

# Biodiversity Wars

## International Relations and the Fourth World

By Rudolph C. Rýser, Ph.D.

### ABSTRACT

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This is the first part of Chapter 2 of Rudolph Rýser’s book, *Biodiversity Wars: Coexistence or Biocultural Collapse in the 21st Century*, which he was writing at the time of his passing. This chapter examines the dynamics of international relations and biodiversity, focusing on how the relationships between indigenous nations and modern states have shaped the sustainability of ecosystems and cultures around the world. Rýser explores the definitions and distinctions between the cultural heritage of nations and the ethos of states, emphasizing how these differing frameworks impact their interactions and the ongoing struggle for biodiversity and cultural preservation. Drawing a contrast between “corporate states” and “Fourth World Nations,” Rýser argues that the former can act in overconsumptive and aggressive ways despite the existence of alternative *kálhaculture* practices, or methods of sustenance that balance the demands of the human and natural worlds. This chapter also introduces the “temporal pause” prompted by the creation of the Westphalian system and the global breakdowns it has incurred as a result of resource exploitation. As a result, it is imperative that states and nations re-evaluate the international system, opening mutual political opportunity among actors.

**Keywords:** Biodiversity Wars, international relations, biodiversity, indigenous nations, modern states, cultural heritage, *kálhaculture* practices, corporate states, Fourth World Nations, Westphalian system, resource exploitation, sustainability, ecosystems, cultural preservation, overconsumption, alternative methods of sustenance

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### A General Theory of International Relations

Human dependence on the Earth’s life-supporting ecosystems requires sustained accessibility to plant-based and animal-based sources of food, medicines and materials for

shelter as well as daily comforts. All human survival depends on the sustained availability of biological and botanical diversity. The actions and choices taken by human beings, therefore, directly influence the enduring availability of the Earth’s life support systems. While individual and community choices and activities most surely can

**Figure 1***Two men catch fish in a river.*

alter the character and makeup of ecosystems, the extent to which nations constructively engage each other and whether states and nations carry on constructive relations has determined the sustainability of Earth's life support systems. The pursuit of sustenance, control over lands, wealth, and power by nations and states in just the last 300 years has profoundly diminished biodiversity throughout the world and, importantly, the diversity of peoples. International relations have become increasingly unbalanced to the degree that states have come to dominate the international landscape, reducing the world's nations to subordinate peoples, though their role is essential to ensuring the sustainability of ecosystems in the face of unrestrained development and consumption practiced by the world's states.

Inspecting the nature of relations between nations and states in pursuit of mutual coexistence and comity is needed. One will see that without constructive and respectful political and diplomatic relations between the more than 5000 nations and the 206 states, the risk of biological diversity collapse accelerates, hazarding the collapse of all human societies. Relations between nations, as with relations between states, are defined by normally accepted practices and by mutually agreed rules. It is by virtue of this simple formulation that human societies have long engaged with each other. But if there are two broadly defined systems of norms and rules of conduct that separate nations and states, the conditions are then created for perpetual conflict—and, yes—wars.

Biodiversity Wars between nations and states are being carried out in the 21st century worldwide at the expense of diverse ecosystems and diverse cultures. Biodiversity and biocultural diversity are being destroyed. These wars can only be brought to an end if indigenous nations and the states formed on top of them can bridge the gap between their systems of legal and political norms. From the elimination of the wide gap, nations and states must find mutual coexistence within a framework of comity—a mutually respected law.

Recognizing this gap between nation-based and state-based legal systems calls on us to inspect the two systems in an effort to find a basis for coexistence. Establishing a balance between the two systems is essential to comity between nations and states and reversing the adverse effects of unrestrained development on biodiversity. The success of respectful relations between the world's nations and states has and shall determine whether diverse life on the planet will continue. We will go through the process in this chapter, examining how these systems have developed and where they may function in common.

