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Conservation and Murder: The Plight of Indigenous Land Defenders in Mexico, Costa Rica, New Zealand and the Philippines

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Abstract.

This thesis focuses on four countries: Mexico, Costa Rica, New Zealand and the Philippines, and focuses on the state of Indigenous land defender cases in each country. Each country has a different approach to granting free, prior, and informed consent to Indigenous communities in regard to environmental issues. Chapter 1 focuses on the issue of Indigenous land and environment defenders, explaining who they are and why they are activists within their communities. It also elucidates how Indigenous people are being treated within their countries and how reliance on ecosystem services leads to an environmental justice issue. Chapter 2 focuses on the historical exploitation of Indigenous peoples during colonialism and how each country's history impacted Indigenous populations. Chapter 3 analyzes how the political framework impacts Indigenous peoples, and how rule of law in a nation can determine the fate of an Indigenous land defender. It also takes a look at international agreements within the UN and how NGOs play into the problems and solutions of Indigenous land and environmental defenders. Chapter 4 focuses on ecological feminism and Indigenous philosophy, analyzing the role of women within Indigenous communities and how they contribute to defending the environment. Chapter 5 looks at policies relating to Indigenous land and environmental defenders in each country and determines whether or not these four countries can learn from each other's policies to better respect Indigenous peoples and the environment. Costa Rica and New Zealand, with stronger rule of law and stricter environmental protection, could provide models to Mexico and the Philippines, who struggle with Indigenous and environmental protection.

Keywords: Indigenous rights, Indigenous resource management, Indigenous activists, environmental protests, land defenders, land protests, Indigenous environmental knowledge

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Introduction: Noel Castillo Aguilar, An Indigenous Land Defender Profile

Noel Castillo Aguilar was a member of the Committee for the Defense of Indigenous Peoples, or Comité de Defensa de los Pueblos Indígenas (CODEDI). CODEDI's work promotes the rights of Indigenous peoples in the state of Oaxaca, Mexico. These rights include self-determination, land, and autonomy. CODEDI focuses on protecting Indigenous peoples and land from mining and hydroelectric projects in Oaxaca state, since these are two types of energy projects most directly endangering the land and well-being of Indigenous peoples.[1] CODEDI promotes human rights for fifty Indigenous groups across the state and has been working toward these goals for over 20 years.[2] Noel Castillo Aguilar was killed for his work defending Indigenous rights on October 25, 2018. He was riding a taxi to his home when unknown men with firearms attacked him, hitting him over the head.[3]

Noel's case is just one example of hundreds of murders that have occurred across the world, caused by an individual or collective desire to protect the environment or their native land. These people are referred to as land and environmental defenders. According to Global Witness, land and environmental defenders are "people who take a stand and peaceful action against the unjust, discriminatory, corrupt or damaging exploitation of natural resources or the environment."[4] These people witness an issue arise within their communities and they protest projects they believe put the livelihoods and well-being of their people at risk. Some issues that

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[1] "Mexico: Killing of Noel Castillo Aguilar," Front Line Defenders, December 28, 2018, https://www.frontlinedefenders.org/en/case/killing-noel-castillo-aguilar.
"CODEDI," Front Line Defenders, November 13, 2019, https://www.frontlinedefenders.org/en/organization/codedi.

[3] "Noel Castillo Aguilar," HRD Memorial, accessed May 14, 2021, https://hrdmemorial.org/hrdrecord/noel-castillo-aguilar/.

[4] "Defending Tomorrow: The Climate Crisis and Threats against Land and Environmental Defenders," 3rd ed. (Global Witness, July 2020), 6.

land and environmental defenders fight against have been around for centuries and some have started within the past couple years; regardless of timeframe, violence often breaks out. In certain countries, the rule of law is stronger than in others. Deaths of defenders can fall to the wayside in countries with weak rule of law, leaving their deaths to never be investigated. Indigenous land defenders, more specifically, are people from Indigenous tribes who fight to protect their land from being destroyed by projects such as agriculture, buildings and developments, mining, logging, and dams. These defenders face significant opposition and threats when fighting for protection of their land. While the global sphere has paid attention to this issue in more recent years, this is not a new challenge for Indigenous people. They have experienced extreme opposition and oppression from non-Indigenous people since the time of colonization and continue to face similar opposition today.

In this paper, I will explore a two-fold problem related to Indigenous land defenders. The first problem is that many Indigenous peoples have a significant amount of traditional knowledge about how to manage ecosystems in a sustainable way. Allowing them to use their skills and trusting them to manage their own resources is essential to solving the problem of environmental degradation. After a tragic history of the Western world undermining Indigenous culture, skills, and values, governments must step up and prioritize the rights of Indigenous peoples. Not only should Indigenous rights be respected, but their ideas and practices should be taken into account and incorporated into environmental best practices. There are many Indigenous communities who excel in resource management and sustainable agriculture. Valuing these skills and adopting their more sustainable methods may help contribute to solving the problem of mass environmental degradation.

The second component of the problem will explore why Indigenous defenders tend to be more vulnerable to violence, and I will explore possible solutions to this problem. There are many different types of Indigenous land defenders; every one of their situations and contexts is much different depending on the tribe, the region in which they are located, the rule of law within the country they reside, and the length and intensity of the conflict. In some countries, land defender deaths are investigated and prevented with high priority; in others, this is not the case. I will explore cases of four different Indigenous land defender cases in four different countries: two within Latin America (in Costa Rica and Mexico), and two within the South Pacific (in New Zealand and the Philippines). In each case, there are Indigenous people protesting for the right to their ancestral lands. In some cases, violence ensues. I will analyze the history of the Indigenous tribe and its relationship with its national government, as well as its local history and politics. I will then analyze the ethical implications of land development in each of these communities, which will clarify why the conflict is occurring and if the Indigenous community is treated fairly by its government. I will explore what went wrong in order for the death to occur and how it is handled by local and national government. Lastly, I will make policy recommendations about how to prevent Indigenous land defender deaths, as well as identify what governments have done either right or wrong to arrive at their current relationship with Indigenous groups.

Chapter 1. Indigenous Land Defender Killings

Indigenous communities tend to use ecosystem services in an efficient and effective manner, consuming without overconsuming. An ecosystem service is a component of the natural

ecosystem that provides some sort of resource or positive feature for humans to utilize. There are provisioning services, like food, water, and timber; regulating services, like weather patterns and cycles; cultural services, like aesthetic beauty; supporting services, like photosynthesis. These can be identified as services because, in a capitalist society, we view the components of Earth that benefit us as services, something that is serving us in our daily lives and humanly duties. Indigenous people, however, typically do not see the earth in this same way.[5] While the Earth can provide a service, in the eyes of many Indigenous people, that service is something that must also be paid back. Therefore, if an Indigenous person kills an animal, they tend to be respectful to that service; they use every part of the animal, ensuring that no part of it is going to waste. Of course, no Indigenous group is exactly the same. There are some Indigenous groups more skilled than others at managing resources depending on their skillset and history; however, as a general trend, it is true that Indigenous communities have a stronger awareness of sustainable practices and methods.

That being said, Indigenous people tend to be very talented at managing ecosystem services because of this difference in worldview and conception of the ecosystem, paired with their historical connection to their land. In fact, the idea of sustainability itself comes from Indigenous knowledge, rooted in their utilization of natural resources and community-based participation in their environment.[6] Indigenous knowledge is shown to be very useful when managing natural resources.[7] Not only is Indigenous knowledge helpful in terms of modern sustainability goals, but it is also embedded into the ethical systems of their traditions. There is historical evidence of a "conservation ethic." This means that Indigenous values tend to focus on

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[5] Millennium Ecosystem Assessment, *Ecosystems and Human Well-Being* (Washington, DC: 2005), 13.
[6] Roy Ellen, Peter Parkes, and Alan Bicker, eds., *Indigenous Environmental Knowledge and Its Transformations: Critical Anthropological Perspectives* (Canterbury, UK: Harwood Academic Publishers, 2000), 35.
[7] Ibid.

cooperation, bonding across generations, concern for future generations and their well-being, reliance on local land and self-sufficiency, rights to collective lands, and self-control when it comes to the consumption of resources.[8] It is worth noting that these values are not completely universal across all Indigenous peoples. It would be simplifying their skills and knowledge to claim that these values apply to every Indigenous group; however, as a trend, they tend to value these key points. The conservation ethic of Indigenous peoples will be discussed in more detail in Chapter 4, but these common values inherently promote conservation.

While it can be dangerous to generalize a large group of people such as Indigenous people, it can be helpful to understand how, generally, Indigenous peoples do have a different conception of their environment than non-Indigenous people. For many Indigenous people of the Americas, their understanding of their environment is much more complex than simply man as an actor against other actors. This is why Indigenous understanding of their environment goes past the common conception of "environment" in a complex, cosmological sense.[9]

In a capitalist society, on the other hand, non-Indigenous peoples are so far removed from the processing and management of their ecosystem services that they are less aware of the point at which they become wasteful. This leads to overconsumption, which can be identified at the individual level and the corporate level. In recent years, Western culture has seen a push from environmentalists to try to become more socially conscious and consume less as an individual. Some hold the belief that, in order to solve the problem of overconsumption and exploitation of resources, individuals will have to transition away from a self-interested and consumer-oriented

[8] Ibid, 36.
[9] Pedro García Hierro, *The Land Within: Indigenous Territory and the Perception of the Environment* (United States, IWGIA, 2005): 13-14.

mindset.[10] A problem with this, though, is there are very few suggestions of how to proceed after a person consumes less than they do currently. Since the consumer mindset is so strongly integrated into modern society, it can be almost unimaginable to picture what a person who consumes less looks like. While it is an admirable goal for individuals to consume less and become a more conscious consumer, the image of a socially conscious, restricted consumer is still blurry. Who does the modern human become if not a consumer? Indigenous people can provide some guidance.

Within the past two decades, the global community has become more interested in Indigenous knowledge because of the belief that modern development has failed, and that local and traditional knowledge has the answers to why modern, global development did not work. There is also a belief that shifting to the values of Indigenous knowledge could help solve some of the problems established by mainstream scientific knowledge.[11] By listening to Indigenous leaders on sustainability and conservation efforts, people and organizations may begin to understand how to resist contributing to environmental degradation.

Indigenous people of the Americas have historically been seen as subhuman, too closely tied to the "natural world" to be considered rational and respectable in the eyes of colonists. This is not a new problem for Indigenous people. They have been facing this level of extreme prejudice since the times of colonization. Because of this, they have seen intense discrimination and mass genocide throughout their history in connection with colonization. In 1492, there were about 56 million people living in the Americas. By 1650, there were only six million people.[12]

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[10] Paul M. Brown and Linda D. Cameron, "What Can Be Done to Reduce Overconsumption?," *Ecological Economics* 32, no. 1 (January 2000): pp. 27-41, https://doi.org/https://doi.org/10.1016/S0921-8009(99)00093-2, 212.
[11] Ibid, 213.
[12] Heather Davis and Zoe Todd, "On the Importance of a Date, or Decolonizing the Anthropocene," *An International Journal for Critical Geographies* 16, no. 4 (January 2017): 766.

While the cause of this massive population decrease was primarily disease, the Western colonists were responsible for spreading this disease under the social framework that colonists created to devalue Native American life.[13] This historical residue of this mass genocide has contributed to the devaluation of Indigenous values despite recent recognition among many people of the value of Indigenous environmental knowledge. New Zealand and the Philippines face misconceptions of Indigenous peoples similar to the Americas.

Indigenous leaders around the world protest and advocate for their land and its protection from large industrial projects, such as agriculture, mining, logging, hydroelectric dams, wind farms, etc. All of these defenders are defined by their solely peaceful action, and yet, hundreds are killed across the globe every year for their peaceful protests. In 2019, there were at least 212 killings of land and environmental defenders globally. This is the highest number of killings of these people ever recorded. On average, there have been 4 killings of environmental defenders every week since 2015. Of all the sectors these cases could fall under, mining is the most culpable, responsible for 50 of these 212 defenders in 2019. Of all of these environmental and land defenders killed, a significant portion are Indigenous people.[14] The report claims that research has shown lower deforestation rates and better methods of conservation in Indigenous communities, marking how important it is to protect Indigenous environmental and land defenders.[15] Amidst an increase in community protest, especially among youth, governments push back against peaceful protests. Additionally, the globe has seen a rollout of environmental

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[13] Polanco, Héctor Díaz. *Indigenous Peoples in Latin America: The Quest for Self-Determination*. Translated by Lucia Rayas. 18. Vol. 18. Latin American Perspectives. Boulder, CO: Westview Press, a division of HarperCollins Publishers Inc., 1997. 30.

[14] "Defending Tomorrow," Global Witness, 5.

[15] Ibid, 7.

regulations that people had worked so hard to put in place, and governments recently have been shown to use the COVID-19 pandemic as an excuse to "control citizens."[16]

Global Witness notes that, with the rise in intensity of the climate crisis, environmental and land defenders are more topical than ever before. While they defend against a variety of environmental and land issues, there is a rise in people who are trying to defend vulnerable areas from development and exploitation. Their report puts these killings into perspective by stating that, on average, there were four defenders killed every week since December of 2015, which was the month when the Paris Climate Agreement was signed. This agreement was supposed to be a step in the direction of climate action, but environmental and land defender deaths still rose at an alarming rate during this time.[17] Since mining remains the most culpable industry, it marks how fossil fuels continue to leave their stained mark despite much pushback against their negative effects through carbon emissions.

To return to the Americas, we will look at Central America and Costa Rica. In our current Central America, remaining forest areas coincide nearly directly with where Indigenous territories fall.[18] Most Indigenous groups in the region practice agriculture through either traditional systems, like polyculture and agroforestry systems, or more intense agricultural systems, like monocultures and pesticide use.[19]

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[16] Ibid, 7.
[17] Ibid, 6.
[18] C.A. Harvey, J. Gonzalez, & E. Somarriba. "Dung Beetle and Terrestrial Mammal Diversity in Forests, Indigenous Agroforestry Systems and Plantain Monocultures in Talamanca, Costa Rica." *Biodivers Conserv* 15**,** 555–585 (2006). https://doi.org/10.1007/s10531-005-2088-2, 555.
[19] Ibid, 556.

