

INDIGENOUS POLITICS

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- Indigeneity

- Cobo (1986) described Indigenous people, communities, and nations as:
- Groups that have a “historical continuity with pre-colonial societies” within territories they developed
- Communities that “consider themselves distinct from other sectors of societies” now in their territories.
- Minorities within contemporary populations that work to preserve their ethnic identities and ancestral territories for future generations

- Source: Oxford bibliographies.com

- Also “displaced people whom prior to colonization identified with specific land areas or regional areas as homelands, as well as Indigenous communities that have for decades been in hiding in areas away from their initial homeland areas”.
- Notes: “many descendants of Indigenous people were forced to hide their identities for their own safety due to colonization and genocidal policies focused on physical and cultural erasure”.
- “Diverse Indigenous communities weave Indigeneity through a multifaceted array of space and time to revive identities and cultural practices and to regain or retain land, human rights, heritage, and political standing”.
- Source: Oxford bibliographies.com

- Adam Kuper (2003) *Current Anthropology*
- Argues the indigenous peoples' movement was 'retrograde, anti-progressive, and right wing'.
- Argues indigenous people are seeking 'privileged rights' over others
- The 'blood and soil' ideology of descent echoes Nazi ideology

- Kuper argues that the indigenous movement employs principles of descent and collective ethnic characteristics to identify ethnic groups that can make claims to rights
- Kuper argues this is racist
- Despite the fact that indigenous activism employs these principles for opposite purposes

- “Fostering essentialist ideologies of culture and identity [...] may have dangerous political consequences”. Kuper (2003)
- “The movement exploits the very general European belief that true citizenship is a matter of ties of blood and soil. In Europe today, this principle is used to justify anti-immigrant policies”. Kuper (2003)

KENRICK AND LEWIS

- Kenrick and Lewis (2004) argue that Kuper fails to recognise the extreme discrimination faced by indigenous peoples
- Their experiences of dispossession by more powerful groups
- Ignores the history of discrimination and dispossession and how they have been denied the rights enjoyed by other groups constituting national populations

KENRICK AND LEWIS

- Abuses include:
 - Attempts to dispossess them of their land and resources
 - Pressures for cultural assimilation

KENRICK AND LEWIS

- Turner (2004) indigenous peoples and their supporters are struggling to end these abuses
- And to defend the principle that cultural difference should not be used to justify the denial of rights
- Argues that identity is not simply established by descent
- But by direct participation in indigenous communities or cultural enclaves
- Involving a range of kinship, affinal and adoptive relations

- Notes, “Nation states employ the legal calculus of descent in their laws concerning citizenship, property and inheritance, without being considered racist for doing so”. (Kenrick and Lewis 2004, 4)

- United Nations Working Group on Indigenous Populations (WGIP)
 - Established 1982
 - Emphasises four principles to be considered in any definition of indigenous peoples:
 - 1. Priority in time, with respect to the occupation, and use of a specific territory

- 2. The voluntary perpetuation of cultural distinctiveness
- 3. Self-identification, as well as recognition by other groups and by state authorities, as a distinct collectivity
- 4. An experience of subjugation, marginalization, dispossession, exclusion, or discrimination whether or not these conditions persist.

KENRICK AND LEWIS

- Kenrick and Lewis argue: to understand the current situation of hunter-gatherer peoples of Central and Southern Africa requires that the four principles are applied in terms of relationships and processes rather than as abstract categories
- Argue: in Africa the term 'indigenous' is best understood relationally

KENRICK AND LEWIS

- Argue:
 - Africans view themselves as indigenous relative to colonial and post-colonial powers
 - Africans who live in the same region as African hunter-gatherers recognise these groups as being indigenous relative to themselves
 - Referred to as the 'first people' (Woodburn 2001)

KENRICK AND LEWIS

- Argue: Central African hunter-gatherers call themselves, and are called by their farming neighbours: 'first people'
- Colonizers of their forest lands have dispossessed them and discriminated against them
- Their mobile life varies regionally
 - Generally includes regular hunting and gathering in addition to some farming and wage labour

KENRICK AND LEWIS

- Their mobile lifeways remains unrecognised as locally or nationally as a legitimate use of land
- And does not confer any rights over the land and resources so used
- The Ugandan government established the Mgahinga and Bwindi wildlife parks on traditional Batwa lands in 1991
- The Batwa hunter-gatherers were evicted, classed as landless squatters or casual labourers

KENRICK AND LEWIS

- The authorities did not recognise the Batwa's mobile hunter-gathering lifestyle as conferring rights to the land
- In contrast, government saw the farming activities of the Batwa's neighbours as legitimate claims to land and provided compensation
- Despite the impact farming activities had on the forest

KENRICK AND LEWIS

- In 2004 the Batwa were seeking recognition of their right through the mechanisms made available to indigenous people by UN resolutions
- This has not led to privileging of their own interests but provided a way for their voice to be heard
- By using the legal concept of indigenous rights they seek recognition for their collective rights to their land their livelihood strategies within state structures

KENRICK AND LEWIS

- Argue local tensions include:
 - Neighbouring farming communities who work land previously owned by the Batwa object to the recognition of Batwa rights to the forest or the right to compensation
 - Note objections are similar to Kuper's arguments, that such compensation would privilege the Batwa

