Self-determination for Indigenous peoples is not only a right but also a foundational, shared value.

At the heart of self-determination is the norm of integrity.

The two sides of self-determination are collective and individual self-determination.

My research\(^1\) shows that the current rights discourse and focus on Indigenous-state relations is too limited in scope to convey the full meaning of ‘self-determination’ for Indigenous peoples. I suggest that self-determination is a foundational value; a broadly shared view of what a people considers necessary for its wellbeing both at individual and collective levels. As a foundational value, self-determination challenges the opposition between “self-determination” and “gender” which stands in the way of fully implementing Indigenous self-determination. I propose that Indigenous self-determination cannot be achieved without restructuring all relations of domination, not only Indigenous-state relations. In this first part of the brief series, I will consider three main points pertaining to the concept of self-determination that arose from my research. The other three articles will focus on Indigenous political institutions in Canada, Greenland, and Sápmi, the relationship between self-determination and gender, and the norm of consent in Indigenous self-determination.

Introduction

Self-determination is a right which in international law belongs to peoples. In other words, it is not a right vested in states. The peoples’ right to self-determination is set down in the two human rights treaties in 1966; the Convention on Civil and Political Rights and Convention of Economic, Social and Cultural rights, which confirm that self-determination is a right that applies to all peoples. Since the 1970s, many Indigenous peoples in the world have advanced an interpretation that differs from states’ understanding of self-determination.

Whereas states view self-determination as a right to independence and formation of new states, Indigenous peoples stress that independence and nation-state is only one way of implementing self-determination. “We want to control our own lives, not an independent state,” is a common way of explaining Indigenous peoples’ political ambitions with regard to self-determination.\(^2\) Most Indigenous people seek to practice self-determination through broad, internal political autonomy and self-government, which promotes prospects of remaining and living as distinct peoples and allows people to advance their own societal structures and traditions.
A right and a shared value

In political and rights discourses, self-determination usually means a collective right of a people to decide on their own affairs and to govern certain territories. The applicability of this right to Indigenous peoples has been specifically confirmed in the 2007 United Nations Declaration on the Rights of Indigenous peoples or UNDRIP (Art. 3):

“Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”

The contents of Indigenous peoples’ right to self-determination is more specifically defined in Article 4 of the Declaration:

“Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”

The collective right to self-determination is very important for Indigenous peoples, most of whom lack possibilities and rights to make decisions over their own affairs at the collective level. Yet it is too limiting to consider self-determination only as a right in relation to the state. Self-determination for Indigenous peoples consists of many other relations.

Self-determination goes beyond state-based rights frameworks to include relationships with their lands or with one another, for example. Self-determination also has an individual dimension. Self-determination is part of people’s everyday lives and activities, as well as ceremonies and land relations.

One unexpected finding of my study was that research participants did not define self-

ILO Convention no. 169, UNDRIP). Instead, they discussed values that are part of how they understand self-determination: relationality, the importance of land, and freedom from oppression. Based on this finding, I theorize Indigenous self-determination as a foundational value with which to dismantle all relations of domination: not only with states but power relations within Indigenous societies such as those involving gender and sexual orientation. As an example, if self-determination is a foundational value for Indigenous peoples, all the other rights provided in UNDRIP can be seen as means for enacting that core value.

Research participants articulated self-determination through a number of interrelated meanings related to individual and/or personal integrity and the integrity of traditional territories. An essential feature of personal integrity is bodily integrity or freedom from violence and harm. Another aspect of personal integrity includes the individual quality of having strong moral principles, conveyed through the notion of being determined as an individual and feeling strongly about contributing to one’s community and the collective goal of self-determination. The norm of the integrity of the land reflected the strong ties individuals and communities have to their lands. It was commonly expressed through individual and collective aspirations and struggles for protecting the cohesion of their traditional territories, seen as a precondition of collective survival as peoples.
**Integrity**

The land forms a central part of the collective and individual identity in interaction with other human and other-than-human beings. This is evident in the ways in which Indigenous languages, livelihoods, customs, and social organization are closely connected to traditional territories and locations on the land. Moreover, people are linked to their physical surroundings through names, kinship relations, oral traditions and experiences.

Many research participants noted that their interconnectedness with the land provides them with a profound sense of responsibility to protect it, whether through resisting mines, forestry, oil and gas drilling or other means. The destruction of the lands destroys their connection to the land, which in turn harms their identities as individuals and as a people. When we expand the definition of self-determination beyond the constrained rights framework, it turns into a collective value characterized by the norm of integrity. The way in which the research participants discussed self-determination focused particularly on two forms of integrity: the integrity of the land and individual integrity. For many, these two forms are inseparable.

The integrity of the land means that the traditional lands and territories remain intact and undamaged. This dimension is often one of the main goals of Indigenous peoples’ political and cultural struggles for land rights. The central importance of the land emerges from Indigenous worldviews, according to which people have deep social and spiritual relationships with their traditional territories. From this relationship traditions and knowledge arise, frequently informed by certain obligations and responsibilities toward the land, its gifts and the wellbeing of all living beings.

Individual integrity means that a person has certain moral principles according to which to live their life. This manifests through a person’s determination and unwavering commitment to a certain cause which in their view advances collective self-determination of their people. Another side of individual integrity is bodily integrity; freedom from all forms of violence, coercion, and aggression. Individual integrity means that every person has a right to autonomy and self-determination over their own life and body.

