeneity, and the Law* (South Atlantic Quarterly, 110:2, Spring 2011), 505-525.

Martínez aclara que el demandado no es la tribu sino el funcionario tribal individual que tiene al prisionero. Por lo tanto, hoy los diez derechos constitucionales de los indios en sus tribus, como se enumeran en 25 U.S. C. § 1302, están bajo la autoridad exclusiva de los tribunales tribales; y las tribus están protegidas de juicios federales en esta área a través del principio de "inmunidad soberana", que la decisión de *Martínez* reafirma.[19]

Los sistemas de gobierno tradicionales indígenas de consenso y parentesco ahora se convierten, bajo la Ley Federal Indígena, en sistemas de soberanía pero subordinados a la soberanía del gobierno federal ("naciones domésticas dependientes"). De manera conjunta, los sistemas de responsabilidades de parentesco comunal se convierten en sistemas de derechos *individuales* que, irónicamente, se subordinan a una soberanía subordinada. El proyecto colonialista de borrar a los nativos se manifiesta en esta agenda legal.

III: La Traducción de Responsabilidades de la ONU

En 2007, la Asamblea General de la ONU ratificó la Declaración sobre los Derechos de los Pueblos Indígenas. la Declaración tiene por objeto reconocer, porque no tiene poder de reparación legal, "que los pueblos indígenas han sufrido injusticias históricas como resultado, entre otras cosas, de la colonización y el despojo de sus tierras, territorios y recursos, impidiéndoles así ejercer, en particular, su derecho al desarrollo de acuerdo con sus propias necesidades e intereses" (Preámbulo). En efecto, lo que la Declaración reconoce implícitamente en su propia forma es que la colonización ha forzado la traducción de las responsabilidades del parentesco hacia la tierra, los humanos y otros no humanos en derechos. Estos derechos, como se articula en el Artículo 46 (1), están subordinados a los "derechos" del colonizador, es decir, a los derechos de los estados en los que ahora se encuentran las comunidades indígenas debido a la violencia colonial:

Nada de lo contenido en la presente Declaración se interpretará en el sentido de que confiere a un Estado, pueblo, grupo o persona derecho alguno a participar en una actividad o realizar un acto contrarios a la Carta de las Naciones Unidas, ni se entenderá en el sentido de que autoriza o alienta acción alguna encaminada a quebrantar o menoscabar, total o parcialmente, la integridad territorial o la unidad política de Estados soberanos e independientes.[20]

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[19] Eric Cheyfitz, "The Colonial Double Bind: Sovereignty and Civil Rights in Indian Country," University of Pennsylvania Journal of Constitutional Law, Volume 5, Number 2, January 2003, 223-240.

[20] UNDRIP. (2007) El artículo 46, párrafo 1 de la Declaración de las Naciones Unidas sobre los Derechos de los Pueblos Indígenas se añadió en las etapas tardías a consideración del Consejo de Derechos Humanos y es ampliamente interpretado por los gobiernos de los estados como destinado a aclarar que los derechos reconocidos en la Declaración están sujetos a los principios y propósito de la Carta de las Naciones Unidas, lo cual incluye el respeto a la soberanía y la integridad territorial de los estados. También está destinado a asegurar que la Declaración no sea interpretada como un fomento a acciones que puedan amenazar la unidad o integridad de los estados.

La ironía aquí es que un número significativo de los estados que formaron la ONU (incluidos, por supuesto, Estados Unidos y Canadá) fueron creados precisamente por la subordinación de los sistemas indígenas autónomos de responsabilidades de parentesco, que la Declaración ahora promete proteger a través de la extensión de un conjunto de derechos que solo pueden ser exigidos por los mismos estados que reclaman derechos previos por encima y en contra de las responsabilidades indígenas.[21] En efecto, la Declaración es una contradicción en los términos. En primer lugar, porque al traducir los sistemas de parentesco a un sistema de derechos se promulga la asimilación de estos sistemas indígenas igualitarios a un sistema jerárquico de soberanía occidental, incluso como establece el artículo 8: "los pueblos indígenas... tienen derecho a no ser sometidos a la asimilación forzada o a la destrucción de su cultura". Se podría argumentar, por supuesto, que la Declaración no se basa en la asimilación "forzada" sino "consensual", o estratégica, con la salvedad que sugerí anteriormente sobre el término consensual, recordando que hubo (hay) resistencia a esta forma de la Declaración.[22] La Declaración es, entonces, siguiendo a Coulthard, un sistema de reconocimiento del "otro" no como un soberano igual, ni como declara incluso el Artículo 2, que "los pueblos indígenas... son libres e iguales a todos los demás pueblos", sino como un subordinado. Vale la pena señalar a este respecto que el término soberano no se utiliza en la Declaración en relación con las comunidades indígenas. Sin embargo, la palabra *nación* se usa solo una vez en el artículo 9.

En segundo lugar, la Declaración es contradictoria a nivel de los propios artículos. Así, por ejemplo, el artículo 3 establece: "los pueblos indígenas tienen derecho a la libre determinación. En virtud de ese derecho determinan libremente su condición política y persiguen libremente su desarrollo económico, social y cultural". Pero es evidente a lo largo de la Declaración que esta "autodeterminación" está subordinada a la soberanía de los estados en los que viven los pueblos indígenas. Se trata, pues, de una autodeterminación limitada. Así, el artículo 4 establece: "los pueblos indígenas, en ejercicio de su derecho a la libre determinación, tienen derecho a la autonomía o al autogobierno en lo relativo a sus asuntos internos y locales, así como a los medios y formas para el financiamiento de sus funciones autónomas". Parecería que declarar el derecho a la "autodeterminación" como lo hace el artículo 3 incluiría automáticamente "el derecho a la autonomía o al autogobierno en temas relacionados con sus asuntos internos o locales". Porque, ¿cómo puede una comunidad ejercer la autodeterminación sin autogobierno? Entonces, ¿por qué la necesidad del Artículo 4, excepto una especie de admisión inconsciente de que la "autodeterminación" en este documento se limita a los asuntos internos de la comunidad, que es el statu quo en la La Ley Federal Indígena de

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[21] Véase Eric Cheyfitz, "Native American Literature and the UN Declaration on the Rights of Indigenous Peoples," en Deborah L. Madsen, ed. The Routledge Companion to Native American Literature (London: Routledge, 2016), 192-202.

[22] Ver nota 21: mi discusión del "Documento Final de Alta" en Madsen, que en efecto representa la Resistencia indígena a la Declaración incluso si la afirma, pp.194-195.

Estados Unidos? Entonces, con toda honestidad, el artículo 4 debería decir: "Los pueblos indígenas, en el ejercicio de su derecho a la libre determinación, tienen únicamente el derecho a la autonomía o al autogobierno en los temas relacionados con sus asuntos internos y locales, así como las formas y medios para financiar sus funciones autónomas."

En segundo lugar, la Declaración es contradictoria a nivel de los propios artículos. Así, por ejemplo, el artículo 3 establece: "los pueblos indígenas tienen derecho a la libre determinación. En virtud de ese derecho determinan libremente su condición política y persiguen libremente su desarrollo económico, social y cultural". Pero es evidente a lo largo de la Declaración que esta "autodeterminación" está subordinada a la soberanía de los estados en los que viven los pueblos indígenas. Se trata, pues, de una autodeterminación limitada. Así, el artículo 4 establece: "los pueblos indígenas, en ejercicio de su derecho a la libre determinación, tienen derecho a la autonomía o al autogobierno en lo relativo a sus asuntos internos y locales, así como a los medios y formas para el financiamiento de sus funciones autónomas". Parecería que declarar el derecho a la "autodeterminación" como lo hace el artículo 3 incluiría automáticamente "el derecho a la autonomía o al autogobierno en temas relacionados con sus asuntos internos o locales". Porque, ¿cómo puede una comunidad ejercer la autodeterminación sin autogobierno? Entonces, ¿por qué la necesidad del Artículo 4, excepto una especie de admisión inconsciente de que la "autodeterminación" en este documento se limita a los asuntos internos de la comunidad,

que es el statu quo en la La Ley Federal Indígena de Estados Unidos? Entonces, con toda honestidad, el artículo 4 debería decir: "Los pueblos indígenas, en el ejercicio de su derecho a la libre determinación, tienen *únicamente* el derecho a la autonomía o al autogobierno en los temas relacionados con sus asuntos internos y locales, así como las formas y medios para financiar sus funciones autónomas."

De manera similar, el artículo 26 (1) establece un derecho que es virtual y utópico en lo referente a tierras precoloniales: "Los pueblos indígenas tienen derecho a las tierras, territorios y recursos que tradicionalmente han poseído, ocupado o utilizado o adquirido", mientras el artículo 28 (1) establece el statu quo colonial que contradice o compromete el artículo 26 (1), si el artículo 26 (1) no se refiere a las tierras dejadas a los pueblos indígenas después del despojo colonial, sino a las "tierras" ocupadas por los pueblos indígenas antes a la colonización: "los pueblos indígenas tienen derecho a la reparación, por medios que pueden incluir la restitución o, cuando ello no sea posible, una indemnización justa y equitativa por las tierras, los territorios y los recursos que tradicionalmente hayan poseído u ocupado o utilizado y que hayan sido confiscados, tomados, ocupados, utilizados o dañados sin su consentimiento libre, previo e informado." Está bastante claro en la historia de las naciones colonizadas por asentamiento, que la "restitución" en cualquier sentido significativo no es una posibilidad debido a la conversión de la mayoría de

las tierras indígenas en propiedad estatal. La ambigüedad en el Artículo 26 (1), probablemente involuntaria, desdibuja el límite entre un derecho revolucionario y uno conservador, que es representativo de toda la Declaración. Entonces, en su forma misma, la Declaración nos dice que afirmar un derecho y realizar ese derecho son dos asuntos completamente diferentes, mediados por la política real del colonialismo de asentamiento, a la cual la Declaración se subordina en su formulación.

IV: La Frágil traducción de Responsabilidades en Bolivia

Después de un movimiento revolucionario liderado por indígenas y trabajadores en Bolivia entre 2000 y 2003, Evo Morales, un indígena Aimara, fue elegido en 2005 presidente de este país, en el cual el 62% de su población se identifica como indígena. Posteriormente reelegido dos veces (2009-2014 y 2014-2019), fue depuesto por un golpe de Estado de derecha apoyado por Estados Unidos en noviembre de 2019. Luego, en octubre de 2020, su partido político, MAS (Movimiento al Socialismo), fue devuelto al poder en las elecciones nacionales, y en noviembre de 2020, Morales regresó a Bolivia de su exilio en Argentina.

Bajo el gobierno de Morales, la Constitución del Estado Plurinacional de Bolivia[23] fue promulgada por referéndum nacional en 2009, aunque su redacción durante los tres años anteriores por una Asamblea Constituyente elegida popularmente fue complicada en términos de representatividad, pero, para citar a Miguel Centellas, "No se puede negar que la

Constitución de 2009 [que reconoce 35 lenguas indígenas (Artículo 5, Párrafo 1)] es un avance significativo para el multiculturalismo en Bolivia, y para los derechos de los pueblos indígenas en particular",[24] derechos, enfatizaría, basados en responsabilidades indígenas de parentesco. Hay un intento, entonces, en la Constitución boliviana de conciliar lo que vengo describiendo como el conflicto o la contradicción entre las responsabilidades de parentesco y los derechos. El artículo 8, fracción II de la Constitución, dice: "El Estado se fundamenta en los valores de unidad, igualdad, inclusión, dignidad, libertad, solidaridad, reciprocidad, respeto, interdependencia, armonía, transparencia, equilibrio, igualdad de oportunidades, igualdad social y de género en la participación, el bien común, la responsabilidad, la justicia social, la distribución y redistribución de la riqueza social y los bienes para el bienestar". Reconocemos aquí los términos clave que representan los valores que generan las responsabilidades de parentesco, tales como "solidaridad, reciprocidad… interdependencia, armonía… equilibrio [balance]… igualdad social y de género en la participación, responsabilidad… distribución y redistribución de la riqueza y bienes sociales para el bienestar". En comparación, el término clave

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[23] Estoy utilizando la traducción de Luis Francisco Valle V., de la constitución boliviana. No se proporciona editor.

[24] Miguel Centellas, "Bolivia's New Multicultural Constitution: The 2009 Constitution in Historical and Comparative Perspective," en Todd A. Eisenstadt, Michael S. Danielson, Moisés Jaime Bailón Corres, y Carlos Sorroza Polo eds., *Latin America's Multicultural Movements: The Struggle Between Communitarianism, Autonomy, and Human Rights* (New York: Oxford University Press, 2013). Kindle Edition, 100.

Navajo, *hozho*, por ejemplo, representa el estado de armonía, equilibrio y bienestar, todo lo cual está contenido en la idea de "belleza".

La Constitución, un voluminoso documento de 130 páginas que se encuentra con el presente y proyecta un futuro aún por realizar, repudia en su Introducción "el Estado colonial, republicano y neoliberal" del pasado para "fundar Bolivia de nuevo" sobre los valores del parentesco anteriormente mencionados. La complicación, la contradicción realidad, de esta promesa, es el problema de fundar un estado (un sistema vertical de derechos) en el parentesco (un sistema horizontal de responsabilidades); el problema de fundar una estructura unitaria soberana sobre una estructura de comunidades autónomas heterogéneas (plurinacionalismo) sin que el Estado se convierta en una fuerza neocolonial que privilegie sus propios derechos sobre los de la nación dentro de la nación, es decir, sin que esas naciones se conviertan en otra versión de las "naciones domésticas dependientes" de Estados Unidos.

Bajo el liderazgo de Morales, como estado revolucionario, Bolivia se ha enfrentado desde sus inicios a conflictos con las comunidades indígenas, derivados de la incompatibilidad de la responsabilidad dentro del modelo de derechos. Esta condición de conflicto ha cobrado gran importancia en la cuenca amazónica por el conflicto entre el derecho del Estado al desarrollo versus la responsabilidad de la comunidad de sostener la biodiversidad del ambiente, prevaleciendo el primero, a pesar de que el artículo 289 de la Constitución dice: "la autonomía indígena rural consiste

en el autogobierno como ejercicio de libre determinación de las naciones y pueblos indígenas campesinos, cuya población comparte territorio, cultura, historia, lenguas, y su propia organización o instituciones jurídicas, políticas, sociales y económicas."

En teoría, la Constitución boliviana, en contraste con la Ley Federal Indígena de Estados Unidos y la Declaración de la ONU, nos ofrece una traducción fiel de las responsabilidades del sistema de parentesco al derecho del Estado-nación. En la práctica, las dos formas permanecen en conflicto. Centellas lo expresa así:

> Mirando explícitamente la relación entre los pueblos indígenas de Bolivia y el Estado, hay poca evidencia de un modelo consociativista multicultural. A los pueblos indígenas ahora se les otorga constitucionalmente autonomía, pero de una manera bastante limitada: está restringida por límites territoriales preexistentes; se limita a pequeñas comunidades rurales; establece restricciones significativas en la aplicación de usos y costumbres; y no otorga a las comunidades derechos de veto sobre decisiones que involucren sus recursos. Al igual que la gente en muchos otros países, los bolivianos se han visto obligados a lidiar con posibles conflictos entre las prácticas que caen bajo los usos y costumbres y sus compromisos con los derechos humanos. Así, por ejemplo, se pueden entender las restricciones al uso de la pena capital o corporal, una práctica defendida a veces como perteneciente a la categoría

de usos y costumbres. Sin embargo, es menos comprensible por qué elementos mucho menos controvertidos de los usos y costumbres, como las formas tradicionales de seleccionar a los líderes comunitarios, deban dejarse de lado. (106)

En suma, Centellas entiende la autonomía indígena dentro del Estado-nación boliviano de la siguiente manera:

En general, la evidencia sugiere que a pesar de que la autonomía indígena se originó como una demanda de base, la aplicación de dicha autonomía indígena todavía se entiende principalmente como estructurada y aplicada "desde arriba" en formas que privilegian al Estado central. A pesar de las garantías legales y constitucionales, la autonomía indígena aún es muy frágil en Bolivia (Centellas 2013, 90).

Por los modelos que he analizado, parecería que un régimen de responsabilidades, un régimen de parentesco e igualitaridad, no es, finalmente, compatible con regímenes de derechos, basados necesariamente en la soberanía del Estado-nación, tal como estos lo están. El momento en que pasamos de un régimen de parentesco a un régimen de Estado-nación, de la responsabilidad al derecho, es el momento en que pasamos de la democracia a algo que el Estado-nación llama democracia, pero que es más exactamente una forma mayoritaria de política representativa en la que el poder no circula horizontalmente ni, por lo tanto, equitativamente, sino que se distribuye verticalmente y de manera desigual de arriba hacia abajo. Pasamos, entonces, de regímenes de sustentabilidad a regímenes de crecimiento, producción y consumo, basados en industrias extractivas, que hoy en día están maquinando el colapso climático. El pensamiento europeo occidental llama a esto "progreso". Pensando desde un lugar diferente, desde un lugar de responsabilidad, uno podría entenderlo como "retroceso". Dicho de otra manera; necesitamos un régimen de derechos no solo humanos sino también ambientales, porque hemos abandonado un régimen de responsabilidad hacia todos los seres vivientes.

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Indian Law*, de próxima publicación.

Biodiversity Wars

Coexistence or Biocultural Collapse in the 21st. Century

By Dr. Rudolph Rÿser

Dr. Rÿser 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.

BIODIVERSITY WARS COEXISTENCE OR BIOCULTURAL COLLAPSE IN THE 21ST CENTURY

Rudolph C. Rÿser

Fourth World Nations vs. The States' "Nation-Destroying" Projects From 1946 to 2020

Post-WWII Wars, Armed Conflicts, and Indigenous Military Resistance

By Hiroshi Fukurai

ABSTRACT

The objective of this paper is to provide empirical analyses of the global armed conflicts between the nation and the state in the post-WWII era from 1946 to 2020. The empirical data comes from the Uppsala Conflict Data Program (UCDP) and the International Peace Research Institute in Oslo (PRIO). Other comparable data on global armed conflicts also exists, including the Correlates of War (WCO) information; the Militarized Interstate Dispute (MID) dataset, which is an outgrowth of WCO; the Minority at Risk (MAR) datasets from the Center for International Development and Conflict Management (CIDCM) at the University of Maryland; and the Konflict-Simulations-Modell (COSIMO) datasets from the Study Group for the Causes of War (AKUF), among others. The present analysis relies on the UCDP/PRIO dataset because it provides the most updated and regionally-detailed empirical information on armed conflicts, military confrontations, and violent battles that have taken place throughout the world. Specifically, the UCDP contains information on all contested battles situated in the "government and/or territory over the use of armed force between the military forces of two parties," and the violent confrontations that have "resulted in at least 25 battle-related deaths each year."[1]

Empirical examination reveals that most post-WWII military conflicts around the world have been fought between the state, on one side, and Fourth World peoples and nations (89.9%), on the other. Most of these conflicts in Asia and the Middle East (or West Asia) have also involved territorial and land disputes, while most of the intra-state armed struggles in Africa and the Americas have been fought over geo-political control of the government and its bureaucratic authority.

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[1] Uppsala Conflict Data Program (UCDP). "Definitions, Sources and Methods for Uppsala Conflict Data Program Battle-Death Estimates," Department of Peace and Conflict Research, Uppsala University (2006), available at chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/ https://ucdp.uu.se/downloads/old/brd/ucdp-brd-conf-41-2006.pdf.

The paper concludes by summarizing the past conflicts between the state and the nation, considering the devastating consequences of the state and state-assisted corporate projects that have facilitated the continuous destruction of biodiversity and the evisceration of the environment, thereby ultimately threatening the future survivability of both human and non-human life on our planet.

Keywords: Fourth World, Post-WWII Global Armed Conflicts, the Nation, the State, Uppsala Conflict Data Program (UCDP)

Today's widespread military aggression and the continued violence in various regions across the globe reflect historical tensions between two distinct geopolitical entities: the nation and the state.[2] The nation refers to a community of peoples who share a common culture, language, set of ideological beliefs and/or histories, and who exercise full or limited sovereignty, possessing an inherent right over an ancestral territory or culturally valued space. The state, in contrast, emerged as a consequence of European imperial ventures extended across the world. The state is a "legally" constructed, "artificial" or "imaginary" geopolitical entity, characterized by a self-serving centralized authority, containing borders forcefully imposed upon the territory of the nation. Since both the nation and the state have inhabited a common territorial space within boundaries, various forms of violent conflicts have emerged throughout the last several hundred years.[3] Since Fourth World nations have not been willing to freely surrender their land, identity, history and memory, these conflicts have resulted in tremendous levels of human suffering, characterized by social misery as well as violent death, stemming from attempts by the state to occupy, exploit, and destroy the nation peoples and their ancestral homelands.[4]

Since the end of World War II, the promotion of the state, with the concomitant rise of globalization and neoliberal policies, has accelerated the destruction of Fourth World territories as well as the disfigurement and radical alteration of the nation's bioregional spheres. The state's armed violence and ecological destruction has been unleashed to propel the forced eviction and displacement of already-marginalized Fourth World peoples, to eradicate biological diversity, and to decimate many self-sustaining cultures rooted in Fourth World knowledge and self-governing principles. The predatory actions of the state in promoting dispossession, ecologically unsustainable projects, and corporate extractive development of the nation's ancestral homeland have also led to the greatly increased level of climate change, rising sea levels, and other

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[2] Manuel, 1977; Seton, 1999; Ryser, 2013; Fukurai & Krooth, 2021.

[3] For fuller discussion of the clear delineation of the Nation and the State, see Fukurai & Krooth (2021).

[4] In this paper, "nation people" and "indigenous people" are used interchangeably, referring to traditional inhabitants of their ancestral homelands.

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ecological catastrophes around the world. In areas where there has been significant resistance, including armed opposition, by Fourth World peoples, the state has dispatched state troopers, private paramilitary forces, and anti-terrorist intelligence campaigns to quash such resistance.[5] During the Cold War era, state-sponsored intelligence operations alone were responsible for the deaths of six million Fourth World resisters. During the same period, the collective resistance of Fourth World peoples and nations against encroachment by the state has come to constitute an integral part of their emancipatory anti-colonial struggles, including sustained opposition to the state-sponsored corporate extraction, as well as Fourth World resilience, aspiration, and dedication in attempts to build a vibrant alternative, sustainable world all across the globe.

Post-WWII Global Conflicts Between the Nation and the State

This paper provides an empirical analysis of the UCDP dataset on the global armed conflicts, violent combat, and military campaigns that took place from 1946 to 2020, including a total of 2,506 such events. Table 1 shows the taxonomy of armed struggles and military conflicts around the globe from 1946 to 2020 (n=2506). Figure 1 also shows the map of the global armed conflicts from 1946 to 2020 and suggests several notable findings, indicating that nearly all areas, regions, and communities around the globe were involved in violent armed conflicts. Figure 2 shows the maps of global armed conflicts for three distinct periods: (1) 1946-1960; (2) 1961-1990; and (3) 1991-2020. The overwhelming majority of armed

conflicts immediately following the Second World War were centered in Asia and northern Africa. Until the end of the Cold War in 1991, the conflict moved to Latin America and spread throughout the African continent and the rest of Asia. After the dissolution of the Soviet Union in 1991, new armed conflicts appeared in the multiplicity of former Soviet Union republics including Russia and newly-emerged states in the Central and West Asian regions.

Table 1 shows that nearly three quarters of global armed conflicts have been intra-state, or within-state, battles (74.4%), in which one of the conflicting parties is the state, and the other is the group or groups of domestic, anti-state rebels, (i.e., from 65.4% in Africa, to 87.2% in the Americas). Another one-sixth of global armed struggles (15.5%) represents the same intra-state conflicts but with an additional dimension, in which one side is supported by a third-party, i.e., foreign state(s) (from 8.4% in Asia to 24.3% in Africa). Thus, nearly all (89.9%) of the global conflicts in the post-WWII period have involved internal, "within-state" armed combat and military conflicts between two parties: the state vs. the anti-state rebel group(s).

A second notable element concerns location: the largest number of all of these conflicts took place in Asia (40.2%), followed by Africa (31.6%), the Middle East (14.2%), and the Americas (7.8%). Europe experienced little in terms of military conflicts in the post-WWII era (5.6%,

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[5] Blum, 2014.

n=142). Prior to 1945, most major armed conflicts in the world were concentrated in and around Europe, the most prominent among them being the two world wars, with WWI lasting from 1914 to 1918, and WWII from the late 1930s to the mid-1940s. In the post-WWII era, significant armed conflicts have extended beyond Europe, and in some cases, with the assistance of the U.S. and the Soviet Union, the battlegrounds moved into Africa, Asia, the Middle East, the Americas, and the Pacific.

A third element relates to the complex factors involved in these conflicts. While only a handful of post-WWII armed conflicts took place in Europe, three-quarters of those involved intra-state conflicts between the states and anti-state domestic rebels (n=106, 74.6%); with one-fifth of intra-state conflicts involving rebel organizations that had been assisted by foreign, "third-party" state(s) (n=29, 20.4%). For instance, intra-state conflicts (n=22) in the United Kingdom (UK) featured no foreign or external assistance, but involved rebel groups that were "internally hatched", two of whom were based in Northern Ireland: the Provisional Irish Republican Army (PIRA) (n=21) and Real Irish Republican Army (RIRA) (n=1). Both groups demanded the territorial severance of Northern Ireland from the UK in order to attain greater regional autonomy, sovereignty, and political independence. Similarly, the state government of Spain fought the Basque separatist rebels in Northern Spain (n=9), who demanded sovereignty and independence from the Kingdom of Spanish.

The government of Russia (the major political inheritor of the former Soviet Union, n=44) also fought such domestic rebels as Chechen Republic of Ichkeria, the Forces of the Caucasus Emirate, and the Islamic State, among other internal "rebel" groups. All of Europe's internal armed conflicts assisted by foreign state forces (n=29) involved the struggles of newly created states born out of the dissolution of the former Soviet Union, such as Azerbaijan (13), Ukraine (9), and Georgia (1), as well as the former Yugoslavia (6), including Bosnia-Herzegovina (3), Croatia (2), and Serbia (1).[6]

Lastly, armed conflicts between and among sovereign states occurred twice in Europe when the U.K. "trespassed" in Albania's Corfu channel in 1946 and the Soviet Union invaded Hungary in 1956. The other five extra-systemic conflicts among the state and non-state groups occurred in Cyprus, where the UK and Greece were involved in attempts to gain control over Cyprus in the late 1950s. In other words, excluding seven instances of direct and extra-territorial conflicts among states in Europe (n=7), all armed conflicts in Europe have involved intra-state conflicts, in which the state governments fought against domestically "hatched" separatist groups and/or groups seeking exercise their sovereignty.