KENRICK AND LEWIS

- Central African hunter-gatherers use references to ancestry to claim a proprietary right to land on the basis of ancestral occupation
- Kenrick and Lewis argue that if private landowners can secure rights to land through inheritance, then to deny this right to Central African hunter-gatherers because they might make collective claims is discriminatory

KENRICK AND LEWIS

- Kenrick and Lewis argue that “there are significant differences between the ‘blood and soil’ ideology Kuper attributes to indigenous peoples and the inclusive land tenure systems of Central African hunter-gatherers. Although it is always clear which group has ultimate responsibility for any area of forest or resources, ownership is not primarily about exclusion but about including those who establish ‘good relationships’ based on robust egalitarianism”

KENRICK AND LEWIS

- Therefore,
 - “Central African hunter-gatherers do not see their relationship to the forest or land as being based fundamentally on ancestry. Rather, it is based on present-day interaction. They talk about land in terms of proper sharing and inclusion, rather than exclusivity or domination”.

Year	Policy and parties involved	Remark
In the 1932	Bwindi and other forests first gazette as Kasatoro and Kayonza crown forest reserves by the British colonial power.	The forest continued to be economically and culturally important and accessible by the Batwa.
1942	The BINP & MGNP were combined and gazetted as impenetrable central crown forest	The colonial office strategy was conservationist but respected the IPs rights and access to the forest.
1961	The forest reserves were additionally gazetted as a gorilla sanctuary	The report by FPP and UOBDU finds no clear effects of the policy to the Batwa at that time
1964	The forest and game Act were introduced in Uganda which had considerable effect on the access of the Batwa to the forest resources	Use of hunting dogs, possession of hunting weapons, residing, hunting, and farming in the forest was made illegal
1988-1989	After a civil war the UNPs and Games department presented to cabinet a report that made BINP and MGNP	Bwindi would become BINP and Mgahinga would become MGNP
1991	The 13 th August 1991 resolution made the two forest and game reserves become BINP following the earlier May 1991 resolution that had gazette MGNP	The Batwa was definitively evicted, restricted from access to the forest, without any resettlement and compensation
1996	In 1996, the conservation body (UNPs) which was implementing TRS merged with the Game Department to form the UWA	UWA realized the 1994 revenue sharing arrangement lacked an institutional and a legal framework

Source based on: FPP reports; UWA policy, 1996; Ahebwa, Van der Duim, & Sandbrook, 2012.

Table 1, Summary of trend of conservation policy on BINP and MGNP, Source: Mukasa (2012).

notes: Bwindi impenetrable National Park (BINP) and Mgahinga Gorilla National Park (MGNP) in south-western Uganda.

NOW

- “In 2013, the Batwa filed a constitutional claim seeking restitution of their lands as well as compensation for long-term human rights violations. However, the Batwa are still waiting for a full hearing and determination of the case. According to the Forest Peoples’ Programme, the Ugandan government retaliated against the Batwa by withdrawing from an agreement on benefit-sharing from tourist sites after the community filed suit”.
- Source: minorityrights.org/minorities/batwa

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- Anthropologist James Woodburn argues that equality in egalitarian communities is always in tension with the potential for individuals or groups to try to assert more power, acquire more wealth, or claim more status (1982: 432).
- Egalitarianism is not an accidental form of social organisation but often actively asserted by individuals (Woodburn 1982: 431). Woodburn contends “equality is repeatedly acted out, publicly demonstrated, in opposition to possible inequality” (1982: 432).

EGALITARIANISM

- Egalitarianism is a complex social system and egalitarian communities can value equality in several different ways (Moss 2009).
- Philosopher Jeremy Moss (2009) describes Parfait's distinction between telic and deontic egalitarianism, telic egalitarians value equality intrinsically whereas deontic egalitarians value equality for instrumental reasons like unfairness or injustice; for example, it would be unfair for a resource to be shared unequally between individuals who have identical claims to it (Moss 2009: 1). Thus, inequality is a moral issue because it produces the 'wrong way' (Moss 2009: 1).

EGALITARIANISM

- Woodburn's (1982) ethnographic survey of egalitarian communities (both delayed-return and immediate-return system) provides examples that synthesise with telic and deontic categories.
- Deontic egalitarianism is displayed by certain communities in Papua New Guinea where equality is sustained through equal exchange, thus individuals assert their equality through their ability to meet the demands of the exchange system, and not because they are intrinsically entitled to it; this is a form of competitive egalitarianism (Woodburn 1982: 446).

EGALITARIANISM

- Whereas for the !Kung equality is “an automatic entitlement that does not have to be validated” (Woodburn 1982: 446), thus this form of egalitarianism could be described as telic.
- Following Boehm (1993) it is important to remember that in an egalitarian community expressions of power would be constantly appraised by vigilant co-present individuals. The prolonged assertion of an individual or a particular group’s authority would challenge the social system and potentially contest social values and/or aspects of the social organisation, and this might lead to the deployment of leveling techniques

EGALITARIANISM

- Boehm discusses sociopolitical 'leveling' techniques employed in egalitarian societies such as public opinion, criticism, ridicule, disobedience, and even extreme sanctions such as execution (1993: 230).