# Shared Identity: New Threats for Old Solutions

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Western thought is primarily concerned with the status of *I* in shaping and being shaped by the dynamics of states security. Critical security discourse aims to provide an accurate response to the question "who is to be secured?" (Kondo, 1990; Butler, 2003, Brogger, 2004). But, by analyzing identity through individualistic lenses we omit a vulnerable, yet, large part of world populations' security discourse that functions on community/group principles. Hence, this essay shifts the perspective on who are *we*? and *what makes us who we are?*. Thus, the most appropriate means to develop my argument is to focus on the identity of indigenous peoples.

Indigenous identity is extremely important for security agents, mainly because there is little agreement on what constitutes them as indigenous peoples. In this essay I argue that indigenous security implies two processes: 1) the identification and security of the vulnerable shared identity from the dominant one that results in 2) the creation of indigenous peoples as a threat. The double standard is enabled because identity, in the case of indigenous peoples, extends beyond the body into the surrounding environment (external elements).

The essay starts with the critical analysis of identity frameworks prescribed by external agents empowered with identification – United Nations, International Labour Organization. Based on the international documents drafted on the protection of indigenous peoples and Hilary Weaver's conceptualization of identity, I explain it is impossible and undesirable to fit indigenous identity into a strict, timeless category. The next section picks on one of the most critical aspects of indigenous identity – the right to land. Concentrating on the Inter-American Court's case law, it is proven that the right to land as an external element of indigenous identity helps creating indigenous peoples as a threat for the state (the dominant identity). Further on, appealing to the previous conclusions, I try to cast light on the unfeasibility of separating the two actions: indigenous peoples attempting to secure themselves and indigenous peoples' security as a threat for states. The topic of indigenous security opens a Pandora Box of possibilities in which *we* cannot exist independently of *them*.

## I. A Timeless Shared Identity?

Indigenous identity is problematic because it is grounded on the *politics of difference*, especially on the existence of a prior identity. But, society does not determine peoples' identity; neither do they have the complete free will to decide for whom they are (Cohen in Brogger, 2004:256). So, who defines what makes indigenous peoples *truly* indigenous? Who is within? Who is outside? This chapter accounts for the three aspects of identity – self-identification, community identification and external identification. All three blend into the attempts of United Nations Workgroup on Indigenous Peoples (UNWGIP)[1] and International Labour Organization (ILO)[2]to find a suitable definition that is not too inclusive or too exclusive.

To reach to an overarching conceptualization of identity, it is hardly possible to separate self-identification from community and/or external identification primarily because "identification is an endless process" (Weaver, 2001:242), but also because an indigenous individual's identity is challenged by the community he/she infers belonging to. In this instance, identity is bargained between the individual who possesses it and the community that can recognize its *authenticity*. But, indigenous individuals that have been exposed to acculturation by state governments, such as Twa peoples in Rwanda or Inuit peoples in Canada, struggle to fit into the identity framework prescribed by communities and UNWGIP or ILO. Unfortunately, as Kent (2006:347) explains "definitions […] are an

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attempt to fix meaning, to define a particular situation […] that implies as a consequence the exclusion of other possible constructions." As an illustration, the Bedouin peoples in Israel have been unrecognized by state authorities on the grounds that they do not satisfy the externally-imposed framework for indigenous identity. More specifically, Bedouin peoples do no have a close attachment to ancestral territories (they are migratory populations) and to natural resources in the areas, neither do they have social and political institutions, as agreed upon in ILO Convention No. 169. Nonetheless, the rest of at least 7 criteria match their identity characteristics, yet, it does not conform to the standards. So, exclusion and non-recognition constrains them to a false identity that "can inflict harm, can be a form of oppression, imprisoning someone in a distorted and reduced mode of being" (Weaver, 2001:243).

International organizations (IOs) driven by states' desire struggled to formulate a universally shared definition that encompasses indigenous identity. So, a variety of criteria have been proposed to sum up what adds to being indigenous. This is the focal point of our discussion. Indigenous identity is a compromise between the indigenous and external actors. Another example is the label of *Indian* that is linked to the image of indigenous peoples belonging to a romantic and wild past – "Indians are the images in the old photographs, movies, and museum cases" (Weaver, 2001:243). As discussed above, the identity of indigenous peoples does not rely only on community identification; rather the interplay of international actors (organizations) with indigenous peoples form what means to be an indigenous. Inevitably, elements of identity are lost and vulnerability is reinforced by the same actors that produced it. For example, indigenous security is analyzed, as it should be, though culture. This, however, did not emerge independently of indigenous peoples or IOs. Instead, IOs came to the agreement that vulnerable populations are exposed to social insecurities that "are culturally produced" (Weldes in Muller, 2008:202). Then, it seemed natural to examine indigenous security though cultural lenses. Still, what elements of indigenous identity count as (culturally) acceptable to protect?

