THE ROLE OF RESEARCH AND ACADEMIA
IN INDIGENOUS PEOPLES' ISSUES:
INTERCULTURALITY IN THE MAKING
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Introduction

After almost 30 years of involvement with human rights, including indigenous peoples’ rights at the UN, I found myself at Columbia University. It is an institution I always admired from the outside for its commitment to public interest causes and to human rights in particular. While priding itself for having pioneered human rights studies in 1971, Columbia (University) took 40 more years when it finally offered the first course on indigenous peoples’ rights in 2011. A new wave of indigenous studies in mainstream academia is an idea whose time has come and, to a large extent, this is related to the achievements of the International Indigenous Peoples’ Movement and a certain awareness that indigenous peoples’ traditional knowledge and philosophies have a significant contribution to make in today’s world.

This essay is comprised of two parts. In the first part, through the lens of the rise and development of the International Indigenous Peoples’ Movement, I am interested in exploring the changing relationship of the academic advocates with the movement and their roles in the creation of indigenous studies in the past five decades. I will do that by examining in a more focused manner how advocate academics, both indigenous and non-indigenous, impacted the international law of human rights and other aspects of international law, by bringing in analytical tools and knowledge systems of Indigenous Peoples. How significant has been the theoretical mediating role of academics in “translating” Indigenous Peoples’ aspirations into International Law language and human rights norms? What has been the strategic role of the increase in the numbers of indigenous advocate academics in decolonizing International Law and what have been some of the challenges in terms of impact on the dominant legal paradigm?

In the second part, I will explore and provide some insights on the specific example of indigenous studies at Columbia University. What gave rise to the creation of Native American/Indigenous studies at Columbia? What is the value of “pushing from below”? What makes a field “an academic field” worth
exploring and theorizing about in the eyes of the mainstream? Should indigenous studies be confined to "ethnic studies" alone? What are the challenges of integrating or mainstreaming indigenous studies into other disciplines in academia, such as law, health policy, human rights, philosophy? What is the role of intercultural dialogue, i.e. indigenous perspectives in dialogue with the paradigm of what dominant academia sees as "contemporary civilizations," i.e. the Western canon? What are the strategies and methodologies of establishing and sustaining strong indigenous studies and perspectives at a major academic institution?

The Role of Research and Academia in Indigenous Peoples' Issues

The role of academic research and of academia is not just "academic" but can have real life effects in Indigenous Peoples' lives, both positive and negative.

The gist of the subject of academia's engagement with Indigenous Peoples' issues and what Indigenous Peoples expect from academia could be described by some short questions: What's in a name, such as "indigenous"? What's in a word, a phrase? Like "terra nullius," the doctrine of discovery, or "self-determination"? What's in a letter? Like the 'S' in "Indigenous Peoples"? What's in a definition? Like "ethnocide" or "development" or "well-being"? Placing these questions in the perspective of the last 50 years, it is extraordinary to recall how much meticulous attention has been paid by the Indigenous Peoples and the States to such words and terminology during the preparation of the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Words matter, especially when we talk about Indigenous Peoples, because all too often and still today, colonialism and domination is hidden behind these words, in ways that we may not even be aware of, because words depict knowledge systems, world views (cosmogenesis) and cultures.

Academia always had a special interest in Indigenous Peoples and academics have always attended the meetings of UN bodies that are dealing with Indigenous Peoples. Academics from two disciplines in particular accompanied Indigenous Peoples at the UN from the early 1980s and, in the early days, supported them in articulating their identities and aspirations. And these disciplines are anthropology and international law, especially international human rights law.

In the early 1970s, when echoes of violations of the human rights of Indigenous Peoples started knocking at the door of the UN, the first reaction was to commission a study of the problem, not an uncommon approach. There were hardly any adequate procedures at that time at the UN to deal with specific complaints of human rights violations—the first such procedure, the "1503 procedure" on gross and systematic violations of human rights, had just been established in 1970 and was hardly operational. The title of the study mandated by the Commission on Human Rights and then by the Economic and Social Council of the UN in 1972 was "the problem of discrimination against indigenous populations" and it was to be conducted by Rapporteur Martínez Cobo, member from Ecuador of the Sub-Commission on Prevention of Discrimination and Protection of Minorities.

A critical look at how this study was conducted will provide a clear picture of the beginnings of a new methodology, a new approach, what can be called the UN's corrective exceptionalism in dealing with indigenous affairs, an exceptionalism based on the implicit or explicit admission by States that Indigenous Peoples were and are profoundly disadvantaged by practices of colonialism and its vestiges, and that therefore the world has to correct the situation and make amends. This new ethos of having to abandon colonialism and correct its ills was especially pronounced in the international arena in the 1960s, the era of decolonization that saw the independence of many former colonies and their joining of the United Nations. Before I address this new methodology, some remarks are in order.

When the UN established the first ever mechanism on Indigenous Peoples' Rights, the UN Working Group on Indigenous Populations (WGIP) in 1982, it started the process of a long inter-cultural dialogue between the Indigenous Peoples' movement and States, with the UN as an intermediary and a broker of this dialogue. Norm-creation was one of the important mandates of WGIP that was expected to prepare international standards on the rights of Indigenous Peoples.

In order to assess the dynamics of the interface between Indigenous Peoples and the UN in terms of norm creation, we have to examine what was the State of international law and human rights norms and procedures at the time that the international indigenous movement "contacted" the UN. We will first examine the state of things among Indigenous Peoples.