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[6] Europe's extra-systemic conflicts took place in Cyprus (n=5). Europe's inter-state conflicts (n=2) took place between the UK and Albania over the Corfu Channel incidents in 1946, and the Soviet invasion of Hungary in 1956.

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Table 1
Types of Regional Conflicts: 1946-2020

Types of Conflict	Europe	Asia	Middle East	Africa	Americas	Europe & Other Regions	Total
1. Intra-State (Domestic)	106 (74.6%)	807 (80.1%)	263 (73.7%)	518 (65.3%)	170 (87.2%)	0 (0.0%)	1864 (74.4%)
2. Intra-State (International)	29 (20.4)	85 (8.4)	63 (17.6)	193 (24.3)	19 (9.7)	0 (0.0)	389 (15.5)
3. Inter-State	2 (1.4)	75 (7.4)	26 (7.3)	16 (2.0)	5 (2.6)	12 (100.0)	136 (5.4)
4. Extra-systemic	5 (3.5%)	40 (4.0%)	5 (1.4%)	66 (8.4%)	1 (0.5%)	0 (0.0%)	117 (4.7%)
Total	142 (5. 6)	1007 (40.2)	357 (14.2)	793 (31.6)	195 (7.8)	12 (0.4)	2506 (100.0)

1. Intra-State, Domestic Conflict (side A is a government; side B is one or more rebel groups: there is no involvement of foreign governments with troops).

2. Intra-State, International Conflict (side A is a government; side B is one or more rebel groups; there is involvement of foreign governments with troops, i.e., there is at least one side A or side B).

3. Inter-State Conflict (both sides are states in the Gleditsch and Ward membership system).

4. Extra-Systemic Conflict (between a state and a non-state group outside its own territory, where the government side is fighting to retain control of a territory outside the state system).
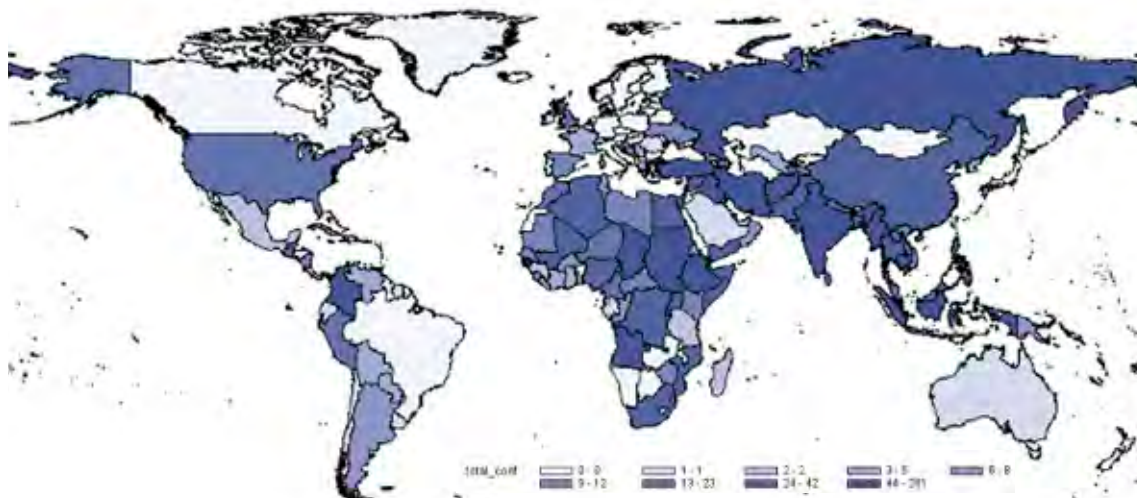

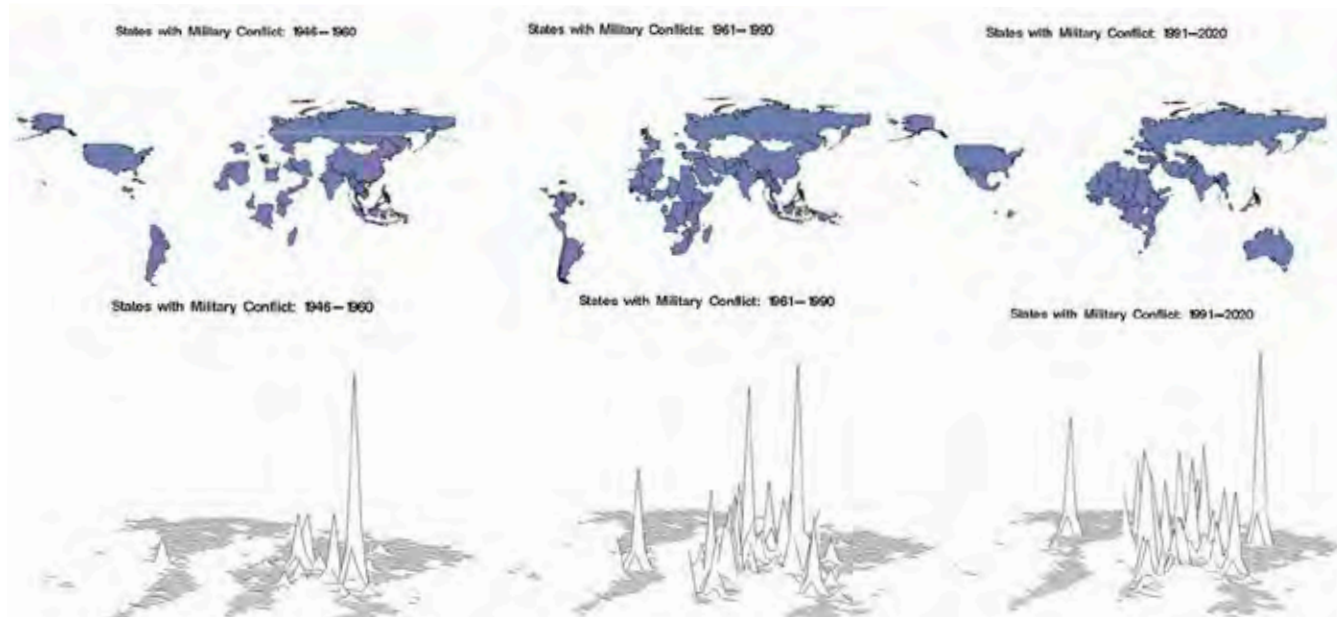Figure 1. Military Conflicts from 1946 to 2020

Figure 2.Three Military Conflict Time Periods

Root Causes of Armed Conflicts Between the Nation and the State

Table 2 examines the root causes of post-WWII armed conflicts by regions. These causes are subdivided according to the kinds of control being contested: (1) control of the territory; (2) control of the government; and (3) control of both territory and government. The majority of regional conflicts in the world were fought over territory (55.5%), most generally in Europe (88.7%), Asia (68.6%), and the Middle East (59.4%). In contrast, nearly all conflicts in the Americas involved armed struggles for control over the government (97.8%). Most intra-state conflicts involved territorial disputes in Europe (85.8%), Asia (70.4%), and the Middle East (70.7%). In comparison, most or all intra-state conflicts in Africa and the Americas involved control over the government and bureaucratic authority of the state (57.9% and 100.0%, respectively).

When there were foreign, "out of state" troops participating in the intra-state conflict, most involved control over the government in all regions, including Asia (85.9%), the Middle East (84.1%), Africa (75.1%), and the Americas (100.0%). Only 3 out of 190 armed conflicts in the Americas involved territorial disputes between two sovereign states: El Salvador and Honduras in 1957 after the discovery of large oil deposits in the border region; Honduras and Nicaragua in the so-called "Football War" of 1969[7]; and Ecuador and Peru in the *Cenepa* War over the "*Cordillera del Condor*" in 1995.[8] Among 19 intra-state conflicts in the Americas, the U.S. government played the prominent role as a third, "out-of-state" party to facilitate the governmental regime change. For example, the Anti-Cuban organization, the Cuban Revolutionary Council,

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[7] Football war

[8] Football war

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was established by the U.S., with CIA assistance, to help 1,400 Cuban exiles try to overthrow the Cuban government in the so-called "Bay of Pigs" invasion of Cuba in 1961 (n=1). The U.S. and its allied forces also took the role of a third "out-of-state" party in Afghanistan in attempts to eradicate al-Qaida and other insurgent rebels from 2001 to 2019 (n=18).

The sovereign states of Europe fought other independent states outside Europe (see Europe & Others in Table 2). The conflicts among sovereign states accounted for less than 1% of all military conflicts in the post-WWII period, perhaps important lessons learned from two catastrophic world wars fought mainly in Europe in previous decades (n=12; Asia (4), the Middle East (4) and other regions (4)). In Asia, the French government fought the newly established Thai government in 1946; the Netherlands fought the Indonesian government over the territorial dispute in West New Guinea in 1962; the Soviet Union fought China over territorial disputes in 1969; and the Soviet Union invaded Afghanistan at the end of 1979. In Africa, the UK government fought the Egyptian government twice over the control of the Suez Canal in 1951 and 1952; the UK and Israeli governments fought against Egypt in 1956; and the Turkish government invaded Cyprus in 1974.

Table 2
Main Causes and Types of Regional Conflicts by Regions: 1946-2020

Region	Conflict Issue	Intra-State (Domestic)	Intra-State (International)	Inter-State	Extra-Systemic	Total
Europe	1.Territory	91 (85.8%)	29 (100.0%)	1 (50.0%)	5 (0.0%)	126 (88.7%)
	2. Gov't	15 (14.2)	0 (0.0)	1 (50.0)	0 (0.0)	16 (11.3)
	3. Both	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0
	Sub-total	106	29	2	5	142
Asia	1.Territory	568 (70.4)	12 (14.1)	71 (94.7)	40 (100.0)	691 (68.6)
	2. Gov't	239 (29.6)	73 (85.9)	0 (0.0)	0 (0.0)	312 (31.0)
	3. Both	0 (0.0)	0 (0.0)	4 (5.3)	0 (0.0)	4 (0.4)
	Sub-total	807	85	75	40	1007
Middle East	1.Territory	186 (70.7)	10 (15.9)	11 (42.3)	5 (100.0)	212 (59.4)
	2. Gov't	75 (28.5)	53 (84.1)	3 (11.5)	0 (0.0)	131 (36.7)
	3. Both	2 (0.8)	0 (0.0)	12 (46.2)	0 (0.0)	14 (3.9)
	Sub-total	263	63	26	5	357

Region	Conflict Issue	Intra-State (Domestic)	Intra-State (International)	Inter-State	Extra-Systemic	Total
Africa	1.Territory	218 (42.1)	48 (24.9)	16 (100.0)	66 (100.0)	348 (43.9)
	2. Gov't	300(57.9)	145 (75.1)	0 (0.0)	0 (0.0)	445 (56.1)
	3. Both	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)
	Sub-total	518	193	16	66	793
Americas	1.Territory	0 (0.0)	0 (0.0)	3 (60.0)	1 (100.0)	4 (2.1)
	2. Gov't	170 (100.0)	19 (100.0)	2 (40.0)	0 (0.0)	191 (97.9)
	3. Both	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)
	Sub-total	170	19	5	1	195
Europe & Others	1.Territory	0 (0.0)	0 (0.0)	9 (75.0)	0 (0.0)	9 (75.0)
	2. Gov't	0 (0.0)	0 (0.0)	3 (25.0)	0 (0.0)	3 (25.0)
	3. Both	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)	0 (0.0)
	Sub-total	0	0	12	0	12
Total	1.Territory	1063 (57.0)	99 (25.4)	111 (81.6)	117 (100.0)	1390 (55.5)
	2. Gov't	799 (42.9)	290 (74.6)	9 (6.6)	0 (0.0)	1098 (43.8)
	3. Both	2 (0.1)	0 (0.0)	16 (11.8)	0 (0.0)	18 (0.7)
	Total	1864	389	136	117	2506

Intra-State Conflicts in Asia and the Middle East (West Asia)

A large number of post-war intra, "within-state" armed conflicts took place in Asia and the Middle East. As the region of the Middle East has often been referred to as West Asia, the largest number of intra-state military battles in the world can be said to have taken place in Asia.[9] In Asia, three-quarters of domestic conflicts occurred in four states in South and Southeastern Asia, including Burma (later Myanmar, 34.8% of all Asian conflicts), India (22.2%), Philippines (13.9%) and Indonesia (4.3%), followed by Pakistan (4.5%), Thailand (3.5%), and Sri Lanka (3.3%). In the Middle East, most intra-state conflicts occurred in Israel (21.8%), followed by Iraq (17.9%), Iran (16.5%), Turkey (12.3%), Yemen (North and South Yemen, 9.2%), and Syria (8.1%). Two major territories in which conflicts occurred between the state and domestic rebels included the region of Kurdistan (n=87, 24.4%) and Palestine (n=66, 18.5%), followed by the Islamic State[10] (n=25, 7%) and Southern Lebanon (n=11, 3.1%).

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[9] UCDP includes Egypt as part of the Middle Eastern states, and regional conflicts in Egypt (n=16) only accounted for 0.6% of the global conflicts between 1946 and 2020, thereby not affecting the overall percentage of armed conflicts in the Middle East.

[10] It refers to territorial space, largely, in West Asia that had been claimed by the Islamic State (IS) prior to 2020.

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Table 3 shows the intra-state armed conflicts in Asia and the Middle East, including non-state military organizations, the conflicts' duration, the roots of conflicts, and the specific territory within which the armed battle occurred. The world's most numerous conflicts occurred in the state of Myanmar (previously Burma) (n=281), representing 11.2% of total global conflicts in the post-WWII era. Myanmar's armed battles began when the Burmese government declared its independence from British India in 1948. All were domestically-waged conflicts between the state government and rebel groups of multiple Fourth World nations, including Karen (21.7% of intra-state conflicts), Shan (16.4%), Kachin (15.3%), Arakan (12.8%), Mon (6.0%), Lahu (3.6%) as well as other Fourth World nations and ancient communities that have long lived in Myanmar and its neighboring regions. Four-fifths of these conflicts were fought over territories of Fourth World ancestral homelands (81.9%).

The world's second most numerous intra-state conflicts occurred in India (n=179). India, along with Pakistan, declared independence from Britain in 1947. The state of India fought multiple Fourth World and armed separatist organizations, including the United Liberation Front of Asom (ULFA, n=18) in the Northeast Indian state of Assam, which is a large Islamic territory; the Naga National Council for their struggles for independence (NNC, n=12); and People's Liberation Army (PLA) and the United National Liberation Front (UNLF) for the independence of Manipur (n=13). Anti-state government groups also included multiple currents of militant

Communist Party of India factions (CPI), such as CPI-Maoist, CPI-Marxist-Leninist (CPI-ML), Maoist Communist Centre of India (MCC, MCCI0), Kangleipak Communist Party (KCP) and their collaborative alliance with other insurgent groups, such as the United National Liberation Front (UNLF), People's War Group (PWG), which is an underground communist party, and People's Revolutionary Party of Kangleipak (PREPAK), among others. The state government of India also fought against multiple Kashmir "Islamic" insurgents (n=31), which suggests that one in every six intra-state conflicts in India involved Kashmir's "rebel" groups and independent nationalist organizations (17.3%).

Israel, in West Asia, had declared independence in 1948 and had the fifth most numerous armed conflicts, which were also fought against multiple rebel groups (n=76), and were all waged over territorial claims (100.0%).[11] The rebel groups included the al-Aqsa Martyrs Brigades (AMB), Fatah, Hamas, Hezbollah, the Palestinian Liberation Organization (PLO), and other Palestinian "insurgent" groups. In contrast, the Philippines' armed intra-state conflicts focused less often on territorial disputes and more often on governmental and bureaucratic control (52.2%). The anti-government rebel groups, predominantly Islamic oppositions, emerged on the Island of Mindanao, the second largest island of the Philippines.

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[11] Ethiopia had the fourth most numerous armed conflicts in the world (n=123, n=4.9%). The main root cause of the conflicts was over territorial control (85.4%).

Prior to the U.S. decision to withdraw military troops in August 2021, Afghanistan saw 49 intra-state conflicts, 35 of which (71.4%) involved third-party, "foreign" assistance, including the Soviet Union's support of the incumbent communist regime of the Afghanistan government, which fought against the Mujahideen forces. These forces had been trained, supported, and armed by the U.S., Pakistan, the U.K., and others in the 1980s; India, Iran, Russia, Tajikistan and others that supported the Northern Alliance of multiple Fourth World peoples and nations to fight the Taliban. The Taliban took over the state system from 1996 to 2001; and the U.S., the U.K., other European states and "international" allied forces that supported the new Afghan government to fight against the Taliban in the post-9/11 (2001) period. Similarly, 29 of 35 military conflicts (82.8%) in Afghanistan involved government control, while the other six involved territorial issues, including the Islamic State territory after Islamic State Khorasan (IS-K) declared its territorial control over the larger Afghanistan regions in February 2015.[12]

The majority of military conflicts in the post-WWII period took place in Asia and its neighboring regions, including the Middle East or West Asia. Nearly all involved intra-state conflicts between the state government, on one side, and rebel groups representing various regional factions, primarily the armed groups of Fourth World peoples and nations, on the other. The U.S. and its allied forces from Europe and other regions were also seen to provide third-party armed assistance to the incumbent state government in its fight against Fourth World peoples and nationalist-minded insurgent groups. However, in some instances, the U.S. and its allied states provided material and logistical support to Fourth World groups and rebel organizations fighting against the state government, especially in the recent case of Afghanistan.

[12] "US Created ISIS, Uses it as Tool: Ex-Afghan President," *ALWAGHT*, May 6, 2017, http://alwaght.net/en/News/96488/AboutUs

Table 3
Intra-State Armed Conflicts in Asia and the Middle East: 1946-2020

State	Non-State Actor	First Year in Conflict	Last Active Year	Number of Conflicts	Main Conflict	Territory
Myanmar	ABSDF, ALAP, ANLP APLP, ARSA, BMA, CPA, CPB, CPB-RF, DKBA 5, God's Army, Kio KNPP, KNU, KNUP, LNUP, MFL-MUF, MNDAA, MPF, MTA, Mujahid Party, NMSP, NSCN-K, NSH, PNDF, PSLF, RCSS, RPF, RSO, SNUF, SSA, SSNLO, SURA, SSIA, SSPP, SSRA, SURA, TRC, ULA, UWSA	1948	2019	281 (11.2%)	Territory (81.9%), Gov't (18.9%)	Arakan (36), Kachin (43), Karen (61), Karenni (5), Kokang (4), Lahu (10), Mon (17), Nagaland (7), Shan (46), Wa (1)

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State	Non-State Actor	First Year in Conflict	Last Active Year	Number of Conflicts	Main Conflict	Territory
India	ABSU, ATTF, CPI, CPI-Maoist, CPI-ML, CPI-ML-J, GNLA, Kashmir insurgents, KCP, MCC, MNF, NDFB, NDFB-RD, NDFB-S, NLFT, NLFT-B, NNC, NSCN-IM, PLA, PREPAK, PULF, PWG, Sikh insurgents, TNV, ULFA, UNLF, UNLFW	1948	2018	179 (7.1%)	Territory (79.9%), Gov't (20.1%)	Assam (18), Bodoland (15), Garoland (2) Islamic State (1), Kashmir (31), Manipur (21), Mizoram (3), Nagaland (19), Punjab/Khalistan (11), Tripura (18), Western South East Asia (4)
Philippines	Al-Harakat al-Islamiyah, ASG, BIFM, Maute Group, BIFM-K, MILF, MNLF-NM, MNLF-HM, CPP, Military faction (forces of Honasan, Abenina and Zumel), Huk, IS, MIM	1946	2020	113 (4.3%)	Territory (47.8%) Gov't (52.2%)	Islamic State (5) Mindanao (49)
Israel	AMB, Fatah, Hamas, PIJ, PFLP, PRC, PNA, Hezbollah, IZL [Etzel], Non PLO group, PLO, Palestinian Insurgents, PFLP, PFLP-GC, Rejectionist Front	1939	2019	76 (3.0%)	Territory (100.0%)	Israel (1), Palestine (64), Southern Lebanon (11)

Armed Conflicts Beyond State Boundaries

Table 4 shows the "extra-systemic" territorial conflicts between the state and the non-state group outside their state territories (n=117). The analysis shows that all extra-systemic conflicts dealt with questions of territorial claims to the ancestral homeland of Fourth World peoples and nations around the globe. The analysis also helps to expose the nature of colonial projects, centered mainly in Euro-American, North Atlantic regions, which were, for the most part, military excursions and expeditions conducted by Western states, including the U.S., the U.K., and their European allies, and imposed upon Fourth World peoples, nations, and their resistance movements outside the North Atlantic regions and territories. Table 4 shows the breakdown of conflicts by

their locations; the opposing parties of Fourth World rebels, other nation groups, and political alliances that contested the continuation of the European colonial dominations of the regions and territories; and the duration and intensity of conflicts in the designated regions.

The first column shows the extra-territorial states (Side A countries in the first column) who fought the opposition organizations (Side B parties in the fifth column) by locations, regions, and the duration of conflicts (from the second to fourth column). Since 1946, a total of six states, all from North Atlantic regions, served as extra-territorial military forces against other state entities, including France (n=9), the Netherlands (1), Portugal (3), Spain (1), the U.K. (6) and the U.S. (1). Among nine countries in which France acted as an extra-territorial "hostile" foreign

power, six were in Africa, and three were in Asia. The French troops fought multiple Fourth World groups, including (1) *Front de Liberation Nationale* (FLN) and *Mouvement National Algerien* (MNA) in Algeria from 1954 to 1962; (2) *Union des Populations Camerounaises* (UPC) in Cameroon; (3) *Mouvement Democratique de la Renovation Malgache* (MDRM) in Madagascar; (4) National Liberation Army (NLA) in Mauritania and the periphery of Morocco; (5) *Istiqlal* in Morocco; (6) the National Liberation Army in Tunisia; as well as three Fourth World forces in Asia, including: (1) *Khmer Issarak* in Cambodia (or *Kampuchea*); (2) *Kao Issara* in Laos; and (3) *Viet Minh* in Vietnam (specifically, North Vietnam).

Although France lost all of these battles and claims over former colonial territories, the atrocities that French troops inflicted upon Fourth World peoples and communities in these regions and locations drew widespread attention, particularly in the cases of Algeria and Madagascar in Africa and Laos and North Vietnam. For instance, two indices of conflict intensity, for instance, showed that France's 11 years of armed conflicts in Vietnam led to more than 1,000 battle-related deaths every year from 1946 to 1954. Similarly, France's nine years of conflict in Algeria led to man cumulative casualties, except for the first year of conflict in 1954. While the armed conflict in Madagascar only lasted one year, many battle-related deaths were recorded concerning France's conflicts with the MDRM.

Portugal fought long battles with Fourth World armed groups in the 1960s and 1970s. The significant cumulative impact of these armed conflicts and battle-related deaths was observed in its former African colonies: Angola, Guinea-Bissau, and Mozambique. The U.K. engaged in military conflicts over four regions in Europe, Africa, Asia, and the Middle East. Cyprus, the only European state that experienced the extra-territorial takeover of its sovereignty, had endured five years of armed struggle with the U.K. troops, with EOKA (*Ethniki Organosis Kyprion Agoniston* or the National Organization of Cypriot Fighters) fighting the British troops from 1955 to 1959. The U.S. had fought the Puerto Rican Nationalist Party in 1950 when PNPR (*Partido Nacionalista de Puerto Rico* or the Puerto Rican Nationalist Party) engaged in several coordinated armed protests calling for the independence of Puerto Rico. These armed uprisings included efforts to assassinate U.S. President Harry S. Truman and were violently suppressed by U.S. military forces. Puerto Rico and its diasporic populations have struggled for independence and sovereignty ever since the U.S. invaded and took over the island in 1898.

Nearly all post-WWII state conflicts between the state and the non-state group outside its territory have been initiated by the U.S. or European states against "Fourth World rebels" who have aspired to attain sovereignty and independence in Asia, Africa, and the Middle East. No sovereign states outside the North Atlantic states initiated military conflicts against

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European states or the U.S.. At the same time, a few instances of intra-state conflicts within the North Atlantic states were initiated by "internally-hatched" Fourth World groups and organizations who also aspired to attain their sovereignty and independence from what they perceived as oppressive state domination over Fourth World peoples and their ancestral lands and territories.

Table 4
Extra-Systemic Territorial Conflicts: Between the State & the Non-State Group Outside Its Own Territory

Extra-Territorial State (Side A)	Conflict Region	Location	Years of Conflict	Opposition Organization (Side B)	Conflict Intensity[1]	Cumulative Conflict Intensity[2]	Start Year	End Year
France (9)	Arica (6)	Algeria	9	FLN (*Front de Liberacion Nationale*), MNA (*Mouvement National Algerien*)[3]	.78	.89	1954	1962
		Cameroon	3	UPC (*Union des Populations du Cameroun*)	.00	.00	1957	1959
		Madagascar (Malagasy)	1	MDRM (*Mouvement democratique de la renovation malgache*)[4]	1.00	1.00	1947	1947[5]
		Mauritania, Morocco	2	NLA (National Liberation Army)	.00	.00	1957	1958[6]
		Morocco	4	Istiqlal	.00	.00	1953	1956
		Tunisia	4	National Liberation Army	.00	.00	1953	1956
	Asia (3)	Cambodia (Kampuchea)	8	Khmer Issarak	.00	.00	1946	1953
		Laos	8	Lao Issara	.00	.50	1946	1953
		Vietnam (North Vietnam)	9	Viet Minh	1.00	1.00	1946	1954
Netherlands (1)	Asia (1)	Indonesia	4	Indonesian People's Army	.00	.00	1945	1949
Portugal (3)	Africa (3)	Angola	14	FNLA (*Frente Nacional de Libertacao de Angola*), MPLA (*Movimento Popular de Libertacao de Angola*), UNITA (*Uniao Nacional para a Independencia Total de Angola*)[7]	.14	1.00	1961	1974

[1] The intensity level in the conflict per calendar year was coded as: (0) Minor: between 25 and 999 battle-related deaths; and (1) War: at least 1,000 battle-related deaths in a given year.

[2] The cumulative intensity level in the conflict was coded as: (0) as long as the battle-related death has not, over time, resulted in more than 1,000 deaths; and (1) once a conflict reaches the threshold of 1000 deaths.

[3] They were translated as: The National Liberation Front and the Algerian National Movement, respectively.

[4] It was translated into the Democratic Movement for Malagasy Rejuvenation

[5] Conflicts began on January 12, 1947 and ended on December 31, 2047.

[6] Conflicts between the French force and local oppositions in Mauritania and Morocco began on January 12, 1957 and ended on June 30, 1958.

[7] These organizations are translated into: The National Front for the Liberation of Angola; the People's Movement for the Liberation of Angola; and the National Union for the Total Independence of Angola, respectively.