Relations between nations have been defined by customary laws since long before the early formation of modern states in the 17th century. What we now refer to as “international law” and “international relations” reflects many of the evolved and accepted customary laws developed in pre-state nations and later adapted to the newly formed states—in the world mainly understood to exist before the middle 17th century. States introduced as strict hierarchical polities were formed out of “dukedom” to end the Thirty Years’ War<sup>1</sup> in Europe. They borrowed from the experiences of nations to structure their internal laws and, ultimately, the rules for conducting relations between the emerging states. States were thus formed as artificial constructs setting up fixed boundaries, internally defined universal laws, exercising a monopoly on the use of violence, designating a single person as the “sovereign,” and formalizing the requirement that “neighboring states” must recognize each state to legitimize their existence. Nation-based law—the rules by which nations operate—and state-based law—the rules by which states operate— came into existence, with states slowly presuming dominance and subordinating nations, usually applying their monopoly on force and asserting

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<sup>1</sup> Europe’s war between the Roman Catholic Austro-Spanish Habsburgs and the Protestant French Bourbons between 1618 and 1648 involving numerous nations engaged in combat over religion, dynastic control, territorial rights, and commercial rivalries resulted in an estimated military and civilian deaths in the range of 4.5 million to 8 million. The deceased were killed less by military engagement than by disease and starvation. Numerous other conflicts in Europe were conducted coincidentally, before and after the Thirty Years’ War. Battles between various competing forces struck at towns and principalities located throughout the Holy Roman Empire, embracing territories and peoples from France to the west, the Swiss Confederation and the Republic of Venice to the South, the Ottoman Empire to the southeast, and Poland to the north-east—virtually all of what we would now recognize as central Europe. The Holy Roman Empire consisted of about 1,800 tiny estates owned by families of Imperial Knights, to whom the Roman Church granted various attributes of sovereignty. Territories won and lost, for example, between the combatting forces included Alsace and Metz, transferred to French control, Upper Palatinate to Bavaria, and the territories of Eastern Pomerania, Magdeburg Halberstadt, Cleves, and Mark to Brandenburg. Meanwhile, claims by combatant parties also engaged over religious adherents to extend the influence of the Roman Catholics, Lutherans, Hussite minorities, and Calvinists. The centrality of religions would determine the future existence of the Holy Roman Empire led by Ferdinand II, who served as the king of Bohemia, seeking to impose Roman Catholic absolutism through his. The Protestants objected to Ferdinand’s overbearing insistence. Scholars credit the Treaty of Westphalia that brought the Thirty Years’ War to a close for establishing the concept of state territorial sovereignty. In addition to territorial transfers to France, Sweden, and Bavaria sovereignty, the United Provinces of the Netherlands and the Swiss Confederation rose to become independent republics.

claims to land. This division has evolved into a long-term contest between nations and states directly bearing on the sustainability of natural environments and the sustainability of nations. It is in this context that one begins to recognize one aspect of Biodiversity Wars—the gap between nation-based law pursuing “balance” between human beings and the natural environment and state-based law pursuing dominance of human beings over the natural world.

To be clear, basing the conduct of international relations on the internal customary laws of nations may also be understood as nation-based international law. Where states conduct international relations, they, too, base their actions and rules on internal laws that can be understood as state-based international law. One would think that since the “internal/external” legal processes appear to be the same, indigenous nations and internationally recognized states would conduct international relations in the same way. They do not. The differences in the conduct of international relations directly bear upon the sustainability of biodiversity and the continuity of indigenous nations. When either nations or states fail to respect natural life, all life is at risk. To better understand the nature of contentions between nations and states affecting biodiversity it is important to examine the two systems, where they converge, and where they depart. It is where these systems depart that contention defines biodiversity wars.

In the [opening Chapter](#), I established that the first subject of this volume is that indigenous nations must be understood to be “peoples,” or

different peoples around the world. “Peoples” is merely a different term of reference for “nations.” They are not States and they are not minorities or ethnic minorities in states.

