
UNIT 30 ABORIGINAL/INDIGENOUS MOVEMENTS

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30.1 INTRODUCTION

Indigenous people had never been regarded as international subjects. They were either relegated to reserved territories in the states or confined to inhospitable regions and doomed to extinction by the repressive policies adopted by the state. But now there is new international thinking, which appreciates their unique way of life. The rise of indigenous peoples as prominent actors not only in the national but also in the international arena cannot be ignored. They can no longer be treated as passive objects of historical change but as dynamic subjects of history as they are now actively involved in shaping their own destiny. With states adopting policies such as multiculturalism in order to appease and cater to the demands of its ethnically diverse population, it is becoming increasingly evident that the demands and the aspirations of the 'indigenous' peoples are different from that of ethnic groups. Thus 'indigenous ethnicity' has emerged as a concept which is different from 'ethnicity'. Acknowledging the ascending role and influence of the indigenous peoples in global politics the United Nations had the year 1993 declared as the International Year for the World's Indigenous Peoples by and the decade from 1995 to 2004 as the International Decade of the World's Indigenous Peoples. It is observed, that while each people has its own history, its culture, and each has had its unique struggle and its successes or failures, indigenous peoples from various parts of the world have all come together to create and evolve a common consciousness. In fact, organisations led by the indigenous peoples have at times been criticised for making use of international fora including the United Nations to promote and champion their common cause while damaging the reputation of the countries to which they geographically belong. As a consequence of government policies ranging from exploitation, annihilation or assimilation either by design or oversight in the past, to grudging recognition at present, the world is now admitting that the indigenous peoples have in the past been placed at the mercy of the ruling classes.

30.2 WHO ARE INDIGENOUS PEOPLES?

For the purposes of this discussion, the term “indigenous peoples” applies to the descendants of the original inhabitants of a given area or region—a region forcibly occupied by foreigners who subsequently replaced the mechanisms of governance and curtailed the development of the indigenous peoples. Nevertheless, indigenous peoples still manifest cultural and social characteristics and practices distinct from the national varieties, which surround them. The International Labour Organisation (ILO) Convention 107 first introduced the term “indigenous” wherein the “tribal and semi-tribal populations were considered as a broad social category and indigenous populations as a sub-category of the former who are descendants of the original populations of the countries which were taken over by colonisers”. ILO Convention 169, adopted in June 1989 de-linking the concept of “tribe” from the “indigenous” included a reference to self-identification as a fundamental criterion in determining who the indigenous peoples are. It laid down that national governments should allow indigenous peoples to participate in the decision-making that affects them, set their own development priorities and given back the lands they traditionally occupied. Internationally, the word “Indigenous” has been used by the United Nations system as well as by the peoples themselves. To be “indigenous” or a “people” confers a psychological strength over being merely deemed as a minority population. That the ruling elite recognises this is illustrated in the debates of both the ILO and the UN Working Group on Indigenous Populations on the use of the words such as “peoples” or “population”. While the ILO decided to use both terms, the Working Group uses the term “population”. The debate suggests that the reason to use “population” rather than “peoples” is possibly to deny the basis for a claim to self-determination and territorial independence within nation-states in which they are located.

Both the terms “indigenous” and “native” are subjects of much debate. While “native” has a colonial connotation for many, the capitalised “Native” is an acceptable label in North America, indicating perhaps that they are a nation. In fact, the term “First Nations” is often used as an alternative designation in Canada and the United States of America. The internationally acceptable term “indigenous” is preferred. The names by which indigenous peoples are called are also changing according to their preferred names. The Lapps of Europe are now known as *Saami*, the Eskimos of Canada as *Inuit* and the Bushmen of Africa as *San*.