Extra-Territorial State (Side A)	Conflict Region	Location	Years of Conflict	Opposition Organization (Side B)	Conflict Intensity[1]	Cumulative Conflict Intensity[2]	Start Year	End Year
		Guinea-Bissau	11	PAIGC (*Partido Africano para a Independencia da Guine e Cabo Verde*)[8]	.00	.82	1963	1973
		Mozambique	11	FRELIMO (*Frente de Libertacao de Mocambique*)[9]	.18	.82	1964	1974
Spain (1)	Africa (1)	Mauritania, Morocco	2	NLA (National Liberation Army)	.00	.00	1957	1958
United Kingdom (6)	Europe (1)	Cyprus	5	EOKA (*Ethniki Organosis Kyprion Agoniston*)[10]	.00	.00	1955	1959
	Africa (1)	Kenya	5	Mau Mau	.80	.80	1952	1956
	Asia (2)	Brunei	1	North Kalimantan Liberation Army	.00	.00	1962	1962[11]
		Malaysia	10	CPM (Communist Party of Malaysia)	.40	.90	1948	1957
	Middle East (2)	Israel	1	IZL (Etzel)	.00	.00	1939	1946
		South Yemen	4	FLOSY (Front for the Liberation of Occupied South Yemen)	.00	.00	1964	1967
United States (1)	North America (1)	USA (Puerto Rico)	1	PNPR (*Partido Nacionalista de Puerto Rico*)[12]	.00	.00	1950	1950[13]

[8] It was translated as: the African Party for the Independence of Guinea and Cape Verde.

[9] It was translated as: The Liberation Front of Mozanbique.

[10] It was translated as: the National Organization of Cypriot Fighters.

[11] Conflicts joined by Spain in Mauritania and Morocco began on November 23, 1957 and ended on June 30, 1958.

[12] It was translated as: the Puerto Rican Nationalist Party.

[13] Conflicts began on October 30, 1950 and ended on November 1, 1950.

Conclusions

Through this empirical examination of global military conflicts from 1946 to 2020, we can see that nearly all such conflicts (89.9%) have occurred between the state and the nation. The state has battled multitudes of Fourth World insurgents, nationalist rebels, and domestic "terrorists" operating within state-delimited territorial boundaries globally. In some instances, those rebel groups fighting the state troops were trained, armed, and financed by a "third party" state, most of which were from the North Atlantic countries and their allies. For example, in the case of military conflicts in Afghanistan in the post-9/11 (2001) period, nearly all external military support for armed training, military materiel, intelligence logistics, and finances came from the U.S., the U.K., other Western European states, and their allies.

Among the rationale and motivations for the state's involvement in intra-state conflicts, there is often the self-portrayal of "victimhood", with the professed need for the state to defend itself against domestic "terrorists" and internal "insurgents," thus justifying the use of armed violence against Fourth World peoples and communities within the state-delimited borders.[13] In the founding era of the U.S., for example, early Euro-American settlers, including the

[13] Chomsky (2015).

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so-called "Founding Fathers," rationalized the extermination of Fourth World peoples by characterizing them as "enemies" who posed internal "threats." The U.S. Declaration of Independence portrayed Fourth World peoples as "merciless Indian savages, whose known rule of warfare, is an undistinguished destruction of all ages, sexes and conditions."[14] The state's argument for the necessity of "self-defense" would later be extended to "African savages," "uncivilized" Mexicans, as well as the "primitives" of Fourth World populations in Hawaii, Puerto Rico, Cuba, the Philippines, Guam, Samoa, Polynesia, the Mariana Islands and other Pacific islands, where Fourth World peoples and nations were to be militarily occupied and incorporated into the U.S. jurisdiction.[15]

Nowhere in these scenarios is the state depicted as a recent invention, one whose authority and legitimacy derived from military power, settler colonialism, and state projects supported by the hegemonic propaganda system, indoctrination, and necessary persuasion and illusion. Despite this, it is recognized that the occupation and destruction of Fourth World homelands by the state has led to the emerging anthropogenic changes and environmental disasters now evident around the world. Future research is needed to explore possible paths toward more reconciliatory future relations between the nation and the state. Given the fact that nearly 80% of the remaining biodiversity around the globe is found in the ancestral homelands of Fourth World peoples and communities, the states' continuous "state-making" and "nation-destroying" projects must be successfully contested if humanity is to survive into the coming years and decades.

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[14] U.S. Declaration of Independence (1776).

[15] Fukurai & Krooth (2021)

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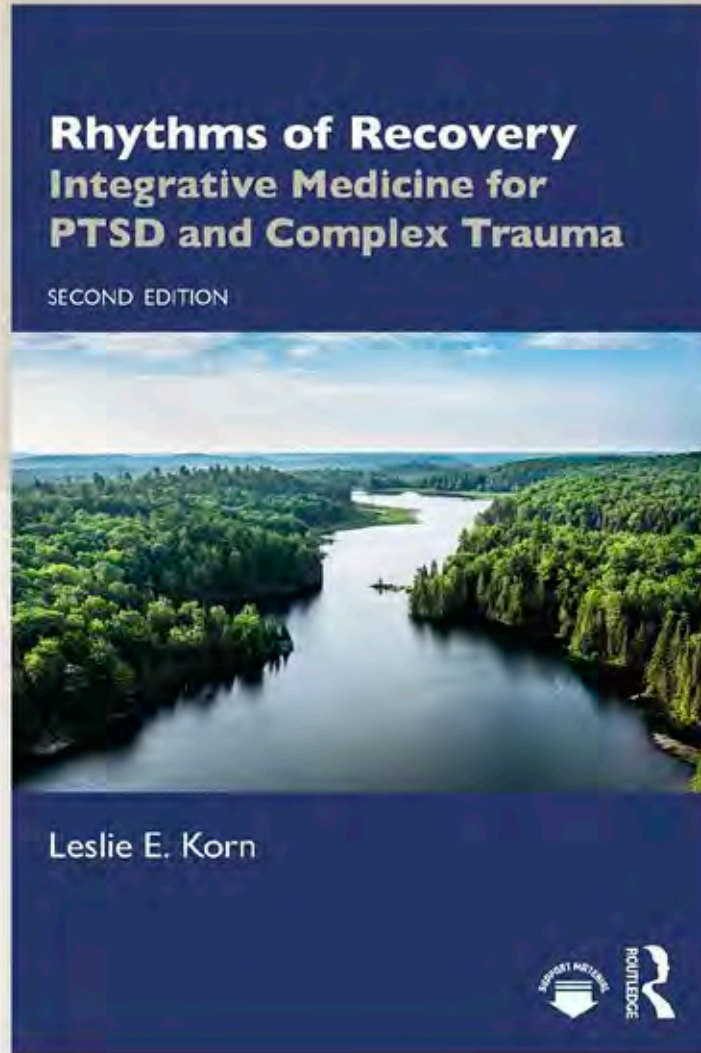
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Genocide Today
The Guarani-Kaiowa Struggle for Land and Life

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ABSTRACT

Although genocide is commonly used today to describe the dramatic challenges indigenous peoples face worldwide, the significance of the Guarani-Kaiowa genocidal experience is not casual and cannot be merely sloganized. The indigenous genocide unfolding in the Brazilian State of Mato Grosso do Sul –"Kaiowcide"– is not just a case of hyperbolic violence or widespread murdering, but it is something qualitatively different from other serious crimes committed against marginalised communities. Kaiowcide is the reincarnation of old genocidal practices of agrarian capitalism employed to extend and unify the national territory. In other words, Kaiowcide has become a necessity of mainstream development, whilst the sanctity of regional economic growth and private rural property are excuses invoked to justify the genocidal trail. The phenomenon combines strategies and procedures based on the competition and opposition between groups of people who dispute the same land and the relatively scarce social opportunities of an agribusiness-based economy. Only the focus in recent years may have shifted from assimilation and confinement to abandonment and confrontation, yet the intent to destabilize and eliminate the original inhabitants of the land through the asphyxiation of their religion, identity, and, ultimately, geography seems to rage unabated. In that challenging context, creative adaptation and collective resistance have been the most crucial requisites for the Guarani-Kaiowa to survive through recurrent genocides, particularly Kaiowcide.

Keywords: Indigenous peoples, land grabbing, agribusiness, frontier development, Brazil

"Another victim in the Guarani-Kaiowá's struggle for land Kuretê Lopes, a 69-year-old Guarani-Kaiowá indigenous woman, has become the latest victim of land-related violence which blights the Brazilian state of Mato Grosso do Sul. Kuretê Lopes died when she was shot in the chest by a private security guard during an eviction from farmlands that the Guarani-Kaiowá claim as ancestral. The death of Kuretê Lopes fits into a pattern of violence and intimidation against indigenous peoples fighting for the constitutional right to their ancestral lands in Mato Grosso do Sul, a state which has become an epicentre of human rights abuses against indigenous peoples."

- Amnesty International, 12 Jan 2007

Guarani-Kaiowa's Everyday Genocide

The Guarani were among the main indigenous groups affected by enslavement, exploitation, and displacement during the long history of colonization and nation-building in South America. They occupied large parts of the Plata basin and were assaulted and enslaved from the early decades of Portuguese and Spanish colonial conquest. One of the sub-groups of the large Guarani population subjected to this invasion were the ancestors of the Guarani-Kaiowa, who especially in the last century were severely impacted by the invasion of their land and their confinement in small, utterly inadequate reservations.[1] Because of the prime agricultural value of their ancestral land, the strategic importance of the region for national development and the hostile attitudes of farmers, the practice of violence was the main channel of communication between the increasing number of settlers and the indigenous population.[2] In addition to more regular aggressions in the form of assassinations and massacres, a new genocidal order has taken root since the 1980s – described here as *Kaiowcide* – when the Guarani-Kaiowa demonstrated their opposition to land grabbing, large-scale agribusiness and attempted to survive as a cohesive ethnic group.[3] If brutal pressures were not sufficient to reduce their determination to recover the lost areas and restore key elements of traditional community life, genocide was the 'proper' answer.

The Guarani-Kaiowa are the second largest indigenous groups in Brazil today (with around 55,000 individuals, the largest outside the Amazon) and maintain close connections with a population of the same ethnic group on the other side of the Paraguayan border, as well as with other indigenous peoples in the State of Mato Grosso do Sul (located on the border with Paraguay and Bolivia), particularly the Guarani-Ñandeva, who also belong to the Guarani nation and speak almost the same dialect.[4] Numerous other confrontations have taken place in the region and all over the region, attracting negative media attention and bad publicity for the farmers. However, this does not seem to concern them particularly. The situation became easier to manage with the election of a neo-fascist president in 2018, who intensified the anti-indigenous and anti-life tendencies in national and local politics. The authors of violent, criminal attacks are typically abusive landowners who share discriminatory attitudes against 'the sub-human Indians' and operate in alliance with politicians (most of whom are landowners themselves) and through their private militias, known as *pistoleiros*. Because of the proliferation of farms and aggressive regional development policies, the Guarani-Kaiowa have lost around 99% of their ancestral land and been confined to the fringes of the hegemonic agribusiness-centred economy. The struggle for land has significantly redefined their existence, and their world has been dramatically undermined and compressed.

The monumental struggle to mobilize the communities and to survive genocide and colonialism is vividly described in the

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[1] Ioris, 2020.

[2] Ioris et al., 2022.

[3] Ioris, 2021.

[3] Pereira, 2016.

documentary "*Guavira Season*" (2021), which is the result of a partnership between the Guarani-Kaiowa representative organization (*Aty Guassu*), the NGO RAIS, the Missionary Council for Indigenous Peoples (CIMI), Cardiff University and other international organizations. It is based on lengthy interviews with indigenous leaders and visits to numerous communities. The documentary Guavira Season, can be watched (with subtitles in English) at www.youtube.com/watch?v=vkBH6XHjHZU

The Guarani-Kaiowa have undoubtedly paid a heavy price for who they are and where they deserve to live, amounting to a challenging geography that is complicated by the fact that their existence and intense socio-spatial interactions are deeply interconnected with the economic transformation of the region and the expansion of agribusiness production units.[5] Most observers believe that the situation is nothing other than genocide. And that those responsible for the genocidal fate of the Guarani-Kaiowa, including farmers, political leaders, and members of agribusiness support organizations, bear criminal responsibility.[6] Between 2000 and 2019, the Guarani-Kaiowa was the indigenous group most severely assaulted in the country, with an annual average of 45 new cases and the assassination of 14 political leaders.[7] In the years 2015 and 2016 alone, 33 attacks were perpetrated by paramilitary groups against Guarani-Kaiowa communities. Moreover, the ongoing genocide in Mato Grosso do Sul, particularly during the extreme right-wing government of Bolsonaro (between 2019 and 2022, which promoted a series of anti-indigenous people's policies and considered it a top political and symbolic

priority), has meant much more than just the loss of land and assassination of community members, but is rather a brutal mechanism of spiritual, social, economic, and environmental destruction.

A genocide is essentially predicated upon, and starts with, the subtraction of key socio-spatial relationships that define ethnic groups, as has happened in processes of intense spatial and social unravelling in the Gaza Strip, Chechnya, Kashmir, and Somalia. As destructive as the grabbing of land, the killing of leaders, and the immiseration of Guarani-Kaiowa families is the denial of their humanity, and the imposition of institutional rules centered on the market value of land and the short-term profitability of agribusiness commodities. Although journalists and activists commonly use genocide in relation to the dramatic challenges faced by indigenous peoples in Brazil, the significance of the Guarani-Kaiowa genocidal experience is not casual or merely sloganized. The indigenous genocide unfolding in Mato Grosso do Sul is not just a case of hyperbolic violence or widespread murder but something qualitatively different from other serious crimes. The phenomenon combines strategies and procedures based on direct opposition between groups of people who have been turned into irreconcilable enemies by the pattern of regional development and the balance of political power. The situation in Mato Grosso do Sul is even more painful because the Guarani-Kaiowa are fully aware of being at the center of an unstoppable genocide that is only the

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[5] Ioris et al., 2019.

[6] Mura, 2019.

[7] CIMI, 2020.

most recent stage in a long genocidal cycle. In this brutal context, resistance has been crucial for the Guarani-Kaiowa to have any chance of surviving, and resist they do.

Several authors working in this field have demonstrated the continuity between colonial and contemporary processes of genocide. The lived, often tragic, trajectory of the Guarani-Kaiowa was central for the sustenance of the exploitative, property rentals, and wasteful politico-economy of Brazilian resource extraction and agrarian capitalism.[8] Yet, it is still to be demonstrated that, whereas the subjugation of the Guarani-Kaiowa represented an important chapter of the colonization of South American countries, the present-day genocide continues to be crucial for the maintenance of the regional economy and for the consolidation of export-oriented agribusiness in Mato Grosso do Sul. The Guarani-Kaiowa are both survivors and victims of a genocidal cycle that continues because very little has changed in economic or moral terms over the centuries. The Guarani-Kaiowa have endured various genocides over several generations, and their current existence remains a perennial struggle to contain and reverse these processes. These actions call for more careful consideration of the causes and ramifications of a genocidal tragedy that is constantly being denounced by the victims and their closest allies (to no avail).

There was a real chance of compromise in 2007 when the federal government signed an agreement ordering the return of a minimal amount of land to the Guarani-Kaiowa. However, the land was evidently never returned. In 1988 a similar solution had been agreed, and ignored.

No laws or agreements aiming to redress even a small part of the damage caused by land grabbing have been acceptable to those 'masters of the universe' in charge of (indigenous) life and death. Once again, national politics forced marginalized groups living below the threshold of whiteness, status, and property into a socio-spatial position outside the hegemonic economy, politics, and the oppressive rule of law. Just as Germany today is less than what it could have become if not for Nazism, and the United States is dwarfed by its own indigenous Holocaust, Brazil is haunted by the failure to rectify, at least partially, this significant socio-spatial liability. Life through genocide is the perpetuation of centuries of socio-ecological devastation and Western intellectual, economic, and religious arrogance. Genocidal crimes were not only committed against the Guarani-Kaiowa during colonization; these happened yesterday, are being committed today, and most likely will happen again tomorrow and next year. This large-scale waste of human lives seems unstoppable and is even accelerating. The long genocidal trends became even more evident during the anti-life management of the Covid-19 pandemic in 2020 and 2021 by the genocidal government of Jair Bolsonaro. With the election of President Lula in 2022 and the creation of the Ministry of the Indigenous Peoples in January 2023, there is some renewed hope that some indigenous land may be now demarcated; however, the reaction of landowners and agribusiness farmers intensified, with the recurrent and illegal arrest of Guarani-Kaiowa people in the first half of 2023. The

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[8] Ioris, 2023.

main bottleneck is, as always, the moroseness and the class commitment of judges and most public authorities (typically in favor of the landowners, regardless of the most basic legal and constitutional rights of indigenous peoples).

It is perhaps odd to interrogate the extent of today's genocide, considering that for the indigenous peoples in the Americas – also described as native, ancestral, or Fourth World – the world, by and large, ended after the arrival of the European invaders several centuries ago. They know, better than anyone else, the meaning and the consequences of genocide. The indigenous genocide was just part of the massive effort to deal with mounting scarcities in Europe. While abundance was promised at the new frontiers, new rounds of scarcity emerged in both areas due to the internal dynamics of capitalism, notably the exploitation of society and the rest of nature.[9] As a crucial chapter of that long geography of conquest and annihilation, the genocidal pressure on the Guarani-Kaiowa reproduces, and 'modernises' forms of prejudice and oppression employed during colonization and the early history of Brazil, when indigenous peoples were treated as exotic relics of an ignoble past that had to be overcome. The process of land grabbing and commodification, which began in the early years of the last century and was augmented from the 1960s onwards with the expansion of export-based agribusiness, and led to the removal of most remaining vegetation, the aggravation of land disputes and, eventually, Kaiowcide.

The relationship of the Guarani-Kaiowa with genocide is more complex than the passive victimization of human rights discourses. A key message from Guarani-Kaiowa theology is that genocide is not unprecedented. However, that does not make it any less awful and despicable. The eschatological perspective of the Guarani-Kaiowa adds some very special features to their life through genocide since colonization. For instance, Guarani people have a particularly troubled relationship with death and are always intensely concerned about losing relatives and the possibility of dying alone. It is unacceptable for them to show pictures of dead bodies, and they carefully avoid images of deceased people because these may attract bad spirits, which will try to take them to the next world. According to Guarani religious beliefs, death is not the end of the story but brings additional troubles to all involved. The Kaiowa feel particularly demoralized when, as happens quite often in attacks organized by hostile farmers, a relative is murdered. The body simply disappears.[10] Another lesson from their tragic experience is that those at risk of suffering total destruction should mobilize the accumulated knowledge of the world, combined with past memories and spiritual support, and persevere in the pursuit of justice and shared goals. The Guarani-Kaiowa seem to have been doing all that for many years. They rapidly understood the methods and direction of colonization and land grabbing and the values and attitudes of those coming to their territory in ever greater numbers. They had to develop adaptive responses to somehow mitigate the losses and coexist with these aggressive enemies. Guarani-Kaiowa spatial controversies demonstrate that very few groups, if any, are more attuned to contemporary trends or have a more active socio-spatial protagonism.

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[9] IIoris, 2018.

[10] Morais, 2017.

This text – informed by years of engaged geographical research on and with the Guarani-Kaiowa and in favor of their tragic struggle for land and survival – briefly reflects on one of the most emblematic indigenous genocides in the contemporary world. It is based on more than seven years of engagement with Guarani-Kaiowa communities and tries to reinterpret their socio-spatial condition from the perspective of Kaiowcide. Rather than a naïve attempt to 'give voice to indigenous people', which usually produces a simulacrum of their opinions and perspectives, the intention was to work with real individuals and try to capture some of the complexity of their lived space.

Kaiowcide: Consolidating the Power of Agribusiness

The long struggle of the Guarani-Kaiowa for the recognition of their most basic rights has important parallels with the class-based struggle of landless peasants and marginalized urban groups in Brazil. Each indigenous group is unique and defining features of the Guarani-Kaiowa include their ability to preserve their language (a semi-dialect of Guarani) and maintain a relatively large and unified social identity amidst a series of interrelated genocides. It has been reported in several documentaries, movies, and UN reports, and images of protest, police repression, dead bodies, miserable living conditions, and dirty children have circulated the world. Still, the Guarani-Kaiowa remain Brazil's the most threatened indigenous population, denied recognition of their original lands and subjected to systematic abuses and exploitation. The indigenous groups and extended families that are now described as Guarani-Kaiowa

(and Paĩ-Taviterã in Paraguay) have been living through a series of genocides for more than four centuries.[11] The most recent and ongoing process of genocide since the 1970s – Kaiowcide – directly corresponds to the consolidation of the agribusiness-based economy, the growing neoliberalization of production, rapid urbanization, the severe deterioration of living conditions inside and outside the reservations, and the introduction of formal democratic legislation. From the perspective of the agribusiness sector, the presence of an indigenous population is no more than a leftover from violent skirmishes that happened decades ago during the conquest of the territory, and indigenous people constitute a horde of desolate, strange people who 'only have themselves to blame' for their fate.

While new Brazilian legislation has recognized the rights of ancestral peoples to maintain their indigenous identities indefinitely (rejecting assimilation and tutelage), the genocide has continued through neoliberal economic and ideological constructs that guarantee high levels of alienation and homogenization through market consumerism, Pentecostalism (evangelical fundamentalism) and the financialization of all aspects of life. Despite legal and constitutional improvements, most public authorities prefer to look the other way and hope that the indigenous population will renounce their ethnic claims and become indistinguishable from other

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[11] In January 2023, we organized the Guarani-Kaiowa Week at the Federal University of the Great Dourados; several communities and families were visited by a group of academics, students, and activists, including Guarani visitors from Bolivia and Paraguay. More information can be found in the NACLA report: Costa, W. *Transnational Guarani Land Defense and Solidarity*, https://nacla.org/transnational-guarani-land-defense-and-solidarity, published on 8 March 2023.

poor Brazilians. Consequently, Kaiowcide has entailed killing both through the imposition of market-based interpersonal relations (e.g., hyper-exploitation of indigenous workers and the renting out of indigenous land to agribusiness) and, as in the past, 'conventional' murder by state police or paramilitary militias (and increasingly by drug dealers too). The main claim here is that Kaiowcide has dramatically impacted the Guarani-Kaiowa in recent decades because it is fundamentally a counterreaction of land grabbers, reactionary judges and politicians, and the repressive agencies of the state apparatus against a legitimate and determined indigenous mobilization for the restoration of land-based relationships and better social, political and economic opportunities. Kaiowcide is a renewed, bespoke, and ongoing phenomenon of brutal socio-spatial elimination in a context dominated by agribusiness farmers and the prevalence of globalized, urban values.

It is precisely because the Guarani-Kaiowa decided to react to the genocidal violence associated with agribusiness production, making good use of novel politico-institutional spaces, that they have been targeted for further rounds of genocide, now in the form of Kaiowcide. In other words, Kaiowcide is not happening because of a lack of political resistance but precisely as a result of the ability and determination of the Guarani-Kaiowa to fight for what they consider legitimate. The fundamental demand is, obviously, the return to their ancestral areas grabbed by farmers in the course of agrarian development, which happens in the form of reoccupation and retaking of land (called *retomada*). The main argument here is that Kaiowcide is a form of genocide that has

occurred because of the political reaction of the Guarani-Kaiowa, since the late 1970s, against a long genocidal process that escalated with the advance of an agribusiness-based economy. The critical analytical challenge involved in making sense of Kaiowcide is to connect the widespread hardships faced by the communities with the collective mobilization of groups dispersed in the territory and capable of coordinating effective political initiatives (such as the *retomadas*). In historical terms, Kaiowcide corresponds to the violence and deception of neo liberalised agribusiness, which is both explicit and embedded in aggressive mechanisms of mass production and elitist property rights. The ambiguity of Kaiowcide, combining both innovative and archaic forms of cruelty is also an emblematic hallmark of neo liberalised agribusiness, which seems to offer a solution to food insecurity but, maintains and aggravates malnutrition, risks, and socio-ecological degradation.

The more recent genocidal phase merges elements of state abandonment and political persecution with a range of violent measures stimulated and facilitated by the exploitative pattern of regional development. Kaiowcide has certainly incorporated additional unique features, such as the need to respond to international public opinion and give the impression that the actions of agribusiness organizations are legal and legitimate However, it also dialectically preserves elements of the most primitive brutality employed by the Jesuits, kings, and conquistadores in the past. Even so, there is a subtle but fundamental difference between previous genocides associated with space invasion and ethnic cleansing and the systematic attempts to contain and

undermine the Guarani-Kaiowa socio-political revival since the 1970s through Kaiowcide. In the previous phases, the Guarani-Kaiowa were subjugated by Catholic missionaries and attacked by *Bandeirantes* and *encomienderos*, were converted into semi-enslaved laborers working in the production of *erva-mate* and occasional farm laborers [*changueiros*] recruited (ironically) for the removal of the original vegetation, while also being expected to remain in small, inappropriate reservations and having their identity rapidly diluted as a consequence of individualizing policies (as in the case of the division of the reservations into family plots of land instead of communal areas). These past experiences form the basic analysis of Kaiowcide, considering that the long process of colonization, territorial conquest, and settler migration paved the way for the subordinate insertion of Brazil into globalized agribusiness markets and the consolidation of agrarian capitalism.

The more diffuse and less evident basis of indigenous genocides, which the literature often treats as politicide, gendercide, and culturicide, was undoubtedly present in the previous two phases of the long Guarani-Kaiowa genocidal experience. Still, the vital difference is that in the past, the aim was to assimilate and proletarianize the indigenous population, while under Kaiowcide, the goal is to contain the possibility of political revolt through mitigatory measures, alienating religiosity and encouraging consumerist behaviours, as well as intimidation and the suppression of legitimate land claims through lengthy court disputes complemented by the operation of paramilitaries and farmers' private militias. Note that the deadly features of Kaiowcide go beyond the boundaries of politicide,

as the victims have been targeted because of the perpetrators' prejudices against Guarani heritage and ethnicity. Moreover, it is more than ethnocide because there has been a clear intention to kill the leaders of the indigenous mobilization. It also has elements of culturicide but goes beyond that because Kaiowcide entails forced movement and murder. In practice, all these processes converge and reinforce each other. The genocidal practices of Kaiowcide have been greatly facilitated by the fabricated invisibility and neglect of indigenous communities by the vast majority of the regional population, who prefer to remain ignorant of the crude realities of life for the Guarani-Kaiowa. As a result, Kaiowcide has not only lasted for several years now but has dialectically created a self-reinforcing mechanism in the stimulation of novel forms of reaction and counteraction.