One has to start from the realization that Indigenous Peoples did not wait for an interface with modern States or the UN or non-indigenous researchers for that matter to proclaim that Indigenous Peoples exist, that they are distinct peoples,
distinct societies, and as such, they were and are organized under their own socio-political, legal and economic systems. Within their varied socio-economic and political contexts, Indigenous Peoples around the world did and do have their own laws, legal structures and governance systems. Although colonization affected indigenous legal systems, and even struck a strong blow on those, following deliberate policies of the colonizers (Simpson 2007), in many instances indigenous legal systems have survived and are being rebuilt and strengthened in recent decades thanks to the revival of Indigenous Peoples’ identities, organization and an increased awareness of their self-determination and other human rights.

What was the state of affairs in the human rights field at the UN in those formative years of contact by the Indigenous Peoples?

Research was always at the root of introducing new topics in the field of human rights at international level, in the United Nations system in particular. Most of these studies were done via a mandate given to the appropriate international human rights body, especially the Sub-Commission on Prevention of Discrimination and Protection of Minorities which was in charge of doing these studies (the Sub-Commission was succeeded later by the Advisory Committee of the Human Rights Council). The methodology was and still is as follows: the secretariat solicits responses from States on how they deal with the topic that is being studied in terms of legislation, administrative action, judicial precedent and other areas. Relevant non-governmental organizations in consultative status with the Economic and Social Council are also asked to contribute. The study then becomes one of comparative law and tries to draw the highest common denominator and decipher the underlying legal norms that could then form the basis of an international human rights instrument on the specific topic. Studies would take between about three to five years to be completed. It should be noted that some States, especially Western States, have felt for a long time that human rights standard-setting should somehow end, or that most of it has ended in any case. This is not the view of developing countries, which, coming out of an era of colonization, have wanted to place their mark on international law. Indigenous Peoples have also pursued the same, through the preparation of UNDRIP, but also in other areas, such as sustainable development, biodiversity and climate change. The particular reticence of Western countries regarding new international human rights standards has also translated in occasional efforts, especially by the United States, to do away with the Sub-Commission and not to have any successor body to it under the Human Rights Council reform. This view finally did not prevail and the Advisory Committee of the UN Human Rights Council exists, with a mandate to conduct studies on human rights topics and possibly develop new international human rights standards through the progressive development of international law.

Going back to the corrective exceptionalism in the methodology of the 1970s/1980s UN study on the problem of discrimination against indigenous populations, instead of being a study just centered on State legal systems, the study became a more open process. The preparation of the study strategically lasted for about 13 years in order to gather the views and listen to voices of the then budding indigenous movement. Augusto Willemsen Dias, a political refugee from Guatemala, was the first person in the UN to work on Indigenous Peoples rights. He was the strategic brain behind the study. In 1983, in an unprecedented breakthrough, the WGIP decided to allow participation in its work by representatives of indigenous communities/peoples/nations, i.e. even those who did not have consultative status with the Economic and Social Council of the UN (a formality followed for the rest of UN meetings in those years) (Stamatopoulou 1994). From 15 NGOs participating in 1983, today some 1500 to 2000 indigenous representatives participate at the annual sessions of the UNPFI in New York. The UN established in 1984 a Voluntary Fund for Indigenous Populations to support indigenous grassroots organizations travel to Geneva to the Working Group. In other words, there was and is great emphasis on the direct participation of indigenous peoples at the UN, as a methodology of norm-creation and policy-making on indigenous issues. This Fund still exists to support participation in the UNPFI, the Expert Mechanism on Indigenous Peoples Rights (EMRIP) of the Human Rights Council and other relevant meetings. Upon contact with the UN, Indigenous Peoples’ legal systems, norms and concepts, in their tremendous cultural variety, were coming into intense dialogue with other, dominant legal systems and also with each other. One of the challenges Indigenous Peoples faced during the drafting of the Declaration was that, in order to create a stronger front of negotiation vis-à-vis States, they were then challenged to “speak in one voice,” to somehow make abstraction of the particular realities and systems they were coming from and put forward common concepts and principles to advocate for at the UN level. The
other challenge was for the indigenous movement to inform the UN about these indigenous concepts, to explain what they meant, why they were important and why they had to be part of the norms that the UN would enact on the rights of Indigenous Peoples. In other words, Indigenous Peoples were defining what they themselves considered as their human rights. These challenges were not that dissimilar from those faced by the newly independent countries that joined the UN after decolonization and that tried to impact on international law through the UN's treaty-making processes. At the point in time when Indigenous Peoples decided to promote the adoption by the UN of a declaration on their rights, it became indispensable for them and for their effectiveness in the negotiations to become aware of the dominant normative framework until then. In that way, they would be able to decide how they wanted to change it to protect, promote and fulfill their human rights. That meant entering in a substantive dialogue with a non-indigenous international legal system, with States, a challenge that became even more complex given the contradictory interests among States at the UN, whether in terms of East-West conflict or in terms of North-South tension or other types of geopolitical and economic interests, including those of corporations.

What were some of the major concepts that Indigenous Peoples needed to explain to States in the process of the drafting of UNDRIP?

First of all, the indigenous movement was stressing the spiritual relation of Indigenous Peoples to the land, as well as the indispensable link that they need to preserve to their ancestral lands in order to survive as peoples, as cultures, but also for their physical subsistence and well-being. Another concept brought in by Indigenous Peoples was the collective, as compared to the individual, right to land, territories and resources. The right to self-determination was put forward as an indispensable element for their survival as peoples, as cultures. Indigenous Peoples were explaining that they are indeed peoples with the full right to self-determination. Moreover, a series of cultural rights were underlined as indispensable for the protection and promotion of their culture and identity. More importantly, Indigenous Peoples stressed that the concept of collective rights is part and parcel of human rights, of human dignity. Each of these concepts eventually found its way into the Declaration and created a revolution in international law and the understanding of human rights.