In Indigenous thought, individual integrity is a commitment developed in relation to others. These relations are a constitutive part of one’s identity and inform individuals about their responsibilities and obligations. Individual integrity relies on the cohesion and wellbeing of one’s community, which has ties to the integrity of the land. A person is doing well and feels safe when their close relations, community, and lands are doing well. Typically these different forms of integrity – individual, community and land – are discussed and understood together. In other words, they are seen as inseparable sides of the foundational value of self-determination.

**Collective and Individual Self-Determination: Two Sides of the Same Coin**

Indigenous peoples commonly discuss collective self-determination, the rights of a people and prospects of being in control of their future, without which they do not survive as distinct peoples. But self-determination also has another dimension, personal autonomy. For many, individual self-determination is a precondition for the collective self-determination of their people.
Discussion

If a person is not self-determining at the individual level—they cannot control their own body and/or other personal matters—they also do not have capacity or ability to participate in advancing collective self-determination in their community. Without an understanding of the significance of this relationality—that everyone is related and everyone is needed as part of a whole—it is difficult to take responsibility for the collective well-being. Without the accountability of individuals toward the collective, the ability of a community to move forward is compromised and nation-building cannot begin.

For participants, individual self-determination meant justice, self-respect, and freedom from marginalization and all forms of violence, including structural oppression by the state. All agreed that any Indigenous self-determination struggle must seek to eliminate physical and sexual violence. Several suggested that self-determination is a responsibility that begins with the person themselves at the individual levels and expands to the collective level.

In Indigenous politics, the question of individual self-determination has sometimes been challenged and even considered unnecessary. The importance of individual self-determination and personal autonomy promoted by many Indigenous women has been denied by some male leaders, who have argued that discussing individual self-determination weakens the struggle for collective self-determination or that it is not part of Indigenous peoples’ values.

According to many studies, however, individual self-determination has historically been highly valued among many Indigenous peoples. For some Indigenous peoples, personal autonomy was so extensive that missionaries considered it problematic and an obstacle for colonization. In Indigenous worldviews, personal autonomy typically stresses the principle of responsibility: the ability of a person to take responsibility for determination; to live and behave responsibly forms the foundation of self-determination.

The interviews brought to light that part of the principle of responsibility in self-determination is to take responsibility, both individually and collectively, for the existing violence in Indigenous communities. The respect for and support of individual and bodily autonomy and integrity is a precondition to implementing and advancing collective self-determination. There was also a commonly shared sentiment in Sápmi and Greenland that there is a need for greater openness and public discussion about gender-based violence, an issue that has long been silenced.

A great majority of the participants emphasized that bodily integrity is linked with the question of individual and collective capacity and willingness to take responsibility for violence taking place in Indigenous communities. It was pointed out that experiencing violence or living in violent circumstances radically compromises an individual’s ability to function as full members of their communities and societies and that losing individuals to violence undermines the collective effort of Indigenous self-determination. As one participant expressed it, “Self-governance, land and treaties are meaningless if our families are beaten up and bruised and unhealthy. What kind of nation building is that? We need to look at our own health and the violence in the communities in order to go anywhere.”

Moreover, individual integrity takes the form of responsibility and concern for the next generation. A majority of participants shared this concern and expressed it in a number of related ways. Some discussed the challenge of raising self-determining children who, once grown up, would assume and act upon their responsibilities toward their relations and who would able and willing to do their share for “the big political self-
determination.” Others reflected their individual responsibility in actively contributing to a better world in which the next generation will grow up as well as the role of family members in carefully choosing what values and teachings to transmit to the future generations.

Research participants widely held that implementation and exercise of collective political self-determination is premised on respecting and upholding bodily integrity of all members of a society. To make this a reality requires including non-violence as a key norm in Indigenous self-determination. If part of every individual’s roles for their communities were the norms of individual integrity and non-violence, there could be a lower tolerance for violent and aggressive behavior, and collective sanctions for such behavior could be more evident and readily available to all. The role of Indigenous men in creating new norms of non-violence is critical.

Indigenous peoples’ individual self-determination is relational. This means that a person becomes who they are through relationships with others, both human and other-than-human beings. Individual self-determination emerges from intergenerational relationships, as well as a person’s obligations toward their family, community, and society. Without individual self-determination there is no future for Indigenous communities or nations, and thus no basis for collective self-determination.

Conceptualizing Indigenous self-determination as a value involves a deep desire to restructure relations of politics in ways that allow upholding individual integrity, in part defined as bodily integrity and body sovereignty and in part expressed through “knowing oneself” and other processes of gaining an understanding of who you are as an individual and what your commitments are in relation to others.

**Recommendations**

1: Incorporate a fuller meaning of self-determination into policy and strategic plans discussing Indigenous self-determination. This comprises perceiving self-determination as a foundational collective value and recognizing all the relations of domination that need to be restructured in order to make Indigenous self-determination a reality.

2: Recognize that self-determination has two inseparable sides, collective and individual. Individual self-determination includes personal autonomy and bodily integrity. The integrity of the land forms the core of collective self-determination.

3: Take both collective and individual into account in all endeavors and activities of advancing and implementing Indigenous self-determination. A genuine collective self-determination is not possible without individual self-determination.