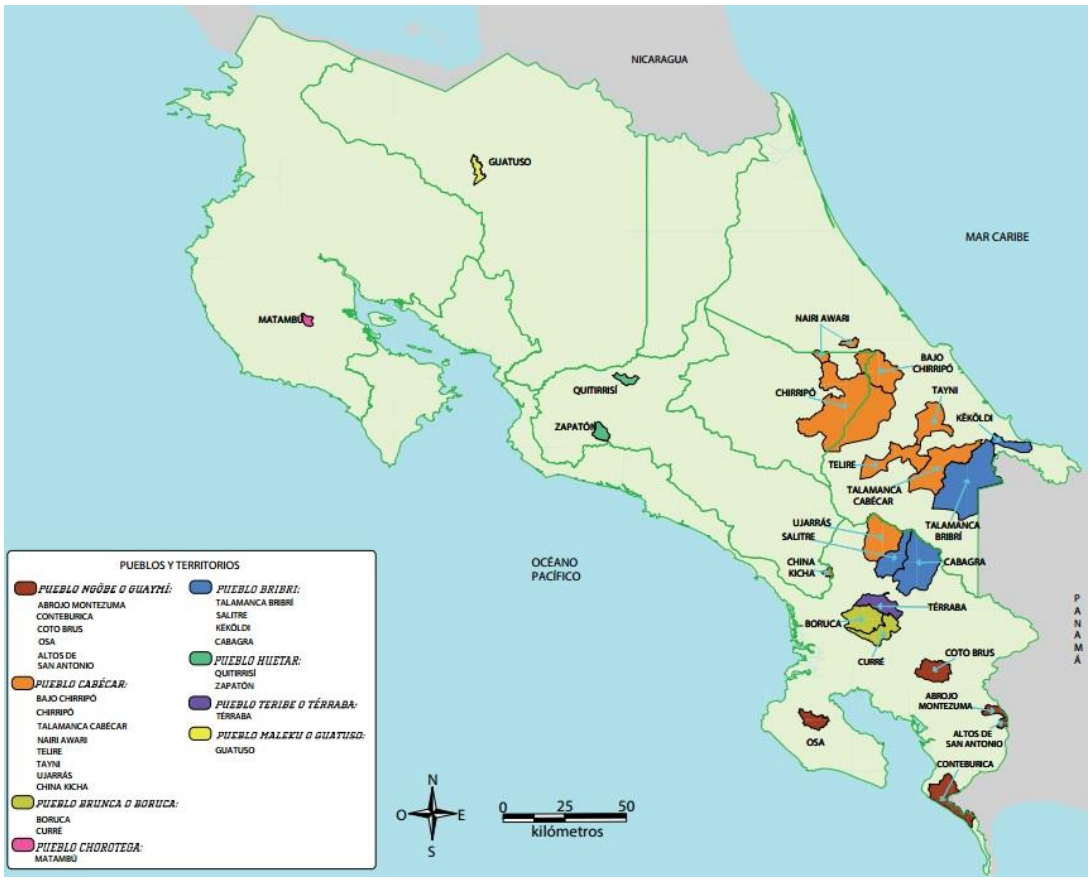

Figure 1. Indigenous Territories in Costa Rica.[20]

Today, Costa Rica has eight large Indigenous groups: Huetar, Maleku, Bribri, Cabécar, Brunka, Ngäbe, Bröran, and Chorotega.[21] Costa Rica has an enduring history of respecting human rights.[22] Even though this is internationally recognized, Indigenous people may have been left out from this historical respect. Indigenous peoples of Costa Rica were not granted citizenship until 1991, when they were finally recognized as Costa Rican citizens through birth.[23] According to some sources, Costa Rica's government has not made an effort to incorporate

[20] S. Perez, "Brete y Pura Vida En Costa Rica," Brete y Pura Vida en Costa Rica (University of Illinois, March 14, 2017), https://publish.illinois.edu/sperezencr/2017/03/14/update-on-indigenous-research/.
[21] "The Indigenous World 2021: Costa Rica," IWGIA (International Work Group for Indigenous Affairs, March 18, 2021), https://iwgia.org/en/costa-rica/4213-iw-2021-costa-rica.html.
[22] Brysk, Alison. *Global Good Samaritans: Human Rights as Foreign Policy*. New York, NY: Oxford University Press, 2009, 95.
[23] Meg Tyler Mitchell and Scott Pentzer, *Costa Rica: A Global Studies Handbook*, 1st ed. (Santa Barbara, CA: ABC-CLIO, 2008), 255.

Indigenous heritage into the national identity.[24] Many Indigenous people do not live in the central part of the country because they fled during colonization, but there are still around 65,000 Indigenous people living in Costa Rica. The country has seemingly ignored the existence of these people, preferring a more European-centered culture.[25] Costa Rica's Indigenous population continues to live in poverty to this day, most likely due to this prioritization of Western values over traditional values.

In 2019, Costa Rica had only one land defender killing, and it was an Indigenous leader of the Bribri tribe. As the largest Indigenous group in the country, there are about 10,000 inhabitants of the mountains of Talamanca, and some members of the Bribri tribe reside in Panama.[26] The people of the Bribri tribe primarily live in the coastal region of Southern Costa Rica, and they are the original inhabitants of Talamanca. The killing of 2019 was of a Bribri leader, Yehry Rivera. He was a prominent figure in the Brörán community trying to reclaim ancestral land, and he has faced violence in the past while trying to stop illegal loggers in 2013.[27] This is not an isolated incident of conflict between the Bribri people and those who are trying to use their ancestral lands and materials for agriculture and logging.

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[24] Ibid, 256.
[25] Ibid.
[26] Outward Bound Costa Rica, "Get to Know the Bribri Indigenous Population of Costa Rica," Outward Bound Costa Rica, April 17, 2015, https://www.outwardboundcostarica.org/get-know-bribri-indigenous-population-costa-rica/.
[27] Nina Lakhani, "Costa Rican Indigenous Land Activist Killed by Armed Mob," The Guardian (Guardian News and Media, February 25, 2020), https://www.theguardian.com/environment/2020/feb/25/costa-rican-indigenous-land-activist-killed-by-armed-mob.

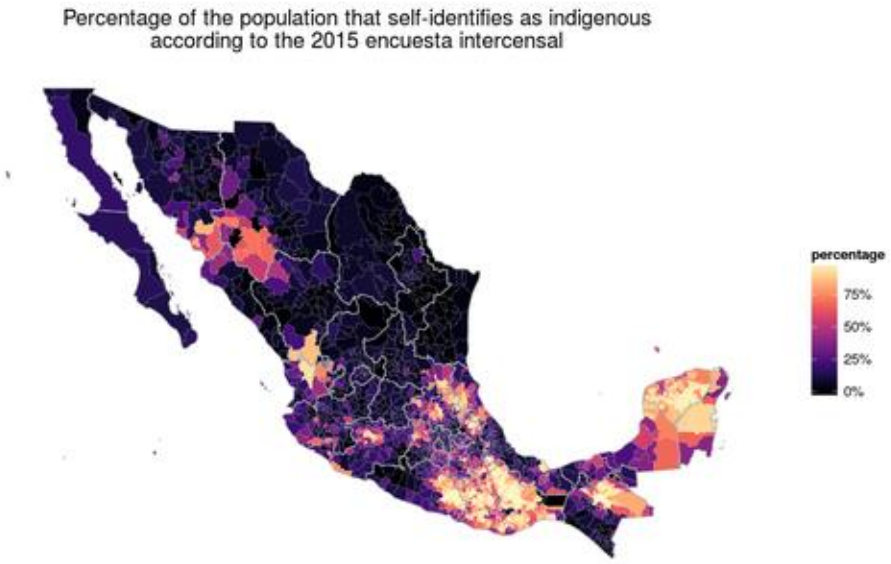

Figure 2. Percentage of population in Mexico that self-identifies as Indigenous, 2015.[28]

In Mexico, there are 68 Indigenous languages and 264 dialectic versions of these languages. Indigenous people represent 15.1% of all Mexicans.[29] In the Americas, Mexico is the country with the greatest Indigenous population. There is a high fertility rate for Mexico's Indigenous people.[30] Mexico is a large country, and certain states have much stronger rule of law than others. There were 18 killings of environmental and land defenders in Mexico in 2019. This number has been increasing over the past few years. Many of those 18 killings were Indigenous people. Many of these cases occur in Puebla and Oaxaca, both in Southern Mexico. In Noel Castillo Aguilar's case, he was a community defender of the beaches and the Copalita River in

[28] Diego Valle-Jones, "Mexico's Black Population," Diego Valle-Jones's Blog, January 5, 2016, https://blog.diegovalle.net/2016/01/afro-mexicans.html.
[29] "Indigenous Peoples in Mexico," IWGIA (International Work Group for Indigenous Affairs), accessed May 14, 2021, https://www.iwgia.org/en/mexico.html.
[30] Ibid.

Barra de la Cruz, Santiago Astata, Santo Domingo Tehuantepec, State of Oaxaca.[31] As stated earlier, other members of CODEDI were also murdered earlier on, although it is still unclear who is responsible for these attacks.

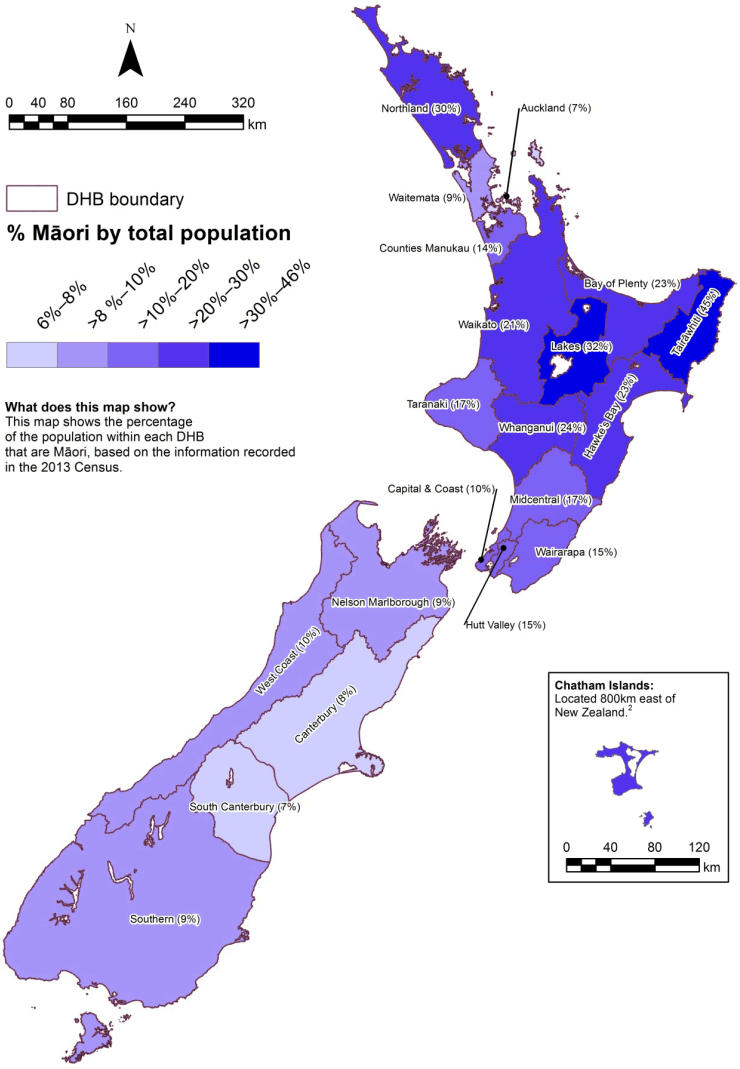

Figure 3. Indigenous Percentage of Population by State in New Zealand, 2013.[32]

[31] "Asesinato De Noel Castillo Aguilar, Integrante Del CODEDI En El...," OMCT (Observatory for the Protection of Human Rights Defenders, October 30, 2018), https://www.omct.org/es/recursos/llamamientos-urgentes/asesinato-de-noel-castillo-aguilar-integrante-del-codedi-en-el-contexto-de-una-campa%C3%B1a-de-ataques-sistem%C3%A1ticos-en-contra-de-la-organizaci%C3%B3n.

[32] "Population Projections," Ministry of Health NZ, August 28, 2018, https://www.health.govt.nz/our-work/populations/Māori-health/tatau-kahukura-Māori-health-statistics/tatauranga-taupori-demographics/population-projections.

In New Zealand, their Indigenous population is unified under the Māori name, which is made up of the Polynesian people who emigrated from nearby Polynesian islands between 1250 and 1300 AD. While the population decrease in New Zealand was not as steep as in the Americas, it still went from about 100,000 in 1769 to between 70,000 and 90,000 in 1840.[33] As was the case in the Americas, the British and the Spanish colonized land they deemed was theirs, and they lumped together many different ethnic and linguistic groups into one territory despite their diversity. In the Philippines, the territory encompassed at least 150 cultural, ethnic, and linguistic groups.[34] In New Zealand, there has always been a relatively strong relationship between Indigenous peoples and non-Indigenous people. This does not mean that the Māori people do not face challenges for improved livelihood within New Zealand, but they do not have any environmental or land defender deaths from recent years.

Although in the same geographic region as New Zealand, the Philippines represents a large portion of environmental and land defender deaths, with 43 killings of defenders just in 2019.[35] Their Indigenous history involves much more conflict than New Zealand's and has landed today with the Philippines having a more complicated relationship with its Indigenous population. With Spanish rule in the country in the 18th century, Indigenous people practicing what Catholics believed to be pagan rituals were persecuted.[36]

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[33] "Effects of Colonisation on Māori," Te Ara Encyclopedia of New Zealand (Ministry for Culture and Heritage Te Manatu Taonga, February 2, 2018), https://teara.govt.nz/en/death-rates-and-life-expectancy/page-4.
[34] Dana H. Herrera, "The Philippines: An Overview of the Colonial Era," Association for Asian Studies, 2015, https://www.asianstudies.org/publications/eaa/archives/the-philippines-an-overview-of-the-colonial-era/.
[35] "Defending Tomorrow," Global Witness, 6.
[36] Herrera, "The Philippines."