It must be emphasised that indigenous peoples are distinct from one another, and that these distinctions are not dependent upon national boundaries. In Europe, the following may be considered as indigenous populations: the Celtic peoples of the British Isles, Brittany in France and Galicia in Spain; the *Basque* peoples of France, Portugal and Spain; The *Saami* people of Greenland, Norway, Sweden, Finland, and the former Soviet Union. In Asia, there are various tribal or hill peoples in India, Bangladesh, Pakistan and China and the *Ainu* people in Japan. In addition there are numerous indigenous groups in Siberia, some of who are considered as part of the *Inuit* peoples also present in Alaska, Canada and Western Greenland. In Africa, the Berbers and the *San* may be considered as indigenous peoples. Most Asian and African states deny that there are any indigenous peoples within their territories. The ILO subjected Bangladesh to considerable pressure in the UN before it would address the issue of the Chittagong Hill People. In India, the tribal peoples or Scheduled Tribes are considered as the core of the ‘indigenous group’. In Oceania there are indigenous groups in the Philippines, Indonesia, Borneo and Papua New Guinea. Generally, these peoples live in the forests. The Native Hawaiians also fit within Oceania. In Australia are the Aboriginal peoples and in New Zealand are the *Maori* peoples. The displacement of indigenous peoples is usually the result of an invasion of their territory by an ethnically and culturally different group, which then attempts to convert the native population

to the conquerors' cultural norms and suppresses the indigenous peoples culture, identity and history. Usually, the colonising country believes its culture is materially and spiritually superior to that of the indigenous group. In most cases, the invader is able to establish sufficient control over the territory and society to force the indigenous population to deal with the imposed legal system in attempting to redress the injustice inherent in the process of conquest. Needless to say, the indigenous people lose most legal rights until the dominant society accepts its responsibility to make amends. An example of this acceptance process is the creation and operation of the *Waitangi* tribunal in New Zealand, which deals with land title cases between the *Maori* and the European settlers. In the *Waitangi* tribunal, the *Maori* have the majority vote.

30.3 ADVENT OF INDIGENOUS MOVEMENTS

It was around 1900 that the first ethno-political initiatives were taken by the indigenous peoples. These were mostly in the form of appeals, petitions and requests to the imperial authorities of various colonial powers. It is commonly known that the Indians of North America were crushed by armed forces during the second half of the 19th Century. Even though the conflict in Northern Europe was not so overt, we find many examples of oppression of the *Saami*, e.g. when their religious-Læstadian movement around 1850 was suppressed with the help of the State Church and the Courts. By the end of the 19th Century, at the highpoint of imperialism, the policy regarding indigenous peoples was increasingly characterised by a heavy-handed assimilation, legitimated by Social Darwinism and racist ideology-and supplemented for example in Norway, with nationalistic ideology. In the face of such policies many indigenous peoples were obliged, initially at least, to limit their opposition to indirect and purely symbolic activities. The League of Nations founded in 1919 was an international organisation in which one could have expected indigenous issues to surface. To begin with, US president Woodrow Wilson himself had taken as his political war-cry, the right of nations to 'self-determination' at the end of the First World War. And secondly, the protection of the rights of minorities was one of the most important spheres of activity during the period when the League was effectively functional.

Chief Deskaheh, a *Cayuga* indigenous person from the 'Six Nations' reserve in the Western Hemisphere (Canada) stepped up demand for full self-government and recognition of the *Iroquois* peoples as a sovereign nation. Around 1920 issues came to a head with both legal battles and violent confrontation. The *Iroquois* sought independence from Canada's legal system. Deskaheh visited England and when that failed, went to Washington to meet the *chargé d'affaires* of Netherlands recalling peace and friendship treaties concluded between Europe and the *Iroquois* in the 18th Century. The General Secretary of the League of Nations then took up the matter in 1923. The British and the Canadian members in the League of Nations Council meeting declared that the Six Nations had no right to claim a separate state as they continued to be "British subjects residing in Canada".

The creation of the United Nations in 1945 offered a ray of hope with its active role in the decolonisation process. Increasing demands from ethnic groups calling for action on the new anti-racist ideals of human rights could no longer be ignored. This had special force in countries like Canada and New Zealand, which during the war had raised special contingents from amongst their indigenous peoples. These in effect opened the way for the question of the indigenous peoples to be raised as a separate issue within the UN around 1970. Also, one experienced in the post-war years a global industrial and technological penetration in the peripheral areas, which stretched from the tropical rain forests to the Arctic region. Initially the development was accelerated by the need to help the most exposed ethnic groups on humanitarian and welfare grounds. The International Labour Organisation (ILO), an organ of the League of

Nations, had initiated this work as early as the 1920s and in 1957, the ILO adopted Resolution 107, which gave protection to the tribal and indigenous peoples all over the world.