Living to Overcome Kaiowcide

As mentioned above, Kaiowcide constitutes the most recent phase of a long genocidal process that has, since the seventeenth century, attempted to destroy the Guarani-Kaiowa people and significantly destabilized their socio-spatiality through invasions, enslavement, and persecution. Kaiowcide is the reincarnation and revival of an old genocidal practice. While the focus in recent years may have shifted from assimilation and confinement to abandonment and confrontation, the intention remains the same to destabilize and eliminate the land's original inhabitants through the asphyxiation of their religion, identity, and, ultimately, geography. As a background to the genocide, the aggression and world robbery trend intensified in the second half of the last century. It produced multiple consequences at individual and community levels, including severe mental

health issues, alcoholism, domestic violence, and high levels of suicide. When it became evident that the government would continue to prevaricate, the collective decision was made to start a coordinated reoccupation of ancestral areas lost to development (the *retomadas*), which triggered a corresponding reaction from farmers and the authorities in the format and language of Kaiowcide. In practice, this means that in addition to the obstacles faced by any subaltern class or social group in the highly unequal, racist, and conservative society of Brazil, the Guarani-Kaiowa also face the monumental challenge of continuing the fight to recover their land in order to rebuild basic socio-spatial relationships amid a genocide.

Because of the multiple difficulties within communities and beyond the small spaces where they live, where their ethnicity is at least respected and cherished, the Guarani-Kaiowa are relentlessly propelled into a daily anti-genocidal struggle for social and physical survival. In the words of Quijano[12], they constantly must be "what they are not." That is, there are major barriers to acceptance for their ethnic specificities and their most fundamental needs as a distinctive social group. Regular murders of Guarani-Kaiowa, during the *retomadas* and in isolated hostilities have become so common that many incidents now do not even make the headlines. Between 2003 and 2017, around 45% of the homicides involving indigenous victims in Brazil were committed in Mato Grosso do Sul (461 in total), and 95% of these were Guarani people.[13] In the same period, 813 indigenous suicides were registered in the State. These deaths mean that through suicides and murders alone, around 3% of the Guarani-Kaiowa population was eliminated

in less than 15 years. When other causes of death are factored in, such as loss of life due to hunger, malnutrition, food insecurity, poor sanitation, lack of safe water, drug use, and acute mental health problems, among others, it is not difficult to perceive the widespread impact of genocide in Guarani communities and settlements.

Although from the perspective of Guarani-Kaiowa geography itself, the boundaries of their land are not absolute but associated with the long and dynamic presence of extended families in the terrain, non-indigenous institutions have imposed borders and fences in the name of national sovereignty and the sanctity of private rural properties. Because they needed to present their claims before the apparatus of an antagonistic state, their idiosyncratic understanding of space had to be translated into objectivity-seeking maps, anthropological surveys, and legally valid proof of socio-spatial connections. All these legal and bureaucratic requisites mean that only the areas with the most compelling evidence of recent indigenous presence have a minimal chance of being returned to the indigenous claimants. These are the most significant areas under dispute or already have some level of regularisation. Note that, despite the violence and the genocide, the indigenous demands are relatively small in relation to the total size of the region. Note also that, even if all those areas are one day restored to the original inhabitants (as stipulated in the legislation), it will remain an actual archipelago of isolated indigenous 'islands' in a sea of hostile agribusiness activity. In any case, most areas in this image, especially the largest ones, are merely

[12] Quijano, 2000, p. 226.

[13] CIMI, 2018.

aspirational, as they are still controlled by the farmers and their return blocked by the courts.

Such a dialectic of forced invisibility and immanent protagonism has ethnicity as a major but highly contested category. Rather than separating indigenous people into an entirely distinct politico-economic condition, ethnicity influences land and labor relations (i.e., facilitating land grabbing and the over-exploitation of labour-power) and also the mechanism of adaptation and political reaction. Thus, crucial tensions exist between an identity tolerated by the stronger groups only since it increases economic gains and a disruptive alterity that rejects exploitation and is constantly revitalized by the ethnospatial practices of the Guarani-Kaiowa. This lived reality defies any simplistic politico-economic categorization. The prejudices of the non-indigenous sectors give rise to concrete forms of exploitation and, not infrequently, hyper-exploitation in the form of modern slavery. In July 2020, right in the middle of the Covid-19 pandemic, the authorities freed a group of 24 Guarani laborers, four of whom were aged only 15, and their families, including six young children, after secretly contacting an indigenous community leader. The group had been forced to stay on the farm because of unpaid debts and lived in miserable conditions, sleeping on thin and dirty mattresses in minuscule, cold rooms with appalling kitchen and toilet facilities. Criminal cases involving modern slavery have been common since the 1990s when enslaved people were frequently rescued from sugar cane plants; on one occasion, around 900 people were liberated in a single day. In a context of

sustained transgressions committed by public authorities and businesses, Kaiowcide continues to unfold through an accumulation of anti-indigenous pressures that go beyond land-related controversies to include a whole range of ethnic-related aggressions.

The most relevant form of resistance and reaction to such a genocidal state of affairs is, clearly, the mobilization for the retaking of indigenous areas – *retomadas* – which involves not only the material dimension of the land but is also a source of collective hope and reinforces a sense of common political purpose. If the reoccupation of farmland became even more dangerous after the election of the openly fascist and pro-indigenous genocide government in 2018, this has not curbed the determination to demand that the state resolve the dispute and allow the indigenous families to return to the land of their ancestors. The main pillar of the land recovery action by the Guarani-Kaiowa is their awareness that politics must be a shared endeavor that presupposes interpersonal reciprocity. Such a shared endeavor turns individual land recovery actions into a collective territorial strategy because of the common will to be recognized as a distinctive and valued social group. In that regard, the Guarani-Kaiowa are in a position of strength because their life is intensely based on social interaction, particularly among members of the same extended family. The long road back to their ancestral areas typically ends with an intense and mixed feeling of achievement, loss, and realization of what the future has in store for them.

Conclusion

Indigenous genocide is the forename, surname, and address of agrarian capitalism and rural development in the State of Mato Grosso do Sul and throughout the country. The last round of genocidal action came in the form of Kaiowcide, a coordinated, cross-scale reaction against the well-organized mobilization for land rights and material compensation for past aggression. Previous phases of genocide resulted in the tragic disintegration of lived, ethnic-referenced spaces [tekoha] and the confinement of the Guarani-Kaiowa in overcrowded sites with the worst social indicators in Brazil and unimaginable levels of human misery. When the Guarani-Kaiowa sensed that their total annihilation was the shared plan of farmers, businesspeople, and the government, they started to organize large and regular assemblies to better connect with other indigenous peoples, campaign for political recognition, send their children and young people to school and university, and take back areas from where the elders and deceased ancestors had been expelled. Because the powerful sectors in Brazilian society only use genocidal language to communicate with indigenous peoples, once the Guarani-Kaiowa began confronting and denouncing the illegitimate order, the authorities put into practice what they were already experts at—a new genocide in the form of Kaiowcide. If the Guarani-Kaiowa believed from the 1970s that they could recover from the tragic legacy of previous genocides, they only received what the powerful decided was right for agribusiness-based development: more destruction, persecution, and death.

At the same time, the Guarani-Kaiowa have desperately tried to resist and overcome genocidal pressures associated with agribusiness-based development, using this experience to provide a heuristic account of the importance of political ontology as a tool for interrogating the impacts of Western modernity and its socio-spatial legacy.[14] They had to be partially assimilated. Their social institutions were severely undermined so that they could be exploited through depersonalized market-based relations. Socio-spatial differences were manipulated to render them invisible from a development perspective and to justify the appropriation of indigenous land and other illegal and racist practices by the state and business sector. At the same time, the Guarani-Kaiowa's singularization is their best hope of resistance and the main force that allows them to continue hoping for a better life under a different world order that meaningfully compensates the terrible crimes suffered over the years and gives precedence to the rights, the knowledge and the socio-spatial and political agency of indigenous peoples.

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[14] Ioris, 2020b.

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Fourth World Nations' Ancestral Lands

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From Reconciliation to ReconciliAction

By Nancy Dyson and Dan Rubenstein

The Truth and Reconciliation Commission of Canada (TRC) was created in 2010 through a legal settlement between Residential Schools Survivors, the Assembly of First Nations, Inuit representatives and the parties responsible for the creation and operation of the schools, the federal government, and the churches. The TRC's mandate was to inform all Canadians about what had happened within residential schools. The Commission documented the accounts given by Survivors, their families, communities, and anyone else personal affected by the residential schools, including First Nations, Inuit and Metis former students, the churches, former school employees, government officials and other Canadians.[1]

Then the TRC tabled its reports in June of 2015, I rode my bike to a hotel in downtown Ottawa where the Survivors, Indigenous leaders, the federal Department of Indian Affairs and Northern Development, the National Centre for Truth and Reconciliation (NCTR) had gathered. When I walked into the lobby of the hotel and looked around me, I was overcome by the gravitas of the assembly and the Survivors' raw grief. My wife, Nancy Dyson, and I had been hired as childcare workers at St. Michael's Indian Residential School in Alert Bay, British Columbia in 1970. We were newly married and newly arrived in Canada. What we witnessed shocked us.
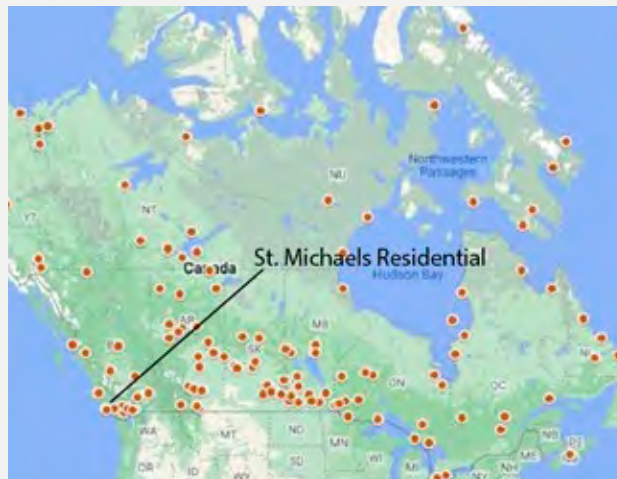

Figure 1. *Canada's Residential Schools - St. Michaels*

Among the Survivors that summer day in Ottawa, memories, and images from the four months I spent at St. Michael's washed over me. The sad and sullen faces of the children. Their wariness as I tried to get to talk to them. Children viciously strapped for minor misdeeds. The almost-lifeless body of a ten-year-old Norman on a beach, the boy who had slipped down to the ocean one night and walked into the sea, his pockets full of rocks. I heard the words the older staff used to describe the children. 'Heathen' who needed to be Christianized and civilized. 'Wild' children who needed discipline, discipline, and more discipline.

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[1] Truth and Reconciliation Commission of Canada - NCTR.

By chance, I shared an elevator with Ry Moran, who was then the Director of NCTR. I blurted out. "I was there. I saw what happened in a residential school. My wife and I tried to protest. I was fired when a delegation from the Department of Indian and Northern Affairs visited St. Michael's and I told them the school was an instrument of cultural genocide." Ry asked me to tell my story and to ask my wife to tell hers, too. He said it was important to share our account, to add credence to the Truth told by Survivors.

I was deeply moved and promised I would tell my story. I cycled home and shared with my wife my vow to write an account of what I had witnessed. She vowed to write her account, too. For fifty years, we had been silent but now we felt compelled to offer an apology, not for anything we had done but for what we had not done, no longer advocating for the children after we left Alert Bay.

The St. Michael's (Duck Lake) Indian Residential School opened in 1894 and closed in 1996. It was operated by the Roman Catholic Church (Oblates of Mary Immaculate, Sisters, Faithful Companions of Jesus, Sisters of the Presentation of Mary, and Oblate Indian-Eskimo Council) until 1982 when the Duck Lake residence came under the control of the Saskatoon District Chiefs. The school was located a half a mile (.8 kms) from the Town of Duck Lake, facing the lake (Treaty 6).

We wanted to find the children we remembered from St. Michael's. I called Reconciliation Canada in Vancouver and described what we had seen. I started to cry as I recounted how the children were subjected to humiliation, abuse and neglect. The receptionist was kind and empathetic. She told me that Chief Doctor Robert Joseph, the founder and Ambassador of Reconciliation Canada, would want to speak with me. "He'll call you later tonight," she promised.

A few hours later, the phone rang. The caller ID showed a phone number in Vancouver. Chief Joseph listened to my story without interruption. Then he comforted me by saying that any small acts of kindness I gave to the boys may have sustained them during their darkest moments.

I asked about children I remembered, saying their names one by one. There was a pause before he told me the stark truth. Most of the children I had known had died early deaths from alcoholism, drug addiction, crime, violence and suicide. This was the tragic legacy of the residential schools.

He said that he himself had been sent to St. Michael's at the age of five. That was in the 1950's. When he left the school at the age of sixteen, he said he was a broken human being. He was full of anger and lashed out at others. He fell into addictions. The white world had no place for him. He had lost the connection to his family and village, to Indigenous language, culture and spirituality. Remarkably, he found the strength to heal himself. He gathered his family around him and became a wise elder, full of grace and

kindness. His journey is recorded in Namwayut which concludes with a call to Reconciliation: [2]

"Reconciliation can be a spiritual covenant. Reconciliation has to have an element of spiritual co-operation and commitment so that it's binding, and so that it invokes the best in all of us. We all belong here. And so let this be our covenant. Let us call in our highest selves, our human consciousness, in wanting something bigger, better for all of us. Let us remember that in spite of what we have done to ourselves, we belong and we are loved…

Let us align people together, even if it's for a second, or a moment, or an hour, or a day, and connect out energies, our hearts and our minds, our souls.

Let us – every faith, every colour, every creed- recognize our common humanity. Let us accept the truth that we are all one."

Chief Joseph encouraged us to tell our story. We promised that we would. Little did we know how long and difficult that journey would be. Nor how important and meaningful that journey would become.

We read the TRC reports in their entirety. We were shocked and saddened to learn that the abuses we had witnessed at St. Michael's were pervasive in residential schools across the country, from schools in the east to the west and to the north. One hundred and thirty-two residential schools had existed in Canada over a span of 150 years. The last so-called 'school' had only closed in 1996. 150,000 Indigenous children had been forced into residential schools. Some children never left. Mortality rates were high among the Indigenous children in the care of the church-run residential schools. Others children survived but were broken by the abuses of the schools. Like Chief Joseph, they were unable to take a place in the white world and they were cut off from Indigenous culture, tradition and language.

In order to put our story into context, I interviewed leaders among the churches committed to Reconciliation. I also contacted groups dedicated to supporting Survivors. Chief Joseph encouraged us along the way, with frequent phone calls and words of support.

Our book, *St Michael's Residential School: Lament & Legacy*,[3] was published in 2021 by Ronsdale Press, six years after I promised Ry Moran that I would tell my story. There were many reasons for the delay, some personal and some less so, like the pandemic. In Part 1 of the book, Nancy describes what happened during our four months at the residential school and our failed attempts to change the way they children were treated. Interspersed among the pages of her narrative are excerpts from the TRC reports which demonstrate that our experience was not unique, that what we saw was pervasive in residential schools. In Part 2, I probe the intentions of the churches and the Federal Government in establishing residential schools.

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[2] Namwayut.

[3] Dan Rubenstein & Nancy Dyson – Published Authors (rubenstein-dyson.com).

I also explore what ordinary Canadians knew about residential schools. And lastly, I talk about voices of protest that arose from time to time.

St Michael's Residential School: Lament & Legacy was released just as news was breaking about the discovery of 215 unmarked graves outside the former Kamloops Residential School in British Columbia. Canadians were shocked. How could this have happened in a Canada, a county known for its beneficence? A country whose citizens are renowned for their excessive courtesy? Nancy and I were saddened by the news but we were not shocked. We knew only too well the vulnerability of children within the walls of a residential school.

While many people realized that they needed to reassess their understanding of Canada's history, others stubbornly held on to their colonialist views.

While we had delved into the history of Canada's treatment of Indigenous people, some people criticized our interpretation. Over and over again, we heard comments defending what the governments and churches had done.

"The Indians need to get over it."

We answered, "I think they'd like to get over it. How do you get over trauma, intergenerational trauma?"

"The Indians need to accept the fact that they were conquered. We won, they lost."

We answered, the Indigenous people of Canada weren't conquered. They were generally willing to share their land and other resources.

That's why there were treaties, agreements that were generally broken.

"The residential schools weren't all that bad. Look at the British boarding schools. Children weren't pampered there either."

We shared what we had heard from a Survivor, "I would have been happy to be transferred to a British boarding school." British children were not forcibly removed from their families. They were not subjected to forced assimilation.

"The Indians wanted their children to go to residential schools. The kids got a free education. They were fed and clothes. No cost to the parents."

In fact, for many decades, Indigenous families faced penalties and even incarceration if they failed to send their children to residential schools.

"I've heard of people who went through residential schools and. They turned out just fine. They're grateful for the education they received. They're leaders now"

We countered, "Resilient people have the ability to remain strong in the face of adversity. That doesn't excuse what happened to them. The residential schools were malevolent institutions. Victor Frankl wrote *The Search Meaning* in a concentration camp but that doesn't mean the camp should have existed.

People inevitably concluded by saying, "You can't judge people today for the mistakes of the past. You have to consider historical context. Residential schools were designed with good intentions."

Good intentions? We replied. Over 150,000 Indigenous children were forcibly removed from their families, for no other reason other than the fact that they were Indigenous. In the history of Canada, no other people were treated that way, forcibly separated from their children for seven generations.

Frequently we heard people say, "I had no idea what was happening to Indigenous children. I didn't even know that residential schools existed." We believed them but we were troubled by the fact that must have been thousands of people who did know about the residential schools and that Indigenous children were forcibly separated from their families, and communities.

What about the thousands of Canadians who worked in Residential Schools? What about employees in the Department of Indian and Northern Affairs? Religious leaders and congregations in the Catholic, United and Anglican Churches, all of whom ran residential schools? What about the RCMP who rounded up Indigenous children, forcibly removing them from their families? What about the pilots and flight attendants who flew the frightened children to distant residential schools? And what about the Canadians living in proximity to any of the 132 schools? All these thousands of Canadians saw, or knew about, the forced separation. And it was this forced separation that enabled the subsequent abuse.

We classified all of the arguments listed above as Residential School Denial. We continued to staunchly defend our view that the schools were never about education. They were an instrument of forced assimilation, part of a pervasive, malevolent Residential School System whose only goal was to separate Indigenous children from their families, identity, culture and roots. If the intent had ever been education, not cultural genocide, the Churches and the Federal Government could have sent teachers to teach in remote communities. The argument that Indigenous children needed to attend a residential school to be educated also ignored the fact that they were being educated by Indigenous elder, learning their culture, traditions, language and spirituality. To us, it is apparent that the welfare of Indigenous children was never an overarching priority of the Churches or the Federal Government.

In June of 2021, with the news of unmarked graves outside schools appeared in newspapers, we sensed the concern of the country. Many Canadians struggled to align their concept of Canada's beneficence with the facts as they learned that thousands of children died in residential schools, alone, dying without dignity, without ceremony or spiritual observances. Their families were often not told of their children's deaths and lived out their lives waiting for them to return.

Many friends, neighbors and former colleagues contacted us. They read our story. Shaken and troubled, they said they were re-examining their understanding of Canada's history. Others held firmly to their denial of the tragic legacy of residential schools.

Nancy wrote an opinion piece that was published by the Globe and Mail on June 4, 2021.

We witnessed the cruelty of residential schools, as child-care workers. We will not remain silent about what we saw.

Fifty years ago, my husband, Dan Rubenstein, and I were newcomers to Canada. We had visited Expo 67 and were impressed by the images of Canada as a multicultural and welcoming society. In 1970, we decided to live in Canada until the polarization rampant in the U.S. subsided. We found jobs as childcare workers at St. Michael's Indian Residential School in Alert Bay, B.C.

Our belief that Canada was a just and compassionate country was up-ended by what we witnessed inside the walls of the residence. On our first day, the Matron led us to a subbasement where four children were delivered to her care by an Indian agent. The little children stood mute and trembling while the Matron cut away their clothes and their hair and threw them into the blazing orange firebox in the boiler. Dan protested, "Is this necessary?" And the matron answered unflinchingly, "Lice."

Every morning Dan went to awake the twenty-five little boys in his care, children as young as 5 years of age. The dorm room, filled with rows of impersonal metal beds, reeked of urine as most, if not all of the boys, wet their beds. The little children's unhappiness was palpable. The children were treated harshly. Older staff told us discipline and consistency were essential; there was no discussion about love or respect. We saw students who were cruel to other students. Two boys tried to hang our puppy. Our belief that cruelty begets cruelty was confirmed. We tried to protest within the school but were told we were naïve. We joined a community effort to send a petition to Indian and Northern Affairs asking for a delegation to visit Alert Bay. (The federal government had assumed control of residential schools across Canada in 1969, just one year before.) We felt the Department should see first-hand what was happening. A delegation arrived in December. When Dan told them that the school was an instrument of cultural genocide, he was fired.

Dan and I left the school and moved to a neighboring island. From time to time, we saw the children from St. Michael's at the public school. The administrator agreed to our having two of the little boys visit us in our cabin in Sointula. But we stopped advocating for the children. When the school was closed a few years later, we thought the trauma was ending. I lament my silence. Dan laments his silence, too.

It was until 2015, when the TRC tabled its reports, that memories of St. Michael's resurfaced and I was overcome with emotion and guilt for not telling my story. Dan shared an elevator with Ry Moran and promised to tell the story of what we had witnessed. Friends and acquaintances challenged our views. "People did what they thought was right, in their day," they said. "It wasn't all that bad. Look at British boarding schools." And many insisted that

the government and the churches had acted out of kindness and good intentions.

I was there. I know better. The Survivors' stories speak the Truth. We read the TRC reports in their entirety and learned that what we witnessed at St. Michael's occurred across the country. Residential schools were an intentional assault on Indigenous people and their families. Separating children from families led to the loss of identity, language, spirituality and culture. The residential schools were never about education. They were always about something more – the eradication of Indigenous people as a distinct, separate group of people.

The tragic discovery of the unmarked graves at the Kamloops Residential School happened to coincide with the publication of our story, St. Michael's Residential School: Lament and Legacy. For any Canadian who denies that residential schools had a tragic impact on Indigenous children and their families and that the impact continues to this day, I urge them to read the accounts by Survivors and those of us who found ourselves in a malevolent institution where love and kindness rarely survived.

I join people across Canada, Indigenous and non-Indigenous, who grieve for the 215 children buried in unmarked graves at the Kamloops Residential School. And I stand in awe of survivors and intergenerational survivors who promote hope and love as they lead our country towards justice and Reconciliation.

Nancy Dyson and Dan Rubenstein are the authors of St. Michael's Residential School: Lament & Legacy (Ronsdale Press, June 2021. Royalties will be donated to the Indian Residential School Survivors Society and other support groups."[4]

In the aftermath of this article and the release of our book, we were interviewed by national television and radio stations, including a Mohawk station and an Anishinaabe program. We were asked to address civic groups and diverse faith groups--Christian, Unitarian, Jewish…

With the shift in public perception of Canada's colonial role and the actions of the governments and churches, we felt hopeful. Many people were actively committing themselves to Reconciliation, a shared journey to develop mutually respectful and equitable relationships between Indigenous and non-Indigenous people. It was notable that land acknowledgements were made at the beginning of public gatherings.

But we fear that indifference is eroding that commitment to Reconciliation. We are all, Indigenous and non-Indigenous, bombarded by threats from climate change to war to the rise of authoritarian leaders, environmental disaster, the pandemic, financial crises…In the midst of all that, we fear a backlash, as governments recognize the rightful claims of First Nations to land and resources.

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[4] Opinion: We witnessed the cruelty of residential schools as child-care workers. We will not remain silent about what we saw - The Globe and Mail

When we feel discouraged, we reach out to Chief Joseph who reminds we need to be patient, that Reconciliation will not occur in our generation. Perhaps, he tells us, it will not even in our children's generation. Perhaps our grandchildren will witness it during their lifetimes. But perhaps it will occur during our great-grandchildren's generation. Meanwhile, Reconciliation moves forward through thousands of conversations among ordinary Canadians in gatherings across the country, not solely by the apologies of government or grand gestures. Reconciliation, he tells us, will be sustained when it becomes a core value within our national consciousness.

Nancy and I continue to talk with people, in person and on zoom, always responding to requests for interviews. We have talked to students and in seniors in a retirement residence.

I have enrolled in an Ojibway language class in the Wabano Centre, a local Indigenous health and wellness centre, where I am welcomed by the teacher and Indigenous class-mates. In most Indigenous languages, 70% of the lexicon consists of verbs, 30% of nouns. In contrast, in English and other Indo-European languages, 70% of the words are nouns, 30% verbs. I have learned that verbs in Ojibway can become nouns.

Maybe the reserve is true in English. Maybe Reconciliation can become "ReconciliAction," a noun becoming a verb, a hope becoming a reality.

Nancy Dyson and Dan Rubenstein
Authors of St. Michael's Residential School: Lament & Legacy (Ronsdale Press, 2021).

ABOUT THE AUTHORS

Nancy Dyson and Dan Rubenstein

In retirement, Dan Rubenstein and Nancy Dyson achieved their shared dream of becoming published writers. Previously, Dan was an auditor with the Office of the Auditor General of Canada and Nancy was an Early Childhood Educator.

In *St. Michael's Residential School: Lament & Legacy* (Ronsdale, 2021), Dan and Nancy recall four months they spent as childcare workers at an Indian residential school and they explore the historical arc of residential schools, contrasting Canada's history with its current commitment to Reconciliation.

Their first book, *Railroad of Courage*, published in 2017 by Ronsdale Press, is the story of twelve-year-old Rebecca, a runaway slave who makes her way north to Canada. The story has proven to be an evocative tool for parents and teachers to talk with young readers about the legacy of slavery. The authors have also completed a third novel, a story about two Canadian volunteers who become involved with the Lenca resistance movement in Honduras.

Dan and Nancy live in Ottawa, Canada's capital, but they enjoy international travel and frequent trips to spend time with their three adult children and eight grandchildren. Dan also volunteers on international projects with Catalyste. a Canadian non-profit organization which works with global partners to promote locally-driven, inclusive and sustainable development. On his assignments in Central and South America, Dan enjoys the opportunity to exercise and improve his Spanish language skills.