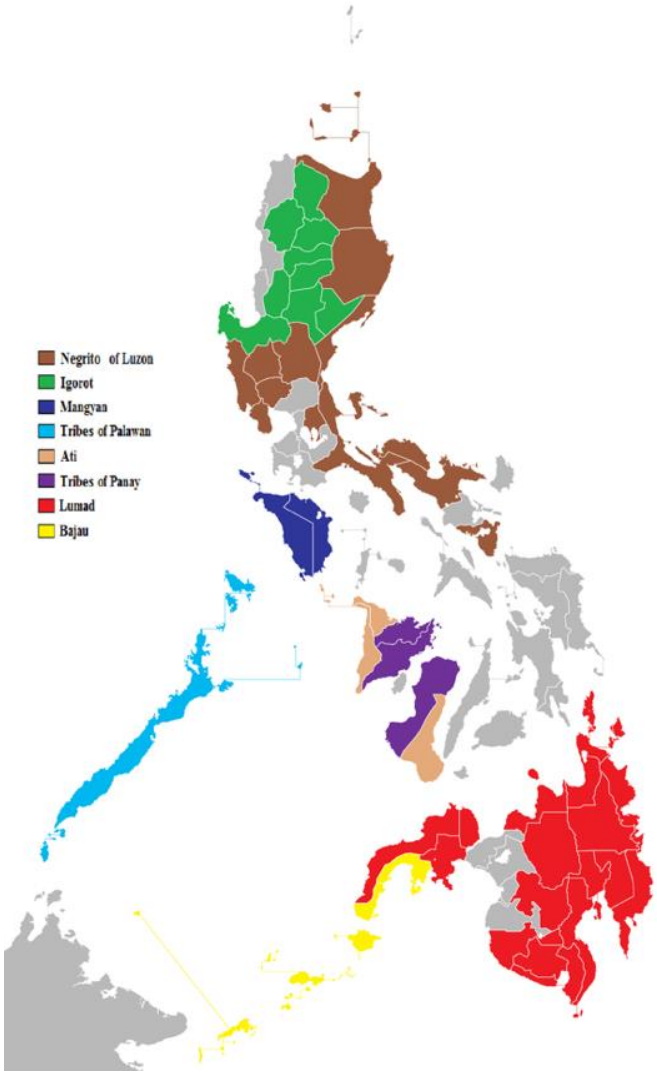

Figure 4. Map of the traditional homelands of the Indigenous peoples of the Philippines.[37]

Indigenous people of the Philippines live mostly in a mountainous region of western Luzon and in the Central Visayas, which consists a few major islands such as Cebu, Bohol, and Siquijor.[38] In Northern Luzon, the Igorots people reside in in the Cordilleras mountain chain, which means "people of the mountains."[39] Within this group exists cultural communities of the

[37] "Ethnic Groups in the Philippines," Wikipedia (Wikimedia Foundation, May 7, 2021), https://en.m.wikipedia.org/wiki/Ethnic_groups_in_the_Philippines#/media/File%3ATribalPhilippinesTraditionalRange.png.
[38] Kathleen Nadeau, *The History of the Philippines*, 2nd Edition (ABC-CLIO, 2020), 4.
[39] Ibid.

Kalinga, Bontoc, Kankanay, Ibaloi, and Ifugao groups. Indigenous groups make up about 20 percent of the population of the Philippines.[40] This results in an Indigenous population of about 14 to 17 million people in the country.[41]

Environmental and land defenders, many of which are Indigenous, are being killed because of their opposition to large-scale megaprojects, mining, logging, and agribusiness ventures which pose a risk of threatening the land and the environment. In 2019, forty percent of land or environmental defenders that were killed came from Indigenous communities. Additionally, between 2015 and 2019, over a third of victims of fatal attacks have been Indigenous, while Indigenous people only make up five percent of the global population. This shows how disproportionately affected Indigenous people are by these killings.[42] While 2020 also saw many Indigenous defender killings, the Global Witness report will not be released until this summer. The perpetrators of these killings are often unknown, but in 2019, 37 of global killings of environmental and land defenders could be tied to state forces. There were also many cases in which private actors such as hitmen, crime gangs, and private security were suspected to be involved with killings. [43]

The problem here is twofold: firstly, mainstream Western culture and governments do not take into account Indigenous knowledge and practices of how to best protect their land. Too often are laws and regulations placed upon Indigenous peoples that limit the scope of what they can achieve in terms of conservation and resource management because they are improperly understood. The problem lies both in the lack of understanding of Indigenous knowledge and the

[40] Ibid.
[41] "Fast Facts: Indigenous Peoples in the Philippines: UNDP in Philippines," UNDP, July 24, 2013, https://www.ph.undp.org/content/philippines/en/home/library/democratic_governance/FastFacts-IPs.html.
[42] "Defending Tomorrow," Global Witness, 10.
[43] Ibid.

fact that governments typically do not try to incorporate Indigenous voices into the conversation of governance. The world is desperately trying to solve the climate crisis alongside many other environmental issues, such as pollution and unequal distribution of resources. Many of these issues also turn into environmental justice issues, since environmental problems applied to existing human conflict only exacerbates those problems. Ignoring Indigenous voices which may have some of the answers to the world's environmental problems is detrimental to all who live on it.

Secondly, governments are failing to protect the people who are trying to speak out and make their voice heard. Indigenous environmental and land defenders are using the mechanisms available to them in order to spark change regarding an environmental issue, and yet, they are being killed because of this action. This horrible outcome is a result of culture and governments who do not understand or prioritize Indigenous rights. Not only do they not understand Indigenous peoples' unique knowledge and understanding of the world, but they also do not respect their basic human rights. There have been many cases where community members have reached out to their government for help once they have been threatened, only to receive no response and be killed later on. There are many problems with the way governments handle these killings. The problems vary depending on the country, but many countries do not investigate killings of defenders. This is completely unacceptable, as these are the people on the frontlines of the climate crisis at hand, defending their communities and their land from destruction and degradation.

Looking at these two issues together, it is clear that governments and cultures must have a greater respect for Indigenous ways of life and prioritize honoring their rights. Indigenous

people have a tremendous amount of knowledge to offer, if only people and governments are willing to listen.

Chapter 2. History of Oppression and Land Alteration

Colonialism can be described as "a contest over the mind and the intellect."[44] During the time of colonization, settlers stripped Indigenous people of their land and their cultures simultaneously. Indigenous values of embracing agricultural diversity and ecological sustainability were ignored in the name of reason. Indigenous lives were devalued because they did not obtain dominion over their land like Western society did.[45] While Indigenous history looks different depending on the region of the world, all Indigenous peoples felt the effects of colonization and were aware of the mainstream belief that they were inferior to Western thinkers at the time. This does not mean that Indigenous peoples of colonial times acted as passive figures; many actively communicated with settlers and negotiated for alliances.[46]

In Pre-Columbian America, Indigenous peoples from what is now called Mexico, Central and South America met and intertwined cultures. Migration, wars of conflict, and trade occurred in this region, and these created unique cultures and languages among Indigenous people. History tends to see the people of this time period in two different groups; the first is a higher Meso-American culture, and the second group is less advanced, located in South America.[47] The

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[44] George J. Sefa Dei, Budd L. Hall, and Dorothy Goldin Rosenberg, eds., *Indigenous Knowledges in Global Contexts: Multiple Readings of Our World* (Canada: University of Toronto Press, 2000), xii.
[45] Ibid.
[46] Corinne L. Hofman and Floris W.M. Keehnen, *Material Encounters and Indigenous Transformations in the Early Colonial Americas: Archaeological Case Studies*, vol. 9 (Leiden: Brill, 2019), 1.
[47] Charles D. Brockett, *Land, Power, and Poverty: Agrarian Transformation and Political Conflict in Central America* (London: Routledge, 2019). Chapter 2.

Meso-American group tended to live around modern-day Guatemala, Nicaragua, Honduras, and Costa Rica. Before the time of Columbus, their societies were fairly well-populated and developed societies. Many of these people were the descendants of the Mayan people, who thrived in subjects like math, science, art, and architecture.[48] In terms of their environmental practices, groups like the Quiché adopted fairly sophisticated farming methods, planting cacao all along the Pacific coast.[49]

In the Americas, while Indigenous groups did what they could to be active negotiators and communicators with settlers, they faced a gruesome and brutal history filled with abuse and destruction of culture. For Spanish *conquistadores*, they believed it was legitimate and acceptable to enslave native people who did not accept the Catholic faith and resisted them as their conquerors.[50] This conception of native peoples as people who must be conquered made it easier for colonizers to justify their horrific actions. Oftentimes, when Indigenous people were put to work as slaves, the colonizers did not feed or care for them in any capacity because they were seen as an unlimited resource. For them, there was always another village they could raid once they ran out of workers. This dehumanization of the Indian resulted in the annihilation of the Indigenous population in the Americas, starting in Hispaniola and continuing in other regions of the Americas.[51]

Spaniards gave the name Costa Rica to the area under that current name because they believed that they could find gold there. In 1522, an early Spanish settler came from Panama and took more than 100,000 pesos of gold from the Indigenous people on the Indigenous coast and the Nicoya Peninsula in Costa Rica. This money was likely saved up for many years by the

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[48] Ibid.
[49] Ibid.
[50] Polanco, *Indigenous Peoples in Latin America*, 28.
[51] Ibid, 31.

Indigenous people of Costa Rica, and the Spanish people on the expedition exploited their work.[52] Settlers attempting to colonize land in Costa Rica had more trouble than other nearby civilizations, such as in Mexico or Peru, because the Indigenous population was spread out in much smaller villages. In Costa Rica at the time, there was no large city colonizers could take over that could force other regions to cooperate. The mountainous terrain of this land also made it much more difficult. In addition, the land contained very thick forests and a wet climate. [53] It took many years for the Spanish to occupy the region due to these factors. The Indigenous people used the climate they knew so well to their advantage, banding together when possible, and fleeing into the mountains when facing difficulties.[54] Their sophisticated understanding of their land and terrain proved helpful during colonization, as it will continue to prove helpful for conservation and sustainability efforts (as we will see in later chapters).

In central Mexico, there were about 25 million Indigenous people by 1518. By 1548, that population had gone down to a fourth of that number, and by 1568 to a tenth of the original population size (about 2.5 million people).[55] Between being put into slavery and affected by epidemics brought from Europe, the population continued to diminish until it reached only 1 million by 1620.[56] The native people of Honduras and Nicaragua were decimated by both disease and slavery, since the colonizers were sending their people to Peru and Panama for free labor. People from Costa Rica, primarily from the Nicoya Peninsula, were also being sent to Peru and Panama into slavery by the Spanish.[57] It is currently estimated that the population of Indigenous

[52] Mitchell and Pentzer, *Costa Rica: A Global Studies Handbook*, 28.
[53] Ibid, 29.
[54] Ibid.
[55] Polanco, *Indigenous Peoples in Latin America*, 32.
[56] Ibid.
[57] Mitchell and Pentzer, *Costa Rica: A Global Studies Handbook*, 29.

peoples decreased to one fortieth its original size.[58] In addition to this inhumane enslavement and spread of disease, Indigenous people often also faced the tragedies of famine and an inadequate food supply when the majority of a village was taken out by the *conquistadores*, and the remaining community could no longer support themselves. The Spanish crown attempted to stop the slave trade with the New Laws of 1542, but there was virtually no enforcement of these laws.[59]

Since there was a constant threat of rebellion by Indigenous peoples, the *conquistadores* wanted to ensure that they maintained control over the Indigenous people. To do this, they restructured Indigenous social systems so that they could keep up their access to adequate labor. They created the objective of the *repartimiento*, which meant that they resettled Indigenous people in new areas and created new villages.[60] Each of these new villages created were required to fulfill a labor quota each week. This interfered with individuals' ability to provide for their families, since they often had to work for long periods of time, far away from their homes, and this also made families more susceptible to diseases.[61] Although not related to their environmental impact, it is worthwhile to dwell on the atrocities of this time period because it helps us understand why Indigenous people feel as though they cannot trust their government to provide for them and respect their basic human rights. With such an intense history of dismantling their culture and livelihoods, it seems nearly impossible that they would be able to trust governments when they say they want to respect their rights and powers of self-determination.

[58] Brockett, *Land, Power, and Poverty*, Chapter 2.
[59] Ibid.
[60] Ibid.
[61] Ibid.

While colonization clearly involved a political domination, it can be argued that colonizers also dominated the biological state of the Americas.[62] As previously stated, colonists brought many diseases with them to the New World, but they also brought seeds of Old World plants and many different animals, such as pigs, chickens, sheep, and goats.[63] These plant and animal populations skyrocketed in the new ecosystem of the New World, where they enjoyed a state of "biological imperialism."[64] While settlers were taking over parts of the high civilizations of Mexico, the Old World species were rapidly spreading and multiplying, creating the landscape of the New World that we are familiar with today.[65] They were able to spread so rapidly because of two phenomena: virgin soil epidemics and ungulate irruptions.[66] While it is not necessary that environmental degradation happens as a result of ungulate irruptions, when combined with some human activity such as logging, plowing, or road building, it can result in a loss of plant species and animal extinction.[67] Thus, when coupled with the large-scale population decrease of Indigenous peoples in the Americas during this time, there is both an ecological and political imperialism that are inextricably linked.