At the time the Indigenous Peoples contacted the UN in the 1970s, human rights were still a growing part of International Law, viewed as "soft" international law that was not yet quite established. The UN had already achieved the adoption of a number of crucial international human rights instruments: the 1948 Convention on the Prevention and Punishment of the Crime of Genocide, the 1948 Universal Declaration of Human Rights, the 1965 Convention on the Elimination of All Forms of Racial Discrimination, and the two 1966 International Covenants (one on Economic, Social and Cultural Rights and another on Civil and Political Rights). However, suffering under the Cold War ideological rift, human rights as an international law was still viewed as lesser, i.e. not much of a part of "core" international law. It was at that time that Indigenous Peoples' concepts of human rights started interjecting with those of States. It is certainly true that in reshaping aspects of human rights law, Indigenous Peoples absorbed, re-interpreted and expanded on the already significant body of human rights norms created by States.

It is important to underline that it is through the human rights angle that indigenous issues received international attention, since human rights bring out a political edge that catches States' attention and, often, their annoyance or sensitivity. A human rights analysis presents a critique of their practices that other approaches do not necessarily present. Indigenous Peoples and their academic supporters understood that early on and thus used the human rights platform as a launching pad for visibility of their issues and advocacy for new norms to protect Indigenous Peoples' rights.

Academics spoke in the early years at WIGIP, mediating philosophical, legal, social, and other concepts between cultures. Later on, academics stopped making statements at WIGIP, the ground was exclusively available to indigenous leaders themselves, who were dynamically conveying their own knowledge systems and demands in terms that the mainstream could comprehend — i.e. the mediation of non-indigenous expert academics was no longer needed. This happened quite soon, by the late 1980s. Many academics kept their interest in indigenous affairs, also working in solidarity with Indigenous Peoples. Over the years and quite soon after the Indigenous Peoples’ movement contacted the UN, Indigenous Peoples started educating and sending their own experts in international law and other areas to the UN, and continued the cultural
mediation of concepts over the long period of negotiations on the UNDRIP until its adoption in 2007. Training sessions of indigenous leaders in international law, especially in human rights, were conducted, by indigenous organizations or by non-governmental organizations in cooperation with them, in connection with the timing of the WGIP and continue today in connection with the sessions of the UN Permanent Forum on Indigenous Issues and in other settings. Already by the 1990s, considerable literature had been produced on the reshaping of ideas and norms on human rights through Indigenous Peoples' own representation (Smith 2012).

How significant has been the theoretical mediating role of academics in “translating” Indigenous Peoples’ aspirations into international law language and human rights norms? It is clear that during the formative years of the Indigenous Peoples’ movement, two academic disciplines played a special role: anthropology and international law, particularly on human rights law. Academics from said areas accompanied and teamed up with indigenous leaders at the United Nations Working Group on Indigenous Populations. Indigenous elders spoke to represent their peoples and their way of exposing their hard realities and their discourse were often times spiritual, metaphorical, almost poetic, and, at least in the early days, in the early 1980s, could resonate as unusual and difficult to grapple with in a UN context. Indigenous leaders for example would bring with them symbolic objects, such as a wampum belt,4 to demonstrate how their ancestors had concluded treaties with States and how such agreements had been registered and depicted in that particular weaving or beading. There was in other words, no piece of paper to signal the agreement, but an object, such as a particular weaving.

This is where the role of academics came in to bridge the language and cultural gap, to interpret indigenous concerns in mainstream language and promote inter-cultural dialogue on concepts, where agreement between States and Indigenous Peoples was crucial. Academics sometimes spoke, not on behalf of indigenous leaders, but on their own behalf, as “expert witnesses,” one could say, and, in the process of addressing international law theory, they were also progressively developing and expanding that theory to include concerns that Indigenous Peoples had. I recall, for example, crucial discussions on the concepts of sovereignty and self-determination, where academics explained in detail and by using legal precedent and theory, why Indigenous Peoples are sovereign, how they implement their own governance systems and why it is a human rights issue to respect these systems, so that Indigenous Peoples will survive as peoples and as cultures. Many discussions were also held about colonization, ethnicicide and genocide during those formative years and indigenous leaders and academics, each using their own language and means, were explaining and advocating that such situations have to be remedied and prevented by the international human rights system.

Relatively soon, a good number of indigenous leaders specialized in the fields of international law, human rights, anthropology, political science, and other areas and, already since the late 1980s, were making their contributions to the UN Working Group on Indigenous Populations. Being indigenous persons themselves, they were in a good position to translate the concerns of their peoples in international law and human rights terms and draft the articles they wanted to see included in a UN declaration on the rights of Indigenous Peoples. The increase in the number of indigenous advocates in decolonizing international law and participating in the UN debates accelerated the opening of theoretical and conceptual and political spaces for Indigenous Peoples. The phenomenon that we could observe through the 1980s at the WGIP was that the intense intercultural discussions between Indigenous Peoples and States was gradually winning “hearts and minds” of a number of State delegates, despite official government views the delegates would have to defend. The value of such change of mind over the years in government bureaucracies cannot be underestimated in the eventual adoption of the UN Declaration on the Rights of Indigenous Peoples. The indigenous movement had made those “subtle” allies, who would work “from within” to change governmental positions. This was also true for officials of UN agencies.

The contribution of indigenous experts and academics to this change was significant, one could call it spectacular. Indigenous Peoples’ activism and movement clearly contributed to the impact that indigenous academics had in changing concepts and policies. Without the movement, the impact of indigenous researchers and academics would have been lesser.