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De la Reconciliación a la ReconciliAcción

Por Nancy Dyson y Dan Rubenstein
Traducción al Español por Aline Castañeda Cadena

La Comisión de la Verdad y la Reconciliación de Canadá (TRC, por sus siglas en inglés) se creó en 2010 a través de un acuerdo legal entre los Sobrevivientes de Escuelas Residenciales, la Asamblea de las Primeras Naciones, los representantes Inuit y las partes responsables de la creación y operación de las escuelas, el gobierno federal y la iglesia. El mandato de la TRC era informar a todos los canadienses sobre lo que había sucedido dentro de las escuelas residenciales. La Comisión documentó los relatos proporcionados por los sobrevivientes, sus familias, comunidades y otras personas afectadas por las mismas, incluidos los exalumnos de las Primeras Naciones, ex estudiantes Inuit y Métis, las iglesias, ex empleados de las escuelas, los funcionarios gubernamentales y otros canadienses.[1]

Cuando la TRC presentó sus informes en junio de 2015, monté en mi bicicleta y me dirigí hasta un hotel en el centro de Ottawa donde se habían reunido los sobrevivientes, los líderes indígenas, el Departamento Federal de Asuntos Indígenas y Desarrollo del Norte, el Centro Nacional para la Verdad y la Reconciliación (NCTR, por sus siglas en inglés). Cuando entré en el vestíbulo del hotel y miré a mi alrededor, me sobrecogió la seriedad de la asamblea y el crudo dolor de los sobrevivientes. Mi esposa, Nancy Dyson y yo habíamos sido contratados como trabajadores de cuidado infantil en la Escuela Residencial para niños indígenas St. Michael en Alert Bay, Columbia Británica en
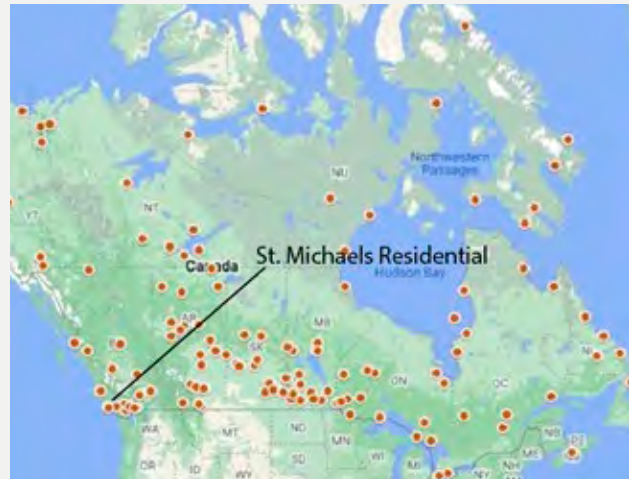

Figura 1. *Los internados de Canadá - St. Michaels*

1970. Estábamos recién casados y recién llegados a Canadá. Lo que presenciamos nos impactó.

En medio de los sobrevivientes de ese día de verano en Ottawa, me inundaron los recuerdos y las imágenes de los cuatro meses que pasé en St. Michael. Los rostros tristes y hoscos de los niños. Su desconfianza mientras me acercaba a hablar con ellos. Niños brutalmente atados por fechorías menores. El cuerpo casi sin vida de un normando de diez años en una playa, el niño que se había deslizado hacia el océano una noche y caminó hacia el mar, con los bolsillos llenos de piedras. Escuché las palabras que usaba el personal para describir a los niños: 'paganos' que necesitaban ser cristianizados y civilizados. Niños 'salvajes' que necesitaban disciplina, disciplina y más disciplina.

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[1] Truth and Reconciliation Commission of Canada - NCTR.

Por casualidad, compartí ascensor con Ry Moran, quien en ese entonces era el Director del NCTR. Dije: "Yo estaba allí. Vi lo que pasó en una escuela residencial. Mi esposa y yo tratamos de protestar. Me despidieron cuando una delegación del Departamento de Asuntos Indígenas y del Norte visitó St. Michael y les dije que la escuela era un instrumento de genocidio cultural". Ry me pidió que contara mi historia y que le pidiera a mi esposa que también contara la suya. Dijo que era importante compartir nuestra historia, para agregar credibilidad a la verdad contada por los sobrevivientes.

Me conmovió profundamente y prometí que contaría mi historia. Volví a casa en bicicleta y compartí con mi esposa mi promesa de escribir un relato de lo que había presenciado. Ella prometió escribir su relato también. Durante cincuenta años, habíamos estado en silencio, pero ahora nos sentíamos obligados a ofrecer

La Escuela Residencial para niños Indígenas St. Michael's (Duck Lake) abrió en 1894 y cerró en 1996. Fue operada por la Iglesia Católica Romana (Oblatos de María Inmaculada, Hermanas, Fieles Compañeras de Jesús, Hermanas de la Presentación de María y Oblatos Indios - Consejo esquimal) hasta 1982, cuando la residencia de Duck Lake quedó bajo el control de los jefes de distrito de Saskatoon. La escuela estaba ubicada a media milla (0,8 km) del pueblo de Duck Lake, frente al lago (Tratado 6).

una disculpa, no por lo que habíamos hecho, sino por lo que no habíamos hecho, no haber defendido a los niños después de irnos de Alert Bay.

Queríamos encontrar a los niños que recordábamos de St. Michael. Llamé a Reconciliation Canada en Vancouver y describí lo que habíamos visto. Empecé a llorar mientras contaba cómo los niños fueron sometidos a humillaciones, abusos y abandono. La recepcionista fue amable y empática. Me dijo que al doctor en jefe Robert Joseph, fundador y embajador de Reconciliation Canada, le gustaría hablar conmigo. "Te llamará más tarde esta noche", prometió.

Unas horas después, sonó el teléfono. El identificador de llamadas mostraba un número de teléfono en Vancouver. El jefe Joseph escuchó mi historia sin interrupción. Luego me consoló diciendo que cualquier pequeño acto de bondad que di a los niños puede haberlos sostenido durante sus momentos más oscuros.

Pregunté por los niños que recordaba, diciendo sus nombres uno por uno. Hubo una pausa antes de que me dijera la cruda verdad. La mayoría de los niños que había conocido habían muerto prematuramente por alcoholismo, drogadicción, delincuencia, violencia y suicidio. Este fue el trágico legado de las escuelas residenciales.

Dijo que él mismo había sido enviado a St. Michael a la edad de cinco años. Eso fue en la década de 1950. Cuando dejó la escuela a la edad de dieciséis años, dijo que era un ser humano roto. Estaba lleno de ira y arremetía

contra los demás. Cayó en las adicciones. El mundo blanco no tenía lugar para él. Había perdido la conexión con su familia y su pueblo, con la lengua, la cultura y la espiritualidad indígenas. Sorprendentemente, encontró la fuerza para curarse a sí mismo. Reunió a su familia a su alrededor y se convirtió en un anciano sabio, lleno de gracia y bondad. Su aminoe está registrado en Namwayut que concluye con un llamado a la Reconciliación:[2]

> "La reconciliación puede ser un pacto espiritual. La reconciliación debe tener un elemento de cooperación espiritual y compromiso para que sea vinculante y para que invoque lo mejor de todos nosotros. Todos pertenecemos aquí. Y que este sea nuestro pacto. Invoquemos a nuestro yo superior, a nuestra conciencia humana, a querer algo más grande, mejor para todos nosotros. Recordemos que a pesar de lo que nos hemos hecho, nos pertenecemos y somos amados…

> Alineemos a las personas, aunque sea por un segundo, un momento, una hora o un día, y conectemos nuestras energías, nuestros corazones y nuestras mentes, nuestras almas.

> Reconozcamos, cada fe, cada color, cada credo, nuestra humanidad común. Aceptemos la verdad de que todos somos uno".[3]

El jefe Joseph nos animó a contar nuestra historia. Prometimos que lo haríamos. Poco sabíamos lo largo y difícil que sería ese viaje. Ni cuán importante y significativo se volvería.

Leímos los informes de la TRC en su totalidad. Nos sorprendió y nos entristeció saber que los abusos que habíamos presenciado en St. Michael's estaban generalizados en las escuelas residenciales de todo el país, desde las escuelas del este hasta el oeste y el norte. Ciento treinta y dos escuelas residenciales habían existido en Canadá durante un lapso de 150 años. La última llamada "escuela" había cerrado en 1996. 150.000 niños indígenas habían sido obligados a asistir a escuelas residenciales. Algunos niños nunca se fueron. Las tasas de mortalidad eran altas entre los niños indígenas al cuidado de las escuelas residenciales administradas por la iglesia. Otros niños sobrevivieron pero quedaron destrozados por los abusos a los que fueron sometidos. Al igual que el jefe Joseph, no pudieron ocupar un lugar en el mundo blanco y quedaron aislados de la cultura, la tradición y el idioma indígenas.

Para poner nuestra historia en contexto, entrevisté a líderes de las iglesias comprometidas con la Reconciliación. También me puse en contacto con grupos dedicados a apoyar a los Supervivientes. El Jefe Joseph nos animó en el camino, con frecuentes llamadas telefónicas y palabras de apoyo.

Nuestro libro, *St. Michael's Residential School: Lament & Legacy*,[4] fue publicado en 2021 por Ronsdale Press, seis años después de que le prometiera a Ry Moran que contaría mi historia.

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[2] Namwayut.

[3] Dan Rubenstein & Nancy Dyson – Published Authors (rubenstein-dyson.com).

[4] Opinion: We witnessed the cruelty of residential schools as child-care workers. We will not remain silent about what we saw - The Globe and Mail

Hubo muchas razones para el retraso, algunas personales y otras menos, como la pandemia. En la Parte 1 del libro, Nancy describe lo que sucedió durante nuestros cuatro meses en la escuela residencial y nuestros intentos fallidos de cambiar la forma en que se trataba a los niños. Intercalados entre las páginas de su narración hay extractos de los informes de TRC que demuestran que nuestra experiencia no fue única, que lo que vimos fue generalizado en las escuelas residenciales. En la Parte 2, indago en las intenciones de las iglesias y el Gobierno Federal al establecer escuelas residenciales. También exploro lo que los canadienses sabían sobre las escuelas residenciales. Y por último, hablo de las voces de protesta que surgían de vez en cuando.

St. Michael's Residential School: Lament & Legacy se lanzó justo cuando se publicaba la noticia sobre el descubrimiento de 215 tumbas anónimas afuera de la antigua escuela residencial de Kamloops en la Columbia Británica. Los canadienses se sorprendieron. ¿Cómo pudo haber sucedido esto en Canadá, un condado conocido por su beneficencia? ¿Un país cuyos ciudadanos son famosos por su excesiva cortesía? Nancy y yo nos entristecimos con la noticia, pero no nos sorprendimos. Conocíamos muy bien la vulnerabilidad de los niños dentro de las paredes de una escuela residencial.

Si bien muchas personas se dieron cuenta de que necesitaban reevaluar su comprensión de la historia de Canadá, otras se aferraron obstinadamente a sus puntos de vista colonialistas.

Si bien habíamos profundizado en la historia del trato que Canadá da a los pueblos indígenas, algunas personas criticaron nuestra interpretación. Una y otra vez escuchamos comentarios defendiendo lo que habían hecho los gobiernos y las iglesias.

"Los indios necesitan superarlo".

Respondimos: "Creo que les gustaría superarlo. ¿Cómo se supera el trauma, el trauma intergeneracional?".

"Los indios necesitan aceptar el hecho de que fueron conquistados. Nosotros ganamos, ellos perdieron".

Respondimos: los pueblos indígenas de Canadá no fueron conquistados. En general, estaban dispuestos a compartir su tierra y otros recursos. Por eso había tratados, acuerdos que generalmente se rompían.

"Las escuelas residenciales no eran tan malas. Mira los internados británicos. Allí tampoco se mimaba a los niños".

Compartimos lo que habíamos escuchado de un sobreviviente: "Me hubiera gustado que me transfirieran a un internado británico". Los niños británicos no fueron separados por la fuerza de sus familias. No fueron sometidos a una asimilación forzada.

"Los indios querían que sus hijos fueran a escuelas residenciales. Los niños recibieron una educación gratuita. Fueron alimentados y vestidos. Sin costo para los padres."

De hecho, durante muchas décadas, las familias indígenas enfrentaron sanciones e

incluso encarcelamiento si no enviaban a sus hijos a escuelas residenciales.

"He oído hablar de personas que fueron a escuelas residenciales y salieron bien. Están agradecidos por la educación que recibieron. Ahora son líderes"

Contestamos: "Las personas resilientes tienen la capacidad de permanecer fuertes frente a la adversidad. Eso no excusa lo que les pasó. Las escuelas residenciales eran instituciones malévolas. Victor Frankl escribió *El Hombre en Busca de Sentido* en un campo de concentración, pero eso no significa que el campo debería haber existido.

La gente inevitablemente concluyó diciendo: "No se puede juzgar a la gente de hoy por los errores del pasado. Hay que tener en cuenta el contexto histórico. Las escuelas residenciales fueron diseñadas con buenas intenciones".

¿Buenas intenciones? Respondimos. Más de 150.000 niños indígenas fueron separados por la fuerza de sus familias, sin otra razón que el hecho de que eran indígenas. En la historia de Canadá, ningún otro pueblo fue tratado de esa manera, separado a la fuerza de sus hijos durante siete generaciones.

Con frecuencia escuchamos a la gente decir: "No tenía idea de lo que les estaba pasando a los niños indígenas. Ni siquiera sabía que existían las escuelas residenciales". Les creímos, pero nos preocupó el hecho de que miles de personas debían saber sobre las escuelas residenciales y que los niños indígenas fueron separados por la fuerza de sus familias y comunidades.

¿Qué pasa con los miles de canadienses que trabajaron en las escuelas residenciales? ¿Qué pasa con los empleados del Departamento de Asuntos Indígenas y del Norte? ¿Líderes religiosos y congregaciones en la iglesia católica, unida y anglicana, todos los cuales dirigieron escuelas residenciales? ¿Qué pasa con la Policía Montada del Canadá (RCMP, por sus siglas en inglés) que rodeó a los niños indígenas, sacándolos a la fuerza de sus familias? ¿Qué pasa con los pilotos y asistentes de vuelo que llevaron a los niños asustados a escuelas residenciales remotas? ¿Y qué hay de los canadienses que viven cerca de alguna de las 132 escuelas? Todos estos miles de canadienses vieron o supieron de la separación forzosa. Y fue esta separación forzada la que permitió el posterior abuso.

Clasificamos todos los argumentos enumerados anteriormente como Negación de la Escuela Residencial. Continuamos defendiendo firmemente nuestra opinión de que las escuelas nunca se trataron de educación. Eran un instrumento de asimilación forzada, parte de un Sistema Escolar Residencial omnipresente y malévolo cuyo único objetivo era separar a los niños indígenas de sus familias, identidad, cultura y raíces. Si la intención hubiera sido alguna vez la educación, no el genocidio cultural, las Iglesias y el Gobierno Federal podrían haber enviado maestros para enseñar en comunidades remotas. El argumento de que los niños indígenas necesitaban asistir a una escuela residencial para ser educados también ignoraba el hecho de que estaban siendo educados por ancianos indígenas, aprendiendo su cultura,

tradiciones, idioma y espiritualidad. Para nosotros, es evidente que el bienestar de los niños indígenas nunca fue una prioridad general de las iglesias o del gobierno federal.

En junio de 2021, con la noticia de las tumbas anónimas afuera de las escuelas aparecida en los periódicos, sentimos la preocupación del país. Muchos canadienses lucharon por alinear su concepto de la beneficencia de Canadá con los hechos cuando se enteraron de que miles de niños murieron en escuelas residenciales, solos, sin dignidad, sin ceremonia u observancia espiritual. A sus familias a menudo no se les informaba de la muerte de sus hijos y vivían sus vidas esperando a que regresaran.

Muchos amigos, vecinos y antiguos compañeros se pusieron en contacto con nosotros. Ellos leyeron nuestra historia. Conmocionados y preocupados, dijeron que estaban reexaminando su comprensión de la historia de Canadá. Otros se aferraron firmemente a su negación del trágico legado de las escuelas residenciales.

Nancy escribió un artículo de opinión que fue publicado por Globe and Mail el 4 de junio de 2021.

Como trabajadores al cuidado de niños, fuimos testigos de la crueldad de las escuelas residenciales. No nos quedaremos callados sobre lo que vimos.

Hace cincuenta años, mi esposo, Dan Rubenstein, y yo éramos recién llegados a Canadá. Habíamos visitado la Expo 67 y nos impresionaron las imágenes de Canadá como una sociedad multicultural y acogedora. En 1970, decidimos vivir en Canadá hasta que la polarización desenfrenada en los Estados Unidos disminuyera. Encontramos trabajo como cuidadores de niños en la Escuela Residencial para niños indígenas St. Michael en Alert Bay, B.C.

Nuestra creencia de que Canadá era un país justo y compasivo se vio alterada por lo que presenciamos dentro de las paredes de la residencia. En nuestro primer día, la matrona nos llevó a un subsótano donde un agente indio le entregó cuatro niños a su cuidado. Los niños pequeños se quedaron mudos y temblando mientras la matrona les cortaba la ropa y el pelo y los arrojaba a la cámara de combustión ardiendo de la caldera. Dan protestó: "¿Es esto necesario?" Y la matrona respondió sin pestañear: "Piojos".

Todas las mañanas, Dan iba a despertar a los veinticinco niños pequeños que tenía a su cargo, niños de hasta 5 años de edad. El dormitorio, lleno de hileras de camas de metal impersonales, apestaba a orina ya que la mayoría, si no todos los niños, mojaban sus camas. La infelicidad de los niños pequeños era palpable. Los niños fueron tratados con dureza. El personal más antiguo nos dijo que la disciplina y la constancia eran esenciales; no hubo discusión sobre el amor o el respeto. Vimos estudiantes que eran crueles con otros estudiantes. Dos niños intentaron

colgar a nuestro cachorro. Se confirmó nuestra creencia de que la crueldad engendra crueldad. Intentamos protestar dentro de la escuela pero nos dijeron que éramos ingenuos. Nos unimos a un esfuerzo comunitario para enviar una petición a Asuntos Indígenas y del Norte solicitando una delegación para visitar Alert Bay. (El gobierno federal había asumido el control de las escuelas residenciales en todo Canadá en 1969, solo un año antes). Sentimos que el Departamento debería ver de primera mano lo que estaba sucediendo. Una delegación llegó en diciembre. Cuando Dan les dijo que la escuela era un instrumento de genocidio cultural, fue despedido.

Dan y yo dejamos la escuela y nos mudamos a una isla vecina. De vez en cuando, veíamos a los niños de St. Michael en la escuela pública. El administrador accedió a que dos de los niños pequeños nos visitaran en nuestra cabaña en Sointula. Pero dejamos de abogar por los niños. Cuando la escuela se cerró unos años más tarde, pensamos que el trauma estaba terminando. Lamento mi silencio. Dan también lamenta el suyo.

Fue hasta 2015, cuando la TRC presentó sus informes, que resurgieron los recuerdos de St. Michael y me invadió la emoción y la culpa por no contar mi historia. Dan compartió un ascensor con Ry Moran y prometió contar la historia de lo que habíamos presenciado. Amigos y conocidos cuestionaron nuestras

opiniones. "En su momento la gente hizo lo que pensó que era correcto", dijeron. "No fue tan malo. Mira los internados británicos". Y muchos insistieron en que el gobierno y las iglesias habían actuado por bondad y buenas intenciones.

Yo estaba allí. Yo sé. Las historias de los sobrevivientes dicen la verdad. Leímos los informes de la TRC en su totalidad y nos enteramos de que lo que presenciamos en St. Michael ocurrió en todo el país. Las escuelas residenciales fueron un ataque intencional contra los pueblos indígenas y sus familias. Separar a los niños de sus familias condujo a la pérdida de identidad, idioma, espiritualidad y cultura. Las escuelas residenciales nunca tuvieron que ver con la educación. Siempre se trataba de algo más: la erradicación de los pueblos indígenas como un grupo de personas distinto y separado.

El trágico descubrimiento de las tumbas anónimas en la Escuela Residencial de Kamloops coincidió con la publicación de nuestra historia, St. Michael's Residential School: Lament and Legacy. Para cualquier canadiense que niegue que las escuelas residenciales tuvieron un impacto trágico en los niños indígenas y sus familias y que el impacto continúa hasta el día de hoy, lo insto a leer los relatos de los sobrevivientes y de aquellos de nosotros que nos encontramos en una institución malévola donde el amor y la la amabilidad rara vez sobrevivió.

Me uno a las personas de todo Canadá, indígenas y no indígenas, que lloran por los 215 niños enterrados en tumbas anónimas en la escuela residencial de Kamloops. Y me asombran los sobrevivientes y los sobrevivientes intergeneracionales que promueven la esperanza y el amor mientras conducen a nuestro país hacia la justicia y la reconciliación.

Nancy Dyson y Dan Rubenstein son los autores de St. Michael's Residential School: Lament & Legacy (Ronsdale Press, junio de 2021. Las regalías se donarán a Indian Residential School Survivors Society y otros grupos de apoyo).

A raíz de este artículo y el lanzamiento de nuestro libro, fuimos entrevistados por estaciones de radio y televisión nacionales, incluida una estación Mohawk y un programa Anishinaabe. Se nos pidió que nos dirigiéramos a grupos cívicos y diversos grupos religiosos: cristianos, unitarios, judíos...

Con el cambio en la percepción pública del papel colonial de Canadá y las acciones de los gobiernos y las iglesias, nos sentimos esperanzados. Muchas personas se comprometieron activamente con la Reconciliación, un viaje compartido para desarrollar relaciones equitativas y de respeto mutuo entre pueblos indígenas y no indígenas. Fue notable que se hicieran reconocimientos de tierras al comienzo de las reuniones públicas.

Pero tememos que la indiferencia esté erosionando ese compromiso con la Reconciliación. Todos somos, indígenas y no indígenas, bombardeados por amenazas que van desde el cambio climático hasta la guerra, el surgimiento de líderes autoritarios, el desastre ambiental, la pandemia, las crisis financieras... En medio de todo eso, tememos una reacción violenta, ya que los gobiernos reconocen los reclamos legítimos de las Primeras Naciones sobre la tierra y los recursos.

Cuando nos sentimos desanimados, nos acercamos al Jefe Joseph, quien nos recuerda que debemos ser pacientes, que la Reconciliación no ocurrirá en nuestra generación. Tal vez, nos dice, ni siquiera en la generación de nuestros hijos. Quizás nuestros nietos lo presenciarán durante sus vidas. Pero tal vez ocurra durante la generación de nuestros bisnietos. Mientras tanto, la Reconciliación avanza a través de miles de conversaciones entre canadienses comunes en reuniones en todo el país, no solo por las disculpas del gobierno o los grandes gestos. La reconciliación, nos dice, se mantendrá cuando se convierta en un valor central dentro de nuestra conciencia nacional.

Nancy y yo seguimos hablando con la gente, en persona y por zoom, respondiendo siempre a las solicitudes de entrevistas. Hemos hablado con estudiantes y con personas mayores en una residencia de ancianos.

Me inscribí en una clase de idioma Ojibway en el Centro Wabano, un centro local de salud y bienestar indígena, donde soy recibido por el maestro y los compañeros indígenas. En la mayoría de las lenguas indígenas, el 70% del léxico consiste en verbos, el 30% de sustantivos. Por el contrario, en inglés y otros idiomas

indoeuropeos, el 70% de las palabras son sustantivos, el 30% verbos. He aprendido que los verbos en ojibway pueden convertirse en sustantivos.

Tal vez la reserva sea cierta en inglés. Tal vez la Reconciliación pueda convertirse en "ReconciliAcción", un sustantivo que se convierte en verbo, una esperanza que se convierte en realidad.

Nancy Dyson and Dan Rubenstein
Autores de St. Michael's Residential School: Lament & Legacy (Ronsdale Press, 2021)

SOBRE LOS AUTORES

Nancy Dyson y Dan Rubenstein

Al jubilarse, Dan Rubenstein y Nancy Dyson lograron su sueño compartido de convertirse en escritores publicados. Anteriormente, Dan fue auditor de la Oficina del Auditor General de Canadá y Nancy fue educadora de la primera infancia.

En *St. Michael's Residential School: Lament & Legacy* (Ronsdale, 2021), Dan y Nancy recuerdan los cuatro meses que pasaron como trabajadores de cuidado infantil en una escuela residencial para niños indígenas y exploran el arco histórico de las escuelas residenciales, contrastando la historia de Canadá con su compromiso actual con Reconciliación.

Su primer libro, *Railroad of Courage*, publicado en 2017 por Ronsdale Press, es la historia de Rebecca, una esclava fugitiva de doce años que se dirige al norte hacia Canadá. La historia ha demostrado ser una herramienta evocadora para que padres y maestros hablen con los lectores jóvenes sobre el legado de la esclavitud. Los autores también han completado una tercera novela, una historia sobre dos voluntarios canadienses que se involucran con el movimiento de resistencia Lenca en Honduras.
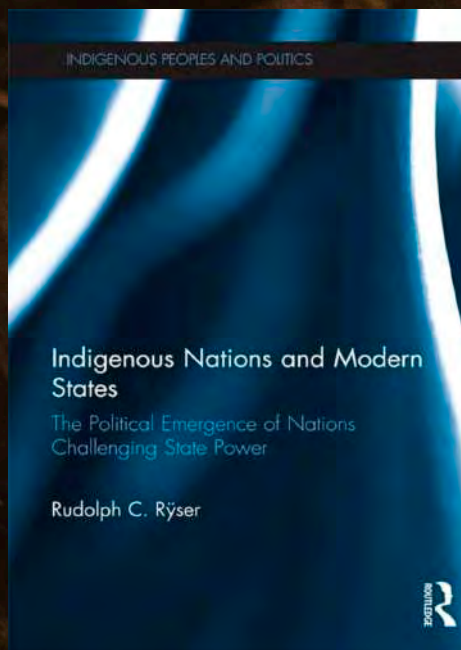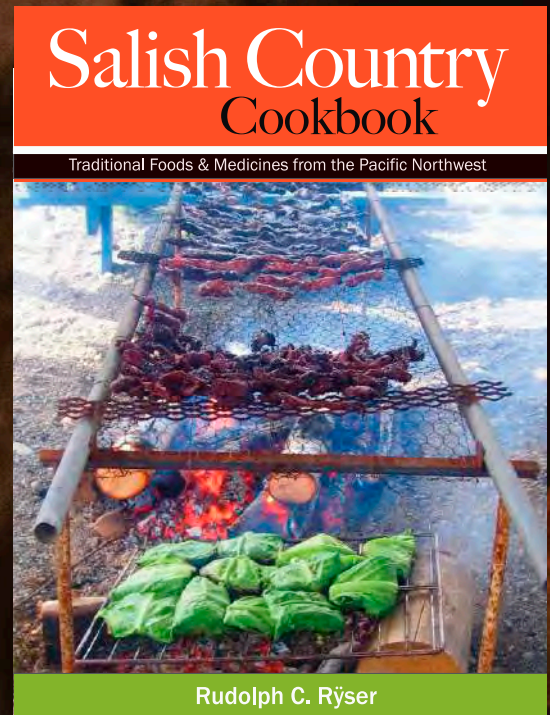
Dan y Nancy viven en Ottawa, la capital de Canadá, pero disfrutan de los viajes internacionales y los viajes frecuentes para pasar tiempo con sus tres hijos adultos y sus ocho nietos. Dan también es voluntario en proyectos internacionales con Catalyste. una organización canadiense sin fines de lucro que trabaja con socios globales para promover el desarrollo sostenible, inclusivo e impulsado localmente. En sus asignaciones en América Central y del Sur, Dan disfruta de la oportunidad de ejercitar y mejorar sus habilidades en el idioma español.