UNWGIP gave voice to the unheard native[3] population. Security and protection were constructed based on the self-identification of *indigenousness* as naives strongly believe that they should have the right to decide what makes them or others indigenous. On this note, indigenous peoples outline their identity based on two themes: *feelings of belonging* and *external elements*. The former is dominated by community acceptance (identity) in terms of physical appearance, biological ties with the community, language and cultural knowledge. Most indigenous peoples know who they are and they trace their identity "through descent, lineage, and clan" (Weaver, 2006:247) and are in no need for a strict definition. The emphasis on knowledge is crucial to understand what makes indigenous peoples *truly* indigenous. As their identity is caught up between the dichotomy of being versus non-being indigenous, the relevance of the process of becoming who they are, is often dismissed. The anthropological research on Kwara peoples (Watson-Gegeo, 2001) reveals that identity for indigenous peoples is inherently dependent on acquiring knowledge. While in Western epistemology, we adopt an objective view on knowledge, for indigenous peoples' knowledge is synonymous with the knower. Even if it might be uneasy to grasp, self-identification is dependent on the "selves" as all indigenous peoples are connected through the same source and interpretation of knowledge in which the bodily knower and the knowledge are the same. That is, sharing the same understanding of the knowledge they acquire makes them *truly* indigenous. It is imperative to note that knowledge is intrinsically attached to the natural environment that furnishes them with all their beliefs, traditions and customs, but it is not a stagnant process. So, any categorization of their identity renders ambiguity and inconsistency with the natural flow of interpretation of knowledge.

Due to the reluctance of accepting "false insiders" who pretend to share the same consciousness, indigenous communities fall into the trap of "relying on a colonial chimera of race and innate cultural and linguistic knowledge that ignores the lived experiences of the majority of indigenous peoples" (Webster in Ivision et. all, 2000:147). Therefore, experiences usually include practices, rituals, even dreams[4], oral tradition, all of which prioritize identity based on knowledge regardless of physical or linguistic characteristics. Yet, the connection with the land, environment and heritage sites is the most valuable part of indigenous identity. Most authors (Ivision et all, 2000; Thornberry, 2002) explain this though a static notion of community in which there is no historical, social change. Thou, this is not entirely true. Heritage sites and soil are fixed external elements that form the indigenous identity, but to advance an idea of *a temporality* – in which indigenous communities are fixed and political, social and economic changes occur outside its existence – is a failed endeavour to structure reality. Moreover, this would sustain a security approach that favours "authentically indigenous claims" (Ivision et al., 2000:138) while removing the voice of

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the ones whose identity does not fit the categorization, such as the Bedouins in Israel. Identity, even solely understood in terms of knowledge does not dismiss the significance of heritage sites and ancestral land. The relationship of indigenous peoples with the natural land is tightly clenched that a separation of "indigenous peoples from their lands can amount to a concrete form of ethnocide" (Morgan, 2004:493). Under these circumstances, excluding their right to land and natural resources respectively contributes to the deprivation of their cultural existence. Therefore, any definition targeting indigenous peoples will either be too inclusive or too exclusive.

Bearing in mind the impossibility to create an absolute definition that includes all elements of indigenous identity, I dare to propose the following aspects as being the basic dimensions of identity. All these shall apply in varying degrees depending on the context in which indigenous peoples are found.

- Belonging or association with a particular place (known as ancestral or native land), "not an amorphous space" (Thornberry, 2002:37) where their community had prior inhabitation. This characteristic entitles them with a historical priority that consequently enables their security, therefore IOs must put all efforts in establishing their priority, otherwise "indigenous is meaningless, applying to everyone and no one" (Thornberry, 2002:38);
- "Phenotypical appearance" (Weaver, 2001:244) or methods to prove biological ties with the indigenous community the person wishes to join;
- Distinct culture from the dominant patterns in the society, which might have resisted assimilation. Also, due to the dissimilar ways of organizing society and mode of life, they (indigenous peoples) experience(d) discrimination and "objectification by the outsiders" (ILO Convention No.169);
- A feeling of belonging based on linguistic and cultural knowledge to the extent to which it was possible to develop it (especially in the case of uprooted indigenous communities from their native land).

Following, the next chapter picks on the right to land of indigenous peoples in order to reveal how it influences the creation of indigenous peoples as a threat for the state. By guaranteeing security to the indigenous populations, we reverse the process towards the state (dominant identity in the society).