In New Zealand, their history still prioritized settler interests, although not to the same degree as in the Americas. The most historic document between the New Zealand European settlers and the Māori people was the Treaty of Waitangi, signed in 1840. Written by William Hobson, the goal of the treaty was to get the Māori people to agree to the settlers getting a cession of sovereignty, total control over land transactions, and the authority to regulate and

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[62] Elinor G.K. Melville, *A Plague of Sheep: Environmental Consequences of the Conquest of Mexico* (Cambridge, England: Cambridge University Press, 1997), xi.
[63] Ibid, 1.
[64] Ibid, 2.
[65] Ibid, 3.
[66] Ibid, 4.
[67] Ibid, 9.

impose law over both Māori and non-Māori people.[68] The document contained three articles. The first two articles required that Māori chiefs give up their sovereignty, or right to exercise power, and that Britain controlled land sales. The third article elucidated that Britain would offer the Māori people protection and other rights that British subjects receive, in exchange for loyalty to the Crown.[69]

Once the treaty was completed, it was given to Henry Williams to translate. Williams was comfortable using the Māori language, but was not experienced in translation. With the help of his son Edward, they both roughly translated the document into Māori, but some sections regarding releasing sovereignty to the British were not as clear as they were in the English version. The translation was certainly not easy, given that there were some English concepts that the Māori did not have words for. For example, in the translation, Williams used "kawantanga" to mean sovereignty, when this word means "governance." While they refer to similar ideas, governance does not fully encompass all the facets of sovereignty which they gave up for the Crown.[70] This discrepancy caused Māori to maintain a different understanding and significance of the Treaty than was understood by the Crown. It is unclear what Williams's intentions were in his translation; some believe that he altered the document to make the severity of the release of power seem less than it was, but it is also possible that he went in with the best of intentions, but genuinely messed up some of the translations.[71] In any case, many of the Māori people did not get to read the Treaty in any language before they signed it.[72]

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[68] Claudia Orange, *An Illustrated History of the Treaty of Waitangi* (New Zealand: Bridget Williams Books, 2015), 26.
[69] Ibid.
[70] Ibid, 30.
[71] Ibid.
[72] Ibid, 28.

Hobson traveled around New Zealand, gathering signatures throughout the year 1840 from different Māori chiefs. There was not a unanimous agreement among the Māori chiefs to sign the documents, so the Treaty certainly was not representative of the opinion of every Māori tribe.[73] The most outspoken members of meetings regarding the Treaty of Waitangi as Hobson traveled were the chiefs who opposed the treaty. They were suspicious of the motives behind the treaty, and they did not trust the British because they knew that the Australian Aborigines peoples were "degraded" under their rule.[74] These chiefs wanted to maintain their own power over their lands rather than become subordinate leaders over their land. Hobson reassured the chiefs that the queen did not want the land itself, but merely the sovereignty of the land. He also reassured them that land would never be taken away from them by the queen, but merely bought if she needed it.[75]

Ultimately, negotiations were brought to many different Māori communities. Some communities agreed throughout the process, but others did not. Negotiations occurred where members of the Crown persuaded the Māori people that this would not affect their land or their livelihood very much. By the end of the process, most communities agreed, but not all of them. There is still controversy to this day as to what the treaty achieved and whether or not this was an effective and meaningful process. As the basis of the relationship between the Māori and the settlers, between the mistranslations and the non-unanimous agreement, the Treaty certainly had many significant issues; however, the effort for communication and permission from the Māori people was something that was not seen elsewhere, certainly not in the Americas. It should not be celebrated as a success in comparison to modern-day consultations, but for the time period,

[73] Ibid, 49.
[74] Ibid.
[75] Ibid, 50.

the Crown attempted to incorporate and acknowledge Indigenous opinions much more than other nations did. The negotiation still involved a great amount of persuasive diplomacy that could have taken away some of the agency of the Māori people.

The history of the Philippines and the relationship between Spanish settlers and Indigenous populations looked much different than New Zealand's. The Spanish did not know how to manage the forests of the Philippines like the natives did. Because of the Spanish structure of creating a city with a central location and concentrated population around it, or *plaza mayor*, that combined with the highly flammable wooden structures of Filipino houses made for a fire-prone Manila, the capital.[76] Because of the continuous burning of cities, it can be said that the Spanish urbanization created a "fire regime" that resembles rebuilt wildlands.[77] During this time, Spain had to fight off Dutch and Muslim raiders as well, causing them to cut down more trees for defense purposes. The Philippines then became a battleground during the Eighty Years' War, requiring the Spanish to make many large boats to use in combat. This used up a lot of timber from Philippine forests.[78] This shipbuilding enterprise was mostly taken up by Indigenous people, since they were forced into labor (*corvée*) by the Spanish. There was such a tremendous amount of labor required for this process that there were revolts throughout the seventeenth century. The largest of these revolts occurred in 1614 and in 1649. While many Indigenous people were a part of this forced labor process, those who resided in the mountains were mainly left alone until the nineteenth century. The Spaniards referred to them as *infieles*, or pagans, and they left the upland people be, aside from missionary contact and military occupation, so they were not required to fit into colonial order from the beginning of colonization. While the

[76] David Henley et al., "Environment, Trade and Society in Southeast Asia: a Longue durée Perspective," in *Environment, Trade and Society in Southeast Asia: A Longue Durée Perspective* (Leiden: Brill, 2015), 537.
[77] Ibid.
[78] Ibid, 538.

treatment of Indigenous peoples during colonization is less consistent in the Philippines than it was in New Zealand, it is certainly a worse fate to be forced into labor.

Turning to more recent Filipino history, the United States colonizers entered the Philippines in the nineteenth century. Their mindset toward Filipinos in general, but especially toward Filipino's Indigenous population, was that their culture was "primitive." American teachers were sent to indoctrinate their youth, teaching them that their traditional way of life was not as valuable or significant as theirs.[79] This is an absurd sentiment for obvious reasons, but it was also very untrue given a variety of factors, such as Filipino "earth houses."

Figure 5. Ifugao Village Huts in Batad, Philippines, on July 16, 2003.[80]

Their houses used a traditional method of building that allowed for breeze. The houses were better suited for a tropical environment than American buildings, which require inefficient air conditioning systems to keep cool.[81] This is a great example of how Indigenous knowledge allows for superior architectural methods to reduce its effect on the environment. Since

[79] Nadeau, *History of the Philippines*, 4.
[80] Ibid, 5.
[81] Ibid, 4.

American buildings require AC systems that, in turn, pollute the environment, encouraging Filipino traditional practices like building earth houses can help to reduce pollution. In the nineteenth and twentieth centuries, Indigenous people built a hybrid version of earth homes and new forms of housing, which were known as "stone houses." These homes are an updated version of a hut, and they are much more appropriate for a tropical climate than a modern, Western version of housing. Earth houses in the Philippines may provide a solution to rebuilding resilient and equitable communities for people who have lost their homes due to climate change disasters.[82] These Indigenous earth houses provide a solution to an issue using traditional knowledge and valuing these ideas to integrate into sustainable planning could solve problems in a way that non-Indigenous thought and management could not achieve.

Costa Rica is known as a country that values its biodiversity and its environmental policy. Focusing specifically on agricultural methods, Costa Rica has embraced sustainable farming methods, such as natural fertilizers and sustainable crops. In the 1980s, there was a movement to push for these sustainable farming methods, and the government participated in this push. They encouraged forest industries to include more diverse capital investments and include more locally produced wood products.[83] Costa Rica's universities also played a role in the sustainable farming movement, researching pesticide-free farming and integrated pest management.[84] Indigenous practices of subsistence farming originally played a role in Costa Rica's push toward sustainable agriculture.[85]

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[82] Ibid, 5.
[83] Sterling Evans. *The Green Republic: A Conservation History of Costa Rica* (University of Texas Press, 2010), 209.
[84] Ibid.
[85] Ibid, 211.

Although Indigenous groups tend to maintain practices that promote biodiversity and conservation, this is not always the case. Looking at the Bribri and Cabécar tribes in Talamanca, Costa Rica, some of these Indigenous people have adopted modern agricultural methods that could reduce or fragment forest cover within Indigenous territory. The two tribes have traditionally grown cocoa and bananas in small areas under "diverse and multi-strata agroforestry systems, interspersed within the matrix of agriculture and forests in varying stages of succession."[86] These more complex systems promote biodiversity. In recent years, though, some farmers have switched over to a monoculture system for plantains, since there is a higher demand for them. While there are no studies readily available claiming that this has a negative effect on biodiversity and habitats, it is very likely because monoculture farming causes the loss of tree cover and an increase in the use of agrochemicals.[87]

It is important to note this recent change in how Indigenous communities are affecting the environment because it recognizes diversity among Indigenous groups. It is impossible that every Indigenous group on the planet chooses to promote the well-being of their land despite how they are impacted by globalization and modernization. For some Indigenous groups, some members have chosen to switch to potentially damaging agricultural systems because it may be more profitable for them. This does not mean that their Indigenous traditional systems of diverse agroforestry are any less valuable, or that Indigenous opinions regarding agricultural practices should not be taken into consideration. There are still many sustainable Indigenous practices that remain despite globalization's push. Embracing traditional methods regardless of their economic implications is extremely beneficial in terms of increasing biodiversity and conservation. This example of how Indigenous people may not always promote environmentally focused actions in

[86] Harvey, Gonzalez, & Somarriba, "Dung Beetle and Terrestrial Mammal Diversity," 557.
[87] Ibid.

the face of economic crisis is essential because it recognizes their place in the current economy and reminds us that they are also doing their best to survive given their circumstances. Indigenous people can be extremely sensitive to their environment and what will protect it, but non-Indigenous people must be careful not to pigeonhole them into a single dimension of environmental stewards.

Chapter 3. Indigenous Land Politics

According to the World Justice Project, a country's rule of law is a measurement of how well a country implements and enforces their laws. Rule of law is presented on a scale from zero to one, zero being the weakest rule of law and one having the strongest rule of law. There are eight factors that contribute to the rule of law ranking: constraints on government powers, absence of corruption, open government, fundamental rights, order and security, regulatory enforcement, civil justice, and criminal justice. Countries like Denmark and Norway lead in the 2020 Rule of Law Index Report, and countries like Venezuela and Cambodia trail with the weakest rule of law in the world.[88] We will now take a closer look at our four selected countries and their Rule of Law scores and rankings.

Country	Rule of Law Overall Score	Global Ranking
Mexico	.44	104
Costa Rica	.68	25
New Zealand	.83	7
Philippines	.47	91

[88] *Rule of Law Index 2020* (Washington, D.C.: The World Justice Project, 2020), https://worldjusticeproject.org/sites/default/files/documents/WJP-ROLI-2020-Online_0.pdf, 6-7.

Figure 6. Rule of Law Index for Countries in Question.[89]

We can see here that Mexico and the Philippines have similar mid-ranked rule of law scores, and Costa Rica and New Zealand both have relatively high scores. When looking at regional rankings, New Zealand and Costa Rica are both at, or near, the top of their ranks. New Zealand has the strongest rule of law in East Asia & the Pacific, and Costa Rica has the second strongest rule of law in Latin America & the Caribbean, only after Uruguay. Mexico and the Philippines both reside near the end of their regional lists, with Mexico in 26th out of 30 countries and the Philippines in 13th out of 15.

When looking at these four countries comparatively, they span across 2 geographical regions of East Asia & The Pacific and Latin America & the Caribbean. Of those two regions, one country has strong rule of law and the other has weak rule of law, comparatively. While there are many geographic, political, cultural and historical differences between Costa Rica and Mexico and between New Zealand and the Philippines, they can serve as a point of comparison. Analyzing the rule of law in each of these countries compared with their land and environmental defenders' context and their relation to Indigenous peoples could help understand how a successful and just country governs. It is also worth comparing how each of these countries incorporates Indigenous self-determination into their governance and whether this is seen as an effective tool for stronger rule of law and an overall higher quality of life.

Oftentimes, companies will not follow proper procedures to consult Indigenous peoples before they use their land for energy and infrastructure projects, such as dams, mines, railways, wind farms, etc. To combat this issue, the International Labor Organization passed the ILO Convention 169 in 1989, which states that Indigenous peoples must be granted free, prior, and

[89] Ibid.

informed consent when it comes to projects that concern their land and their resources. There are 28 signatories to this treaty; Costa Rica and Mexico are two of them. New Zealand and the Philippines are not signatories to this convention. ILO 169 has transformed the way companies are expected to consult Indigenous peoples and, when it is complied with, provides sufficient framework for consultation between companies and Indigenous peoples.

A second mechanism the international governance system has used to require Indigenous consultations is the United Nations Declaration on the Rights of Indigenous Peoples, or UNDRIP. UNDRIP is a nonbinding agreement adopted by the UN General Assembly in 2007.[90] The Declaration has many of the same goals as ILO 169, but it broadens the rights of Indigenous peoples. There are many articles within the Declaration that discuss how communities must get redress when they are not properly consulted and when their land is taken from them, or damaged by outside groups. Free, prior, and informed consent is also emphasized within this document as an important tool when it comes to any sort of development that affects Indigenous people. UNDRIP also emphasizes the importance of Indigenous self-determination.[91] Several articles within UNDRIP allow Indigenous groups to choose which projects will be developed on their land and to protect the ecosystems of their lands.

Together, ILO 169 and UNDRIP display how the international community is aiming to include Indigenous communities in the conversation of what development should look like on their own land and if there should be development at all. Alongside developments made within the Inter-American Court on Human Rights and statements from the UN Rapporteurs, these international agreements represent a push forward in terms of inclusion of Indigenous peoples in

[90] Kelsey Peterson. "Free, Prior and Informed Consent: ILO 169 and UNDRIP." *Free, Prior and Informed Consent: Pathways for a New Millennium* (November 1, 2013): https://scholar.law.colorado.edu/free-prior-and-informed-consent/5, 1-2.
[91] Ibid.

the future of their lands.[92] It can be argued that this is a shift away from the colonial mindset we saw in Chapter 2, where Indigenous people were consistently overlooked, discriminated against, and undermined. While these two agreements are wonderful steps in the right direction, it is worth noting their shortcomings. In terms of ILO 169, the treaty only applies to those nations that signed it. Countries such as the United States, Canada, Australia, and New Zealand have not signed, and these are countries with strong colonial histories of native peoples, where the Convention could have much more impact. Additionally, for the UN Declaration on the Rights of Indigenous Peoples, it is a nonbinding agreement, meaning that it is not legally binding. This limits the power of the agreement, since countries have little to no mechanisms holding them accountable for following the rules of the agreement. Both mechanisms are well intentioned and do encourage consultations with Indigenous people, but they may not be enough to respect and include the goals and desires of Indigenous peoples.