Indigenous Peoples had been, for centuries, the object of study by researchers who applied positivist theories, based on the rationality of Western tradition that reflected dominant and colonial paradigms and power structures. Social justice and social transformation activism in the 1960s and 1970s pushed for a change in the approach to research and its link to power. Anthropology that made its own discipline via studying and describing Indigenous Peoples had, for a long time, studied
Indigenous Peoples without taking into account and allowing agency for their own voices and views of themselves or for their knowledge systems, without returning the results of research to the communities so they would benefit or without weighing the negative effects of their presence among Indigenous Peoples. By comparison to other disciplines, such as history, law or political science, anthropology is the discipline that can be viewed as the one that has since critiqued its methodologies the most. Its self-critique eventually resulted in a radical shift of its approaches. Researchers in the social justice area, in the critical research tradition, have established that it is crucial for research to pay particular attention to matters that impact on the integrity of research and of the researcher, continuously develop their understandings of ethics and community sensibilities, and critically examine their research practices.9

In the past 20 years, considerable literature on indigenous topics has been published by indigenous researchers around the world. This creates not only a shift in methodologies but also a shift in the topics of research such that they respond more to the Indigenous Peoples’ own interests and visions for transformation. Indigenous communities started having an input in shaping the research agenda. In the second edition of her classical book, “Decolonizing Methodologies: Research and Indigenous Peoples,” Linda Tuhiwai Smith describes 25 cases of community driven research that has led to important results.8 This resetting of the research agenda was not unrelated to the International Indigenous peoples’ movement advocating for indigenous rights. The indigenous research agenda is now clearly reflected also in the subjects of studies selected by UN indigenous-related mechanisms, the Expert Mechanism on Indigenous Peoples’ Rights, the Special Rapporteur on the rights of indigenous peoples and the UN Permanent Forum on Indigenous Issues. The Permanent Forum, which enjoys more flexibility in selecting and conducting studies, has, since its inception in 2002 until 2012, identified some 106 topics of indigenous-related research. One of the topics the Permanent Forum recommended however not yet been conducted, is a study towards guidelines for culturally sensitive and objective survey instruments for academia.7

Indigenous Peoples’ success in resetting the research agenda and bringing forward their own contributions is also reflected in other areas of international action, including the Intergovernmental Platform on Biodiversity and Ecosystem Services (IPBES). The IPBES agreed that there are diverse knowledge systems which are equally important especially in the conservation and sustainable use of biodiversity. Thus, a dialogue is underway between those who know and are practicing traditional knowledge systems and scientists to discuss various issues, such as validation or peer review, coproduction of knowledge and documentation.9

In conclusion, while not devoid of tensions and challenges, the Indigenous Peoples’ relations with academia and researchers continue to be strengthened. The indigenous-related UN mechanisms have asked and received the support of academic institutions and this is a relationship that will continue to grow. UNPFII has addressed academia in some recommendations. The UN Expert Mechanism on Indigenous Peoples’ Rights with the Office of the High Commissioner for Human Rights has created a group of academic friends for EMRIP’s work, so that the latter can contribute research to its studies.9

Building indigenous studies at Columbia University

In recent years, programs of indigenous studies started being launched in various parts of the world. Some of those were and are initiatives of non-indigenous academics and some are results of Indigenous Peoples initiatives. The 2013 “Study on how the Knowledge, History and Contemporary social circumstances of Indigenous Peoples are embedded in the curricula of Education Systems”10 quotes UNESCO’s International Institute for Higher Education in Latin America and the Caribbean (IESALC) (Barreno 2002) which pointed out that by 2002 the United States and Canada had reached mature levels of indigenous higher education and that the United States had some 30 indigenous colleges and universities while Canada had three.

It is another question altogether what the state of indigenous studies is in non-indigenous conventional universities in the USA and elsewhere, especially in major universities, such as Columbia University. There are a number of questions that arise when it comes to major universities. Why is it important to teach Indigenous Peoples’ issues there, in addition to teaching and research being done only in indigenous universities? What should be the approach, the philosophy of the teaching and what research space should be created and how should this be done? What should be the departments that should teach Indigenous Peoples’ issues? Should most departments integrate an indigenous component or should there be specifically dedicated programs or both and why? What should be the link of indigenous studies to the broader “body politic” of the university, such as the students, the faculty or the indigenous
community of the area or of the country, where the university is located? What are some facilitating factors and some challenges for establishing indigenous studies or integrating them in a variety of academic areas? I will try to address these topics through an analysis of the situation at Columbia, as I have observed and experienced it in the brief period I have been associated with the institution. 

A question to ask first is why it is important for major universities to teach and conduct research on Indigenous Peoples' issues. Why should Columbia as an institution be involved and why is it in a special position to engage in indigenous issues?

At a meeting held between the Chairperson of the UNPFII and some of Columbia’s high officials and faculty in 2007, just after the adoption of the UNDRIP by the UN General Assembly, we were told that, in a brief review of the School of International and Public Affairs (SIPA) work in preparation for that meeting, it was ascertained that there was no attention to indigenous affairs at SIPA. In light of important international developments on indigenous issues, the representatives of Columbia felt that action was required by the University to correct that.

What was the thinking behind pursuing Columbia’s opening to indigenous peoples’ issues? As a leading world academic institution based in New York, as well as a university distinguished by its concern with the public interest, Columbia is in a unique position to offer a multidisciplinary program on Indigenous Peoples’ issues from a national and an international perspective. New York City’s Native American community is one of the largest urban indigenous communities in the US. The headquarters of the UN Permanent Forum on Indigenous Issues (UNPFII) in New York – the highest body dealing with the subject at the UN – provides the opportunity for the academic community of Columbia to engage with and also create the circumstances to support the UNPFII in research and other areas of mutual concern. Students and faculty of Columbia have been attending the annual sessions of the UNPFII from a variety of disciplines including anthropology, history, international relations, social work, public health, literature, and law. Other leading academic institutions in the US have chosen to support select UN mandates in the past (e.g. the Special Rapporteur on the right to development, the Special Rapporteur on the right to health and the Special Representative on business and human rights have been supported by Harvard). Although other academic institutions in the USA have had an earlier involvement with indigenous issues, Columbia’s strategic location places it in a special position to launch indigenous issues studies at the international level, linking with the UN Permanent Forum on Indigenous Issues as well as other intergovernmental and major Indigenous Peoples’ organizations that regularly come to New York to partner with the UNPFII in its work.