## II. "We are our lands"

Much of the debate around indigenous peoples concentrates on the right to land. The controversial idea of group/collective rights lies at the core of the debate granting indigenous peoples the right "to maintain and develop their distinct identities and characteristics" (Draft Declaration, supra note 1, art. 6,7,8). Nonetheless, the question is not whether or not indigenous peoples should benefit of collective rights, but to what extent are collective rights (such as the right to land) a threat for the dominant population in the state? Are we facing a zero-sum game that might cause unpredictable consequences for the initial winners (in our case indigenous peoples)?

During the process of drafting the Declaration on the Rights of Indigenous Peoples, indigenous peoples have advocated for the right to control their lands as a crucial part of their self-determination and existence. As an outlining characteristic of indigenous identity, the spiritual connection between lands and indigenous existence has been acknowledged by human rights specialists, environmentalists and even regional institutions such as the Organization of the American States. It was confirmed that indigenous peoples make better use of the environment than modern populations; therefore,

"forest dwelling Tribal People and forests are inseparable. One cannot survive without the other…conservation of ecological resources by forest dwelling tribal communities have been referred to in ancient manuscripts and scriptures…colonial rule somehow ignored this reality for greater economic gains." (Bijoy, 2008:1768)

Exactly this indissoluble "alliance" between indigenous peoples and soil has provoked insecurity for the dominant population. Arguing that indigenous peoples are the "environmental custodians" (Morgan, 2004:493) implies a renunciation from the part of the dominant population in the society. Not only that, but as the Inter-American Court has pronounced in *Saramaka Peoples v. Suriname* the ancestral lands are essential to the transmission of their culture and beliefs to future generations and this is recognizable by "the way they manage their resources and their

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profound respect for nature." (2007 No.172) In this light, territorial integrity of the state and national sovereignty is directly affected by the identity of indigenous peoples who are entitled to their own management of resources.

The problem increases with the recognition of indigenous peoples as the source of vital information essential to the implementation of global conservation and development (Morgan, 2004:493). In this situation, indigenous peoples become a threat for the state mainly due to economic reasons. For example, when Ecuador government offered concession to an Argentinean oil company on Sarayaku lands, their sites and inhabitant areas where destroyed and peoples were killed in order for the company to exploit the lands. Although the Inter-American System protects the communal land rights of indigenous peoples, they are frequently deprived of this right. The state feels threatened by the protection granted to the indigenous peoples who can limit state economic development by controlling oil and minerals.

Also, state's identity as the major decision-maker is hindered because indigenous peoples can determine their own strategies for development which is usually not in accordance with national strategies. This was the case with Mayagna Awas Tingni Community in Nicaragua where the Inter-American Court decided the community has a right to restitution in regard to the national exploitation of the ancestral lands (Aukerman, 2000:975). On the same note, the right to land does not limit indigenous peoples solely to ownership putting them in a special position in the state. Indigenous peoples are reaffirmed as a threat for the dominant identity in the society through the same instruments (declarations) that define them as vulnerable populations whose identity needs security from the dominant one. By stating that indigenous peoples, due to distinct characteristics of their identity, are allowed to gain control of their own territory (which is part of the national territorial integrity of the state) and implement or override governmental policies, means a shift of balance between the two actors. The powerless become powerful and the powerful needs to regain authority over its resources. But, is that possible by peaceful means?

States, under the Inter-American Court's jurisdiction, are bound by the law on communal lands which stipulates that "lands are inalienable and cannot be sold, donated, encumbered or taxed." (Mayagna Aas Tingni 2001, Inter-Am. No.79). States are trapped and unable to escape the necessary legislative modifications that incorporate the protection of the right to land and the enjoyment of property by indigenous peoples. As Huntington famously said cultural identities are the new promoter for intra/inter-state conflicts. The same occurs with indigenous peoples who negotiate identity with the dominant one; but wanting to secure themselves brings as a consequence insecurities for the opponent. This is a vicious circle that cannot be tear apart because both identities rely on each other: the indigenous identity is constructed mirroring the realities of the dominant one and the dominant identity comes as a boomerang in which the insecurity is merely a transfer between the two parts – more or less like a ping-pong.

Whereas the right to land as an external element of indigenous identity serves as the threat-enabling factor for the dominant identity in the society, unfortunately, the two processes cannot be separated. The next chapter specifically discusses this.

## III. New Threats for Old Solutions

Indigenous peoples were suppressed for hundreds of years and their rights were under-recognized due to a belief of inferiority and dispensability (Fenelon and Murguia, 2008:1661). Recognizing them as vulnerable populations, who required protection and special status in the new world order, UN and ILO thought to have come up with the best solution in eliminating suffering and discrimination. Sadly, it was not fully the case. As argued above the identity of indigenous peoples acts as a new threat for the so thought *solved problem*.