There are “nation-states” ruled by nations (i.e., Vanuatu, Timor-Leste, Croatia, Iceland) and nations engaged in self-rule within but not in control of a state. The state and the nation and the nation-state all play a dramatic political role in determining the use and abuse of Earth’s life support systems. The subject of this volume is that the life support system on which all of humanity depends is sustained in part by international comity between nations and states and human respect for life that is comprised of all of the life-giving flora, fauna (including human beings), waters, rocks, and soils of the planet. These two subjects are joined out of necessity: Each is dependent on the other for the continuing existence of distinct peoples and diverse ecosystems. While it is true that the Earth can do without human beings, the reverse of that view must be well understood: human beings cannot survive without the natural life of the planet. The peoples responsible and able to ensure the continuity of diverse ecological systems through the practice of cultures and rules are the peoples—indigenous peoples—whose cultures have adapted over thousands of years to the changes common throughout the natural world. Nations generally have rules embedded in their cultures that impose controls on human behavior toward the natural world, and these concepts are expressed domestically and internationally. The ethos of states concerning biodiversity is

expressed in international law as sustainability and development, but the rules so enshrined tend to be aspirational but without controls or enforcement. The divide between nations and states directly contributes to confrontations, risking the lives of the peoples of each nation and humanity generally and the ecosystems on which they depend.

While 76% of the world's human population has become mainly dependent on consumerism and cultivated—commercially produced—foods and medicines applying the ethos of development, the other 24% (Fourth World [indigenous] peoples) has largely practiced cultures that draw foods and medicines from the natural fecundity of flora and fauna across the lands and in the rivers and seas through the application of the laws of their cultures. The ethos of development seeks, by its own definition, to dominate and extract short-term wealth from the natural world, whereas the laws of indigenous cultures work to balance human needs against the capacity of the natural world to restore itself over the long term. As the adverse effects of human-induced climate change envelop human societies throughout the world, it is evident that the ethos of development has reached its limits and can no longer benefit growing human populations without causing their collective destruction. Economic and military encroachments into Fourth World territories

launched by states and their sub-agents pressure increases daily on Fourth World peoples to “step aside or die” to make rich, undeveloped regions of the world available to the corporate states that persist in their demands for unrestrained development and conversion of natural life into commercial products.

### **Between Ethos and Culture**

A dramatic confrontation between the ethos of development and the culture of balance has been playing out over the last twenty-five generations as a political and violent contest for access to and use of lands and resources in Fourth World territories between the two contenders: corporate states and Fourth World nations. Nations collapse when they set aside their cultural laws and pursue aggressive dominance of other nations and the natural world. In the experience of indigenous nations, states must come to recognize that they, too, risk collapsing and disappearing from the planet from the same conduct.

Now, we must discuss the political and legal framework within which Fourth World nations and their culture-based<sup>2</sup> natural law and political practices exist. I place nation-based law alongside the corporate states and the state ethos of “positivist”<sup>3</sup> legal and political practices. The differences are stark between the nations and the states, accounting for the struggle between

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<sup>2</sup> Culture—the dynamic and evolving relationship between a people and their relationship to the land and their cosmos. Relationships between people, the land and what is on the land and the cosmos essentially define and determine human interactions and have so influenced those interactions for tens of thousands of years.

<sup>3</sup> The notion that one can “posit” or simply assert or set out a concept or idea that forms the basis of a legal or political argument. One invents such concepts or ideas in one’s mind, and when accepted by other reasoning individuals, they become the “rules of the road” on which others are expected to base their moral actions. Such rules, the guiding ideals, are the basis for ethos, which members of a community are expected to follow as if in a “consensus trance.”



them over sustaining biodiversity or breaking down the diversity of the natural world. Within the political context, nations and states engage in warm wars (political confrontations) and hot wars (violent confrontations resulting in deaths and displacement of populations). The states take actions in the form of colonization and the use of force to dominate, incorporate, or eliminate Fourth World nations to gain unfettered access to land and raw materials. Nations and states occupy much of the same territorial space and the same political space where decisions are made. This is mainly due to the incomplete decolonization process where “nonself-governing peoples” were recognized by states’ governments in the 1940s to have the right of self-government—to form and govern their own state, become associated with existing states as self-governing or to simply absorb into an existing state. Seven hundred and fifty million people in what became 80 new states chose independence after 1945. Left unresolved was the status of 1.3 billion people in nations located inside the boundaries of 206 existing states not included in the decolonization process. It is in this context where the nation and state conflict over biodiversity and sustainability is being waged today. The international political and legal framework is the possible mechanism for mediating these confrontations.