Reclaiming Indigenous Voice and Knowledge in the Era of (Re)colonization, Insights from a Rural Indigenous Santal Community

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ABSTRACT

This paper analyzes how various of contested sites of the internationally recognized state encapsulated in the ethos of the West perpetuate colonial legacy, marginalize indigenous wisdom, and disregard ecological awareness and actions that go against the well-being of humans and the planet itself. These contested sites have been occurring due to ongoing imperialist-colonialist practices and policies imposed on indigenous peoples in the name of progress, development, and homogenization. This paper highlights the urgency and agency of restoring indigenous ecological consciousnesses and alternative ways of knowing so that they can re-emerge in our private and public lives to rebuild nations, peoples, and communities. The knowledge and acknowledgment of these issues drawing from a rural indigenous context in Bangladesh will help generate a broader understanding to formulate appropriate education policies, pedagogy, and practices that address, educate, and enlighten the world about the colonialist-capitalist agenda of exploitation and eradication of the indigenous way of life. More specifically, this paper reflects on the possibilities of an ecologically, economically, and culturally sustainable world, and it recommends ideas and concepts for sustainable education policies and practices for various stakeholders to transform damaging attitudes towards indigenous culture as well as the ecology of our planet.

Keywords: Indigenous Wisdom, Ecological Consciousness, Nation, state, Colonial legacy, Sustainable World, Western Education Policy

The fast disappearance of the rural Santal community in *Palashpur*[1] is a microcosm of disappearing indigenous peoples' diverse worlds, ways of life, languages, lands, religions, culture, traditions, and invaluable knowledge systems from the face of the planet. This paper critically reflects on the damaging influences of modernity that mask insidious consumerist and capitalist core values of the West and becomes

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[1] Palaspur, the site of this research, has metaphorical and real implications.

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a handmaiden in bringing about the demise of the indigenous way of living in harmony with nature and people in oneness. These damaging influences warrant immediate awareness and action for the indigenous peoples' survival and the planet itself. Therefore, the premise of this paper is not only a revelation of the overwhelming issues of injustice, oppression, and dehumanization against the indigenous peoples in local and global contexts but also points at the urgency of ecological education for the survival of planet Earth and its inhabitants. In writing this paper, the author primarily relies on the voice and understanding of the indigenous Santals in the rural setting and draws on instances from other contexts as well where the imperialist West and its agents are engaged in plundering natural resources from indigenous regions, destroying the serenity and biodiversity of flora and fauna, homogenizing linguistic and religious diversity, and demeaning local knowledge, wisdom, and deep appreciation of the holistic nature of the cosmos. This paper attempts to provide a critical understating of how, with the demise of indigenous cultures, the world is losing indispensable knowledge and wisdom to safeguard the planet from the damaging influence of unbridled industrialization in the name of so-called modernity.

Indigenous Perspectives in Research

In this study, the Author make every effort to be in tune with the methodology employed in indigenous research to ensure the research is conducted respectfully, ethically, empathetically, and a beneficial fashion from the perspective of the research participants. The Author gave

much thought to the process of decolonization in the method of knowledge production and emphasized "a more critical understanding of the underlying assumptions, motivations and values that inform research practices."[2] In the process, this research is not only "a means of creating knowledge; it is simultaneously a tool for the education and development of consciousness as well as mobilization for action"[3]. In order to create an epistemology compatible with the lived experiences of the research participants, the Author reflected on the research processes and outcomes, bearing in mind the interests of the Santals, their experiences, and knowledge that are at the center of the research. This study is based on the principles of respect, reciprocity, and participant comments and observations. To this end, the Author employs a qualitative case study methodology.[4] Based on real-life situations, this case study is a rich and holistic account of the lived experiences of the Santals in the backdrop of losing their footholds in Bangladesh. This paper explores the subject perspectives in the struggle for survival and their experiences of marginalization and dehumanization on their terms and in their own words. The Author listened to their experience of losing lands, religion, education, language, and unique ways of life and living, and critically reflected on what I heard and what it meant, to the speakers and the researcher. Finally, the Author presented here the echoes of their voice and understanding.

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[1] Tuhiwai-Smith, 1999, p. 20.

[2] Gaventa, 1991, pp. 121-122.

[3] Berg, 2001.

For the protection of the community and its participant members, the anonymity and confidentiality of the participants are protected by concealing their names with pseudonyms. The names of places and communities where the participants were recruited have also been concealed with pseudonyms. The Author was forthright about the purpose of this study and explained it to the potential participants, as simply as possible, with the help of community activists. The research findings have been shared with the research participants. They provided feedback for clarification.

The primary data of this case study was collected through in-depth audio-taped individual and focused group interviews, field-notes recorded through personal observations, experiences, and reflections. The secondary data was collected from extensive library research on various world indigenous communities living on the edge of disappearance due to so-call development policies of the state across the globe.

The sampling procedure involves two stages: purposive sampling procedure[5] and snowball techniques. A few leaders and grass-root level activists were personally approached in the first stage. Following the recruitment of these individuals, the rest of the participants were recruited through snowball techniques; the Author spent a substantial amount of time with the indigenous Santal community in Palashpur village and the adjoining villages of Kestapur Union, in the Rajshahi District of Bangladesh. All participants were interviewed in Bengali according to their choice of language. Additionally, the interviews and informal chat

before and after the interviews were also audio-taped and documented through self-guided shorthand. The audio tapes were transcribed, translated into English from Bengali, edited, and immediate reflections were recorded. Audio-taped interviews were played back to the participants for verification after each interview session. Following the interviews, there were informal discussions, which were also recorded. These discussions offered valuable insights and understandings that tapped into the inner voices of Santals.

The author used NVivo7 and later Nvivo 8 for data analysis. Using Nvivo7-8 as a repository, the Author streamlined data management and created cases from the interviews. The cases were combined with extensive coding and then queried to uncover the central themes across the transcribed interviews and secondary data. Those cases generated central themes and insights into the participants' personal and collective experiences. Some research themes emerged inductively from the data through the initial coding, while others emerged from coding queries. Data-driven nodes were inductively applied in coding. Codes were transformed into categorical labels or themes. In this manner, the transcribed data, and data from other sources, namely, transcribed interviews, cases from individual and focus groups, field notes, and data from secondary sources, were also imported into Nvivo 8 for coding. After coding, The Author used the 'Search' to find coincidences in the coding structures across cases. Tree nodes and

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[5] Patton, 2002.

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free nodes were also consulted for the analysis and interpretation of the data, and later, created interpretations for reporting the data. This article was produced by combining the frequencies of the nodes coded and qualitative examples of cases to show the occurrences of education and language issues, devaluation of indigenous religion and culture, disputes, and dispossession of land and its aftermath. Besides, identified nodes and coded queries drawn from the participants' experiences have been used to portray the negotiated challenges of the community in the rural setting.

Hidden Narratives of Colonial-neocolonialism of the State

In Palashpur, the insidious civilizing project is based on the ongoing colonial-like condition, in which the various sites such as the indigenous Santal language and education system, land ownership and religious beliefs, culture, traditions, and rituals are being contested and thus in the process of being eliminated. The exclusionary and assimilationist policies and practices of the modern state of Bangladesh bear the legacy of the Western neocolonial and homegrown neo-nationalist agenda that amply demonstrates the powerful presence of the West. The West replaces every aspect of indigeneity, both ideologically and materially. As Ashis Nandy states, "The West is now everywhere, within the West and outside, in structures and in minds."[6]

Thus, the presence of the West in the remote corner of planet Earth, Palashpur, is active through its development agenda and its notion of modernity-contesting indigenous Santal tradition, its missiological projects of Christianization-

diminishing indigenous ways of life and religious beliefs, its act of commodifying the land-dispossessing the Santals of land ownership and belonging, and its formula for education generating a xenophilic infatuation with the West and driving new generations to "ignore village-based education, culture, economy, and the profession of farming."[7] These are accomplished by the external intervention and vested interests of outsiders with the consent of the state that acts as an extension of the West.

The issues further affirm that the structure of nationalism and imperialism sustain each other as part of the ongoing neo-colonial project. Ideologically, the nation, as well as nationalism, has Western roots that, in the name of modernity and progress, undermine, devalue, oppress and dehumanize tradition-bound indigenous communities. Under these oppressive circumstances, the Santals in Palashpur, as elsewhere, are rapidly losing their lands, language, traditions, knowledge systems, rituals, and religion that sustains their sense of spirituality. This phenomenon of destruction is not an isolated event nor without widespread adverse consequences. Indeed, this phenomenon goes back to the emergence of nations as empires in Europe that replaced feudalism after the industrial revolution and the Enlightenment. This emergence initiated a paradigm shift in the world order, creating a sense of superiority and the capacity of the European empires to control, civilize, and rule the rest of the world.

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[6] Nandi, A.

[7] Barua, 2005.

They believed that the rest of the world was anachronistic and inhabited by barbaric, uncivilized, and prehistoric peoples. In this regard, "Enlightenment" was, in fact, a significant catalyst in the construction of systemic and institutionalized racism that shaped notions of supremacy, domination, "difference," and "race,"[8] which eventually gave birth to colonization in the modern world. States intending to accumulate wealth and expand territorial control, the Europeans began to push the boundaries of their empires. Therefore, state and empire became synonymous with dominating and domesticating the rest of the world. The concept and global spread of the states in the 20th century was born out of the same dynamics of domination and domestication, and the process continues to destroy indigenous communities, such as the Santals, around the world.

The newly emerged states, such as Bangladesh, are a mutated and *extended* version of colonial and imperial history in terms of exerting domination and control. Many previous practices and policies receive new garbs as they retain the core systemic foundation of colonial and imperial oppression and domination, spreading a new version of colonization known as the state. In fact, "nationalism begets a sentiment of intolerance and 'Othering'; that it is a potent site for power discourse, and there is a recurrent hierarchy and hegemony within its structure."[9] Similarly, the everyday lives of the Santals have become increasingly "colonized" by a managerial and oppressive ethos of nationalism which is fundamentally at odds with the core values of indigeneity.

Figure 1. Map of Bangladesh

The emergence of the state of Bangladesh[10] retains colonial education and language policy in line with the previous colonial rules that exert the toxic influence of the "factory model"[11] of modern education on the tradition-bound indigenous peoples. Driven by the rationale of the market and colonial economic growth and exploitative imperatives, a centralized system of educational control has been established to affect cultural imposition, domestication, and domination of the "cultural other." The education system has damaged the Santal traditional institutions[12] through which community members once became acquainted with their cultural heritage, acquired

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[8] Better, 2002; Foley, 2000; Hokowhitu, cited in Hippolyte, 2008.

[9] Quayum, 2005, p. 14.

[10] Formerly under the colonial rule of British India, it was partitioned in 1947 and referred to as East Pakistan. Demands for greater autonomy by the primarily Muslim population (in the millennium A.D., Muslim conversions and settlement in the region began in the 10th century), the independence movement supported by India resulted in Bangladesh as a state in 1971.

[11] Miller, 1996.

[12] Ray, Das, & Basu, 1982.

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life skills, and learned to appreciate close bonds with nature and the universe. The Western European mode of education indoctrinates these nature-loving individuals to be unmindful of the environment and ecology and thus become materialistic, self-centered, disconnected, ambitious, restless, and discontent. Other than the state-based education policy, an extreme example of linguistic hegemony in place of linguistic integration[13] is evident in Palashpur. Through the imposition of an alien language instead of the home language Santali, a covert indoctrination of ruling ideologies[14] continues to afflict the indigenous Santal community in Palashpur.

In addition, the Adivasi[15] land is also a neocolonial site of contestation. Land relates to forming indigenous identity and religious practices and is the material base for indigenous cultural and spiritual activities that nourish and sustain indigenous life and knowledge. Land grabbing in Palashpur by the rich and powerful with state support reveals the autocratic nature of the exertion of state power over marginalized peoples and their landscapes that nourish their distinctive culture and associated rituals. This issue of power contestation regarding land ownership indicates a colonial relationship in which the majority Bengali land mafias, the colonizers perpetrate territorial, cultural, material, and physical domination over the colonized, namely the indigenous Santals.

As nature is an inseparable part of the Santal tradition, various Santal rituals and festivities are celebrated according to the cycle of nature, in which the land or the village is at center stage.

Once the land sustained the rituals and the Santal community, the rituals, helped promote and revitalize the Santals' culture, history, and tradition. However, the colonial land policy adopted by Bangladesh has given rise to a situation in which deliberate and forced eviction reminds them of a version of *terra nullius*.[16] Under the circumstances, the Santals are losing not only their material foothold but their cultural, spiritual, and social existence and identity as well.

The other aspect of the hidden narratives of the Santals in Palashpur is faith-based colonization, which involves converting the indigenous Santal people to Christianity and the impact of Christianization on their social and family structures. The civilizing mission, wrapped in modernity and Western values, is an integral part of evangelization and has put the tradition-bound Santal community in Palashpur under seizure. As a result, there is an overwhelming sense of erosion in traditional values, disintegration, and a rise of materialism and consumerism. The indigenous worldview, which once nurtured and nourished a life of simplicity and contentment that nature provides, is apparently absent in the community. Instead, an alien concept of life pervades, a yearning for material success and competition rather than collectivist cooperation.

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[13] Dei, 2000.

[14] Dei, 2001.

[15] Adivasi is a term used in India and Bangladesh to refer to the region's indigenous peoples. The term comes from the Sanskrit word "adi", which means "original" or "first", and "vasi", which means "inhabitant". Adivasi communities are believed to be the region's original inhabitants, with a distinct culture, language, and way of life shaped by their relationship with the land and natural environment.

[16] Fitzmaurice, 2007.

Evangelization, which masks Western values and development for material success at the cost of spiritual emancipation, distances the Santals from their roots ingrained in the rural milieu; it positions them in the competitiveness and restlessness of the artificial life of urban contexts. The once-unified Santal society, which was sustained and nourished by the treasure trove of bounteous nature, blessed by the *Bongas*[17] and spirits of the ancestors, and undisturbed by modernity and external invasion, is now polarized, fragmented, and disintegrated. Christianization, built on colonial policies of domination, Westernization, the civilizing mission, and supremacist and expansionist ideologies, lacks a true understanding and tolerance of the irreplaceable value of the indigenous worldviews and ways of life. On the contrary, by solely focusing on their development agenda, the Christian missionaries justify their acts of conversion, aggression, and intrusion. Thus, like other indigenous contexts, evangelization, and the state, as legacies of the colonial past, have set a shocking example in Palashpur.

Whose Development is It?

I hear a lot about development projects, but I don't see any real development in our community. There are many NGOs working here for our wellbeing. But I only see poverty, hunger, diseases, and death. The number of landlessness is increasing and with landlessness we are losing our material base. You cannot develop us by empty promises and exploiting us. They don't give us what we need; rather they give us what they want us to have. For example: they give us cell phones, colour TVs, or a new religion, but we need our land, our language.[18]

Nidhiram Tudu, an 80-year-old Santal elder, provides a compelling observation and understanding of the harsh reality of the indigenous Santal community in Palashpur. His perspective, articulated in the above interview excerpt, corresponds with the voices of other indigenous communities enmeshed and devastated by institutionalized development ideologies.[19] These ideologies, rooted in the civilizing mission of the former colonial era and now recast as development,[20] promote the globalization of cultural, political, and economic systems. This version of globalization results in the degradation of "Earth's ecology and resources, but enhances indigenous peoples' social dislocation, alienation, furthering the dominance of technological rationality."[21] In this manner, the once autonomous, eco-friendly, content, and humble lives of the tradition-bound Santals become materially, physically, psychologically, and spiritually bankrupt.

Contrary to the benchmark of progress imposed by the regime of development, which is based solely on the modern Western knowledge

[17] Bongaus, the spirits both good and bad according to Santal worldview.

[18] Interview with the author, 2005.

[19] Bodley's Victims of Progress, and Davis's Victims of the Miracle, cited in Little, 2005.

[20] Dossa, 2007.

[21] Chatterjee, 2001, p. 2.

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system,[22] the once vibrant Santal community in Palashpur had its economic system, in which they knew neither profit-making nor stockpiling. Instead, the Santals shared their resources with one another instead of preying on one another. This encapsulated, vibrant community enjoyed a sense of connectedness, well-being, and self-sufficiency that bonded the people with a common goal of material and spiritual interests. However, with the influence of the Western, liberal-Christian "development" model that Washington, London, the International Monetary Fund (IMF), and the World Bank have been pushing on the South,[23] money and materialism have become controlling factors in defining the identities of individuals and the community.

In Palashpur, the mechanism of this development agenda is implemented by the NGOs representing the West and the state. Instead of having shared interests of the community and its collective survival in the spirit of self-respect and connected living "in harmony with nature,"[24] the Santals in Palashpur are now positioned in a competitive consumerist and capitalist mode of living. In addition, the sense of modernization and civilization fabricated and imposed through institutions—such as Western education, the money economy, land policies, and missionization that flourished hand in hand with colonization—has alienated the Santals from their roots and traditional ways of life. These institutions are engaged in asserting processes that systematically de-legitimize traditional modes of livelihood by impoverishing the natural resource base upon which the lives of communities depend.[25]

Evidently, in Palashpur, dozens of aid agencies are ostensibly active in improving the socio-economic conditions of the Santals and other marginalized communities. These agencies are funded by Western dollars and dictated by the Western worldview that "created the notion of poverty based on capitalist indicators"[26] rather than the felt needs, knowledge, and worldview of the Santal community; they "operate on the assumption that economic progress ultimately leads to social progress, and that development can solve poverty and social problems on a global scale"[27].

The imposed indicator of development has not assisted the Santals in achieving a sustainable way of life. Instead, "the strategy," as Banerjee[28] asserts. Nidhiram Tudu, the Santal elder echoes, has "produced the opposite effect: underdevelopment, debt, crises, and exploitation."[29] Indeed existing development programs lack the earnestness and wisdom of "ethno-development—the autonomous capacity of a culturally differentiated society to guide its own development."[30] The welfare of the Santals is on the line. As the developmental regime separates the Santals from their natural resources, the community becomes materially, culturally, and spiritually vulnerable.

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[22] Banerjee, 2000.

[23] Dossa, 2007.

[24] Gandhi, 1938, p. 61.

[25] Escobar, cited in Chatterjee, 2001.

[26] Escobar, cited in Banerjee, 200, p. 11.

[27] Banerjee, 2000, p. 11.

[28] Banerjee, 2000.

[29] Shiva, Escobar, 1995; Esteva, 1987; Mies & Shiva, 1993 cited in Banerjee, 2000, p. 10.

[30] Batalla, cited in Little, 2005, p. 14.

The notion of development that set the benchmark of progress views the Santals, "low consuming, and environment-friendly lifestyles as poor and unfit for modern folks.[31] Thus, "never neutral, politically or racially, development is quintessentially developmental imperialism"[32]; it is wrecking devastation not only on the lives of the indigenous peoples in Bangladesh but on the lives of other marginalized communities across the globe as well. In the name of developing communities, there is an enthusiasm for urbanization, which is separating people from one another, from nature and their traditional ways of life; this ultimately leads to the rejection of the natural world and the indigenous ecological wisdom.

The aggression of urbanization, which is leveled as the primary cause of pollution due to the high concentration of population and industrial production[33] has detrimental effects beyond economic and environmental concerns. Kozlov, Vershubsky, and Kozlova[34] demonstrate that modernization and urbanization have a serious stressing influence on the aborigines of Khanty[35] and the *Mansi* in North Siberia. They conclude that there is a significant link between modernization and urbanization, individual and socio-psychological characteristics, and the health and well-being of Aboriginal communities. These effects correspond with the Royal Commission report on Aboriginal Peoples in the Canadian Context.[36] This report outlines the onslaught of Western diseases among the indigenous peoples in Canada due to modernization and urbanization. It states:

Chronic conditions are sometimes called the diseases of modernization, or Western diseases, because they attend to lifestyles typical of Western industrial nations: reduced physical exercise; diets overloaded with fat and sugar; high levels of stress; and increased exposure to a wide range of pollutants in the air, water, and food supply. These risk factors set the stage for a wide range of diseases, including cancer, heart disease, obesity, gall bladder disease, and diabetes.[37]

The bleak future of *Santali*, the language of the heart of the indigenous Santals in Palashpur, exemplifies the condition of "linguistic genocide"[38] or language death, which is at the core of the perpetuation of modernity's colonialist and imperialist project. Linguistic genocide echoes that of the American context, where according to Skutnabb-Kangas, the native people are at the receiving end of 'linguistic genocide' in our society and schools. UNESCO expresses similar concern in its assertion that "half of the world's 6,700 languages and dialects could vanish by the end of the century if governments don't take action now."[39]

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[31] Nandy, cited in Dossa, 2007, p. 890.

[32] Dossa, 2007, p. 891.

[33] Calvert, 2001.

[34] Kozlov, Vershubsky, and Kozlova, 2003.

[35] Khanti and Mansi.

[36] Cited in Ship, 1998.

[37] Royal Commission Report, 1996.

[38] Skutnabb-Kangas, 2000.

[39] CTV report, 2009.

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A Statistics Canada report published two years ago states that in Canada, irreversible damage has already been done to ten once flourishing Aboriginal languages that have become extinct over the past 100 years[40]. Francis & Reyhner[41] affirm a similar trend in the United States, where only two million people speak their indigenous language, and less than 1% of the current population identifies themselves as possessing a native language ancestry, including Native Americans, Hawaiians, and Alaskans. Of the 154 indigenous languages still spoken in the United States, only about 20 are being transmitted to children by their families. In other words, most languages will not be maintained or used after a generation or two. Indigenous peoples elsewhere are experiencing similar situations.

The indigenous languages, such as *Quechua, Aymara, Nahuatl, and Maya*, primarily spoken in Central and Latin American countries, face erosion. Similar situations exist in the continents of Australia and Africa. In Australia alone, some 500 languages have been lost since the arrival of Europeans. The indigenous people in Guatemala, Bolivia, Ecuador, Mexico, and Peru prefer to speak Spanish to their indigenous languages. Of the recorded 10,000 or more languages that have existed worldwide over time, only about 6,000 are now spoken, 3000 of which are not spoken by the younger generation. As a result of an ongoing assimilationist agenda and pressures from the dominant languages, the number of languages is projected to drop by 50-90% over the next 100 years.[41] In the African context, the issue of "language death" is more pressing, as Nigel Crawhall documents:

Of the scores of *San and Khoe* languages spoken by indigenous peoples when Europeans first arrived at the Cape of Good Hope in the 17th century, only a handful survives today. The surviving languages are all at risk of dying out in the next generation.[43]

The above instances demonstrate the seriousness of the issue of "language death" among indigenous languages in the global context. They further corroborate that education and language policy legitimizes the accumulated knowledge and authority of conquest and colonization[44] as they continue to be imposed on marginal communities around the globe. Colonization is achieved "through linguistic racism and the symbolic capital of language that serves to discriminate and disadvantage the colonized"[45] such as the indigenous peoples. Discriminatory language policies, evident in indigenous communities, such as the Santals in Palashpur, are responsible for the demise of many minority languages, nationally and globally.

Many minority languages are on the brink of extinction because of state-crafted linguistic imperialism, as in the case of the indigenous Santals in Bangladesh. This "linguistic imperialism" that controls and dominates

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[40] CTV report, 2009.

[41] Francis & Reyhner, 2002,

[42] UNDP report, 2004.

[43] Nigel Crawhall, 1999, p.1

[44] Willinsky, 1998.

[45] Dei, 2006, p. 16.

the languages of others is one of the principal mechanisms of colonial and neo-colonial oppression. The powerful forces of assimilation create adverse situations that destroy the survival of minority languages, oral or written. In this respect, media plays a devastating role.[46] Many states, such as Bangladesh, do not recognize indigenous languages; they view linguistic diversity as a threat to the state's sovereign integrity. These oppressive states are ready to eliminate the languages and, with them, the rights of their speakers. Thus, instead of linguistic integration, linguistic hegemony is a covert indoctrination of ruling ideologies that continues to afflict indigenous communities worldwide.

The consequences of language loss are devastating not only for the linguistic communities but for the world at large, as valuable knowledge resources embedded in the languages are lost with them. When even one language falls silent, the world loses an irredeemable repository of human knowledge. Nettle and Romaine[48] observe that,

> Every language is a living museum, a monument to every culture it has been a vehicle too. It is a loss to every one of us if a fraction of that diversity disappears, when there is something that can have been done to prevent it[49].

Thiongo asserts, "Language as culture is the collective memory bank of a people's experience in history"[50]. Therefore, by denying these diverse languages, the diversity of culture is being denied, and, in the process, the collective history and

tradition are being removed from the lives of the communities. With language loss, the community loses its collective identity and its wisdom. Thus, language loss is irreparable. From the perspective of equity and justice, language death and recovery are human rights issues. A child comes to know, represent, name, and act upon the world through the mother tongue. As such, to speak one's mother tongue is a birthright.

No one can naturally or easily renounce this fundamental birthright. In various indigenous contexts, the loss of a language reflects the exercise of power by the dominant group over the disenfranchised indigenous peoples. Accordingly, to Fishman, it manifests "in the concomitant destruction of intimacy, family, and community via national and international involvement and intrusions[51]. Thus, linguistic imperialism not only destroys languages but marginalizes communities as well.

For indigenous children, the loss of their mother tongue has adverse effects on their academic success. Cummins[52] argues that a positive identity is vital for academic achievement, and children can suffer from the disregard of their linguistic and cultural backgrounds. He states:

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[46] Fourie, 2007; Tomlinson, 1991.

[47] Dei, 2000.

[48] Nettle and Romaine, 2000.

[49] Cited in McCarty, 2003, p. 14.

[50] Thiongo, 1986, p.15.

[51] Fishman, 1997.

[52] Cummins, 1996, pp. 2-3.

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When students' language, culture, and experience are ignored or eradicated in classroom interactions; students are immediately starting from a disadvantage. Everything they have learned about life and the world up to this point is being dismissed as irrelevant to school learning; there are few points of connection to curriculum materials or instruction and so students are expected to learn in an experiential vacuum. Students' silence and nonparticipation under these conditions have frequently been interpreted as lack of academic ability or effort, and teachers' interactions with students have reflected a pattern of low expectations, which become self-fulfilling.

Furthermore, language loss leads to the irreversible loss of vital knowledge accumulated for centuries by different races of humankind. With the death of indigenous languages and indigenous knowledge, many aspects of biological diversity and the wisdom of sustainable management of different ecological systems will also be at severe risk. By adopting measures to prevent linguistic genocide and maintaining linguistic diversity, indigenous knowledge can be saved to ensure a linguistically, culturally, and ecologically sustainable society for all.