As popular organisations, such as the total abstinence and Free Church movements, developed during the second half of the 19th Century, indigenous peoples too began to voice their opposition in more innovative forms. An important pre-condition here was that the indigenous peoples were, to some extent at least, being integrated into the wider society, to the extent that certain groups came into existence that had an insight in, and could appeal to, the common values of citizenship. It is somewhat of a paradox that recruitment to the new leadership was bound, for the most part, to take place amongst those who were most integrated into society as a whole as a result of their having gone through mission schools and teacher education colleges.

30.4 SPREAD OF INDIGENOUS MOVEMENTS

30.4.1 Conditions for the Spread of Indigenous Movements

The most important reasons for the spread of indigenous movements were related to the kind of developments at the international level. Firstly, the struggle against Nazism had been waged under the banner of anti-racism and human rights. It was, therefore, most difficult to overlook demands which were to come from ethnic groups that earlier had been regarded as uncivilised and on the way to extinction.

Secondly, the wave of de-colonisation in the Third World aroused sympathy for those ethnic groups that had been subject to internal colonisation. Internationally de-colonisation was carried further by the UN when, in 1960, a resolution laid down the principle that all peoples had the right to self-determination and should therefore, be free to determine their own social and cultural development. A corresponding but more limited principle was accorded to minorities in 1966 through the conventions on human rights. These in effect opened the way for the question of the indigenous peoples to be raised as a separate issue within the UN around 1970.

Thirdly, industrial and technological development was accelerated by the need to help the most exposed ethnic groups on humanitarian and welfare grounds. The International Labour Organisation (ILO), a part of the League of Nations, had begun this work as early as the 1920s. This work came to a conclusion when, in 1957, the ILO adopted Resolution 107 which gave protection to tribal and indigenous peoples. The goal was an organised assimilation, whilst at the same time, in line with conventional colonial law, recognising customary rights and, to some extent, the need to protect material living conditions. The contribution of the indigenous peoples in the making of these decisions was, at that time, conspicuous by its absence. Nevertheless the Resolution was a boost for groups, which in many cases were exposed to actual genocide.

Roughly speaking, then, this was the context indigenous peoples throughout the world had to accommodate to. As it turned out the internal ethno-political situation and their position within the nation state led them over to an international involvement. The First Nations' peoples of North America and the *Saami* of Northern Europe, had both different internal histories and a different relationship to their respective nation states. What they had in common was that they were both active in building up the international network of indigenous peoples in the course of the 1970s and in bringing the indigenous people into the international arena. It was, at the outset, by no means axiomatic that the ethno-political movement within these groups should take an international turn since, as is the case with most indigenous peoples, they are concerned with local issues that can be dealt with inside the boundaries of the nation state. It appears surprising,

therefore, that the organisational development of these indigenous peoples should be so alike. Whatever had happened, occurred in two phases. The first, which proved abortive, occupied the first three decades of the 20th Century and the second that of establishment and growth, occurred after the Second World War, though it did not gather momentum until 1970. The setting up of associations amongst the Indians of the USA showed a clear continuity and existed as a common ethno-political movement. Parallel bodies were late in coming amongst the 'First Nations' in Canada, but when the process began around 1970 it developed rapidly. The *Saami* of Scandinavia were somewhere in between, with developments occurring at different times in the various states. While there were just a handful of indigenous movements dotting the Latin American region in the 1960s, they gained strength in the 1970s and by 1990s indigenous organisations had mushroomed ranging from local and regional organisations to national level federative organisations having alliances with well-developed international lobbies.