Another aspect of these mechanisms worth noting is that they are not always trusted by Indigenous people. For them, these are the same governments that have persecuted their people and tried to take away their lands. The creation of a Declaration of the Rights of Indigenous Peoples, while a step in the right direction, is worth very little without the commitment of members of each signatory country. Some Indigenous people feel that, because of their frustrating and violent history with the governments of many of the countries who signed the Declaration, they will see very little change due to this document or any other international agreement without true commitment.[93] A commitment to these peoples' rights only matters if the countries follow through on granting Indigenous peoples the rights they promise in the

[92] Ibid.
[93] Ellen, Parkes, and Bicker, *Indigenous Environmental Knowledge*, 35.

document. In order to analyze each country's land defender status, we will analyze a case study from each country.

Costa Rica. Costa Rica has a strong rule of law and an emphasis on ecotourism and environmental protection. In terms of human rights, Costa Rica has a meaningful and long-lasting record of promoting human rights internationally.[94] Because of this, Costa Rica is much less likely to see land and environmental defender deaths. However, there are still multiple instances where environmental defenders have killed in Costa Rica in recent years due to their activism.

Sergio Rojas was a leader of the National Front of Indigenous Peoples (FRENAPI), which consists of members of the Cabecare, Bribri, Teribe, Ngöbe and Ngöbe Bugle Peoples.[95] In 2010, FRENAPI claims that Indigenous delegates and representatives were sick of waiting for officials to debate regarding the Autonomous Development of the Indigenous Peoples Law project.[96] In turn, members of FRENAPI met in San José at the Legislative Assembly to demand an answer regarding the project. Instead of granting this request, the Indigenous communities claim that they were treated as criminals, beaten and "removed with violence."[97] After this event, although they felt disrespected by the leadership within their country, they continued to struggle to gain their autonomy and preserve their unique culture.[98] In July 2012, Sergio Rojas led the Bribri and Teribe Indigenous peoples in a movement to reclaim lands in the Talamanca mountains in Southwestern Costa Rica. Settlers burned Indigenous crops and used weapons such

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[94] Brysk, *Global Good Samaritans,* 95.
[95] John McPhaul, "Indigenous Peoples in Costa Rica Denounce Forced Removal from Legislature," Cultural Survival, September 7, 2018, https://www.culturalsurvival.org/news/indigenous-peoples-costa-rica-denounce-forced-removal-legislature.
[96] Ibid.
[97] Ibid.
[98] Ibid.

as machetes and clubs to try to get Indigenous defenders to give up their land. These lands are within the Saltire Indigenous reserve. This event was just one of many that caused a push for the government to grant Costa Rican Indigenous peoples greater self-determination powers.

In 2018, the Inter-American Commission on Human Rights ordered that the Costa Rican government protect Bribri and Teribe people from the Saltire community due to this conflict.[99] To respond to this order, the President of Costa Rica, Luis Guillermo Solis, tripled the number of police stationed in this territory. As a result, there were sixty total police officers stationed there. According to an Indigenous news station, the police presence only intensified the conflict between community members and settlers.[100] Gabriella Habtom, secretary of the United Nations Committee on the Elimination of Racial Discrimination, releases a report in July 2015, titled "The Grave and Persistent Violation of Indigenous Peoples' Rights in Costa Rica."[101] The report was submitted by several Indigenous activist groups and the Forest Peoples Programme, an international NGO. The report addresses how the government of Costa Rica has violated the rights of Indigenous peoples in a long-standing manner. There are several grievances addressed in the report, such as the occupation of titled Indigenous lands and persistent violence against Indigenous peoples. In the report, they reference Article 8 of the UN Declaration on the Rights of Indigenous Peoples, which states that Indigenous peoples "have the right not to be subjected to forced assimilation or destruction of their culture."[102] Tied to this, the report states that the dispossession of Indigenous lands occurring in Costa Rica is in violation of this article, since

[99] John McPhaul, "Costa Rican Government to Push for Indigenous Autonomy Law," Indian Country Today (Indian Country Today, September 13, 2018), https://indiancountrytoday.com/archive/costa-rican-government-to-push-for-indigenous-autonomy-law.
[100] Ibid.
[101] Gabriella Habtom, "Report on the Grave and Persistent Violation of Indigenous Peoples' Rights in Costa Rica" (United Nations Committee on the Elimination of Racial Discrimination, Geneva: Switzerland, July 14, 2015), https://www.forestpeoples.org/sites/fpp/files/publication/2015/07/cerd-report-final-eng.pdf.
[102] Ibid.

their lands are essential to their survival as culture.[103] While it may be true that actions in Costa Rica were in violation of UNDRIP, since it is a nonbinding agreement, there was not a way to enforce its principles in this scenario, other than filing reports and claiming that Costa Rica is in violation of the agreement. If UNDRIP were a binding agreement, perhaps it may be easier to enforce guidelines outlined in the Declaration.

On March 18, 2019, Ortiz visited the prosecutor's office in Yeri in Southwest Costa Rica to report threats made against him. Later that very night, he was shot and killed in his home.[104] According to witnesses, there were 15 shots fired. The police did not arrive until about an hour later. The killers escaped after shooting him.[105] Because the Costa Rican government did not protect their Indigenous people, they allowed for the murder of one of their leaders, someone who fought for the well-being of their land and the protection of their people. Adequate measures of protection and legislation preventing the infringement on Indigenous lands may have been able to prevent the conflict that resulted in his death.

Costa Rica's national legislation consists of a 1977 Indigenous Law, which recognizes traditional Indigenous organizations.[106] Ten years prior, it also passed a Community Development Law of 1967, which established the local government structures in Indigenous communities. They established Associations of Integrated Development (Asociaciones de Desarrollo Integral Indígena, or ADIIs), which determine the local leadership in Indigenous areas.[107] These structures face many challenges, especially because this system is not the

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[103] Ibid.
[104] "Defending Tomorrow," Global Witness.
[105] "Sergio Rojas Ortiz," HRD Memorial, accessed May 14, 2021, https://hrdmemorial.org/hrdrecord/sergio-rojas-ortiz/.
[106] "The Indigenous World 2021: Costa Rica," IWGIA.
[107] Linda Walbott and Elena M. Florian-Rivero, "Forests, Rights and Development in Costa Rica: A Political Ecology Perspective on Indigenous Peoples' Engagement in REDD+," *Conflict, Security & Development* 18, no. 6 (November 23, 2018): pp. 493-519, https://doi.org/10.1080/14678802.2018.1532643, 503.

traditional method of leadership for Costa Rica's Indigenous people.[108] Additionally, there is a huge issue of illegal occupation of Indigenous land by non-Indigenous people. Although the 1977 Law deemed this illegal, there were many non-Indigenous landowners who settled there before 1977. As a result of the law, the government should have compensated them for their returning their land titles and relocated. This was not the case, though. It is estimated that up to 98 percent of Indigenous land in Costa Rica is still occupied by non-Indigenous people.[109] Additionally, the United Nations Committee on the Elimination of Racial Discrimination has criticized the Costa Rican government for allowing the violation of the rights of Indigenous peoples.[110]

Costa Rica played a significant role in the implementation of REDD+, or Reducing Emissions from Deforestation and Forest Degradation, which is a mitigation strategy formed under the UN Framework Convention on Climate Change (UNFCCC). This agreement was reached in 2010 as a part of the Cancún Agreements of UNFCCC. Negotiations ensued in 2013 to improve this mechanism.[111] The main strategy of this mechanism is to financially compensate areas that halt or slow deforestation so that they can further their development and the international arena can support anti-climate change initiatives. In order to effectively implement policies of REDD+, it involves effective communication with Indigenous peoples who live in forest regions.[112] Two Bribri territories, Cabagra and Salitre, entered the REDD+ process in 2017.[113] Due to the Bribri cosmological understanding that their people grew from corn seeds thrown onto the Namasol mountain in the Talamanca region, they have a strong bond with their

[108] "The Indigenous World 2021: Costa Rica," IWGIA.
[109] Walbott and Florian-Rivero, "Forests, Rights and Development in Costa Rica," 504.
[110] Ibid.
[111] Ibid, 493.
[112] Ibid, 493.
[113] Ibid, 510.

land and feel a duty to only use what is necessary for them to live. Challenges occurred, though, when these territories were involved in land conflict that prevented them from attending consultations regarding REDD+.[114] Once they did gain understanding of the REDD+ project initiatives, they found concern with the projects' conception of the environment. The understanding that the ecosystem provides services for people was a foreign concept for them, and it was something they were not comfortable with.[115] Another concern was that community members do not feel represented by the ADII system, so consulting with that governance system is not inclusive of their views in a traditional way that represents Indigenous people properly. Lastly, there is evidence that the Bribri communities have not gained any sort of benefits from the REDD+ initiative. Community members state that they continue to have issues finding jobs and many young people are forced to relocate to urban areas.[116] Here is an example of international cooperation with good intentions, but some projects implemented under the initiative may not have benefitted the Bribri people as much as intended.

Mexico. Mexico, in recent years, has had more land and environmental defenders killed than most other countries. Between 2012 and 2019, 83 environmental defenders were killed. Hundreds more were beaten and terrorized during this same time period.[117] Mexico has seen a rise in environmental defender killings starting in 2017. In 2016, Global Witness reported only 3 killings of environmental land defenders in Mexico.[118] In 2017, Global Witness reported 15 killings. 13 of those 15 were Indigenous. They attribute the rise in killings to an overall rise in

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[114] Ibid.
[115] Ibid, 511.
[116] Ibid.
[117] Nina Lakhani, "Mexico's Deadly Toll of Environment and Land Defenders Catalogued in Report." The Guardian, Guardian News and Media, March 20, 2020, https://www.theguardian.com/environment/2020/mar/20/mexico-environment-land-defenders-murdered-rights-indigenous.
[118] "Defenders of the Earth," Global Witness, July 13, 2017, https://www.globalwitness.org/en/campaigns/environmental-activists/defenders-earth/.

violence in the nation, continuous impunity, and government failures to provide protection to those in danger. [119] 2018 came with reporting of 14 killings in Mexico.[120] In 2019, Mexico was the country with the fourth most killings of land and environmental defenders with 18 killings.[121]

One of these cases concerned the killing of Noel Castillo Aguilar, a land rights defender from the community of Barra de la Cruz in the municipality of Santiago Astata, Oaxaca.[122] About 18 percent of the 2207 people living in Santiago Astata are Indigenous.[123] Aguilar was the fifth member of CODEDI, or Committee for the Defense of Indigenous Peoples, killed in 2018. Noel Castillo Aguilar was a defender against business interests and organized crime affecting the beach in his community in the Southern Sierra Zapoteca of Oaxaca.[124] He also defended the Copalita River in Barra de la Cruz, also in Santiago Astata.[125]

On October 25, 2018, Aguilar was going home in a taxi when unknown men with firearms attacked him and hit him on the head. His father, Leodegario Castillo Zarate, is also a human rights defender and has received death threats due to his work defending human rights.[126] Aside from the five killings of CODEDI members, three more members were arbitrarily detained during the year of 2018. Additionally, three women human rights defenders had their homes raided and robbed in the same year. While they have all filed formal complaints with local

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[119] "At What Cost?," Global Witness, July 24, 2018, https://www.globalwitness.org/en/campaigns/environmental-activists/at-what-cost/.
[120] "Enemies of the State?," Global Witness, July 30, 2019, https://www.globalwitness.org/en/campaigns/environmental-activists/enemies-state/.
[121] "Defending Tomorrow," Global Witness, July 2020.
[122] "Mexico: Killing of Noel Castillo Aguilar." Front Line Defenders.
[123] "Santiago Astata (Oaxaca)," Pueblos America, accessed May 14, 2021, https://en.mexico.pueblosamerica.com/i/santiago-astata/.
[124] Chico Phat-fingers, "Military Intimidation Against CODEDI (Huatulco, Oaxaca)," Voices in Movement, October 29, 2018, https://voicesinmovement.org/military-intimidation-against-codedi-huatulco-oaxaca/.
[125] "Chihuahua, Guerrero and Oaxaca Remain Most Dangerous States in Mexico for HRDs," PBI USA, accessed May 14, 2021, https://pbiusa.org/content/chihuahua-guerrero-and-oaxaca-remain-most-dangerous-states-mexico-hrds.
[126] Ibid.

authorities, there are no ongoing investigations regarding these cases. The National Commission for Human Rights has issued precautionary measures for these defenders, but the defenders have not been properly protected.[127]

In Mexico, Indigenous peoples face the problem of lack of recognition from their government. In the 1990s, the Zapatista National Liberation Army (EZLN) emerged, a group of Indigenous rebels who were highly influenced by leftist political thought.[128] In 1994, they rebelled against the Mexican government because of their lack of sovereignty. It resulted in the Acuerdos de San Andrés between the government and the EZLN, signed on February 16, 1996.[129] The accords were largely a failure because they did not implement constitutional changes and saw little effect on the lives of Indigenous peoples. The EZLN continued to rebel against the government until the constitutional amendments were made in 2001. These amendments of the Mexican constitution in 2001 were made because Mexican Indigenous peoples mobilized to demand regulation after the government's failures from earlier.[130]

Beginning in 2003, the EZLN and the National Indigenous Congress (CNI) began to implement the Accords throughout its territories. The two groups created autonomous Indigenous governments in Chiapas, Michoacán, and Oaxaca. The states of Chihuahua, Nayarit, Oaxaca, Quintana Roo, and San Luís Potosí are behind in that they have provisions that regard Indigenous peoples in their state constitutions, but Indigenous legal systems are not recognized fully at this point.[131] It is necessary that Mexico implements stronger legislation that recognizes

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[127] Ibid.
[128] Robert Paul Maddox, "Today We Say, Enough - The Zapatista Rebellion, Autonomy, and the San Andres Accords." *Regent Journal of International Law* 1 (2003): 47.
[129] N Gutiérrez Chong, "La Autonomía y La Resolución De Conflictos Étnicos: Una Perspectiva De Los Acuerdos De San Andrés Larráinzar," *Nueva Antropología* 19, no. 63 (2003), 14.
[130] "Indigenous Peoples in Mexico," IWGIA.
[131] Ibid.

and gives a voice to Indigenous people in order to promote self-determination and incorporation of Indigenous thought into the national political sphere.