Global Crises through the Lens of Local Issues

Modernity's capitalist-colonialist operations are pervasive; therefore, the act of ethnocide and its insidious mechanisms affecting the indigenous Santal community are not isolated events. They are integral to the broader narratives of the

endangered Indians living in the lush landscape and mineral-rich Sierra Nevada. To keep the world in harmony, these Indians, known as big brothers, believe in spiritual practices to maintain the balance of the universe.[53] A similar situation continues to exist among various indigenous nations across continents that are struggling for their land, language, culture, religion, and wisdom. The brutality is experienced by the persecuted Tibetan monks in inaccessible terrains of Tibet. For generations, they have been engaged in a nonviolent struggle. So is the case among the embattled tribespeople of the Ecuadorian or Brazilian Amazon[54]. To safeguard their unique way of living, they have been constantly retreating into the wilderness to be left alone. A parallel destiny has befallen the indigenous peoples in Kerala, India, who picketed for more than a thousand days in front of a *Coca-Cola* factory that is drying up their water sources and polluting their land[55].

The global blueprint of numerous local maladies brings a further indictment against the Western model of civilization, for example, the risk of extinction or death of the *San and Khoe* languages, spoken by indigenous peoples in South Africa[56] the political, cultural, and existential erosion of the *Sami* of Arctic Europe[57] and the vulnerable *Mirrar* people, an aboriginal community around the *Jabiluka* Uranium mine

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[53] Wade, 2008.

[54] Borg, 2007.

[55] IWGIA, 2006.

[56] Crawhall, 1999.

[57] Conrad, 1999.

field in Australia, who are bearing the brunt of state-sponsored economic terrorism, and social and territorial encroachment in the name of national development[58] and the policy of industrialization of the globe.

The oppressive phenomenon in Palashpur further offers a critical gaze at ethnocidal development projects in Indonesia, Myanmar, Vietnam, and Malaysia, where indigenous peoples, such as the *Orang Asli*, the original aborigines of peninsular Malaysia, are on the brink of extinction due to governmental schemes to promote a uniform national culture.[59] Again, this situation is evident in the "shared cultural and community traumatization" and "cultural decomposition"[60] of the Aboriginals in the continent of Australia and the indigenous peoples of North and South America.

The instances exemplify pervasive and invasive, covert, or overt imperialist-colonialist projects manufactured and initiated in the West, resulting in millions of oppressed victims around the globe. However, no nations, not even the oppressive and materially powerful West, are immune to the consequential devastation this barely three hundred years old civilization[61] is about to cause. Unfortunately, with the loss of indigenous peoples and their sustainable ways of life, there exists a potential threat like "*a fire burning over the earth, taking with it not only plants and animals,*" but the legacy of humanity's brilliance."[62] As such, there is a pressing need to nurture and nourish the spirit of "Conscientization"[63] and ecological wisdom, which can be found in indigenous ways of life for the planet's survival.

Mother Nature is ceaselessly ravaged by the Western, imperialist-colonialist agenda masked in various forms of the civilizing mission, education, and the economy built on the rituals of consumption[64] and exploitation. In Palashpur and elsewhere, Western hegemonic and deceptive policies and development agenda cannot be overlooked or masked. These policies and agenda are a disguised form of colonialism,[65] which operates under the guise of a powerful rhetoric that justifies the destruction of traditional ways of life, causing the ethnocide of distinct groups of people and the destruction of nature.[66]

In the process of ethnocide, with the loss of indigenous peoples' invaluable knowledge systems and wisdom, flora, fauna, and human diversity face unprecedented disastrous ends. These knowledge systems, which are empirical and experiential, could be or could have been powerful resources for sustainable development and cross-cultural environmental scholarship.[67] Thus, the indigenous voices and knowledge systems can be assumed to be a wake-up call to redress how our so-called civilization—through its expansionist, consumerist, supremacist, and capitalist core values—is destroying this

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[58] Banerjee, 2000.

[59] Culture, Clarke, 2001.

[60] Adelson, 2000, p. 12.

[61] Wade, 2008.

[62] Wade, 2008.

[63] Friere, 1970.

[64] Suzuki, 2003.

[65] Moffatt, cited in Dei, 2006.

[66] Venkateswar, 2004, for details on the Andaman context.

[67] Raj & Madhok, 2007.

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planet. Our planet is increasingly becoming a dumping ground for large quantities of hazardous industrial waste. This so-called malevolent civilization, in the name of modernity, is thus destroying the biodiversity and ecological balance of the Earth and threatening to wipe out our very existence.

Sustainable Education Policy, Pedagogy, and Practice

Historically education, in its formal and informal modes, served as a colonialist-imperialist tool; it was implemented by monolithic prescription[68] and, for the most part, imposed from above. Education, as such, has played a central role in the promotion of colonialist-imperialist, epistemological, axiological, and ontological paradigms around the world. As a result of this education, the world has become unidimensional, where the West is privileged and exerts material, ideological, cultural, and linguistic dominations. The Supremacist ideology in education continues unabated despite the political decolonization that brought the emergence of various states on both hemispheres of the globe. Furthermore, under the influence of globalization / neo-liberalism,[69] yet another mutated version of the modernist, colonial-imperial project, these states have become puppet states controlled by local elites and transnational, hegemonic corporations. In addition, "under neo-liberalism everything," including the worldwide, dominant, public education system, "either is for sale or is plundered for profit".[70]

Under the influence of such a "factory model" of education,[71] which acts as an engine for consumerist job seekers, the states have thus far failed to address the genuine interests of the indigenous communities as well as the wellbeing of the planet. On the contrary, indigenous languages, wisdom, knowledge, and cultures were and continue to be exclusively proscribed, demeaned, and diminished by the state through its various sites, including the education system. The education system, at the helm, is a system that came into being hand in hand with the flourishing and expansion of colonialism and imperialism; it continues to exist as their inherent legacy years after political decolonization. As a direct consequence of the colonialist education policy, the indigenous languages, knowledge, and cultures have been construed and treated as antediluvian and unnecessary in the modern world. In contrast, national languages and cultures, or more specifically, the languages and cultures of the dominant ethnic groups, have been viewed as the pinnacle of modernity and progress.

There is a nexus between the colonialist–imperialist mode of education, modernity, and the Western version of progress. Indeed, the education system that has propagated this myopic and racist vision lacks respect for and understanding the importance of local knowledge,

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[68] Dei & Kempf, 2006.

[69] Giroux, 2005.

[70] Giroux, 2005, p. 4.

[71] Miller, 1996.

collective experiences, "Conscientization," and action. This "educational project that was originally intended to profit and delight some at the expense of others" is further devoid of the essential elements of "spirituality, which is manifested in our search for wholeness, meaning, and interconnectedness and values" Devoid of inclusiveness, service ethics, and ecological awareness, this version of education, embedded in "market-driven values" has "not only facilitated the normalization of Western education, but actively left deep spiritual and mental scars, causing mental and physical enslavement" in the process, it has been perpetuating ecological, cultural, and economic degradation.

There is a nexus between the colonialist–imperialist mode of education, modernity, and the Western version of progress. Indeed, the education system that has propagated this myopic and racist vision lacks respect for and understanding the importance of local knowledge, collective experiences, "Conscientization,"[72] and action. This "educational project that was originally intended to profit and delight some at the expense of others"[73] is further devoid of the essential elements of "spirituality, which is manifested in our search for wholeness, meaning, and interconnectedness and values"[74] Devoid of inclusiveness, service ethics, and ecological awareness, this version of education, embedded in "market-driven values"[75] has "not only facilitated the normalization of Western education, but actively left deep spiritual and mental scars, causing mental and physical enslavement"[76] in the process, it has been perpetuating ecological, cultural, and economic degradation.

Another pressing issue is how Western education affects the biological diversity and environment of sustainable life on the planet. The devastating consequence of this mode of education is that "by its all-pervasive influence, the knowledge of the environment is being lost in communities around the world, and there is an urgent need to conserve this knowledge to help develop mechanisms to protect the earth's biological diversity."[77] To ensure an ecological sense and help create a holistic and integrated world for generations to come, we cannot afford to evade the responsibility of rethinking and reformulating curricula; curricula should incorporate inclusive visions and rhythms of life and languages and pedagogical praxis's that encompass "multiple lived experience and alternative knowledges (sic)."[78] Community-based education[79] offers a good example of a pedagogy that "enable[s] learners to become active participants in the shaping of their education." This education will help liberate us from the colonially tainted understanding that we carry[80] and offer opportunities to unlearn and relearn, thus initiating engaged learning. Rethinking the curriculum in this direction, and a "social pedagogy" that engages ecological literacy derived

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[72] Friere, 1970.

[73] Willinsky, 1998, p. 264.

[74] Wane, 2006, p. 89.

[75] Giroux, 2009.

[76] Wane, 2006, p. 81.

[77] Battiste, 2000, p. 8.

[78] Dei & Calliste, 2000, p. 11.

[79] Corson, 1998 p. 240.

[80] Willinsky, 1998.

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from indigenous wisdom, will enable learners "to see the connections that are inherent in the environment."[81] The consciousness that emerges from the holistic nature of such education will lead our understanding of words towards a broader understanding of the world.[82] Similarly, according to Miller:[83]

> ... this will offer opportunities to reeducate ourselves about "the basic laws of ecology and how these impact on our day-to-day lives. It would also involve a study of how we got ourselves into the present mess. This would involve: a critical look at history and how industrialization and consumerism contributed to the destruction of the planet.

In this manner, education with ecological wisdom can be essential in healing and renewal. Efforts must be made to implement such a paradigm shift in education, incorporating

indigenous knowledge—guided by an "anti-colonial discursive framework"[84] that contains ecological sense, spirituality, empirical, and experiential learning—into the curricula as well as the instructional and pedagogical practices of educators and learners. This shift would not only be empowering from the perspective of the indigenous peoples but also crucial for the soulful existence of our planet. Indeed, the future of our planet largely depends on how we come to terms with the application, dedication, and public investment in such education policies and practices, which have long been overlooked, demeaned, and destroyed.

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[81] Miller, 1996, p. 155.

[82] Friere, 1972.

[83] Miller,1996: p. 155.

[84] Dei, 2002.

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Coming Together

Sharing 50 Tribes' Vision for the Future of Pacific Northwest Salmon

By Kieren Daley Laursen

ABSTRACT

Salmon are central to the culture of Indigenous people in the Pacific Northwest. Research indicates that a diet that includes fresh salmon protects from health problems such as diabetes and heart disease, lower poverty rates, and lower mortality rates for Tribal members (Meyer 1999). In addition to these health benefits, salmon provide economic benefits to Tribal communities, including fishing-related jobs and trading opportunities (UCUT 2015). Pacific Northwest Salmon species are struggling for survival as their populations decline. A lack of salmon can be a detriment to health, the economy, social exchanges, the unity of communities, and traditional knowledge and skills handed down through generations. Deep cultural and spiritual connections with salmon are why many Tribes in the Northwest refer to themselves as "Salmon People."

This article describes this collaboration, explores the history of salmon recovery in the region, discusses the cultural importance of salmon, examines salmon recovery projects underway in the region, and details how United States-based Affiliated Tribes of Northwest Indians (ATNI) supports and enhances these projects with its Resolution 2022-25.

During the annual session of the Affiliated Tribes of Northwest Indians, member tribes agreed to collaborate on ATNI Resolution 2022-25 stating a shared vision and principles for salmon recovery in the Pacific Northwest. The resolution calls for strategic, collaborative, and coordinated mobilization for Tribal and federal action to address salmon recovery. The history of salmon recovery in the region is discussed to better understand this collaboration's significance and the opportunities it presents. Regional salmon recovery projects undertaken by Inter-Tribal Organizations are detailed to show how ATNI Resolution 2022-25 can support and enhance the projects.

Keywords: Salmon, Salmon Recovery, Tribal Collaboration, Tribal Sovereignty

The Affiliated Tribes of Northwest Indians Tribes[1] and salmon are intimately connected at locations such as Kettle and Celilo Falls, where Tribes historically visited to harvest fish and participate in a trade economy (CRITFC, 2022). Connections with places and ceremonies involved with salmon during harvest seasons have been affected due to phenological factors. Due to the low populations of salmon, Tribes such as the Coeur d'Alene Tribe are now restricted from getting their salmon from truck deliveries (Barker, 2022). These restrictions are an example of how the ability of Tribes to harvest salmon and continue their traditions and customs has been negatively impacted. Such controls are most recently due to the dwindling populations of salmon. This lack of traditional salmon harvests and connection to place affects the health, safety, welfare, education, religion, economic opportunity, way of life, and preservation of cultural and natural resources (ATNI, 2022). Salmon are tightly bound to the identity of Tribes in the Columbia Basin and Northwest, making the spiritual loss of salmon particularly important.

While the issues plaguing salmon differ depending on local conditions, the Indian Tribes in the Pacific Northwest of the United States are united in their commitment to protecting salmon. Tribes continually work on salmon recovery efforts, but the basin-scale collaboration is a powerful approach being adopted. Unity is the best strategy to demonstrate the importance of salmon and show that salmon extinction is unacceptable. Tribes and Tribal organizations are not going away, neither is their interest and commitment to salmon. Additionally, Tribes will continue to fight for their Tribal rights that are tied to fishing and cultural resources.

To demonstrate this unity and commitment to state and federal decision-makers, the Affiliated Tribes of Northwest Indians collaborated on a paper stating a universal commitment to salmon recovery. Tribal organizations such as Upper River Snake Tribes, Upper Columbia United Tribes (UCUT), Columbia River Inter-Tribal Fisheries Commission (CRITFC), and Northwest Indian Fisheries Commission (NWIFC) were involved in this process. The document was intended to illuminate a region-wide initiative surrounding the recovery of salmon while making room for Tribes to specify and pursue their unique interests and projects. This decision was made at the Affiliated Tribes of Northwest Indians' Mid-Year Convention, where a breakout session met on the early stages of salmon recovery. This group later grew in size for a large-scale collaboration effort. The document was titled "We are all Salmon People, ATNI Salmon Recovery Policy Statement: A Vision and Guiding Principles to Protect and Restore Pacific Northwest Natural Resource and First Food." The document will be referred to as the salmon principles document, or the salmon people document in this article.

The first step in drafting the "common interests" paper was gathering information about projects and written statements published by involved parties. These statements summarized

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[1] An intertribal organization with fifty tribal government members located in the states of Idaho, Oregon, Northern California, Southeast Alaska, and Western Montana.

the priorities and values of each party. Synthesizing and formalizing this information into something all members could agree with was the main goal of the collaboration. The goal was not to get in the way of the work Tribes were already conducting but to show unity and engage all involved Tribes in creating the document. The policy statement drafted would eventually be brought to Tribal leaders for their approval and input.

Due to their intimate connection with salmon, Tribes know that salmon need clean and cold water, rebuilt ecosystems, and steady flows (Powers 200). Group meetings with involved parties focused on many areas, including acknowledging that support is needed to achieve these conditions. This support can come in the form of direct funding, co-management, and genuine enforcement. The current system of funding solely through the states has proven ineffective in the face of the problems Tribes and salmon face (ATNI, 2022). It was decided that the document would be most helpful if provided to the federal government and congressional agencies to show unity for action across the region. If salmon recovery is to be effective, federal agencies and governments need to be willing and able to work together and be accountable. American Indian Nations are a vital part of the solution to rebuilding salmon and must be involved meaningfully. Tribes and Tribal Organizations have a role through co-management to fulfill their rights. Some federal agencies also have a role to play in this process. These agencies need to work together with American Indian Nations. Additionally,

accountability and monitoring must be built into the process to ensure the credibility of recovery work and the efficient use of resources. All of these themes were discussed thoroughly by group members and collaborators.

A working group completed a draft based on the discussion at large group meetings and existing publications by involved parties. Deliberations focused on creating unity by finding the correct balance between general statements and specific problems. Specific problems discussed ranged from the role of recreational effects on fish populations to policies surrounding predator control in the Northwest to the co-management opportunities available to Tribes. General statements show common ground but sometimes lack the authoritative power required for change. Specific statements can direct action but may leave out important aspects of recovery that apply across the Northwest region. At the final meeting, the group was able to balance these considerations and incorporate them into the draft. Again, Chairwoman Kathryn Brigham[2] emphasized the importance of unity on a country-wide scale and for the work Tribes conduct individually. Discussion flourished for several hours based on the interest of individual Tribes involved before the document was approved.

After the draft was at a stage of the agreement, the next step was to allow Tribal councils or other appropriate bodies in individual Tribes to review and comment on the draft. Based on these

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[2] Brigham serves as the AFNI Assistant Secretary. She represents the Confederated Tribes of the Umatilla Reservation.

individual discussions, a session was held at the May 2022 ATNI Mid-Year Convention to advance the document or rework it to demonstrate better the common ground held by Tribes in the Pacific Northwest.

The draft was adapted into ATNI Resolution 2022-25 and passed unanimously by the natural resources committee and ATNI delegates at the ATNI Mid-Year Convention (ATNI, 2022). This action demonstrates the shared commitment to protecting salmon and Tribal rights that ATNI Tribes share. This commitment is not transactional, as salmon are an essential part of native cultures and are known as relatives.

This collaboration aims to show that salmon extinction is not an option. The unity of Tribes is powerful and can be used to acquire the resources not only for salmon recovery efforts but issues that relate to Tribal sovereignty and rights broadly.

ATNI resolution 2022-25 Historical Context and Significance

This instance of collaboration and unity marks a significant historical achievement related to salmon recovery. Furthermore, it is documented clearly within ATNI Resolution 2022-25. The document covers critical themes such as the promotion of cultural welfare and values, sustainable harvest, climatic effects on salmon recovery, integration of best science practices and traditional knowledge, coordination of federal agencies to uphold legal responsibilities, inclusion for Tribes and non-native people, demonstration of everlasting commitment to salmon, and the

adoption of a holistic approach that results in sustainable and resilient habitats (ATNI, 2022). These areas seek to protect and preserve treaty rights, develop an understanding with federal partners, address the history of failed treaties, and show the importance of coordination. In this discussion, it is essential to note that ATNI Tribes have different histories, values, treaties, and agreements with the US government.

The resolution passed by the Affiliated Tribes of Northwest Indians does not exist in a vacuum. There is a long history of salmon recovery by Northwestern Tribes, the Federal Government, and a combination of the two. One example of this history is the Columbia River Treaty.[3] The treaty was originally initially ratified by the US and Canadian governments in 1964 to decrease flood risks and increase hydropower generation. The standards set by the treaty led to blocked or inundated salmon habitats that prioritized economic development over Tribal values and well-being. Many Tribes and organizations are also interested in updating the Columbia River treaty to focus on reintroduction efforts into inaccessible historical habitats alongside fish passage facilities (UCUT, 2015). These changes would ideally be on a watershed level. ATNI Resolution 2022-25 recognizes and magnifies this call for passage and reintroduction in the Northwest.

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[3] The Columbia River Treaty was originally signed January 17, 1961, but due to   https://critfc.org/tribal-treaty-fishing-rights/policy-support/columbia-river-treaty/   The Treaty was not implemented until 1964 because of difficulties created by construction of the Canadian dams and marketing the electrical power owed to Canada.

Hydropower is a part of the history of salmon recovery. In 1934, the Grand Coulee Dam was proposed (UCUT 2015). The US government informed the Canadian government about the need for fish passage facilities such as fish ladders. Shortly after this communication, the Canadian government claimed that no Canadian interests would be negatively affected. Canada's claim was not the case, as there were numerous native fisheries located on the Canadian Columbia River. This statement was made without consultation with Canadian First Nations (UCUT, 2015). This lack of consultation is one example of how historical injustice affects the current conditions surrounding salmon recovery today.

From 1855 to 1856, many Columbia River Tribes signed treaties with the federal government. The US government received titles to over 60 million acres of land in the Northwest. In exchange, Tribes received 1.2 million dollars with the rights to natural resources, which are invaluable and incommensurable (CRITFC, 2014). The natural resources include salmon, which are closely tied to native cultures and ways of life. Specifics of the treaty included rights to fish harvests on all traditional grounds, rights to build for the purposes of curing on fishing grounds, rights to hunt and gather, and pasturing of horses on unclaimed lands. Courts have interpreted the meaning of this treaty to mean that treaty Tribes are guaranteed enough fish to provide a moderate living, are given a fair share of harvests, and participate as co-managers in decisions relating to salmon resources. The salmon principles document passed by ATNI calls for upholding these treaty rights for salmon.

A 1974 decision stated that the "fair share" of salmon harvest meant fifty percent of the harvest passed through Tribes' traditional fishing places. While this was the case, it also included language about how this percentage could drop if Tribal populations declined drastically or if Tribal fisheries were abandoned (CRITFC, 2014). Again, the document states that Tribes are unwilling to abandon their fisheries since salmon are "first foods" and are centered culturally. Northwest Tribes' interest in recovering salmon will never expire.

Later court rulings solidified Tribes as co-managers of salmon (Powers, 2000). The Yakama and Quinault Tribes were given the power to regulate and enforce treaty rights fishing on the condition that federal qualifications were met. Tribes organized regional organizations such as CRITFC and NWIFC to assist with legal, scientific, and technical expertise related to fisheries management to meet these qualifications. Without co-management arrangements, Tribal habitat restoration or salmon management is much more difficult. The difficulty is increased as Tribes do not have the means to veto federal and state actions that affect salmon in their habitats (Powers 2000). Salmon do not limit their migration to territorial boundaries, meaning that a plan that limits itself to specific areas has little chance of successful salmon recovery. The salmon principles document recognizes the importance of coordination beyond territories and agencies (ATNI, 2022). Coordination at the federal level is a major theme that will likely be strengthened by the unity ATNI Tribes are demonstrating.

There are many examples of disregard for native rights and lack of prior informed consent, coordination, and accommodation. While this is the case, Columbia Basin Tribes in the United States hold treaties, congressional agreements, executive orders, and the federal trust responsibility[4] to protect native people's cultural and natural resources. Court rulings have upheld protections to include rights to wildlife abundance, stream flows, preserved Tribal fisheries, and protected habitats (UCUT, 2015). One example includes Secretarial Order No. 3335,[5] which was established in 2014. This Order reaffirmed the Federal Trust Responsibility to Federally Recognized Tribes as the U.S. government's duty to protect treaty rights, executive order rights, and lands or resources held by Tribes (UCUT, 2015).

The United Nations General Assembly also has a "Declaration on the Rights of Indigenous Peoples"[6] that includes many clauses, including social, legal, political, and cultural rights of native peoples worldwide. Among these rights is the right to informed consent and participation in any decision that would affect the traditional lands of native people. It is important to note that Tribes and First Nations were not given these considerations at the time of construction of dams such as the Grand Coulee Dam (UCUT, 2015). Recognizing ATNI resolution 2022-25 is a chance to acknowledge the Tribal role in salmon recovery that was historically excluded.

ATNI Tribes have a collective awareness that the current administration gives the opportunity to advance issues that have always been brought forward by native communities in the Northwest. This awareness translates to the common interest in applying pressure when the political pieces are aligned for action. The resolution was limited to two pages so that the intended audience would read it, even with limited time (ATNI, 2022).

Taking this document seriously and acting upon it is an opportunity for the current administration to recognize and reconcile past mistakes of the US government, uphold the federal trust responsibility, and protect Tribal rights. The salmon people document is

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[4] The expression Trust Responsibility is used to describe the self-proclaimed obligations of the United States government under treaties, executive orders, and statutes to preserve, protect and guarantee the rights and lands of American Indian tribes based in interpretations of the U.S. Supreme Court decision in Cherokee Nation v. Georgia, 30 U.S. 1, 16 (1831). The expression "Trust Responsibility" was first used by the Supreme Court in the case of Seminole Nation v. United States, 316 U.S. 286, 296-97 (1942). https://www.acf.hhs.gov/ana/fact-sheet/american-indians-and-alaska-natives-trust-responsibility). In this case, the Court stated that the United States "has charged itself with moral obligations of the highest responsibility and trust" toward Indian tribes. The source of this term is the United States Constitution, which recognized Indian tribes as distinct political entities, and the treaties, which established a fiduciary duty on the part of the United States to honor its commitments to Indian tribes.

The dispute between the Seminole Nation and the United States involved questions over the distribution of oil and gas royalties from tribal lands. The Seminole Nation argued that the United States had breached its fiduciary duty to the tribe by failing to properly manage and distribute the royalties. The United States, on the other hand, argued that it had no legal obligation to distribute the royalties.

The Supreme Court ruled in favor of the Seminole Nation, stating that the United States had a fiduciary duty to manage and distribute the royalties in a manner that was in the best interests of the tribe. The Court noted that the United States had "charged itself with moral obligations of the highest responsibility and trust" toward Indian tribes and that this trust relationship was established by the United States Constitution and the treaties between the United States and Indian tribes.

[5] This Secretarial Order was signed by Secretary of the Interior Sally Jewell on August 20, 2014.

[6] United Nations. (n.d.). United Nations Declaration on the Rights of Indigenous Peoples. https://www.un.org/development/desa/indigenouspeoples/declaration-on-the-rights-of-indigenous-peoples.html

a significant show of unity for many Tribes and should not be taken lightly. It is now in the hands of leaders to act on a basin-wide scale. In the meantime, salmon recovery on regional scales does not stop.

Salmon Recovery Project Spotlights

It is important to remember that ATNI Resolution 2022-25 is broad and attempts to capture a common interest in salmon on a basin and regional level. The Columbia River Basin is so extensive that specific projects and focuses on salmon recovery may differ. For example, some regions may work on passage and passage technology, predator control, and hatchery production. Tribes and Tribal organizations are using the resolution as a demonstration of unity to acquire the resources needed to achieve goals related to these specific areas while spurring more extensive recovery efforts.

A review of Tribal salmon recovery projects that are currently being undertaken by the Upper Columbia United Tribes (UCUT), the Columbia River Inter-Tribal Fish Commission (CRITFC), Northwest Indian Fish Commission (NWIFC), the Upper Snake River Tribes (USRT), Coeur d'Alene, Spokane, and Colville Tribes illustrate good examples of the work the Salmon Principles Document advocates for on the regional level.

The first project is CRITFC's "Spirit of the Salmon Plan." This plan aims to restore historical salmon habitats and populations at all life stages. These goals will be achieved through strategies that promote natural production, healthy rivers, and the protection of Tribal rights. The plan identifies many current problems facing

salmon recovery, including overfishing, hatchery production, land use practices, hydropower operations, lack of passage, and artificial transportation (Powers, 2000). Some of these problems are detrimental, some are risky, and some are unproductive practices.

The "Spirit of the Salmon '' plan and project take an adaptive management approach meaning that actions are taken to address a problem, results of the action are closely monitored, and the action or framing of the problem is changed based on the results. Adaptive management allows experimentation, learning, and action in the same process. This approach was adopted as failure to act was identified by CRITFC as one of the most significant contributing factors to the decline of salmon (Powers, 2000).

The plan begins with 11 hypotheses related to actions that can improve recovery efforts at all life stages. The hypotheses can fit into four categories: habitat restoration through land management, control of salmon harvests, improved migration through permanent reservoir drawdowns, and increased salmon production through supplementation. Habitat restoration includes considerations for water quality, quantity, and implementation of sub-basin plans. Controlling salmon harvests includes setting ocean harvest ceilings based on the abundance of populations in conjunction with habitat and passage efforts. Migration projects include operational changes at dams, including turbine efficiency changes, spillovers, permanent drawdowns, and the ceasing of artificial transportation for experimentation purposes. Lastly, artificial hatchery production and supplementation would

raise native stocks in hatchery environments designed to emulate natural conditions. This strategy would only be used under certain conditions. Severely depressed populations would be generally targeted for supplementation due to the difficulty of natural reproduction within these populations. Another case where supplementation could be utilized is when other recovery efforts will not produce results fast enough to avoid further harm to depressed stocks (Powers, 2000).

Over the last 20 years, CRITFC has been testing the hypotheses of the "Spirit of the Salmon" plan (CRITFC, 2014). Setting ocean harvest limits, operational changes at hydropower sites, and salmon reintroduction have resulted in increased runs, a more diverse harvest, and multi-seasonal harvests. Because of the adaptive approach of this plan, successes and failures can be learned to alter priorities. This approach allowed for a 2014 update that further described technical, institutional, and community guidelines used today (CRITFC, 2014). The strength of these projects and the overall plan emerges from addressing the entire ecosystem, proposing specific actions, allowing for management strategies to be adjusted, and inter-Tribal coordination.

Other salmon recovery projects include the "Fish Passage and Reintroduction into the US and Canadian Upper Columbia Basin" paper, a collaboration between CRITFC, USRT, UCUT, and other Tribal organizations (UCUT, 2015). This paper intends to inform federal and regional sovereigns in the US and Canada about effectively reintroducing salmon into the Upper Columbia Basin. The proposed plan addresses the passage

of adults and juveniles at Chief Joseph and Grand Coulee Dams in the United States and Canadian dams such as Hugh Keenleyside, Brilliant, Waneta, and Seven Mile. The paper outlines an incremental reintroduction plan that includes pre-planning, research, and experimental pilot studies to inform future action, monitoring, and evaluation (UCUT, 2015). This process of experimental studies, monitoring, and evaluation is another form of adaptive management (CRITFC also applies). One example study includes research into fish behavior when passing around or through dams.

Long-term goals of the reintroduction plan include permanent passage technology at federal dams, habitat improvement, artificial propagation, and effective monitoring and evaluation. Recent successes in fish passage technology have shown the potential for increased work to be put on passage facilities and technology and restoring upstream habitat. If salmon can pass through blocked areas, increased habitat could result in a more significant salmon population (UCUT, 2015).

Considering this potential for increased populations, CRITFC, UCUT, and Canadian Tribal organizations have prioritized aspects of their project that should be addressed in the next three years. These include studying passage options for upstream and downstream migration in conjunction with experimental reintroduction above Columbia River dams. With the new understanding from experiments, effective adult and juvenile passage technology would be implemented at Chief Joseph and Grand Coulee dams specifically for fish passing Lake Roosevelt

and the Grand Coulee dam. Phase one of these plans includes pre-assessment planning and studies related to passage and reintroduction. Phase two entails experimental introductions alongside short-term passage facilities. Phase three begins construction on permanent passage facilities for adults and juveniles. Habitat restoration would occur in areas deemed as a priority during this phase. The plan's final phase is designed to meet the short-term goals of establishing monitoring, evaluation, and an adaptive management approach. Habitat restoration projects would be continued in this phase (UCUT, 2015).

Phase 1 of the fish passage and reintroduction plan has been completed. This phase assessed current conditions of survival rates through dams, and habitat availability identified potential donor stocks and associated risks, began life-cycle modeling, researched fish passage alternatives, and recommended future studies. The preliminary results of phase 1 were promising as they showed reintroduction and fish passage efforts could potentially achieve Tribal restoration goals. Habitat availability studies showed that there are thousands of miles of streams suitable to support millions of juveniles and tens of thousands of adults. Based on this information, phase two activities include:

- Designing reintroduction strategies,
- Researching alternative passage options,
- Identifying other essential studies to be conducted,
- Implementing reintroduction plans and monitoring and evaluating phase 2 activities.

Phase three will be planned based on the results of phase 2 (UCUT 2015).

The last project that will be covered is a collaboration between the Coeur d'Alene, Spokane, and Colville Tribes (Aadland, 2022). In this inland region, adult salmon must pass eight hydroelectric dams before they reach Chief Joseph and Grand Coulee dams (CRITFC, 2013). These dams are enormous hydropower operations that need more effective passage facilities. Ineffective passage means juveniles must travel through the dam's turbines to continue their migration (Barker, 2022). The following figure shows the current distribution of dams on the Columbia and Snake Rivers:

Figure 1. Dams on the Columbia and Snake (CRITFC, 2013)

These conditions contribute to a lack of or significantly reduced salmon harvests for these Tribes. Despite this, these Tribes believe that salmon recovery is possible, even without the support of the Endangered Species Act. New passage technologies promise new recovery opportunities (Aadland, 2022).

These Tribes have started to study blocked habitats in their regions. Results from the project's first stage show the potential for tens of thousands of adult salmon to be produced from reintroduction into blocked habitat areas. These results allowed Phase 2 to begin, where around 5,000 salmon were released into Hangman Creek, Lake Roosevelt, and the Spokane River. PIT and Acoustic tags were used to track how adults and juveniles travel through blocked areas. This phase aims to test the feasibility of reintroduction in these areas before larger-scale action is taken. This testing allows the Tribes to get a complete picture of the salmon life-cycle model. This model can be used to make informed decisions in the future. The current plan is to continue to repeat Phase 2 until the feasibility of reintroduction is better understood (Aadland, 2022).

More recent tests released 750 juvenile summer chinook salmon into Chamokane Creek in 2017. These individuals had to pass through dams and reservoirs with abundant predators. Many reached the section of the Columbia River before the eight dams mentioned above. After the first dams, 90 (12%) individuals were detected. Farther downstream, 24 (3.2%) were detected passing the Bonneville Dam, and four (0.5%) were detected in the Columbia River estuary. In

the summer of 2019, only one strong, healthy adult female was detected returning upstream. Three more were documented as harvested in the ocean. Of the 750 individuals released, a return rate was about 0.4%. This is certainly alarming, but it is on par with other return rates for species such as steelhead. These rates demonstrate how unsustainable the status quo is for salmon. A later release of 1,400 chinook smolts by the Coeur d'Alene Tribe showed about 90 (6.4%) of those fish survived the downstream passage of all three Spokane River dams, as well as Grand Coulee, Chief Joseph, and the eight dams on the middle and lower Columbia River (Aadland, 2022).

If reintroduction is deemed feasible and successful, the project's focus will shift. The next step would be implementing passage technology for juveniles to get through and adults to get around dams. Floating surface collectors and whoosh cannons show potential for these projects. It is important to note that this reintroduction took place experimentally without accompanying projects such as habitat restoration (Aadland, 2022). This experimental approach is a good sign as these return rates will hopefully rise with the addition of other efforts in the area. It also shows a glimmer of hope for salmon recovery projects that do not include dam operational changes or breaching.

These three Tribal projects are among many currently underway in the Northwest. The salmon principles document passed as an ATNI resolution will aid in the funding and federal/ state support of these projects. Additionally, it seeks to spur large-scale salmon recovery efforts.

In order to effectively facilitate the progress of individual salmon recovery projects that Tribes may undertake, a set of guidelines was proposed by participating Tribes. These guidelines would be provided to federal or state partners. While these guidelines are still being developed, important areas include Tribal sovereignty, co-management as opposed to stakeholder engagement, the government's trust obligations, the need for the state to Tribe partnerships, and the importance of education on Tribal history and values. Combining these guidelines and the passed resolution will help move the needle on salmon recovery across the region. Evidence of this possibility is due to the Tribes in the region coming together to support each other in their efforts to protect salmon and their culture.

Connecting Salmon Projects and ATNI Resolution 2022-25

The goal of the ATNI document and resolution is to demonstrate the unity of the ATNI Tribes when it comes to protecting salmon, to convey the cultural importance of salmon, and to strengthen the projects that Tribes and Tribal organizations are fighting for (ATNI 2022). In this spirit, much of the language of the document advocates the principles that are realized in these individual projects. It speaks to the diverse ways in which salmon are struggling for survival which is seen in the many ways Tribes approach salmon recovery.

Each of these projects has the goal of protecting Tribal rights and sovereignty. The document explicitly advocates for preserving cultural and natural resources while promoting the welfare of native people. This advocacy is

at the national, regional, and Tribal levels. It is crucial that salmon recovery projects recognize, incorporate, and honor Tribal cultures not as red tape but as an essential part of the solution.

ATNI resolution 2022-25 discusses the many factors contributing to the decline of salmon species. Some examples include barriers and passage concerns such as culverts and hydropower operations. These concerns are addressed explicitly by all three projects discussed in this article. The resolution also highlights habitat destruction as a result of pollution, runoff, agricultural and forestry practices, and insufficient water treatment. While all three plans address this by advocating for habitat restoration, the "Spirit of the Salmon" and Reintroduction and Passage collaboration lay out specific plans on how to best restore habitats that can then be used to reintroduce and support salmon. Part of habitat protection is also protecting lands that traditionally produce first foods. The protection of lands is addressed by the Coeur d'Alene, Spokane, and Colville Tribes in recognizing places such as Celilo Falls (CRITFC, 2022).

Dwindling snowpacks and glaciers that raise water temperatures and more frequent or severe floods and droughts as effects of climate change are also featured in the document. All three projects recognize the impacts that climate change is having on salmon populations. When working to restore habitat, it is vital to understand how factors such as water temperature and flow will affect the quality of the habitat in the future and to plan accordingly. Part of the "Spirit of the Salmon" plan includes

prioritizing habitats that will remain ideal such as higher elevation areas for both restoration and reintroduction. Lastly, the resolution advocates for a sustainable harvest of salmon. Advocating sustainability is the reason why abundance-based harvests are strongly advocated for in many salmon restoration projects.

Final thoughts

Salmon are interconnected with the ecosystem. They supply vital nutrients to inland streams and provide needed diets for species such as the orca. Tribes in the region have developed an intimate understanding of these ecosystems and the things that support their flourishing. That is why decision-makers must listen when over 50 Tribes come together to call for meaningful and practical strategies that result in bold actions.

The Tribes recognize that the work is past due, which ties to the adaptive management approach adopted by many Tribal salmon recovery projects. ATNI Resolution 2022-25 clarifies that salmon extinction is not an option that merits consideration.

Through this resolution and other efforts, Tribes have come together to state their shared vision and principles that are known to be important in protecting salmon. Action is being taken, but more resources and funding are needed to ensure that Salmon are a part of the Northwest in perpetuity. The Whitehouse has acknowledged the crisis of salmon recovery in the Pacific Northwest (NOAA, 2022). With this acknowledgment needs to come bold actions to ensure the future of Pacific Northwest Salmon.

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A Critical Review of the United States Government's Guidance for Federal Departments and Agencies on Indigenous Knowledge
The Department of Education in Perspective

By Chika Ezeanya Esiobu PhD,[1] Opal Almerica, Sakura Arai, Franny DePhillips, Michael Dickson, Ge Xiyang, Goodhue Angelina, Sarah Johnson, Kawai Hiromi, Zama Kunene

ABSTRACT

Perhaps the most significant milestone in the United States Government's advancement of indigenous knowledge in the 21st century was the recently released White House First-of-a-Kind Indigenous Knowledge Guidance for Federal Agencies. The Government Wide Guidance for Federal Departments and Agencies on Indigenous Knowledge was released on November 30, 2022, with the primary objective of equipping federal agencies and departments with clear directions on respectfully acknowledging and integrating Indigenous Peoples' knowledge in their decision-making processes.

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A CRITICAL REVIEW OF THE UNITED STATES GOVERNMENT'S GUIDANCE FOR FEDERAL DEPARTMENTS AND
AGENCIES ON INDIGENOUS KNOWLEDGE:THE DEPARTMENT OF EDUCATION IN PERSPECTIVE

There is an urgent need for the Department of Education to integrate Traditional Ecological Knowledge (TEK) into K-12 curricula. The need has never been greater for inclusive and honest discussions within educational spaces regarding the importance and value of indigenous knowledge. This article offers many possible solutions to the absence of Traditional Ecological Knowledge in K-12 curricula as developed and practiced by Indigenous Peoples. This paper seeks to advance this objective by critically reviewing the Government Guidance, exploring the importance of TEK in K-12 curricula and drawing from examples around the world, emphasizing countries that effectively integrate TEK and uphold the voices of Indigenous Peoples in the classroom.

The paper first presents a critical overview of the "Guidance for Federal Departments and Agencies on Indigenous Knowledge." It goes on to address the issue of the dearth of TEK in K-12 curricula. It follows with a call to action to the Department of Education on ways to implement techniques included in the "Guidance for Federal Departments and Agencies on Indigenous Knowledge," as well as other possible solutions. After proffering solutions, the paper acknowledges places worldwide that have already attempted to integrate TEK in K-12 curriculum, before the concluding paragraph.

Keywords: environmental knowledge, education, indigenous knowledge, culture, curricula

The Guidance: A Critical Review

In the Government Wide Guidance for Federal Departments and Agencies on Indigenous Knowledge, the government of the United States acknowledges that indigenous knowledge is a critical knowledge body that holds the potential to contribute to scientific, technical, social, and economic advancement in the United States. Indigenous knowledge is foundational in today's global efforts toward sustainability, especially with the growing need for insights into the laws of nature. The Guidance calls for including indigenous knowledge in public education, not just for indigenous peoples, but for all students in the K-12 system.

Some segments of the document focus on Indigenous environmental knowledge. It highlights several policies implemented in the past that engaged in dialogue and valued the input of Indigenous communities regarding Environmental preservation. These policies include the Endangered Species Act, the National Environmental Policy Act, and the Marine Mammal Protection Act, to mention a few. These policies are clear examples of successful collaboration projects between federal departments and agencies and Indigenous communities, bringing forward the strength of each party in order to make better decisions that would be mutually beneficial. These successful collaborations of the recent past serve as proof of

how including another knowledge framework can lead to positive changes. Perhaps, their successes were instrumental in the U.S. government's decision to build and maintain a stronger relationship with Indigenous people and their knowledge system.

The first step for federal agencies trying to build a relationship with, and sustain efforts to include Indigenous knowledge is to respectfully acknowledge that both Western and Indigenous knowledge systems are equal but different in worldviews. However, the Guideline falls short of acknowledging Indigenous knowledge as an equal entity with Western knowledge. Yet, this necessary recognition is expedient in order to foster trust as well as a common understanding.

Most of the Guideline focuses on how federal agencies can benefit from Indigenous knowledge, through TEK's direct contributions to environmental management or as a crucial reference for further research. In other words, there is still a sense that the United States government perceives Indigenous knowledge as a resource yet to be fully exploited, which should be exploited to advance Western science. This is against an active recognition of TEK as a distinct body of knowledge to be explored for what it is, based on its philosophy, processes, and procedure. If the latter were the case, the Guidance would instead have advocated for actively establishing and maintaining a dynamic working relationship with Indigenous knowledge as a way of knowing and framing policies, different from the western knowledge system.

Although the term "mutually beneficial" was used frequently, the Guideline focuses strongly on how the U.S. government can primarily benefit from the knowledge of indigenous communities. A few sections in the document highlight how indigenous communities can benefit from integrating TEK in the policy action of federal departments and agencies. The government must embrace the novel idea that Indigenous knowledge should not be used; it should be respected and valued on its own. There should have possibly been more discussion about understanding Indigenous worldviews, indigenous peoples' philosophies, and ways of knowing much more than how TEK can be used to solve problems created by Western science and neo-liberalism. In this independent validation and understanding of TEK's depth and intensity, solutions can be naturally generated. Solutions cannot be gotten through the scientific dissection of TEK for the sole purpose of procuring answers to the nation's challenges.

The Government's Guideline explores how Indigenous knowledge can be "leveraged," "to improve community resilience and productivity." It is a typically Western concept to demand measurable productivity, quantitative growth, and unidirectional progress. However, these values are not shared or integral to Indigenous communities. Using terms such as "leveraged" and "productivity" with a qualitatively conceptualized Indigenous knowledge system, is at best questionable. What are the yardsticks for determining productivity in the context of Indigenous knowledge? Will the proposed

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"leveraging" be intuitively and inherently in alignment with Indigenous values? These are only a few of the numerous unsettling thoughts the Guideline's proposition raises.

The document acknowledges historical wrongdoings that might prevent Indigenous peoples from being open to working with the federal government and emphasizes the importance of building trust within Indigenous communities. Nevertheless, the government overlooked that these historical wrongdoings have, over centuries, built inherently disadvantageous systems that need to be dismantled by working with indigenous peoples' knowledge and not by inviting them to benefit from such systems, even if now glazed over with Indigenous knowledge. Disregarding the implications that violence against them has caused, the document calls for including TEK within some of these already established policies and legal frameworks.

Despite the unprecedented degree of attention given to indigenous knowledge, the document's tone assumes that Indigenous communities stand to benefit from systems the United States already has in place rather than the government hoping to attempt to establish a better system together with TEK. The United States' governance, judicial, health, educational, and other systems were built out of a fundamentally different worldview than what Indigenous knowledge espouses.

The document emphasizes differences among Indigenous communities by acknowledging that every single Indigenous tribe is different and

that not all of them hold the same values. These differences are described in ways that portray Indigenous communities as extremely challenging to work with rather than as the availability of an even greater diversity and wealth of knowledge from which to learn. The penchant for Western scientific standardization is superimposed on Indigenous knowledge and Indigenous peoples' communities. To wholly understand their knowledge, there is a need to genuinely work and learn together with Indigenous people.

Further, along the same line, the document refers to the penchant for Indigenous communities to be reluctant to share knowledge freely with each other or with people dependent on Western European ways of thinking. This inclination has roots in the violence done to the knowledge and existence of Indigenous communities, as well the poaching of their knowledge and its appropriation by Western commercial interests, among other factors.

There is a need for acknowledgment of spiritual influences on Indigenous communities' cultural practices. For example, the document states that "Indigenous Peoples' cultural practices are informed by Indigenous knowledge and frequently incorporate plant and animal communities, mineral sources, landforms, water bodies, and other tangible elements of the natural environment." By using the word "tangible," a division is established between the interconnections of the physical and spiritual or intangible realms, all of which are so relevant and sacred to Indigenous communities.

TEK in K-12 Curricula

The Department of Education does not presently incorporate TEK in K-12 curricula. There is currently no official government-mandated curricular framework to educate students on the distinctiveness of TEK as a way of knowing, as well as the promise it holds for reversing the unsustainable way of living, characteristic of contemporary Western culture. This lack of education supports a colonial worldview, perpetuates the suppression of TEK and indigenous cultures, and leaves little room for exploration in the search for solutions to the global sustainability and multi-sectored advancement quagmire.

Educational spaces should provide opportunities for the youth to adopt new and progressive perspectives that can create avenues for connection and unity. If adequately implemented by the Department of Education, the new government directive on Indigenous knowledge holds the promise of instilling a new narrative in the younger generation, which could help disrupt the current ways of knowing.

There are various ways in which TEK could be incorporated and valued within the United States Department of Education, focusing primarily on the K-12 curriculum. One key policy option to be considered is for the department to actively engage in intentional outreach to Indigenous leaders to have more representation of Indigenous peoples in high-up positions within the federal and state Departments of Education. The Guidance for Federal Departments and Agencies on Indigenous Knowledge discusses

the importance of maintaining and building relationships to support Indigenous knowledge. It is vital that indigenous communities have the opportunity to have their voices elevated and heard regarding educational policies and decision-making. The following board of education positions and offices would be a great place to start with seeking out more indigenous leaders to be elected/ get on board, The secretary of education, The deputy secretary, The Institute of Education Sciences, and The Office of Communications and Outreach as well as state-level boards of education. More Indigenous perspectives on state boards of education would hopefully herald valuable insight and inter-generational transfer of TEK.

A policy change that could help ground students and make them feel a personal responsibility to care for their planet and become environmental advocates in the future is incorporating more TEK into the science and history curricula for K-12 students. Teaching these subjects from a multicultural lens can significantly help students develop a deeper respect and connection to nature, which in turn helps the public school system foster a steady flow of students that want to contribute towards a more sustainable future. This kind of education can come in different forms; one example is teaching the TEK circle philosophy during science class.

The circle philosophy emphasizes that humans are not superior beings but equally a part of the circle of life, vs. the Westernized triangle philosophy that humans are superior. This perspective can feel very humbling to

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learn and help students understand their place in the natural ecosystem that does not paint them as superior beings with more value than other species. Another practice that could be implemented is regular in-class land acknowledgments. Recognizing the indigenous people of the land helps students become aware of all that was taken from indigenous communities through colonization and helps create a conversation starter in the classroom around the harsh realities of U.S. history. Students could also learn how to nurture and grow indigenous plants in science class while learning about traditional agriculture methods and what it means for food to be sustainably sourced. These are simple examples of topics and activities that can be integrated into the K-12 science curriculum incorporating TEK and indigenous knowledge.

Highlighting non-Eurocentric views in the classroom can help develop a more balanced, holistic worldview that fosters an eco-friendly mindset and empathy towards all living things. Presenting views based on the experience of indigenous peoples would also validate indigenous knowledge as a valuable science, which is rarely done in American public schools. Another policy option that is currently being proposed in the state of California is creating task forces with local tribes to make sure that Native American History is being taught accurately and thoroughly in classrooms. Unfortunately, "According to the National Congress of American Indians, as of 2018, K-12 curriculum in 27 states don't mention an individual Native person at all, with 87% of state history standards failing to teach Native history after 1900" (Levy 2022,

6). These failings highlight why supporting legislation such as the one proposed in California is critical at this time.

Another policy option for incorporating TEK in the K-12 curriculum could involve creating various units on culture, and self-identity, promoting cultural awareness, appreciating diversity, and fostering an inclusive space. Cultural exploration in the classroom could help encourage students to learn more about their roots and provide opportunities for traditional languages, knowledge systems, cultural practices, and traditions to stay alive and gain more attention from youth.

Traditional Ecological Knowledge should be taught through experience in nature. TEK has been developed and inherited through observation of nature, daily experiments, and verbal communication with elders. Textbooks and articles are not enough for students to acquire indigenous worldviews and TEK; they need to learn TEK by interacting with nature and learning from knowledge holders. For instance, the United Kingdom Department of Education already has an Outdoor Learning Project, acknowledging the importance of learning outside. Outdoor education enhances students' learning outcomes. Khan et al. (2020) reports that students who received outdoor education showed higher academic performance than those who received indoor education.

Moreover, education connected to the land helps students feel responsible for taking care of their land and respecting it as their elders have. Høyem (2020) reports that students can establish

the foundation of "a conscious relationship with nature" (p. 7) through outdoor activities. However, he also mentioned that outdoor recreation alone could not raise environmentally responsible behavior among students (Høyem, 2020). To compensate for the shortcoming, TEK should be included in the outdoor education curriculum in the United States. TEK involves the philosophy that humans and nature are interconnected, and humans must value ecosystem services by caring for the environment. Indigenous knowledge systems encompass a rich repository of cultural, environmental, and traditional wisdom vital in sustaining indigenous communities. By learning about TEK in outdoor education guided by Indigenous knowledge holders, students can learn how to interact with nature and establish environmentally responsible behavior. Therefore, schools should invite local indigenous peoples as teachers of TEK and implement outdoor education to practice their knowledge in the natural environment.

The Department of Education can draw inspiration from some countries that have tried to preserve and promote indigenous knowledge in their education systems. These countries have successfully integrated Indigenous knowledge systems into their K-12 curriculums. The New Zealand government has mandated that Indigenous knowledge be made a significant aspect of secondary-school education. In the country's Middle and High schools, Indigenous knowledge is gradually being positioned to be taught as equal to Western science in science education (Jerry Coyne, 8 2013).

Another country that has made headway in including TEK in its education system is Norway. Norway has been in the process of incorporating indigenous knowledge, specifically Sámi knowledge, into its curricula. The Sámi are the indigenous people of Norway, Sweden, Finland, and Russia's Kola Peninsula. The Sámi Core Curriculum was developed to address the specific educational needs and cultural values of the Sámi people. The curriculum emphasizes including the Sámi language, culture, and history across various subjects. It also includes incorporating traditional Sámi knowledge, practices, and perspectives into the subjects of social studies, history, and art. This inclusion helps foster a sense of cultural pride and identity among Sámi students, and educate other non-Sámi people on the value and importance of the Sámi culture. Providing professional training for teachers to enhance their understanding of the Sámi culture is also vital. By incorporating Sámi knowledge into the education system, Norway acknowledges the importance of preserving and promoting the cultural heritage of the Sámi people. This approach aims to enhance the educational experiences of Sámi students, promote cultural diversity, and foster mutual respect between different cultural groups within the country.

The lack of education regarding TEK and indigenous culture profoundly affects indigenous people. The erasure of their culture is ongoing due to the ignorance perpetuated through the curricular silence on indigenous knowledge, culture, wisdom, and history in the American education system. The wisdom of indigenous

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communities has been repeatedly ignored and suppressed due to colonialism, cultural domination, and systemic oppression. This issue has never been fully and effectively addressed within the Department of Education, and implementing this new policy would be a step in the right direction. Acting now, in alignment with the Guidance for Federal Departments and Agencies on Indigenous Knowledge, the Department of Education will help mitigate further marginalization and erasure of indigenous communities and knowledge, which is not only unjust but also detrimental to the whole society.

This paper critically examined the recently released United States' Government Guideline to Federal Departments and Agencies on Indigenous Knowledge. It further discussed the importance of integrating Indigenous knowledge, culture, and history into K-12 curricula in the U.S. The lack of TEK in K-12 education has led to the

loss of indigenous knowledge and cultures and the dominance of Western science, which perpetuates individualism and the degradation of nature. To ensure TEK and Indigenous voices are valued, honored, and heard, the Department of Education needs to integrate TEK into decision-making processes and K-12 curricula. By receiving education related to Indigenous knowledge and cultures at a young age, students can develop multicultural awareness and deepen their understanding of the interconnectedness between nature and themselves. This realization will be critical to overcoming colonialism, cultural domination, and systemic oppression, and re-establishing the coexistence of nature and humans. Traditional Ecological Knowledge has been overlooked and undervalued for far too long; it is time for more effort to be invested into elevating the voices of Indigenous people to the next generation of Americans.

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