30.4.2 Canada

The organisational development amongst the Canadian Indians prior to 1970 was very uneven but singularly more uniform after that date. A new pan-Indian initiative was launched in 1960 when, for the most part, educated urban Indians and *Métis* set up the *National Indian Council* (NIC). Its main aim was to promote Indian culture and advance political agreement. The organisation had, therefore, to fight against major internal divisions right from the outset. It had further problems with fund raising and achieved little influence since the authorities did not see it as being in any way representative of Indians generally. The government's *White Paper* of 1969 according to which all Canadians should be treated equally, became the catalyst that would unite the various indigenous groups around the policy proposed by the NIC.

The Status-Indians' regional bodies came together in a federal structure and at a meeting in 1969 the nature of the organisation, the *National Indian Brotherhood* (NIB) was decided upon. The NIB was totally opposed to the *White Paper* and its idea of a just society with equal opportunities, as it would simply result in denial of rights, which were specifically 'indigenous'. The government, forced to retreat, now stood without a policy for its indigenous peoples. Then president of the NIB George Manuel took this opportunity to initiate building up an international network of indigenous peoples. The NIB has consciously exploited whatever authority the World Council of Indigenous Peoples (WCIP) had. For example, already at its second general assembly in 1977, a resolution was adopted which was more than anything else grounded in the Canadian political process. The requirement was a pan Indian movement rather than a number of local organisations, which could put forth its demands clearly to the government. This was achieved with the NIB changing its name to the current *Assembly of First Nations*.

30.4.3 Australia

The 1920s and 1930s saw growing political pressure, both domestic and international, on the Australian government in relation to the condition of Aborigines especially in the Northern Territory. Though there were attempts to improve welfare provisions for the indigenous peoples in the Parliament, they were never sustained. A decisive change occurred in the mid-1960s when Aboriginal communities in the Northern Territory began to press for indigenous rights in a new way. For example, the Aboriginal community from *Yirrkala* in Arnhem Land pursued a claim to obtain ownership of their land and at Wave Hill cattle station. Despite the continuing concerns of the *Yirrkala* people, the government proceeded with the project as planned. When this failed they took a more radical step in 1971 demanding that their traditional ownership of the land should be recognised by the Australian law. The proclamation of a beach umbrella and a number of tents in the premises of the Parliament House in Canberra as the Aboriginal

Embassy, on Australia Day 1972, in protest of the refusal to recognise indigenous land rights is seen as a symbol of a united and national aboriginal movement.

30.4.4 Latin America

Indigenous movements in Latin America have emerged in the last two to three decades, as has been the case in other parts of the world. In the 1960s, there were only a handful of indigenous movements in the region. The first-ever-indigenous movement was in the early 1960s in Ecuador. The *Shuar* Federation was formed to defend land from encroachment by settlers and promote the interests of the various dispersed *Shuar* communities in the Amazonian Eastern Ecuador. More organisations came up in the 1970s in other Latin American countries, recognising the interests of their own community as important rather than clubbing them with the interests of the larger peasant community. These organisations were not only local and regional, but they also turned national and even international in their reach. Some regional organisations that emerged at that time were the Indigenous Association of the Peruvian jungle (AIDESP), the Regional Indigenous Council of the Cauca Valley (CRIC) in Colombia and the Indigenous Confederation of Eastern Bolivia (CIDOB). Among the examples of nation-wide organisations, mention can be made of the Ecuadorian Confederation of Indigenous Nationalities (CNAIE) and the National Union of Indians (UNI) of Brazil.

30.4.5 USA

The first pan-Indian organisation with a more permanent character was the National Congress of American Indians (NCAI) founded in 1944. The organisation prioritised the improvement of conditions in the health and educational sectors, lobbying on legislative issues, and media campaigns to bring attention to the indigenous culture and history. Starting with 50 tribal representatives in 1944 the number grew to 154 in 1978, whilst, by that time there were also about 3,000 individual members.