State-based international law is the mechanism we are all used to dealing with since it dominates international discourse and sets

the rules for conduct between states. Nation-based international law—not so well known in the public discourse—is also a mechanism that serves to mediate relations between indigenous nations, and to a limited degree the conduct of relations between nations and states. It is to the political framework and the legal framework we now turn to as we inspect the nature of state and nation conflicts that directly bear upon the biodiversity war.

Are Fourth World peoples (“indigenous peoples” is used interchangeably) “stewards” of the natural world? One could make that argument and thus romanticize the actual pragmatic relationship between Fourth World peoples and the natural world. Dependence on the natural world requires a practical commitment to sustain that world for personal nourishment and renewal. But the truth is that long-evolved cultural practices aimed at balancing human needs against the capacity of the Earth to reproduce life stand as a natural law that nations must realistically respect to ensure their sustained survival—sustain the diversity of the biological world and indigenous peoples themselves are sustained. Some nations do not follow this maxim, but rather aggressively act as predators of the land and other nations. It is thus that we come to understand that nations and states can act in ways contrary to the idea that they must limit their demands for resources or consume natural life so as to ensure Earth’s sustained and diverse natural life.

**Figure 2**

An indigenous woman from a local cooperative cultivates Moringa in the Tristao Islands, Guinea.



Note. From *Guinea - Rural Women's Cooperative Generates Income and Improves Community Life* [Photography collection], by Joe Saade, UN Women, 2016, Flickr. (<https://www.flickr.com/photos/unwomen/31122748904/in/album-72157687904332271>). CC BY-NC-ND 2.0

## Many Nations as a Complex of Diversity

The diversity of indigenous cultures is nearly unfathomable. More than 5000 distinct nations are spread across the planet, reflecting the ingenious and successful adaptations human beings have made to the infinitely varied ecosystems that support life—a process that began millions of years ago but accelerated over the last 50,000 years or so. The cultural adjustments made to differing ecosystems by each successful community and its descendants, as well as to varied climate conditions and the changing flora and fauna, stand as testimony to the power of culture and the enduring flexibility

of peoples. Cultural adaptation to natural change to achieve and regain balance accounts for the success of biodiversity and human beings as part of that diversity. Where nations fail to adapt to the natural environment, life becomes impossible.

The complexity of human cultures and the ecological systems in which they thrive is clearer when one considers that indigenous peoples inhabit deserts, rain forests, savannas, frozen tundra, tropical islands, icy valleys, mountains, and deep gorges, among many different ecosystems. Indigenous nations inhabit some of the richest and most fertile lands in the world such as the region between the Tigris and Euphrates rivers in eastern Syria and Northern Iraq and the most arid regions including the Sahara Desert.

The very richness and diversity of life in the natural world is reflected in human diversity—cultural responses to the environment as demonstrated in the practice of *kálhaculture*<sup>4</sup>. It is such a wonder that human beings are like so many other animals and plants. That they are so different is even more remarkable when one considers how much indigenous peoples are the same—they tend most of the time to respect the natural environment and exploit it only to the extent that the earth can replenish. They all practice *kálhaculture* to some degree. They depend on plant and animal-based foods and medicines obtained from the natural environment

<sup>4</sup> The word *Kálhaculture* is derived from two words. The first is an Oneida word for “forest or woods,” and the second word is from the Latin meaning “worshiping Earth” or tending to the earth. I have introduced this word to help readers understand the concept of balanced use of nature that indigenous peoples carry out every day.