However, there was also an additional reason in trying to get Columbia to become interested in Indigenous Peoples’ issues. There was a moral prerogative that such a distinguished institution, with a strong public interest, pioneering and rich human rights curriculum had to recognize that Indigenous Peoples’ issues are a significant academic field, in terms of Indigenous Peoples’ current realities, struggles, critiques of and contributions to various disciplines, namely academia has to recognize the various knowledge systems of Indigenous Peoples, engage with them and make them part of what counts as valid academic knowledge. Experience from international/ intergovernmental indigenous affairs has also demonstrated that there is considerable particularity to indigenous issues to require special attention, interdisciplinary research and study for their full exploration at both policy and academic levels. This particularity and the expanding literature on the topic by indigenous and non-indigenous researchers has by now created a clearer sense that indigenous issues is a field of its own that requires an appropriate position in the academy. It is also certain that the establishment of the UN Permanent Forum on Indigenous Issues and the adoption of the UN Declaration on the Rights of Indigenous Peoples have helped raise the profile of indigenous issues in the academic world.

The goal set for an international indigenous issues program at Columbia was to enrich the understanding, knowledge and engagement on Indigenous Peoples’ issues of the academic community at Columbia in various fields, through teaching, research and links with significant international events, institutions and leading actors. Such a program would be complementary to and work closely with ongoing efforts at Columbia to strengthen the Native American studies program at Columbia. In other words, it was felt that Columbia would have to clearly pay attention “close to home,” to borrow from Eleanor Roosevelt’s famous phrase, while at the same time expanding into indigenous issues with an international perspective.

The idea was that an indigenous studies program would have solid bases in human rights and ethnic studies and would be open to undergraduate and graduate students. Its elements would consist of promoting the offer of courses on Indigenous Peoples’ issues from an international perspective;
organizing lecture series or conferences and expert meetings on cutting edge indigenous issues of particular interest; engaging in multidisciplinary research some of which could have public policy implications; creating an interface and cross-fertilization between the Columbia academic community and indigenous experts from around the world. The latter could be done in various ways: a) through the hosting of international expert meetings on complex indigenous issues, including in cooperation with relevant UN entities and indigenous institutions; b) through inclusion of indigenous experts in programs and fellowships offered by Columbia (e.g. at the Human Rights Advocates Program of the Center for the Study of Human Rights); c) through creating a mutually beneficial link between Columbia and indigenous academic institutions; and d) through attendance of Columbia students and faculty at the annual sessions of the UNPFII and select meetings around the world on cutting edge issues, if circumstances and resources allow. These would be tools for intercultural dialogue.

One is then to ask, what circumstances bring about an institutional change? In the case of Columbia the change, or rather, the beginning of the change, was signaled by a number of factors, one of them being advocacy “from below.”

A revealing aspect of this story, albeit briefly, is posted on the website of the Center for the Study of Ethnicity and Race (CSER) at Columbia University,14 where one reads the following among other things:

MISSION STATEMENT

Founded in 1999, the Center for the Study of Ethnicity and Race (CSER) at Columbia University is a vibrant teaching, research, and public engagement space. The Center’s mission is to support and promote the most innovative thinking about race, ethnicity, indigeneity, and other categories of difference to better understand their role and impact in modern societies. What makes CSER unique is its attention to the comparative study of racial and ethnic categories in the production of social identities, power relations, and forms of knowledge in a multiplicity of contexts, including the arts, social sciences, natural sciences, and humanities.

HISTORY

CSER was formed in response to a student strike in 1996. The students advocated for the creation of an academic unit dedicated to the study of ethnicity and race. Three years later, the CSER was founded under the direction of Professor

Gary Okihiro. In 2006, Professor Claudio Lomnitz became CSER’s second director. Professor Frances Negrón-Muntaner began her tenure as director in 2009.

Initially, the Center housed two majors: Asian American Studies and Latino Studies. In 2004, CSER added a third major, Comparative Ethnic Studies. In 2010, CSER joined part of its undergraduate program with Barnard College’s Interdisciplinary Concentration on Race and Ethnicity (ICORE) and created a single major, Ethnicity and Race Studies. In addition, CSER became the home of Native American/Indigenous Studies as an area of specialization.

The new single major allows students to organize their studies through various tracks, including Asian American Studies, Latino Studies, Native American/Indigenous Studies, Comparative Ethnic Studies, and Individualized Study. Individualized courses of study may encompass a wide variety of themes and questions, including health; human rights; urban spaces; cultural production; media; the environment; and the relationship between race, ethnicity and law.

... At present, CSER continues to be Columbia’s main interdisciplinary space for the study of ethnicity and race and their implications for thinking about culture, power, hierarchy, social identities, and political communities...

Native American students had joined the student mobilizations at Columbia in the 1990s to promote Native American studies. The word “indigeneity” was added in CSER’s narrative in 2010, but remains outside the title of the Center, with formal University approval still pending.

Facilitating factors

In 2010 a Native American/Indigenous direction was created within ethnic studies. In 2011 indigenous peoples rights were taught for the first time at Columbia.15 In 2012 the Institute for the Study of Human Rights launched the first steps of its Indigenous Peoples’ Rights Program. Also in 2011, the Center for the Study of Ethnicity and Race (CSER) instituted a Native American lecture series, bringing in annually four distinguished Native American lecturers in a variety of fields. In 2013, some 40 new books and other publications on contemporary indigenous issues, many produced by indigenous authors, were added to the Columbia’s Low Library. Thanks to a graduate student's
initiative, an indigenous issues annual student conference held annually at Columbia starting 2012.