In 1960 a group of young, well-educated Indians set up the National Indian Youth Council (NIYC) during a conference of researchers on the Indian questions. It was critical of middle class Indians in the NCAI who were seen as being far too companionable with the Bureau of Indian Affairs, the colonial office. The organisation encouraged the growth of 'Native studies' courses in various universities and also managed to get the media interested in their cause. The organisation resolved in 1973 to support the work being carried out to form a worldwide organisation of indigenous peoples. In 1975 the World Council of Indigenous Peoples (WCIP) was established at a conference in Port Alberni. Urbanised Indians took the initiative in setting up a pan-American organisation. Thus the American Indian Movement (AIM) emerged. This organisation too was quick to make an impact in the media as a result of carrying out various militant actions, the most talked about being the violent confrontation at Wounded Knee in 1973. Both before and after this incident, the organisation demanded that the authorities stand by the treaties. In 1972 the organisation arranged a demonstration across the whole country and in order to exert greater pressure on the authorities, the organisation set up the International Indian Treaty Council (IITC) in 1974 as its diplomatic vehicle. In 1977, this was the first one of the indigenous organisations, which was recognised by the UN as a non-governmental organisation. It has been said that the IITC was an organ of indigenous peoples that did most within the UN system. The strength of the IITC lay in the fact that it was one hundred per cent American and did not need, therefore, to have regard for the wishes and strategies of indigenous peoples in other nation states. The pan-Indian organisations through the public debate and attention they aroused influenced both the form and rhetoric of the discussion on indigenous peoples, which sprang up in international circles.

30.5 MAJOR ISSUES OF INDIGENOUS PEOPLES

The main issue and the demand of the indigenous peoples is that of **Self-determination**. This has a political connotation and is most problematic. It should be recognised that this topic strikes at the legitimacy of the settler regimes and will be resisted. But self-determination need not be understood in terms of political independence from the nation state. Governments have taken cognizance of this demand and there have been instances where a formal structure has been provided for the indigenous peoples whereby they have the freedom to govern themselves. One such recent example is that of the Canadian government establishing *Nunavut*. The arrangement between Greenland and Denmark may also be an indicator that opinion is changing on this issue.

Another such issue is that of **territory**. Land means much more to the indigenous peoples than what is simply implied by the word. **Compensation** for the theft of land and property by the settler societies is a bone of contention. The reactions to the *Waitangi* Tribunal in New Zealand, and to the *Mabo* Decision in Australia indicate the problems in meeting competing equities.

Related questions have been raised in regard to **intellectual property rights** for medicines developed from plants and traditional medical practices of indigenous peoples. The general scenario is that a researcher learns of a traditional medicine and investigates its use and effectiveness. The researcher then refines the drug and a patent is issued to the researcher or his company. In most cases no compensation is given to the tribe, which had preserved and actually discovered the medicine. A proposal to reform the process to ensure compensation to the indigenous people involved was recently discussed and rejected by the World Intellectual Property Organisation. This issue will not go away. Also related to the above is control over the **exploitation of natural resources** located on the traditional lands of indigenous peoples. At present these resources are usually claimed by the settler society, which gets any fees or profits from exploitation without regard to the needs or desires of the indigenous peoples.

Preservation of cultural traditions and languages is a high priority for many indigenous peoples who are usually a minority in the settler society. Most such majority societies have been extremely reluctant to allow the use of indigenous languages in formal governmental activities, though examples can be taken of indigenous languages being accepted as official for the use of indigenous peoples.

30.6 GOVERNMENT RESPONSES

Governmental measures and responses to indigenous movements seem to have passed through various phases. The first was the abortive phase when any indigenous efforts at protests were severely suppressed and no cognizance was taken of the existence of these peoples. The second can be called the establishment and expansionist phase when indigenous movements came to life mostly in the 1970s. Thus in spite of various government policies that argued that indigenous peoples were a part of the past and not of the present, the indigenous peoples made a comeback. Examples of this kind of a governmental policy are the claim by Newfoundland in 1949 when it joined Canada that Newfoundland had no 'natives' or the Canadian prime minister's idea of a 'just society' and the *White Paper* of 1969. Today, having gained credibility, the indigenous peoples are demanding ancestral rights. The attitude of the various governments too has been changing with time, keeping in line with the progress of the indigenous movements.