The problem goes deeper than that – on one hand we have the transmitter that identifies and secures the vulnerable group and on the other hand we have the receiver that interprets the transmitter's message as a threat. I shall call this the *mirroring effect* in which neither the transmitter's message – in our case the indigenous peoples' identity – nor the receiver's interpretation can exist independently of the other. In fact, they are interdependent. The security of indigenous peoples' identity is undergone as a response to the mirroring realities within the state while the state's insecurity is the result of indigenous peoples' security. If we were to eliminate one of the sides, the whole process of enabling security for one group or the other falls apart. Therefore, it is unfeasible to separate the two processes as

we would end up in eliminating the security of indigenous peoples and enabling to a larger extent the majority's identity (tyranny of the majority).

Moreover, as Stern (2006) claims the construction of *we* as a subject is indisputably linked in opposition to *them*. On this account, the security of indigenous peoples' identity cannot be set apart from its interpretation as a threat by the dominant identity. Such unfeasibility is provided as well, I trust, by the following reasons:

- Even previous to their security, indigenous peoples were recognized as "wards of state" (Garcia-Alix and Hitchcock, 2009:101). This implies a prior perception of this community as a threat for the state regardless their current status;
- Political self-determination has been recognized as a right of minorities before the legal acceptance of the term "indigenous peoples". Their identity is in itself a catalyst of fear for the states that appear to remain strongly attached to the principle of sovereignty "as defined by colonial forebears […] and are unwilling to entertain even limited autonomy for its indigenous peoples" (Fenelon and Murguia, 2008:1659);
- Identification through elimination, such as the right to land implies in the case of indigenous peoples, inevitably attacks the territorial sovereignty of any state, especially taking in consideration the current global political events;
- Indigenousness has widely spread along the structures of the state that "it has added political and economical significance to the state itself; as well as to the international or inter-governmental organizations" (Garcia-Alix and Hitchcock, 2009:). So, a separation of the two processes directly affects the fundamentals of the dominant identity;
- As Brogger clarifies "identity is related to 2 separate but interrelated facts: a) the process of identification, which implies some *us* and b) the aftermath of the identification" (Christiansen and Hedetoft, 2004:256). Accordingly, identity is a self-explanatory concept for its possible perception as a threat and disentangling the two processes means to remove a considerable part of identity's nature.

This chapter attempted to offer an insightful perspective to the unfeasibility of separating the two actions: indigenous peoples attempting to secure their identity and indigenous peoples' security as a threat for states. Indigenous peoples' identity will always be at stake with the state; whereas the state will mirror the security of indigenous peoples by creating it as a threat for its national and territorial sovereignty. As stated in the beginning of the chapter, this is the *mirroring effect* in which both parts are facing the same mirror from different sides. This only strengthens the idea of a subjective world in which threats are continuously constructed by the perception of the subjects, in this case – the state actors.

## IV. Conclusion

Shifting the angle towards *who we are* and not the individualistic order of society, the essay showed that indigenous identities are bargained in an interplay between self-community and external identification. Also, the groundbreaking efforts of United Nations and International Labour Organization, although useful for state authorities, are yet unnecessary and incomplete for the target group. Any definition that tries to encompass all characteristics of indigenous peoples renders inconsistency with the reality. Indigenous peoples are too diverse and their categorization as an *a temporal* community of peoples leads to an unreal description of who they truly are, as it happened with the Bedouins in Israel.

Besides, the right to land to which they are entitled authorizes them with an indisputable historical priority in the area where they reside. But, this characteristic that adds to what truly makes them indigenous permits creating them as a threat for the state or dominant identity. Exactly because their identity extends beyond the bodily reality, indigenous people are drawn into the *mirroring effect*. This causes the two processes to be dependent on one another. Aspiring to separate the 2 processes means risking to remove a part of identity's nature and to favour majority's identity while eliminating the security of the indigenous identity. Thus, following the principle –the lesser of two evils, I concur that it is unfeasible to separate the two processes. The security of indigenous identity indigenous security implies both the identification and security of the vulnerable shared identity from the dominant one and the creation of indigenous peoples as a threat.

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[1] UNWIP established the initial process concerning the status of indigenous people. It provided indigenous representatives, non—governmental organization with the possibility to draft the Declaration on Indigenous Peoples that was presented, afterwards, in Human Rights Council's session in order to be discussed by representatives of the present member-states. It can be regarded as the milestone in granting security, protection and rights to the indigenous peoples.

[2] ILO was one of the leading international organizations that recognized indigenous peoples' rights separating them from the misconfusion of being a minority. Convention No. 169 grants them respect as *peoples* and economic and social rights for development.

[3] In this essay, *native* and *indigenous* are used interchangeably.

[4] Dreams are a very important source of gathering information because it is believed, by indigenous peoples, that ancestors transmit knowledge in form of dreams. This knowledge varies from: treatments to certain illnesses (in case a member is sick) to revelations and predictions.

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