Although involvement with indigenous issues is relatively recent at Columbia compared with some other academic institutions in the USA and elsewhere, a considerable facilitating factor has been the commitment of Columbia University administration to diversity that needs to be demonstrated through the University's programs and a diverse student body. Moreover, the university has paid attention and recruited an increasing number of Native American students. Between 2011 and 2013 the percentage of Native American students admitted (by Columbia College and the School of Engineering) has almost doubled from 1.6% to 3%.14

Clearly the continuing pressure "from below", from the Native American students, has been contributing significantly in this process. Native American students formed their own associations, the Native American Council (Columbia College) and the Native American Law Students Association (Law School). In 2011, the first pow-wow at Columbia was organized by the Native American Council, thus, adding to Native American visibility on campus. In 2013, following the Native American student demands, the university designated a house for Native American students.

A facilitating factor in bringing Indigenous Peoples' issues to Columbia was the adoption of UNDRIP in 2007. This created an awareness that the University needed to find ways to cover this topic that had created such reverberations internationally.

The location of Columbia in New York City, which is an international center that hosts the UN, the UNPFII and other major bodies and meetings of relevance to Indigenous Peoples, has had an influence on stimulating Columbia's interest in international indigenous issues as well.

Hiring of the first indigenous faculty at Columbia has created an additional advantage, as the topics they chose to teach were and are directly relevant to contemporary indigenous issues, cultures, and indigenous critical theory.15

What is the state of relevant courses and programs?

The perusal of Columbia's curriculum in 2010 showed some courses being taught in history, arts, literature, ethnic studies, and anthropology. Focus on Native American issues was and is more prominent. The major debates brought out by the Indigenous Peoples' international movement were not present in the curriculum, especially the human rights debates and the new theoretical breakthroughs that intercultural international relations with Indigenous Peoples had created, as for example in human rights or in development debates. In 2013 the situation is slightly better. Although more courses are offered on contemporary indigenous issues, the number of courses is not enough and indigenous issues courses are not integrated in as many areas as would be required (e.g. sustainable development).16

A welcome development is the launch in 2013 of Columbia's Summer Program on Indigenous Peoples' Rights and Policy. The course is a two-week immersion program open to academics and professionals which aims to provide an overview and analysis of the major questions in indigenous affairs today, as they have emerged globally in the last decades, culminating at the adoption of the UN Declaration on the Rights of Indigenous Peoples. Taking an interdisciplinary approach, the course analyzes the interaction between the Indigenous movement— one of the strongest social movements of our times— and the intergovernmental system over the past 50 years, paying special attention to its questioning of and impact on international norms, institutions, and major global debates. The course is situated at the intersection of human rights studies, international law, political science, Indigenous studies, ethnic studies, development studies, sociology and anthropology. It incorporates lectures and workshops on the most recent and innovative academic and other research and policy debates on indigenous peoples’ issues. It is complemented by visits to the United Nations and a Native American Nation, lectures and discussions with United Nations officials, officials of a Native American Nation and of a state and representatives of Indigenous organizations.17 The Summer Program has drawn the interest of indigenous and non-indigenous scholars and professionals from around the world.

Since 2012, the Indigenous Peoples' Rights Program at the Institute for the Study of Human Rights (ISHR) gradually broadened the space for indigenous issues at Columbia. There is clearly a moral symbolism in hosting this program within ISHR, given that the Indigenous Peoples movement was born within the broader social human rights movement around the world. The Program seeks the capacity development of the student body through the integration of indigenous peoples' rights in the human rights curriculum advanced by the Institute. In terms of capacity development, it promotes the participation of indigenous human rights advocates in ISHR's Human Rights Advocates Program and is trying to develop a relationship with
indigenous-related universities and other actors to enhance the knowledge of Columbia students and their interaction with indigenous students and advocates in the human rights field. As an example of this effort, the Program has been collaborating with FIMI (International Indigenous Women’s Forum) in FIMI’s Global School of Indigenous Women that offers a human rights curriculum. In 2013, Columbia hosted a two-day seminar with Indigenous Women, having 21 indigenous women participants from around the world. A special event for FIMI’s Leadership Award 2013 was also held at Columbia in May of the same year. The Indigenous Peoples’ Rights Program has also been collaborating with Tribal Link Foundation for the annual human rights training of indigenous leaders held at the UN before the sessions of UNPFII.

ISHR promotes multidisciplinary research, much of which has broad impact and public policy implications. For example, ISHR has joined the “academic friends” of the UN Expert Mechanism on Indigenous Peoples Rights and, in that context, hosted at Columbia in 2013 the International Expert Seminar on Indigenous Peoples’ Access to Justice, including Truth and Reconciliation Processes. The results of the seminar fed into EMRIP’s study on the topic and an ISHR publication is also under preparation with the contributions made at the seminar.20

What are some of the challenges of bringing indigenous peoples’ issues at the university?

It is not difficult to understand that an elite mentality is sometimes present in famous academic institutions and that it may surface in implicit ways. Thus, questions may be raised about whether collaboration of the university with certain indigenous-related institutions is appropriate, or whether a budget line can be created to employ a professor in an indigenous-related field or whether a research topic is “academic” enough or “too political.” At the same time, there is no doubt that numerous academics at large universities are avid advocates of the inclusion, of the decolonization of minds, of researches, and of the institutions themselves. These types of tensions, but also of synergies, are the daily challenges and openings one faces in “walking” through a large academic institution with an indigenous issues portfolio.