One of the major initiatives that various governments have made is to give constitutional recognition to the rights of the indigenous peoples. Recently, some Latin American countries

have promulgated new constitutions or introduced amendments to the existing constitutions, which reflect the ruling elite's change in attitude towards these peoples. Brazil has a full chapter on the 'Indians' in its new constitution of 1988, while Mexico has introduced reforms. Other countries like Bolivia, Colombia, Ecuador, Nicaragua, Peru, Paraguay and Panama too have introduced constitutional reforms or a new constitution in which the rights and the identity of these people have been recognised. Elsewhere, for instance in Canada, through Section 35 of the Constitution Act of 1982, the "existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognised and affirmed." Section 35 also provides that the "aboriginal peoples of Canada" include the Indian, *Inuit* and *Métis* peoples, and that the recent land claims agreements of the indigenous peoples are to be recognised as "treaties". Not only that but the recognition of *Nunavut* in 1993 has also been a giant step for the government. Similarly, in Australia, the *Mabo* Decision of 1992 was a major breakthrough. It did away with the concept of *Terra Nullius* wherein empty, unsettled or unpopulated land could be claimed by any one who would settle and develop it. The Native Title Act of December 1993 provided the legal framework for the High Court's decision recognising the principle of Native Title. The Constitutional recognition in Australia to embed these rights and proposals are on the anvil.

While the governments have undertaken major steps, these are not considered as adequate. To quite an extent, these initiatives have been the result of an intense international pressure and awareness. So, the indigenous issue has become an international one over the years. In recent years, global awareness has increased. The establishment of the Working Group on Indigenous Population (WGIP)-created in 1982, is an evidence of that. The WGIP is the principal UN group concerned with indigenous people's rights. They call for a comprehensive study of the problem of discrimination against indigenous populations. In accordance with the Economic and Social Council's resolution, Jose R. Martinez Cobo was appointed as Special Rapporteur to make such a study. It resulted in a report *The Study of the Problem of Discrimination against Indigenous Populations*, with 22 chapters. The main project of the WGIP has been the drafting of a Universal Declaration on Indigenous Rights.

The vehement rejection of the any of the earlier government policies has only stressed the resurgence of the indigenous movements which are now active at the international level.

30.7 SUMMARY

The term "indigenous peoples" applies to the descendants of the original inhabitants of a given area or region-a region forcibly occupied, by foreigners who subsequently replaced their means of governance and curtailed their democratic development. Nevertheless, indigenous peoples still manifest cultural and social characteristics and practices distinct from the national varieties, which surround them.

It was around 1900 that the first ethno-political initiatives were taken by the indigenous peoples. The League of Nations formed in 1919 was an international organisation in which one could have expected to raise indigenous issues. Chief Deskaheh, a *Cayuga* from the Six Nations reserve stepped up the demand for full self-government and recognition of the Iroquois as a sovereign nation. The General Secretary of the League of Nations then took up the matter in 1923. The creation of the United Nations in 1945 offered a ray of hope with the United Nations' active role in the decolonisation process. In 1957, the ILO Adopted Resolution 107 which gave protection to tribal and indigenous peoples. The contribution of the indigenous peoples in the making of these decisions was, at the time, conspicuous by its absence. While there were just a handful of indigenous movements in the 1960s, they gained strength in the 1970s and by 1990s

indigenous organisations had mushroomed ranging from local and regional organisations to national level federative organisations having alliances with well-developed international lobbies. This kind of a lobbying took place in most countries, taking up the major issues concerning indigenous peoples like that of self-determination, territorial rights, intellectual property rights, preservation of cultural traditions and languages. While major steps have been undertaken by the various governments like the formation of *Nunavut* in Canada or the *Mabo* decision in Australia, towards the well being of the indigenous governments, it has not been enough. To quite an extent, these steps have been the result of intense international awareness and pressure. So, indigenous movements, making their presence felt nationally as well as internationally are will be instrumental in their fight for their rights.

30.8 EXERCISES

- 1) How would you define 'Indigenous Peoples'?
- 2) Identify three of the indigenous populations from any of the regions in the world. Why do you call them 'indigenous'?
- 3) How did indigenous movements gain international attention in the initial stages?
- 4) Briefly explain how indigenous movements have spread in various parts of the world.
- 5) Explain what the indigenous peoples are demanding in their fight for rights. How have governments in various countries responded to these demands?