In February 2020, the UN Educational, Scientific and Cultural Organization (UNESCO) together with the Mexican government published the "Declaration of Los Pinos (Chapoltepek) Building a Decade of Action for Indigenous Languages," which is a decade-long priority of protecting Indigenous languages and promoting their use in the national arena. The goal of the declaration is to promote linguistic diversity in the nation so that people who speak Indigenous languages can have equal access to jobs and a greater voice in their national community. This is a part of UNESCO's dedication of the years between 2022 and 2032 as the International Decade of Indigenous Languages, which aims to promote Indigenous language use in economic, social, political, and cultural spheres globally.[132] While this is certainly a step in the right direction, it may require more actionable and tangible steps to achieving this goal so that Indigenous peoples can truly be included in these global spheres.

New Zealand. New Zealand also faces some areas of conflict between its Indigenous communities and its business ventures; however, the country's strength lies in their connection with the Māori, the Indigenous people of New Zealand. New Zealand has consistently had stronger ties to its Māori people than other countries have had with their own Indigenous people. Generally, they tend to have a history of promoting Māori self-determination more than other countries. While this may be true, New Zealand certainly did not have a perfect history of maintaining and preserving Māori culture. By the 1950s, the government of New Zealand reframed their goals of Māori assimilation to look more similar to integration, but Māori people

[132] Ibid.

still saw this to have the same effect.[133] Settler propaganda continued into the 1970s, and the goal of assimilation remained intact. Māori people did not let this taint their goals of preserving their unique culture, forcing the Crown to alter their goals for the conquest of these Indigenous people.[134]

In terms of environmental and land defenders, there does not appear to be any recent instances of environmental or land defender killings in the country. This does not mean, though, that there are no conflicts today regarding ownership of Māori ancestral lands. The Ihumātao site is located in South Auckland, New Zealand. This land is sacred to the Māori people and it is currently planning on being turned into a housing development. Pania Newton leads an activist group called Save Our Unique Landscape (SOUL). She fights for Māori rights to ancestral lands. She feels as though the crown has not been respecting native land and native lives. Her stance is that "[The Māori] are not taken seriously within these colonial and capitalist structures. And patriarchy comes into that as well."[135] Newton draws a connection between New Zealand's patriarchal society and disregard for Māori land. SOUL is made up of women under the age of forty, and this is no coincidence. Young Māori women are leading in the fight for the protection of ancestral lands because of their connection with the land and their history of oppression and struggle. Much like the land they fight for, women have been disregarded and not taken seriously in decision making. Newton said that "women have a great connection to land. We are the child bearers, we are the carers, we are the mothers, we are the nurturers."[136] During Newton's protest

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[133] Richard S. Hill, *Māori and the State: Crown - Māori Relations in New Zealand/Aoetearoa, 1950-2000*. (United States: Victoria University Press, 2010.)
[134] Ibid.
[135] Eleanor Ainge Roy, "Māori Land Rights Leader Calls on Jacinda Ardern to Recognise Indigenous 'Crisis'." The Guardian. Guardian News and Media, August 2, 2019. https://www.theguardian.com/world/2019/aug/02/Māori-land-rights-leader-calls-on-jacinda-ardern-to-recognise-indigenous-crisis.
[136] Ibid.

in August 2019, she called upon Prime Minister Jacinda Ardern to acknowledge the struggles at Ihumātao and halt development until the conflict was resolved.

New Zealand is unique in its place of recognizing Indigenous values through its laws because the Treaty of Waitangi plays such a significant role in where the country lies today with its relation between non-Indigenous people and Māori peoples. In Chapter 4, we will explore how the Treaty of Waitangi affected future legislation and gave the opportunity for reparations to the Māori people.

Philippines. The Philippines leads among these four countries in land and environmental defender cases per capita. Globally, it falls behind only Colombia for number of killings per country in 2019 (Colombia had 64, the Philippines had 43). Since Global Witness began reporting these types of deaths in 2012, the Philippines has remained near the top of the list for the number of killings of land and environment defenders. Unfortunately, the Philippines is not a signatory of the ILO 169 Convention, meaning that there is no legally binding mechanism enforcing the free, prior, and informed consent for Indigenous people of the Philippines. While this is not the cause of the violence in the Philippines, it certainly does not help solve existing conflicts and violence when it comes to Indigenous peoples. When there is not a binding agreement granting Indigenous peoples free, prior, and informed consent for the use of their land, it is not easy to hold people accountable for violating something like UNDRIP.

One of these defenders from the Manobo tribe, Datu Kaylo Bontolan, was killed on April 7, 2019 during a military bombardment in Kitaotao, in northern Mindanao. Datu Kaylo was in this area visiting communities, trying to learn more about the situation in which his fellow Manobos were being forced off their land in Talaingod.[137] He was a member of the National

[137] Marya Salamat, "Indigenous Peoples Demand Justice for Lumad Chieftain Datu Kaylo," Bulatlat, April 15, 2019, https://www.bulatlat.com/2019/04/11/indigenous-peoples-demand-justice-for-lumad-chieftain-datu-kaylo/.

Council of Leaders of Katribu and a well-known Lumad leader of the Salugpongan community organization.[138] He went back to the mountains to report on violence against other Manobo members during the military attack.[139] Out of our case studies, this is the first case in which the government of the nation was involved in the killing of one of these land and environmental defenders. This does not mean, though, that the governments of New Zealand, Mexico, or Costa Rica are not involved in environmental and land defender killings within their nations. These are selected comparative case studies and do not represent complete trends within each country.

In the Philippine Constitution, their government recognizes the diversity of their Indigenous peoples and mandates the protection and promotion of their rights. They also passed a law called the Republic Act 8371, which is also known as the Indigenous Peoples Rights Act in 1997. It recognizes the rights of Indigenous peoples to manage their ancestral lands. The current national policy regarding Indigenous rights rests on this legislation.[140] The law is focused on granting Indigenous people control over domain rights, and they give them near-complete control over property rights. It also emphasizes the need for free, prior, and informed consent, or FPIC, just like ILO 169 and UNDRIP do.[141] Although this is a great national and binding enforcement of UNDRIP, it conflicts with other legislation, such as the 1995 Mining Act, which states that mineral resources were owned by the state. The law also states that they will manage the exploration and utilization of mineral resources. This law inherently conflicts with the Indigenous Peoples Rights Act, passed only two years later.[142] The government has not managed

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[138] "Datu Kaylo Bontolan." HRD Memorial, 2020, https://hrdmemorial.org/hrdrecord/datu-kaylo-bontolan/.
[139] "Defending Tomorrow," Global Witness, July 2020.
[140] "Fast Facts: Indigenous Peoples," UNDP, July 2013.
[141] Boris Verbrugge, "Decentralization, Institutional Ambiguity, and Mineral Resource Conflict in Mindanao, Philippines," *World Development* 67 (March 2015): pp. 449-460, https://doi.org/https://doi.org/10.1016/j.worlddev.2014.11.007.
[142] Ibid.

to reconcile the differences between these two laws, causing conflict within their own governance. The Philippine government must alter the 1995 Mining Act and other conflicting laws that limit Indigenous governance and management of their land.

The REDD+ initiative was also put into action in the Philippines beginning in 2010.[143] The Philippines has two mechanisms in action: REDD+ and the Clean Development Mechanism (CDM), which was implemented in Article 12 of the Kyoto Protocol so that countries can help reduce emissions in developing countries.[144] REDD+ initiatives are more common and more promising in the Philippines because they are more specific in their goal to reduce emissions from deforestation and other forestry-related issues, and the CDM process is too tedious and expensive for many to take on.[145] While the REDD+ mechanism has a lot of potential to serve as a tool for Indigenous and non-Indigenous communities to work together to reduce emissions and increase the health of forests in the Philippines, they must truly implement Indigenous ideas and management systems in order to succeed. Many REDD+ projects in the Philippines are backed by international organizations, which emphasizes the need for safeguards for Indigenous communities so that their self-determination is not stifled by foreign interests.[146]

Currently, a free, prior, and informed consent certificate is required by law to be secured from the National Commission on Indigenous People for REDD+ projects.[147] While this is a step in the right direction, if Indigenous communities are merely consulted and not fully embracing REDD+ initiatives as their own, it will not be a productive system since they, among other local

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[143] Rodel D. Lasco et al., "Lessons From Early REDD+ Experiences in the Philippines," *International Journal of Forestry Research* 2013 (April 28, 2013), https://doi.org/https://doi.org/10.1155/2013/769575.
[144] "The Clean Development Mechanism," United Nations Climate Change (United Nations Framework Convention on Climate Change), accessed May 15, 2021, https://unfccc.int/process-and-meetings/the-kyoto-protocol/mechanisms-under-the-kyoto-protocol/the-clean-development-mechanism.
[145] Lasko et. al., "Lessons from Early REDD+ Experiences," 1.
[146] Ibid, 4.
[147] Ibid, 6.

communities, will have to be involved on the grassroots level of implementing these projects. Rather than international organizations presenting their plans to reduce emissions and having Indigenous groups accept them, a stronger alternative is for them to accept Indigenous ideas and support their implementation.

Another issue with REDD+ and similar instruments is that they do not fully address the issue of corruption in preventing environmental degradation. Illegal logging is a significant barrier to sustainability goals, and REDD+ incentives are likely to be less substantial as gains from illegal logging would be. Therefore, in order for the mechanism to be effective, regardless of Indigenous support and community implementation, REDD+ must face corruption head-on. Currently, REDD+ does not address corruption in a way that satisfies this issue.[148]

Chapter 4. Traditional Ecological Knowledge

The ways in which people acquire knowledge and ways to validate knowledge are contested among different groups. There is "no individual, group, community or nation [that] can justifiably claim ownership of all knowledge."[149] Because there is not one group that can claim that they know all there is to know, this means that different groups and organizations of people have different kinds of knowledge and can claim to provide unique perspectives of knowledge if they are invited into the global sphere. Throughout colonization, marginalized communities were not accepted as knowledgeable, and Western cultures did not see the value in their traditional knowledge and history.[150] The knowledge of people who have been historically undermined and

[148] Claude Martin, *On the Edge: The State and Fate of the World's Tropical Rainforests* (Vancouver, B.C., Canada: Greystone Books, 2015), 83.
[149] Dei, Hall, and Rosenberg, *Indigenous Knowledges*, 3.
[150] Ibid.

oppressed have been left out of the academic sphere for centuries. In a postcolonial era, it is time to reincorporate these voices not only for the sake of inclusion, but for the sake of bettering the global community and accepting a more nuanced form of knowledge.

There are a few different forms of knowledge identified and associated with Indigenous peoples. There is Indigenous knowledge, which has been identified as "a body of knowledge associated with the long-term occupancy of a certain place."[151] This means that, since Indigenous people have lived in the same physical location for a longer period of time than non-Indigenous people, they have acquired a unique set of skills that only Indigenous people can offer. This knowledge informs the social groups' decisions on how to understand the world. It differentiates itself from non-Indigenous knowledge due to the value placed on the connection between the individual and with nature. Many Indigenous cultures value this connection between the individual and nature, and do not see a boundary between the two as many mainstream Western thinkers do. Indigenous groups also tend to emphasize the wisdom of their elders, considering the living, but also those who once lived and those who will live, and the sharing of both responsibility and prosperity.[152] In many Indigenous cultures, they have a more communal view of their social organization, and do not place as much value on the individual as a traditional Western thinker does.

A second way of thinking about Indigenous knowledge is through the idea of traditional ecological knowledge (TEK), which is the form of knowledge specifically identified as ecological rather than merely Indigenous. While these terms refer to slightly different concepts, they are often used somewhat interchangeably since much of Indigenous knowledge applies to their ecological state and well-being. Traditional ecological knowledge is a term commonly used

[151] Ibid, 6.
[152] Ibid.

by scientists to describe the traditional knowledge that Indigenous and local communities embody through their lifestyles. This knowledge is not just of general information, but it informs local decision-making, health, and natural resource management. As this local knowledge is based on community and attention to natural ecosystems, it is highly dynamic and evolving every day through continued experimentation.[153] Scientists are beginning to realize just how valuable Indigenous knowledge is for local sustainability and resource management because of how closely tied Indigenous people are to their land.

Indigenous care for the land comes from a different perspective of what the land is and its relationship to the human. It is very specific to the particular land in question, and it changes depending on the location. [154] For example, Indigenous knowledge in the Philippines would be much different than Indigenous knowledge in Mexico. Additionally, IK (Indigenous knowledge) is knowledge that has been passed down orally. It is not a written knowledge; it cannot be found in a book, and it is often taught through demonstration. It is not a consistent knowledge because it is reinforced and perfected every day through experiencing the ecosystem and experimenting through intelligent reasoning.[155] IK is also very dependent on repetition because of how it aids retention and reinforces ideas. Lastly, it is "characteristically holistic, integrative and situated within broader cultural traditions."[156] This means that one cannot separate technical knowledge from non-technical knowledge; they are undeniably linked within this form of knowledge.