Indigenous students have sometimes spoken of the culture shock they faced in a large university environment such as Columbia and their frustration with inadequate academic support by professors who are not aware of indigenous issues the students are interested in. Also, non-indigenous students focusing on indigenous issues as a research topic often lack support by faculty, who have limited knowledge or exposure to the topic.

It is also a good question to ask whether indigenous issues should be limited to ethnic studies alone. The long experience of women’s studies and other studies on specific social groups – created by social exclusion and discrimination - has shown that, in similar ways, “ethnic studies” are useful as they need to create a special facilitating and comfortable space for research and thinking – where this does not exist or faces tremendous adversity otherwise. This kind of adversity is not unfamiliar to public policy contexts, such as the United Nations, and where, similar thinking has led to group specific normative instruments, such as UNDRIP, bodies and offices, such as the UNPFII and its Secretariat. At Columbia this comfortable space exists at CSER, in anthropology and at the Institute for the Study of Human Rights, yet a challenge is how to “mainstream” Indigenous Peoples’ issues as a valid topic of research and reflection in other areas, including philosophy, law, health policy, sociology, and development studies. The example of the National Autonomous University of Mexico could be useful for Columbia University: a “Mexico as a Multicultural Nation” university program was established, coordinated by the humanities faculty and supported by all the 14 faculties and schools to familiarize students with issues relating to the multicultural nature of Mexican society, focusing on indigenous language and literature, the economic and social development status of the indigenous peoples of Mexico, indigenous women, etc. Many of the instructors and researchers are indigenous academics, professors and specialists in fields being taught.21 One could well imagine such a broad university-wide course on Native American/indigenous issues at Columbia.

Funding is another challenge in promoting indigenous-related programs at Columbia. The challenges that the Indigenous Peoples’ Rights Program at ISHR faces to bring indigenous persons to participate at the flagship program of ISHR, called Human Rights Advocates Program, is telling. In some 20 years of life of the Human Rights Advocates Program, only one indigenous person had, until 2013, attended the program.

The methodology in teaching and conferencing about indigenous issues can be a facilitating factor and a challenge at the same time. In a conventional university, i.e. non-indigenous,
it is crucial to bring in indigenous voices, via publications of
indigenous authors, including indigenous organizations, as
well as indigenous lecturers, researchers and practitioners.
Overall, it is important to highlight the impact of Indigenous
Peoples as agents of change, contention and critique as well
as their contribution to the most pivotal issues of our times. 

Some conclusions: why academic work on indigenous peoples’
issues is needed in conventional universities and what are some
good strategies to achieve this?

Academic work on Indigenous Peoples’ issues in
conventional academic institutions is needed, but the “what”
and the “how” are equally important.

Mainstream academia, especially large academic
institutions, should give importance and prestige to indigenous
issues. Such institutions play an important role in shaping and
re-shaping ideas, histories and policies in our societies and
it is therefore a moral prerogative for them to be engaged in
indigenous peoples’ issues. Obviously, the academia plays a
crucial role in educating the students and the broader public
on Indigenous Peoples’ issues.

It is evident that in indigenous studies, Indigenous Peoples
should not just be relegated to the past, as history gone forever,
or as art that is part only of museums. Indigenous issues
should also be taught to demonstrate the continuing existence,
importance and contributions of indigenous peoples.

There should be fertilization of academic thought via
collaboration with Indigenous Peoples themselves contributing
their knowledge and perspectives.

Indigenous persons should be encouraged to go into
academia, both as students, as well as researchers and faculty.

Given the challenges in building indigenous studies in
conventional universities, synergies are crucial. One of the
strategies is to create informal or formal links and collaboration
among interested faculty within the university and in other
universities.

The moral voice of indigenous student advocates and those
who are in solidarity with them has had a political and ethical
force that has produced results until now. Continuing the
faculty’s and administrations’ link with the student advocates
of indigenous issues in the university, especially through the
indigenous students’ associations, is therefore fundamental.

By way of epilogue and as a tribute to the intercultural
dialogue that indigenous studies open up, let me offer a citation
from a Columbia student paper in my 2012 class. She was
commenting on our discussions on Bolivia, the struggles of the
Indigenous Peoples there, the new constitution, the concept of “bien vivir” and other philosophical concepts of Indigenous
Peoples.

“Twas so overjoyed by this week’s readings and the innovative
discourse regarding the contents of Bolivia’s new constitution.
In many ways it was rather refreshing and I’m somewhat
happy that this section of readings was reserved for the latter
half of this course. ...

“Twas really interested in delving more into the language of the
constitution and ultimately found article 102 and 306 of the
411 articles to be revered as what should be a new precedent
for social governance. These specific articles truly illustrate
the concept of “Bien Vivir” and the necessity for ending
neoliberal ideologies as a means to decolonize and reconstruct
a more harmonious existence with nature. I also came across
a really remarkable piece that describes the concept of of
Pachakuti- “the achievement of a dignified quality of life and
death, to love and be loved, the healthy flourishing of all in
peace and harmony with nature, the indefinite prolongation
of cultures, free time for contemplation and emancipation,
and the expansion and flourishing of liberties, opportunities,
capacities and potentials”...

END NOTES

1. I use “contact with the UN” to signify a reversal of the clichéd
use of the term that signals that non-indigenous colonists or scientists
have “contacted” the Indigenous Peoples throughout history. In the
case of the indigenous movement, it was the initiative of Indigenous
Peoples themselves to contact the UN and to use it as an important
tool and launching pad for their survival and the respect of their
human rights.