and they may also practice various forms of agriculture while balancing the relationship between human need and the earth's capacity to restore natural life. Despite the exploitive and encroachment practices of concentrated metropolitan societies, indigenous peoples rely on *kálhaculture* for 80%-90% of their nutrition to as little as 20%. The practice of *kálhaculture* is essential to sustaining biodiversity around the world. The failure to practice this method of harvesting from nature forces the collapse of human and other animal and plant species. *Kálhaculture* is a method of food and medicine harvesting and restoring that ensures biodiversity and bio-cultural diversity—a balance between the natural world and human demands—the root of which is “natural law.”

### **International Relations—the Ancient Art**

The common understanding for mediating the differences between the unrestrained development by states and their subentities (corporations, transnational religions, etc.) and Fourth World nations seeking to ensure the balance between human beings and the natural world falls to the ancient art of international relations. Understanding how nations relate to each other and how they relate to the various states is an important part of the story of Biodiversity Wars. In Chapter 3 that follows, you will see added features of Biodiversity Wars in the conflict over self-determination and territorial control. Both of these factors figure prominently in international relations and the conduct of Biodiversity Wars. For it is when international relations—mutually accepted rules of conduct—

break down that economic, political, and military violence step to the fore. Here we will examine international relations in its various forms and the foundation for international relations: nation-based international law and state-based international law. The challenge is to find a bridge between international relations and the two legal systems to establish a meeting at the “forest's edge.” This is the point where Fourth World nations and corporate states must meet to end the war.

### **International Relations in the Temporal Pause**

Since the 17th century, the engagement of newly formed states and nations of long-standing have remained in a “temporal pause.” The temporal pause has been a time when the rules for conduct in the international environment and in relation to the conduct of peoples and the earth's natural life have been out of balance—the radical shift from nation rules of conduct to state rules of conduct. At the beginning of the 21st century, a shift toward a new balance may be underway where nation-based international law and state-based international law together move toward a balance that will ultimately equalize relations between nations and states. Such a balance may then permit effective dialogue and joint action by nations and states to roll back the adverse effects of climate change and, importantly, reestablish the balance between peoples and the natural environment to sustain biodiversity and biocultural diversity (human diversity).

While it had been true that nations long dominated international relations until the 17th century, longstanding national practices



for relations between peoples were interrupted with the advent of the formation of states. The Treaty of Westphalia (1648), mediated by the Roman Catholic Church in Europe, established rigid definitions for states that would be applied throughout the world. From the time these few states were formed, they were defined as having hierarchical political structures, fixed boundaries, the monopoly over the means and exercise of force (police or military violence internally or externally), and the requirement to join the “club of states” through mutual recognition. In other words, it would be necessary for other states to recognize the new entity and the sovereignty of its leader for the state to have legitimacy. However, this new regime had profound consequences for nations around the world as the state model ruled by central authority became the standard for human organization and the means for establishing domination over nations and their territories. States proved to be ravenous consumers of raw materials in the spirit of the Roman Empire and other empires following. Colonization and unrestrained exploitation of people and nations’ territories that the laws of nations had long observed were swept away, especially in the 18th and 19th centuries—and with profound consequences for all of humanity in the 20th century.

National laws were being replaced by state-based laws through imperial and state colonization. What had been a global environment dominated by nation-based law was, for a very short time, equally balanced with emerging state-based law. As state-based laws became the dominant set of rules for the

conduct of relations between states, nations were subordinated to the states—to the point of peoples becoming subordinate populations inside settler states.

I refer to the “temporal pause” as a 372-year period of struggle between nations and states that has produced severe damage to both nations and states and, certainly, to the natural environment. What began as local and extended religious wars between kingdoms and “dukedom” in the 1618 “Holy Roman Empire” (made up mostly of what is now Germany) where the Roman Catholic Church was challenged by the Protestantism of Luther came to an end in 1648 with two treaties that would be known as the Treaty of Westphalia. The treaty that was arduously negotiated produced the structure of what we now know as the modern state system and a new framework for international relations.

The “Westphalian World” served reasonably well to stabilize relations between peoples around the world though the system began to break down in startling ways as new states were formed to exploit limited resources in the 20th century at the beginning of the 21st century. With the collapse of many states<sup>5</sup>, the conduct of world wars, and the advent of global breakdowns from climate change, excessive and unrestricted human development. What was once clearly

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<sup>5</sup> Ottoman Turkey, Japan, Pomerania, Silesia, Union of Soviet Socialist Republics, Yugoslavia, Czechoslovakia, and now the DR of the Congo, Libya, Yemen, South Sudan, Somalia, Syria, Chad, Central African Republic, Lebanon, Venezuela, Afghanistan. While the names of these states in some cases have been recovered and the state reformed, others have been absorbed and disappeared completely. Perhaps 30 of the world’s states in Central Africa, West Asia, and South America qualify as collapsed or dysfunctional.

understood and described as normal in everyday life is no longer certain or even real. The sense of permanence and stability engendered by such a condition is lost and replaced by a sense of anxiety and fear. It is just these conditions that indicate that the relations between nations and states are in a temporal pause. It is just in such times that great shifts take place in human history. Assumptions on which people, nations, and states have acted in the past are no longer adequate, suitable, or valid. The sense of “knowing what to do” escapes public officials, and the leaderless mobs’ fear begins to rise. In international relations and practice, one readily sees a growing tension locally, regionally, and globally.

In much the same way individuals and families relate to each other, nations and states conduct themselves according to customary practices called norms and various rules called laws. There is nothing really mysterious about the process of human interaction—it evolves as custom as a way of ordering society. Customary practices between nations and between states evolved from internal customs and are intended to bring order to the conduct of relations between polities.

As we examine the conduct of nations and states in their international relations, we are confronted with manifest crises of biodiversity collapse, out-of-control human-caused climate

change, the unrestrained destruction of indigenous peoples, and growing incidents of zoonotic disease resulting from unrestrained human exploitation of natural life reaching deeper and deeper into rainforests and other forests formerly left undisturbed by massive human interference. The human-created crises threaten human life the world over—all of human life.

We need to pause to consider relations between nations and states and to consider new pathways for the conduct of nation and state relations to allow for dialogue and the establishment of new mechanisms to halt the destruction of diverse ecosystems and cultures. However, the conduct of constructive relations between nations and states based in comity is now virtually non-existent— though the United Nations has opened a crack in the door to constructive relations with tentative invitations to nations to sit in meetings where human rights policies are being discussed. This circumstance requires us to inspect nation-based legal systems and state-based legal systems to identify the most likely alternatives for mutual dialogue and constructive action by nations and states. We need to consider the urgency of opening direct and respectful dialogue where nations and states share authority on an equal political plain. Such a condition is essential for mutual coexistence.

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## ABOUT THE AUTHOR

**Dr. Rudolph C. Ryser**

Dr. Rudolph C. Ryser (1946-2023) grew to maturity in the Cowlitz Indian culture on the US Pacific Northwest coast, though he is of Cree/Oneida descent on his mother's side and Swiss descent on his father's. He earned his doctorate in international relations at the Union Institute and University, where he was honored with the Distinguished Alumni Award in 2020. He founded the Center for World Indigenous Studies in 1979 and served as Board Chair and Executive Director until his death. He is the author of the seminal book *Indigenous Nations and Modern States: The Political Emergence of Nations Challenging State Power* (2012), the Fourth World Geopolitical Reader, and numerous journal articles and policy white papers, and was at work on a new book, *Biodiversity Wars, Coexistence or Biocultural Collapse in the 21st Century*. For more than fifty years, he worked in the field of Indian Affairs as a writer/researcher/advisor to political leaders of Fourth World nations throughout the world.