Among all of this cultural and spiritual significance, traditional ecological knowledge also plays a role in social organization and government, as a basis for local decision making for

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[153] Ellen, Parkes, and Bicker, *Indigenous Environmental Knowledge*, 36.
[154] Ibid, 4.
[155] Ibid.
[156] Ibid, 5.

managing natural resources, as well as in health, education, and community organizing.[157] Part of what makes TEK so important is that it provides a better understanding of how to conserve It also specifies a more nuanced meaning of what it is to be "natural." There are many sites of preserved land that are believed by non-Indigenous people to be "pristine," even though these sites have been impacted by human activity. Some examples of this are natural forest management and fire use.[158] Because Indigenous knowledge grants a more complex understanding of how nature is intertwined with human existence, it is worthwhile to understand this relationship and use it to contribute to conservation work in a more meaningful way.

Because of this traditional knowledge Indigenous communities hold that help uphold values of sustainability and ecological respect, allowing local Indigenous communities to be self-determined may increase care for the land and ensure that resources are used mindfully and responsibly. In "Justice and Hazardous Waste," Young makes an argument for self-determination among communities to decide whether or not they should put a waste treatment plant in a community. Young points out that, while people commonly view states as neutral actors, that is not the case. States do, in fact, have specific interests which motivate their decision-making.[159] While the basis of Young's argument differs from land rights for Indigenous peoples, it can still be argued through Young's logic that Indigenous communities should be granted self-determination for ancestral lands. In many cases, states act in a way that overlook Indigenous interests because they are not well-represented in government. As a result, these states do not grant Indigenous communities control over their ancestral land, as it would benefit

[157] Ibid, 36.
[158] Ibid, 36-37.
[159] Iris Marion Young, "Justice and Hazardous Waste." *Bowling Green Studies in Applied Philosophy*, May 14, 1983, pp. 171–83. https://doi.org/ bgstudies1983514.

the state if the land were used for development projects or megaprojects that would boost the Western economy.

If Indigenous communities were granted self-determination for the land they protested in order to protect, it would become much easier for communities to enact their traditional ecological knowledge and maintain the land in a sustainable manner. In Young's text, she proposes the scenario that a community is self-governed, and they have the option to locate a waste treatment plant in their community. If the waste treatment plant will have many adverse effects to their people and to the environment, the community would not want the treatment plant. If the waste treatment plant has so many adverse effects that no community will accept the plant, there is likely a problem with the plant in the first place.[160] The same goes for Indigenous communities and large projects of foreign investment placed on their land. If Indigenous communities do not believe it fit for development on ancestral lands, it is likely that there is ethical tension between the developers and the Indigenous communities.

The value systems of Indigenous versus non-Indigenous peoples are still different to this day. Despite globalization and all its effects on homogenizing global society, Indigenous communities are still believed to be less materialistic and more eco-centric than the mainstream capitalist society of today's world.[161] In order to manage resources in a more sustainable way, inclusion of Indigenous practices, ideas, and knowledge is very important. By taking a look at the ways in which Indigenous people see the world differently than non-Indigenous people do, we can gain insight into the differences of thought that cause this less anthropocentric view of life. In Roger Dunsmore's *Earth's Mind*, he references Chief Joseph, or Hin-mah-too'- yah-lat-

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[160] Ibid.

[161] Monica Gratani, Stephen G. Sutton, James R.A. Butler, Erin L. Bohensky, and Simon Foale. "Indigenous Environmental Values as Human Values." Edited by Mark Stevenson. *Cogent Social Sciences* 2, no. 1 (May 17, 2016). https://doi.org/https://doi.org/10.1080/23311886.2016.1185811.

kekht, who was a part of the Nez Perce Indians in the United States. He says, "the earth and myself are of one mind. The measure of the land and the measure of our bodies is the same."[162] Dunsmore breaks down the questions that arise from this statement. As a non-Indigenous person, the idea that Earth has a mind is foreign and seemingly unscientific; however, Joseph's statement is somewhat metaphorical in that it refers to the inclusion of the land, our ancestors, and all that the land expresses in our metaphysical idea of the world. By including a more holistic view of the Earth in our perception of it, it would prompt us to think more deeply about the way we treat the Earth and manage its resources.

While it may be true that incorporating Indigenous knowledge into the global perspective of conservation and sustainability would provide great value, Arne Kalland notes that Indigenous knowledge, like any other knowledge system, is limited in what it can help us understand.[163] First, she makes clear that, if focusing on Indigenous knowledge as opposed to other forms of non-Indigenous, local, traditional knowledge, this would limit understanding of each landscape and perspective. A second point of contention is that a person's understanding of nature may not always correlate with how they actually end up acting in nature. I will address both points.

I do not find her first point to be very convincing because it ignores the rich cultural and historical complexities of native peoples. Kalland claims that referring to a group of people as "indigenous" indicates that their ancestors were the first known inhabitants of that stretch of land. She also says that a narrower view of Indigenous people is that they were oppressed by invaders.[164] While this view that Indigenous people are identified in relation to the state established after their settlement, it does not elaborate on the rich history Indigenous people

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[162] Roger Dunsmore, *Earth's Mind: Essays in Native Literature* (Albuquerque, NM: University of New Mexico Press, 1997). 38-39.
[163] Ellen, Parkes, and Bicker, *Indigenous Environmental Knowledge*, 320.
[164] Ibid, 321.

experienced differently from non-Indigenous people (each being vastly different depending on location). Since their people have lived on the same land for much longer than non-Indigenous people, claiming that Indigenous environmental knowledge does not significantly differ from non-Indigenous environmental knowledge does not seem to be correct because it ignores this deeper historical connection with a specific area of land. Second, I think this point has some validity because human action does not always correlate with how they act; however, it is not fair to say that it has no relation. Humans sometimes act in a way that does not correlate with their core values or understanding of their surroundings; however, it is not convincing to say that human beliefs do not impact how humans will act. Non-Indigenous culture saw a cartesian view of the world, with the mind separated from matter and culture to be different from nature. This mode of thought was very prevalent in non-Indigenous spheres in recent human history during modernization, and Indigenous culture did not value this same separation. While domination and separation were integrated into non-Indigenous culture, and these values seeped into every aspect of settler colonization, this was not the case for Indigenous culture. The endangerment of their land meant that they had to protect it even more so, caring for it during colonization more than ever before. Due to their long histories of living off their land, they were equipped for this task.

There are many case studies of Indigenous communities who know how to manage their ecosystem and the resources of their land, who are then kicked off of it by people who do not understand the workings of that land. This can be seen in each of the countries from our case studies, Costa Rica, Mexico, New Zealand, and the Philippines, but also in other countries that experienced colonization. By undermining Indigenous views and knowledge, we deny the land the treatment it needs to sustain itself. With massive global effects of deforestation, habitat destruction, and species extinction, resource management and restoration projects are among the

most ethical endeavors to prioritize the sustainability of the Earth and its ecosystem services. For Indigenous land defenders, most of them are trying to prevent megaprojects from encroaching on their ancestral lands which their communities have been managing for centuries.

Now, we can focus our vision of Indigenous knowledge and its impacts to each individual case study. While traditional ecological knowledge has similarities across tribes, each tribe has their own unique traditional knowledge based on their physical location.

New Zealand. In the case of Ihumātao, Auckland, New Zealand, defenders are trying to prevent a new housing development from being built on the land they have known and lived on since the 14th century. The physical landscape of the Ihumātao Peninsula contains the site of the Otuataua Stonefields Historic Reserve, which is aa Quaternary lava flow field. The peninsula is one of the few areas of South Auckland that has remained largely untouched by human development until recently, when they planned on implementing housing and industrial development.[165] In a study by Massey University, researchers analyze the role of cultural and Indigenous values in geosite evaluations. The geological features of the Ihumātao Peninsula certainly hold geological heritage values for the Indigenous people living on this land. The study shows that there is a strong link between the Indigenous community living on the Peninsula and the volcanic landscape of it.[166] These links between land and culture manifest in religious values, historical values, and influence on and representation in arts and literature, and geohistorical aspects. The volcanic landscape strongly impacts the worldview of the Māori people through well-documented connections through history and culture. Because of this connection, the landscape is integral to the Māori cosmological understanding of themselves and of the world.

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[165] Ilmars Gravis, Károly Németh, and Jonathan N. Procter, "The Role of Cultural and Indigenous Values in Geosite Evaluations on a Quaternary Monogenetic Volcanic Landscape at Ihumātao, Auckland Volcanic Field, New Zealand," *Geoheritage*, October 2016, https://doi.org/10.1007/s12371-016-0198-8.
[166] Ibid.

The Ihumātao Peninsula is one of the few remaining sites of this type of volcanic landscape, and Māori communities maintain a horticulture system on this land. Although urbanization attempts to develop on this stretch of land, one of the few remaining of its kind, listening to Māori connection with the land can help understand why it is necessary to preserve the geological heritage it has maintained for so long.[167] Including Māori perspectives on the threat of development to reach a holistic understanding of the future of the geological landscape is essential to the process of conservation.

As we discussed earlier, The Treaty of Waitangi was an agreement signed by Māori leaders and the British Crown. It gave government authority from the Māori people to the British Crown, in exchange for Māori rights.[168] The treaty still affects the living Māori population today because it is seen as the foundation for the unwritten constitution of Aotearoa New Zealand (Aotearoa is the Māori name for the land of New Zealand). In domestic courts, the Treaty is not recognized as being directly enforceable, but there are several pieces of legislation that reference the principles of the Treaty. The Treaty can also be relevant to judicial review in terms of executive action. In the 1990s the government set up a process for people to bring up violations of treaties, which included the Treaty of Waitangi. During this time, many Māori communities agreed on settlements that include commercial redress, often in cash or properties, cultural redress, often in the form of co-governance and co-management of natural resources, as well as recognition of treaty breaches from the Crown.[169] The fact that the government addressed past grievances and used reparations and redress to achieve peace between their Indigenous peoples and the government shows a step in the right direction, and a model for how other countries

[167] Ibid.
[168] Mark Hickford and Carwyn Jones, *Indigenous Peoples and the State: International Perspectives on the Treaty of Waitangi* (London: Routledge, 2019), 1.
[169] Ibid, 2.

should respect their Indigenous peoples. While not all countries are in an economic state where they can afford to provide economic compensation for redress, cultural redress and formal apologies for past violations of human rights is a positive model for other countries to utilize to ensure mutual respect with regard to Indigenous peoples.

Costa Rica. For the Bribri people in Costa Rica, they are trying to defend their land from agricultural prospects that will likely become susceptible to degradation through monoculture farming and other capitalist farming practices that do not take into account the longevity of their methods. While Costa Rica is often seen as a model for ecological and biodiversity conservation, it still faces its challenges when it comes to respecting and understanding traditional knowledge of their Indigenous tribes. The Bribri people have become more isolated in recent years, moving to more remote areas of the mountainous region and maintaining traditional lifestyle habits. Through globalization of the country's culture, Costa Rica, along with the rest of the world, has faced an erosion of their unique culture. The Bribri tribe is doing their best, though, to hold onto their cultural and agricultural practices. To be more specific about their Indigenous knowledge, they know a lot about how to use and manage natural resources. They have a lot of experience with mixed agroforestry systems since they have been using them for centuries. Their knowledge is oral and passed down from elders. This is how they know how to design these agroforestry systems across generations. There is evidence that the Bribri traditional ecological knowledge is diminishing alongside globalization and modernization. The tribe holds the traditional concept of Ditöwo-ké Sköwak, which means "the diversity of life in all its forms," or biocultural

diversity.[170] The tree is considered a mystical symbol that has spiritual relationships through cosmology, and these ideas manifest in their agroforestry practices. Because of this spiritual connection, their conservation commitment is much stronger than a non-Indigenous commitment and should be included in conservation dialogue, as well as attempted to preserve their unique knowledge.[171]

Philippines. In the case of the Philippines, the defenders of the Talaingod-Manobo peoples have been trying to prevent mining and logging by industries from taking over their land and leaving it destroyed. Zooming in on the Manobo people, they are one of the largest ethnic groups of the Philippines. Typically, the people of this tribe are forest dwellers, and they live near protected areas. In a study conducted by the University of Southern Mindanao in the Philippines, researchers aimed to understand the knowledge and perception of biodiversity conservation among Indigenous people to help understand if incorporating their views and visions into sustainable practices in terms of biodiversity could improve management strategies.[172] The results of this study claim that traditional knowledge of the Manobo people increases the perception of the importance of biodiversity. This means that the Manobo people believe that their traditional knowledge has an impact on the local biodiversity. There exists Manobo tribe practices that help to balance ecological cycles, and the study indicates that their emphasis on biodiversity is a part of their survival process of the present and their future generations. This study shows that their value of biodiversity and conservation is directly related

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[170] Dan Orcherton, "Traditional Ecological Knowledge (TEK) and Biodiversity Conservation: Strengthening Community-Based Approaches (CBA) to Conservation and Building Equitable Partnerships in Practice with Indigenous Peoples of Costa Rica," *The Journal of Pacific Studies* 32 (2012): 94.

[171] Ibid, 95.

[172] Florence Roy P. Salvaña and Shane Love T. Arnibal, "Importance of Indigenous Communities' Knowledge and Perception in Achieving Biodiversity Conservation: A Case Study from Manobo Tribe of Southern Mindanao, Philippines," *Asian Journal of Ethnobiology* 2, no. 2 (2019).

to their cultural appreciation of it. Based on that, the Manobo tribe's value of environmental conservation and biodiversity extends to their willingness to protect it, even when facing obstacles.[173]

Another study in the Philippines was done to analyze the Manobo tribe's unique form of eco-literature, and how their ecological knowledge can help to preserve nature.[174] These forms of literature are all oral, and they prioritized the preservation of their land, air, water, and forests.[175] While many forms of eco-literature in recent history has been more anthropocentric than ecocentric, Manobo eco-literature is not. As a result of the research done with Manobo peoples, there are about 36 different literatures that were collected, and they can be identified as either eco-legend, eco-song, eco-story, eco-fable, or eco-poems.[176] Each type of eco-literature achieves a unique sense of the importance of their local ecosystem. For example, in the eco-song Sindoy, it describes how the native people fish in the river using machetes, bows, and spears, and they catch only the big fish. This method is employed by Indigenous peoples so that the smaller fish have enough time to grow and reproduce, and the total fish population is not depleted by their fishing practices.[177] Eco-literatures such as this one help inform responsible ecological decisions and promote environmental best practices. Incorporating Indigenous knowledge such as this could increase global awareness of sustainable practices and encourage people and organizations to decrease environmental degradation.

Mexico. In Mexico, as well, CODEDI's goal is to protect Indigenous peoples from discrimination and violence. Part of the reason why Indigenous people in Mexico are so

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[173] Ibid.
[174] Fe S. Bermiso, "Kaemag, Wuhig, Pasak Duw Guyanganan (Air, Water, Land, and Forests): The Manobo Eco-Literatures in Preserving Nature," *The Normal Lights: Journal on Teacher Education* 12, no. 2 (2018), 266.
[175] Ibid.
[176] Ibid, 273.
[177] Ibid, 277.

susceptible to discrimination and violence is because their worldview is not recognized as valid within mainstream culture. In Mexico, a way that the government has aimed to protect their environment and ecosystems is through NPAs, or Natural Protected Areas.[178] These zones are conserved, and many of them fall on communal or ejidal lands, meaning that the people who live on that land share it in joint ownership.

Ejidos are a unique phenomenon beginning in the twentieth century in Veracruz during the Mexican Civil War. While the ejido is a modern invention, it can be seen as something traditional and indigenous, although in practice it does not act in this manner. The agrarian reform was initially launched because the government seemingly wanted to restore something from the past. The ejido project aimed to install an intellectual project of reconstituting the communal aspects of agricultural land, as well as social organizations.[179] The intellectual experiment recognized that it was a Mexican way of being to relate to land in a communal way, and so they implemented communal land tenure.[180] Only Mexican citizens can own ejidal land, and all members of the ejido must agree if that land is to be rented or used for any other purposes other than for what it what it was originally intended. While this may seem like a use of Indigenous land according to their own practices and principles, this is not the case. The Zapatista movement of the 1990s fought for Indigenous control of their own land, despite the fact that the land was owned communally under the ejido system. With the ejido system, the government played a significant role in regulating aspects of the distribution and administration of land. Many members of the Zapatista movement felt that this was something that should be

[178] Ivett Peña Azcona, Erin Ingrid Jane Estrada Lugo, Ana Minerva Arce Ibarra, and Eduardo Bello Baltazar, "Meanings of Conservation in Zapotec Communities of Oaxaca, Mexico." *Conservation & Society* 18, no. 2 (2020): 172-82. https://www.jstor.org/stable/26937291.
[179] Emilio Kourí, “La Invención Del Ejido,” Nexos, June 1, 2015, https://www.nexos.com.mx/?p=23778.
[180] Ibid.

handled at the local level, not at the national level.[181] In conclusion, we see that even a system that intended to return to traditional and indigenous ways of distributing land are still missing the mark, according to some Indigenous people, because of their absence in the role of maintaining their own land.[182]

Returning to the objective of conservation, these Natural Protected Areas in Mexico were placed largely on the basis of biodiversity; however, the placement ignored the cultural diversity of humans that live in and around these territories. Cultural diversity of humans is important in the role of conservation because there is a link between culture and biodiversity, just as we saw with the Manobo tribe in the Philippines. Researchers completed a study of four territories located on the Isthmus of Tehuantepec in the state of Oaxaca. This is where Noel Castillo Aguilar lived, and where COCEDI acts to prevent their land from being exploited. Each site is, or has been, linked to a recently implemented category of Mexican areas for conservation (Voluntary Designated Areas for Conservation, VDAC). In a research project held at two Mexican universities, they discover that the Zapotec people, an Indigenous group located in this region, were not familiar with the word "conservation" until recently, signifying how they do not view their land as being conserved. They view the idea of conservation as exclusionary, since it separates land designated under VDACs from conserved land. Traditionally, these communities have used VDAC land for social and cultural relationships without performing destructive acts to this land. This view of conservation as preserving it in its state without human involvement is stifling to the Indigenous method of integrating life with the flourishing and care of their land.[183] Instead of creating mechanisms for treating land that governments think will satisfy goals of

[181] Azcona et. al., "Meanings of Conservation in Zapotec Communities," 2020.
[182] Kourí, "La Invención Del Ejido," June 1, 2015.
[183] Ibid.

conservation and sustainability, it is much more logical to take Indigenous knowledge into account during the governance process and let Indigenous communities handle their own conservation efforts, whatever they may look like. When Indigenous communities are granted this self-determination, it is a much healthier and logical system rather than further imposing rules on their lands that may or may not satisfy their needs and the needs of the land.

Chapter 5. Recommendations: What Can Countries Learn From Each Other?

There are two primary issues addressed within this paper. The first is the issue of human rights violations against Indigenous people who try to protect their land from development projects and degradation. The second is the problem of implementing Indigenous knowledge into sustainable best practices and resource management, especially given the historical undermining of their ideas and customs. Both of these issues are extremely complicated due to their local history and conflicts. While both of these issues involve an immense amount of local knowledge and depends on the specific situation at hand, it is inexcusable to allow killings of Indigenous environmental and land defenders. The murder of peaceful protestors and community leaders should never be tolerated, and local and national governments are responsible for the enforcement of law in their municipalities and nations.

Originally, when selecting countries to compare regarding their status of environmental and land defenders, two countries were chosen in two regions: one in each region that had few or no cases of defender killings, and a second in each region that had more frequent defender killings. This study was meant to analyze each country's political and social status and history, as well as legislation, and determine whether or not that nation was doing something worthwhile,

possibly that other countries could learn from and adopt themselves. While this may be the case with New Zealand through its history of the Treaty of Waitangi and issuing formal apologies and reparations, Costa Rica seems to have few environmental and land defender killings based on its circumstances than its actions toward its Indigenous peoples. Costa Rica's history of respecting human rights does not seem to extend to its Indigenous peoples, and the nation often dismisses violations of Indigenous rights. It is most likely that Indigenous environmental and land defender deaths happen infrequently in Costa Rica because their Indigenous population remains physically distant from its non-Indigenous population, and there is less conflict between the two groups because of this. Costa Rica also has a strong history of respecting their ecosystem and promoting biodiversity in all regions of the country, so Indigenous people may be less likely to become environmental defenders in particular. There are many factors that could determine the state of Costa Rica's lack of defender killings, but it does not seem that their legislation or protection mechanisms are the cause of this success. The nation still has significant work to do when it comes to respecting and promoting the rights of their Indigenous peoples.

U.S. Foreign Policy. The U.S.'s foreign policy should not allow other countries to violate human rights. While there is only so much that the United States can do in order to ensure that other countries are not violating the rights of Indigenous peoples, they should, at the very least, sign the International Labor Organization's 169 Convention to protect the free, prior, and informed consent process for Indigenous peoples. Without signatories of the U.S., Canada, Australia, and New Zealand, ILO 169 does not hold nearly as much weight as it could, since these are some of the countries with the strongest ties to Indigenous people through colonization, it may prevent many violations of the Indigenous peoples' right to self-governance and self-determination. Governments must not only sign treaties and conventions stating their intentions

to respect the rights of Indigenous peoples; they must also follow through on those promises. Indigenous people are having a hard time trusting that governments will respect their rights since, historically, this has not been the case.

Government. On an international scale, there must be stronger agreement regarding which powers Indigenous peoples have over their land. As referred to earlier, ILO Convention 169 is meant to protect the rights of Indigenous peoples and allow them to be active participants in the future of their land. This includes a provision that Indigenous peoples are granted free, prior and informed consent regarding projects on their land. This means that companies must implement in-depth consultations with local Indigenous groups before occupying and developing on their land. While there are 22 countries that ratified this treaty, including Mexico and Costa Rica, there are many countries that have not, such as New Zealand and the Philippines. New Zealand has other laws in place to protect the Māori people, but the Philippines's legislation surrounding Indigenous rights is not as strong and conflicts with other laws. The Philippines should ratify ILO Convention 169 and implement national laws that enforce these practices out of respect for their Indigenous peoples.

In addition, countries that ratified ILO 169 must stick to enforcing its provisions. In addition to international agreements, local governments must also consult Indigenous community members to negotiate matters of land use and project management. For example, in Mexico, certain states are much better at enforcing law than others. Mexico is responsible for strengthening rule of law across all of their states, ensuring that each has the resources to investigate murders and patrol to prevent crime before it occurs. Since crime in Mexico is generally intertwined with drug cartels and other illegal groups, there must be investigations into

the connections between crime groups that target land defenders and also smuggle and distribute drugs.

To strengthen international cooperation for the support of Indigenous peoples and the protection of their land, a new international treaty may help this cause. The treaty would encourage countries who import from nations that have high levels of biodiversity, forest cover, and large Indigenous populations to be mindful about what they are importing in order to curb both deforestation and disrespect of Indigenous land rights and self-determination. By removing incentives to impede on Indigenous land, develop infrastructure projects, and grow crops that will degrade the environment, it would help both Indigenous people regain harmony with and use of their land and decrease environmental degradation. If nations regulated their imports so that they chose not to import a product grown on Indigenous land, people and companies infringing on Indigenous land would no longer be able to economically justify their actions. In a more concrete sense, the treaty would ban imports of any product certified to be grown on land that is not occupied by Indigenous peoples, in an area that does not infringe on the biodiversity of the regions (like the land of a biodiverse rainforest, for example). For the Philippines especially, this would be a strong driver to curb deforestation due its high levels of biodiversity. In order to implement this treaty, it would require an international body to certify that these products are certified. The international brigade would require a fee to be paid by those who seek certifications which would support its initiatives. This treaty addresses both issues of Indigenous disenfranchisement and environmental degradation. Paired with national legislation and regulation that promotes Indigenous environmental best practices, this could transform Indigenous life and the well-being of their ecosystems.

Education. On an international scale, there must be better education about Indigenous history, tradition, and practices. Indigenous knowledge is extremely important in order to promote sustainable values into our society. In order to prevent the degradation and destruction of our land because of overdevelopment and overconsumption, our society must go through a change in values. Currently, our capitalist society values consistent progress and growth, with an emphasis on consumption. While consumption itself is not a bad thing, overconsumption and an obsession to have more is quickly destroying our planet. When we value products and items over the health of our ecosystems, large development projects take over the land, altering it tremendously. Because this values system is currently in place, we disregard Indigenous knowledge and practices, ignoring their more ecocentric view of the world. Internationally, countries must implement Indigenous education into their curriculum through accurate Indigenous history from their point of view, as well as traditional Indigenous stories and lore. Since people learn from the stories they hear, incorporating Indigenous stories into education could widen our perspective on how we view the world. Each local school should teach about the history of its land, and whether or not Indigenous peoples used to occupy it. For those who are living on previously Indigenous-occupied land, they should contact Indigenous groups of that nation and allow them to share their stories from their perspectives.

There are many specific strategies that Indigenous people employ to ensure that future generations understand the importance of ecological well-being. It is important to underscore that Indigenous ideas and stories should not always be grouped together as one, since each Indigenous group has their own unique understanding of their place in the world. We saw this with differences between Indigenous oral literature in the Manobo tribe, and how they use song, fables, and poems to pass along best fishing practices to their future generations. This looks

much different than Indigenous knowledge in Mexico, which emphasizes the idea that the tree is a mystical symbol for life. The diversity within Indigenous thought it what makes it so rich and relevant to ecological restoration. Educational systems must incorporate these wisdoms through several different forms. The first form is by adopting Indigenous literature, which is typically oral, into curricula at a young age. Indigenous knowledge is rarely seen as a component of education, especially starting in elementary school. Many of these stories and fables, though, would be excellent to incorporate into elementary school education because these stories are already taught by Indigenous people to their children at a young age, and they have seen success in passing along Indigenous ecological knowledge and understanding. Stories impact how a child comes to understand their place in the world when they grow older. If a non-Indigenous child were to hear Indigenous stories about how to live more sustainably, this would impact their future understanding of resource use. This is just one example of how Indigenous knowledge could impact elementary school students, but the most effective option would to be to employ this method at a local level. While all non-Indigenous people should understand Indigenous practices and stories more generally, it would be most impactful if students came to understand the Indigenous literature of people who live geographically closer to them.

The incorporation of Indigenous knowledge into education should not stop at elementary school, though. The understanding of Indigenous history on their own terms is essential to incorporating their ideas in a way that recognizes their past and current struggles to attain human rights and respect. Indigenous history is sometimes told from the perspective of the colonizers, which is disrespectful, especially since their people were persecuted and stripped of their autonomy.

While there are certainly policies that can be adopted in order to increase understanding of and collaboration with Indigenous peoples, one of the most impactful ways to incorporate Indigenous knowledge into non-Indigenous practices is by reading the works of Indigenous peoples, appreciating and engaging with Indigenous art, learning Indigenous fables and stories, and speaking with Indigenous peoples to understand their plight and their intelligence. Indigenous peoples have been undermined for so long that it cannot be their responsibility to initiate engagement with non-Indigenous peoples. They produce stories, memoirs, paintings, writings, speeches, etc. in order to express themselves and possibly to have people understand their unique stories a bit more. It is the responsibility of the non-Indigenous individual to engage with their narratives and understand their point of view. While it is not necessary that non-Indigenous people adopt their thought process and way of life, they can nuance their understanding of the world and their place within it if they are to engage with Indigenous people and their work. In this way, Indigenous knowledge can be further understood and celebrated in both the local, national and global context.

There is a Māori proverb that says: “Kimihia te kahurangi; ki te piko tōu mātenga, ki te maunga teitei.” This translates as: “Seek above all that which is of highest value; if you bow your head, let it be to the highest mountain.” This proverb echoes how Indigenous people aim for the highest achievements and strive for harmony and success. This proverb can help us understand how non-Indigenous people should aim for the highest value within their respect for human rights and their inclusion of Indigenous values in the global sphere. In order to achieve this high value, non-Indigenous people must listen to the unique and rich wisdom of Indigenous people to achieve the highest respect for the earth.

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Note. I have decided to capitalize the word "Indigenous" when referring to peoples in alignment with Sapiens and Elements of Indigenous Style**.**