2. The Western Sahara case, already in 1975, raised before the
International Court of Justice the issues of terra nullius, decolonization,
treaties and tribes constituting peoples with their own governance
structures and representations (see Summary of the Western Sahara

3. See his essay “How Indigenous Peoples’ Rights Reached the
UN” in Claire Charters and Rodolfo Stavenhagen, eds., Making the
Declaration Work: The United Nations Declaration on the Rights
of Indigenous Peoples, Copenhagen, International Work Group on
4. Beaded belts, wampum, were used by Indigenous Peoples in North America to mark agreements and, later, when the colonists arrived to North America, to mark treaties between States (the British Crown) and the Indigenous Peoples. Wampum has a special significance to the Haudenosaunee (Iroquois) people. Archaeological evidence shows that wampum was in use by the Haudenosaunee in the period before the Haudenosaunee Confederacy. But it was during the founding of the Confederacy that Aionwatha (Hiawatha) introduced wampum in the way that it is currently being used by the Haudenosaunee. Wampum is used to signify the importance or the authority of the message associated with it. As such, treaties and other such agreements would have a large amount of wampum that had been loomed into a "belt" for them (see Wikipedia and www.ganondagan.org/wampum.html).


7. The Forum, reflecting the expressed wishes of indigenous peoples, identifies topics for study. It conducts research by designating rapporteurs among its members to do so. The Forum has at times also recommended to other parts of the UN system to conduct certain research. Sometimes the Forum recommends the convening of international expert meetings that will gather the most updated research and thinking on a specific complex topic. It should be noted that, although a lot of research has already been produced, due to resource constraints, the research mandated by the UNPFII is sometimes delayed, partly implemented or postponed.


11. The author joined Columbia in January 2011, after many years at the United Nations, some 21 years in the human rights field. She served as the first Chief of the Secretariat of the UN Permanent Forum on Indigenous Issues from 2003 to 2010. She is currently an Adjunct Professor affiliated with the Center for the Study of Human Rights and the Department of Anthropology, as well as Director of the Indigenous Peoples’ Rights Program at Columbia University’s Institute for the Study of Human Rights.

12. I used words along those lines to introduce the idea to some Columbia faculty.

13. “Where, after all, do universal human rights begin? In small places, close to home so close and so small that they cannot be seen on any map of the world. Yet they are the world of the individual person: the neighborhood he lives in; the school or college he attends; the factory, farm or office where he works. Such are the places where every man, woman and child seeks equal justice, equal opportunity, equal dignity without discrimination. Unless these rights have meaning there, they have little meaning anywhere. Without concerted citizen action to uphold them close to home, we shall not look in vain for progress in the larger world.” Source: Eleanor Roosevelt’s remarks at presentation of a booklet on human rights on the 10th anniversary of the Universal Declaration of Human Rights, “In Your Hands”, to the United Nations Commission on Human Rights, United Nations, New York, March 27, 1958.


15. The title of the course is “Indigenous Peoples’ Rights: from local struggles to the global indigenous movement.”

16. Admissions statistics show the number of admitted students per year (they do not reflect the “current” number of students as some withdraw or do not graduate).

17. Professor Audra Simpson, an esteemed indigenous anthropologist who came to Columbia in 2010 includes the following in her cv: “... In order to stay faithful to the words of my interlocutors I am interested as well in the use of narrative as data, in alternative forms of ethnographic writing and in critical forms of history. In order to stay faithful to my own wishes, I work at every turn to enter the fields of anthropology and Native American Studies into a critical and constructive dialogue with each other.” (http://www.columbia.edu/cu/anthropology/fac-bios/simpson/faculty.html)

18. The Law School brings in an external attorney one semester per year to teach Federal Indian Law and also includes Native peacemaking as part of a clinic on dispute resolution.
19. The Summer Program is modeled along the lines of the annual course given on Indigenous Peoples’ rights. See CSER’s website, http://www.columbia.edu/cu/cser/issp/.


21. See Mirra Cunnigham and Alvaro Pop “Study on how the knowledge, history and contemporary social circumstances of indigenous peoples are embedded in the curricula of education systems”, E/C.19/2013/17, paragraph 31, prepared for the twelfth session of the UNPFII in 2013.

22. It is both rewarding, but also a surprise for me to receive comments from my Columbia students that are amazed to realize that first of all Indigenous Peoples exist, that they are organized and pushing forward in so many critical areas, such as human rights, development paradigms, climate change, biodiversity and others. The fact that so many students are not aware of the contemporary existence of Indigenous Peoples in the USA and elsewhere is also a critique of the educational/school system.

REFERENCES


Engaging the traditional and the modern: “Politics” and the study of Anthropology

Political anthropology is said to find its roots in the 19th century in anthropologists such as Henry Maine, who in his time, saw the relationship between political and economic power and the concept of land ownership in feudal societies. What has been considered to be Maine’s most important contribution to political anthropology is his theory of how the “individual” develops from his/her society. This becomes possible with the replacement of the concept of status in the traditional family set-up with the idea of contract which is the basis of modern nation-states. Alongside Maine, other figures who are recognized to have built the foundations of the study of political anthropology include Emile Durkheim, Max Weber, and Karl Marx, all of whom were concerned with the relationship between moral order and social organization (Barfield 1997).

Numerous works have been written since the 19th century about the nature and interplay between law, order, conflict, governance, and power which has come to define the study of political anthropology. A great deal of interest involved studies in ritual practices, age and kinship systems such as those found in the works of Edward Evans-Pritchard, The Nuer: A Description of the Modes of Livelihood and Political Institutions of a Nilotic People (1940) and Meyer Fortes, The Dynamics of Clanship among the Tallensi (1945). Other scholars such as Victor Turner and Abner Cohen located the practice of “politics” outside the strict sense of governance structures such as rituals (Barfield 1997).

More recently since the 1980s, developments in the study of political economy and world-systems theory have contributed to the study of political anthropology that considers even the realities of globalization. This is illustrated in works such as Immanuel Wallerstein’s Geopolitics and Geoculture: Essays on the Changing World-System and Unthinking Social Science: