

**“Mending a Broken Mirror”:
Collective Self-Understanding and the Strategic Meaning of Claims to ‘Indigenouness’ in
West Papua and Beyond**

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**Matthew Wrocklage
HMRT 400: Advanced Human Rights Colloquium
Professors Jim Silk and Paul Linden-Retek
December 20, 2017**

...And when we are free, then the rest

Of the world will understand.

We will keep searching for your life

That threatens to disappear.

It's like mending a broken mirror;

Each fragment, each splinter has its value...

– From “West Papua,” by Mansorom

I. Introduction: The Reflection and Its Interpretation

In September of 2007, the United Nations General Assembly adopted a new framework designed to engrave into the corpus of international rights obligations a first set of rights protections for indigenous nations across the globe. The UN Declaration on the Rights of Indigenous Peoples (UNDRIP), arrived at following a long-running, stop-and-go drafting and approval process influenced by various moments of hot-and-cold political feeling towards formalizing indigeneity as a grounds for claiming human rights, attempts in its leading articles to guarantee indigenous peoples the rights of self-determination, autonomy, and self-government (United Nations 2007: 4-5). Indigenous peoples, the Declaration advances, are “to be free of any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity (United Nations 2007: 4). Indigenous peoples and individuals, the Declaration continues in Article 9, enjoy the right to belong to “an indigenous community or nation” (United Nations 2007: 6). Processes of membership, it is upheld, would be reserved fundamentally as the jurisdiction of indigenous peoples themselves – indeed, “the right to determine their own identity or membership in accordance with...customs and traditions” is a privilege held for indigenous communities themselves (United Nations 2007: 12).

Conspicuously absent from the landmark declaration, however, is any firm formulation of the exact grounds on which any given people group might successfully claim for themselves status as indigenous – in short, no clear answer is given to the question of *who* exactly is entitled to claim indigenesness. Though UNDRIP maintains an intentional reticence on these strict questions of definition, the United Nations has not been altogether unconcerned with delineating a principled understanding of what constitutes indigeneity. Representing perhaps the first crystallization of a nascent sensitivity to matters of indigenous rights at the level of the UN, the

Sub-Commission on Prevention of Discrimination and Protection of Minorities recommended in 1970 that a comprehensive study be conducted to understand the nature of discrimination against indigenous populations (“Fact Sheet” 1997). In 1971, the Sub-Commission appointed Mr. José R. Martínez Cobo of Ecuador as Special Rapporteur for the study, which he submitted in its final form to the Sub-Commission over the years 1981-1984 (“Fact Sheet” 1997). In his report, *A Study of the Problem of Discrimination against Indigenous Populations* (referred to popularly as the Cobo Study), numerous criteria are advanced as being determinants of authentic indigeneity, including the axes of ancestry, culture (religion, tribal social structure, livelihood, etc.), and residence in certain parts of the country (particularly in rural or isolated locales), among others (Cobo 1982:1-2). Notably, however, Cobo situates his analysis of criteria for indigeneity against a recognition that “indigenous populations themselves have claimed the right to [define indigenesness] themselves as an exclusive right on their part” (Cobo 1982:5). In short, Cobo argues, indigenous groups themselves have the tie-breaking vote over any set of purportedly objective criteria (even Cobo’s) in validating indigenesness.

On face value, the latitude created by such an approach to indigenous identity is remarkable. In moments of rights violations suffered by minority ethnic groups, then, what considerations determine how those groups invoke indigeneity as grounds for rights protection, and how do these groups enact their authority to self-interpret as indigenous? What experiences or values mediate decision-making by a particular social minority to forcefully articulate its identity, interests, and claims for protection as uniquely *indigenous*, particularly in those contexts in which such groups historically have retained a sense of collective identity hitherto making no explicit reference to the concept of indigeneity as visualized by today’s indigenous peoples’ rights movement? And, finally, what determines whether any particular indigenous community

will choose to align with the broader international indigenous rights movement or instead develop a unique political identity independent of these universalizing constructions? These questions emerge as fundamental.

Seeking both to illuminate these processes of self-articulation as well as to interpret a real instance of indigenous resistance through the lens of these processes, this paper will consider in depth the long history of struggle between the indigenous of West Papua and the Indonesian state. Following clear voter coercion by Indonesian authorities during the self-determination vote initiated by the 1969 Act of Free Choice, the indigenous peoples of West Papua have long existed under Indonesian rule, a situation involving indigenous West Papuans' suffering of "sustained physical and administrative violence", ranging from "determined policies of transmigration" displacing local West Papuans with settlers from Indonesia's dominant racial and cultural groups, to campaigns of violence interpreted by many as genocide (Banivanua-Mar 2008: 584; Brundige et al. 2004). While familiar paradigms of colonization and exploitation of indigenous-held resources find obvious resonance within the context of West Papua, the degree to which the political cause of indigenous West Papuans, as performed and articulated within West Papua, maps onto the particular narratives of indigenous resistance characterizing today's transnational indigenous rights movement remains less clear.

The confluence of value systems at play in determining how social groups in West Papua and across the globe decide to interpret and articulate their indigeneity (or not) is complicated, as are the ways these articulations interface with and are interpreted by states and their programs of control. Ultimately, this paper contends that a set of increasingly universalized notions of indigenous identity have been turned to in many contexts as a strategic means to consolidate social groups seeking redress in the face of both moments of acute contemporary cultural threat

as well as longstanding legacies of conquest. Even as these notions of indigeneity have been increasingly formulated by local actors as a *strategic response* to conflict, workable definitions of indigeneity (as sanctioned by institutions within the international human rights framework) frequently invoke a people group's experience of conflict as substantiation of that indigenous identity itself. In examining the ways in which processes of conflict modulate both the social function and the formulation of indigenous identity across diverse cultural contexts globally, this paper contends that the construct of indigenesness has contradictorily been advanced, intentionally or not, within the international human rights movement as a depoliticized rhetorical instrument available for vulnerable people groups to make seemingly objective identity-based rights claims – even as the instrument itself becomes increasingly dependent on groups' political heritage and experience of political conflict to even interpret the group as “indigenous” at all.

In developing this visualization of indigeneity claims' contemporary character, three case studies will be examined in order to devise interpretive tools for later application to the context of primary interest here, that of purported genocide in West Papua. Taken from indigenous contexts across the globe, the case studies portray three primary dimensions of the relationship between indigeneity and conflict. First, the emergence of Maasai and other African pastoralist groups' sense of indigenous identity in the face of conflict over customary land rights (interpreted as analogous to land struggles faced elsewhere by indigenous peoples) suggest that claims to indigeneity can be leveraged as a means to *substantiate* groups' narratives of victimization in land struggles. Second, the extension of the indigenous rights protection of prior consultation in state-sponsored development to Colombia's culturally diverse Black communities suggests that laying claim to indigenous identity can serve as a means for minority groups to *specify* the nature of their claims for redress in contrast to the interests of similarly vulnerable

ethnic groups in analogous social positions. Third, the leveraging of environmental disputes as a means towards cultural recognition for Japan's Ainu indigenous minority suggests that claims to indigenous identity can serve an additional role as a means to *symbolically* leverage conflict for the sake of demonstrating cultural difference. In all three case studies (the case of *substantive, specifying, and symbolic* certification of conflict experience and rights claims via indigeneity), conflict both motivates and becomes a medium for articulation of political indigenous identities.

Throughout these case studies, broader academic discourses on the problematized project of defining indigeneity will be glimpsed, providing an overview incorporating the thought of various academics and legal scholars. The principles arrived at via engagement of these case studies and conceptual works will then be applied to the primary context of concern in this inquiry, the context of ethnic persecution in West Papua, in order to understand the stakes, group motivations, and cultural values involved when persecuted social groups decide to invoke (or not invoke) self-categorization as indigenous. As will be demonstrated, in many instances, such self-categorization is invoked to coalesce the group's social identity and, in some instances, to secure the special certificate of a group's subjugation that is increasingly connoted by the indigenous label itself in both the popular and technical imagination. When the subjugation at hand involves crimes on the order of magnitude of purported genocide and other crimes against humanity, invocation of indigeneity, even in passing, can function as further substantive, specifying, or symbolic certification of a group's experience of persecution, the pure malignance of the offense, and subsequent claims for redress. This paper seeks to engage such a claim.

II. International Case Studies: Indigenous Identity as Triple Certification of Collective Rights Claims

Indigeneity as Substantive Certification: Land Conflict and Constructivist Identities among African Pastoralists and the Maasai of Tanzania

Often represented wearing red robes and popularly depicted as fundamentally resistant to the encroachment of modernity into their pastoralist lifestyle, the Maasai of Kenya and Tanzania are seen frequently as the initiators and strongest supporters of the indigenous movement in Africa (Ndahinda 2011:257). According to Ndahinda's narration of the Maasai people's self-involvement in the global indigenous rights movement, Maasai claims to redress stem from a relatively recent history of state-formation in East Africa, linking their sense of indigeness firmly to modern colonial and postcolonial politics (Ndahinda 2011:258). Within this discourse, Ndahinda interprets, the Maasai self-essentialize their collective identity, equating themselves with 'people of the cattle' whose greatest stake in securing indigenous rights protection is to somehow preserve their pastoralist lifestyle from the attempts of development and conservation groups to secure Maasai cattle-grazing land (Ndahinda 2011:258). Basing arguments for restoration to certain ancestral lands on selective portions of the 1904 and 1911 British-Maasai Agreements while also placing responsibility for redress on the post-independence Kenyan government, Maasai indigeness claims center on land dispossession during both colonial and postcolonial periods; on the British colonial administration's dislocation of Maasai from prime grazing land, thereby initiating what the Maasai claim as social marginalization; and on postcolonial government's endorsement of colonial biases against the Maasai and other pastoralists (Ndahinda 2011:285). In short, the Maasai center their narrative foremost on conflict with a state fitting the archetypal colonizing power, with the most recent conflicts centering on the establishment of national park reserves and on the 2004 and 2006 dispossession of Maasai territory in the Rift Valley Province (Ndahinda 2011:286)

To understand how the Maasai have approached the articulation of their claims to indigenous identity, familiarity with the broader history of African societies' engagement with the concept of indigeneity proves helpful. In the early stages of the drafting of the UNDRIP, the African states seated on the Human UN Rights Council registered a serious show of dissent: of the thirteen African members on the Council, only four voted in support of the Declaration (*Overview* 2009:8). Echoing this dissent, the African Union Assembly logged concern in January 2007 "at the political, economic, social, and constitutional implications" of the draft Declaration as it then stood ("Decision" 2007). Though the Assembly expressed "full support and solidarity" with indigenous peoples of the world and those within the international community hoping to defend indigenous rights, the Assembly nonetheless clearly sounded its most fundamental reservation, namely that "the vast majority of the peoples of Africa are indigenous to the African Continent" – and, as the unstated implication follows, concretizing notions of indigeneity may only cultivate an emboldened and fractious tribalism, running the risk of destabilizing African democracies ("Decision" 2007).

Notwithstanding this initial, unambiguous opposition to the UNDRIP, many African voting nations eventually came to vote in favor of the Declaration. Of the 143 states ultimately voting in favor of UNDRIP, thirty-five African states gave their support, with three African states abstaining and fifteen states registering an absent vote (*Overview* 2009:8). Regional instruments such as the African Charter, to which all African states (excepting Morocco) are party, uphold a deep recognition of the concept of rights for "peoples", but the particular concept of indigenous rights has been recognized far less explicitly in individual states' constitutions and bodies of law (*Overview* 2009:12-13). The Working Group on Indigenous Populations/Communities of the African Commission on Human and Peoples' Rights,

constructed by the African Union Assembly in 2000 to investigate how the concept of indigenous rights might be applied in the African context, articulated a number of key local considerations mediating the extent to which the language of indigeneity has taken effect in African law-making. In its conclusions, the Working Group noted that the African Charter's articulation of defense for people's rights is extremely compatible with (and perhaps a necessary precedent for) development of indigenous rights' protections (*Overview* 2009:17). Examining many states' failure to effectively safeguard for groups claiming indigeneity the well-rooted protections of individual rights and freedoms established already in the African Charter (particularly the right to existence and social/economic/cultural development according to community identity), the Working Group suggests a potential role to play for a distinct system of indigenous rights protections apart from those collective rights protections already standing (*Overview* 2009:17). Notably, the Working Group advocated for an "approach to identification" rather than concrete inauguration of a stringent definition of indigeneity, stating that the understanding of indigeneity evolved in relation to European colonization should not be the reference point by which African states ascertain for themselves a locally practicable definition of the status (*Overview* 2009:17). While certain African constitutions ensure protection of minority groups' rights and even reserve a number of seats for ethnic minorities in national legislatures, only Cameroon's 1996 Constitution specifies indigenous groups as one such minority group (*Overview* 2009:19). Outside of constitutional recognition, though, indigenous groups have been the focus of a number of targeted development plans within several countries' broader poverty reduction strategies, as in Gabon and Cameroon (*Overview* 2009:23). Such recognition, however, falls arguably short of the cross-cutting, legally actionable indigenous status aspired to elsewhere in the global indigenous rights movement. To fully recognize

indigenous “peoples” as such, scholar Dorothy Hodgson commentates, was seen by many African states wary of ethno-nationalism as “tantamount to supporting their right to secede from their existing states and form new states” (Hodgson 2009:18).

Within a cultural and political milieu, then, in which concepts of indigeneity produced internationally are seen by many indigenous African minorities as having faltered in penetrating their local African politics, certain indigenous African minorities have elected instead to distance themselves from the international indigenous rights movement in favor of more locally tailored activist strategies (Hodgson 2009:20). As supported by Hodgson’s extensive experiences interviewing indigenous activists attending successive conventions of the United Nations Permanent Forum on Indigenous Issues and other international workshops, the international indigenous rights activist space is itself highly contentious. In Hodgson’s rendering, the same “complicated cultural politics of inclusion and exclusion within the continent” that frustrate African indigenous groups’ campaigns for state recognition frustrate these same groups’ ability to recognize and network with one another (Hodgson 2009:13). Against this backdrop, the Maasai pastoralist groups of Tanzania have opted to strengthen their own cause less by demonstrating membership within a larger international society of indigenous activist groups and more by “restructur[ing] their political discourses and practices in order to try to lobby more effectively and engage state-level institutions” (Hodgson 2009:20). Simply put, Hodgson argues, groups like the Maasai see identification as part of a global movement as offering only so much political capital in attempting to achieve their goals – it is not, it would seem, the most vital component in the Maasai’s attempted articulation of their community’s indigenous identity.

Even as Hodgson found that certain Maasai activists may have deprioritized membership in a global activist community as a focus of their activism, the Maasai deeply engaged with a

globally minded discourse of indigenusness in order to attempt to reconfigure local interpretations of their collective rights claims. Where “prior forms of political struggle [failed] to produce effective results” even as African people groups voiced “longstanding claims to land rights and cultural self-determination”, the indigenous peoples’ movement allowed for communities like the Maasai to strategically reframe their minority rights claims in language holding increasing currency within international rights discourse – in other words, to leverage the particular frame of indigenous peoples’ rights to demonstrate the substance (or, achieve substantive certification) of Maasai peoples’ experience of marginalization and disputes over customary land usage (Hodgson 2009:4).

For pastoralist groups like the Maasai, the development of indigenous identity was predicated on the recognition of fundamental parallels in the social and historical experiences of certain African groups and indigenous people groups in contexts like the Americas. Hodgson recounts an important contribution by International Work Group for Indigenous Affairs (IWGIA) board member Espen Waehle towards theorizing indigeneity in the African context, an article Waehle produced in 1990 outlining three key parallels between the political struggles of certain marginalized African groups and long-recognized indigenous peoples elsewhere (Hodgson 2009:6). First, Waehle noted, African political struggles featured assertion of group rights paralleling assertion of indigenous rights elsewhere. Second, the African context involved a breakdown in human rights akin to the experience of indigenous groups elsewhere. Third, many of the African groups in question carried similar concerns for self-development and self-determination as had been modeled by indigenous groups elsewhere (Hodgson 2009: 6). In short, groups such as the Masaai characterized the social and land rights conflicts they had been experiencing as directly analogous to the conflicts of other indigenous groups, thus focusing on

invocation of shared experiences of conflict (as opposed to other markers of indigenous identity, such as first occupancy) to justify their own entrance into the global category of indigenous peoples. Entrance into that category, furthermore, became a means to reflexively substantiate their claims for redress and their characterizations of their own experiences of marginalization.

Making clear that the African sense of indigeneity distinguishes itself from the more limited category of “first peoples” or “autochthonous groups,” Hodgson summarizes this innovation of self-categorization among the Maasai and similar African groups, writing the following:

The term [indigenous] was adopted by distinct cultural minorities in Africa who argued that they had been historically repressed by majority populations in control of the state apparatus. Few claimed to be ‘first people’ as such. Instead, they argued that they shared a similar structural position vis-à-vis their nation-states as indigenous peoples in the Americas, Australia, and other settler colonies. Because of their cultural distinctiveness, they had experienced a long history of political subjugation, economic marginalization, territorial dispossession, and cultural and linguistic discrimination by colonial and then postcolonial states... (Hodgson 2009: 9).

The strategy and substance of Maasai indigenous narrative-making, then, is one anchored in conflict: struggling for recognition in state development agendas, and struggling to maintain cultural and territorial sovereignty in the face of political power (Ndahinda 2011:293).

The significance of this strategy is profound. As previously noted, official resolutions on African adaptations of indigeneity (such as the Working Group’s conclusions, noted briefly above) had made clear a desire to avoid making African indigeneity overly dependent on any European precedents of the concept. Yet, as the Maasai activists’ construction of their own political narrative shows, establishing a community’s position as structurally analogous to the controversial conceptual prototype established via European colonization in the Americas remains a highly accessible rhetorical strategy for African indigenous groups. Though certain Maasai activists expressed increasing skepticism (as documented by Hodgson at international

meetings of the UN Permanent Forum) over the actual efficacy of continuing to participate directly in the international indigenous rights movement and attend global conventions, the mediating device of conflict experience allowed Maasai to still invoke the movement's global concerns and priorities. Experience of conflict, and not any demonstrated alliance with an actual network of international activists, became the keystone component in the process by which Maasai activists cultivated their own unique sense of political indigenous identity. A reciprocal clarification of Maasai struggle is thus aspired to: Maasai activists' claiming of indigenous identity functioned as a means to convince the state and external observers of the nature of their own conflicts (by way of structural analogy with indigenous groups elsewhere) with the Tanzanian state, just as their experience of said conflict became a means to clarify and anchor their own claims of indigenous identity.

The function of conflict and its consequences for community self-understanding have been investigated in indigenous contexts far removed from the Maasai's East African homeland. Sociologist Catherine Lane West-Newman convincingly posits that ethnic communities' experience and expression of anger over the past suffering inflicted upon their members can be productive of real social meanings as anger turns into action (Lane West-Newman 2004:35). In her work on how the Maori's engagement and expression of anger against legacies of colonization of New Zealand's indigenous peoples, a clear message comes through: "the anger of rights claiming is overtly political", and the collectively-held narrative of being wronged via the enacting of colonializing projects evolves into the substance itself of a political indigenous identity (Lane West-Newman 2004:41). Whether understood as a matter of structural analogism or otherwise, conflict experience and its structural/emotional consequences for a community are

seen to provide for the Maori, as for the Maasai, a profound kind of substantive certification of a tentative claim to indigenous identity.

The Maasai's grounding of indigeneity claims on the basis of territorial conflict and marginalization of the pastoral lifestyle has unsurprisingly not been without its critics. For one, Maasai occupy countries containing "many other communities with distinctive socio-cultural features they aspire to preserve" who have not attempted to adopt indigenous identity – in short, critics say, the Maasai's self-depiction as a singularly poignant case of suffering or marginalization may be historically incongruous (Ndahinda 2011:278). In nearby Burundi, Rwanda, and Uganda, there exist numerous ethnic groups such as the Tutsis and Banyankole who have traditionally followed a pastoralist lifestyle, yet it is hard to justify affording all such groups equal access to the status of indigenous people groups on the criterion of experiencing cultural conflict over preservation of the pastoralist lifestyle alone (Ndahinda 2011:291). With such complexities in mind, then, the following case study will attempt to engage more closely the dynamics of how any one minority group's experience of conflict or self-identification as indigenous may help differentiate claims to rights protections from those of other groups

Indigeneity as Specifying Certification: Constitutional Conflict, the Afro-Indigenous, and Minority Differentiation in Colombia

In ILO Convention 169, it is mandated in Article 6 that governments respect the rights of indigenous and tribal peoples by granting such groups "prior consultation" before enacting development projects potentially affecting the land holdings of such populations (Bonilla 2015:3). When the Congress of Colombia approved the General Forestry Law in 2006, the state solidified further an economic policy licensing the government to facilitate the exploitation of the rich lumber and other natural resources within the Colombian rainforest (Bonilla 2015:3).

Facing challenges by rights activists and public interest law groups, claims arose that the law as written would permit undue violation of the right to prior consultation and a larger body of cultural rights for Colombia's traditional indigenous peoples – consequences that would be similarly reaped, it was argued, by the mosaic of Colombia's Black communities recognized as culturally diverse, a demographic representing 10.4% of the nation's population (Bonilla 2015:3). Ultimately, the Colombian Supreme Court found in ruling C-030 of 2008 that the General Forestry Law was indeed unconstitutional and inconsistent with the charges to protect cultural and bio-diversity as implied in the country's Political Charter, affording both indigenous and culturally diverse Black communities (referred to hereafter primarily as Afro-Colombian communities) reinforced protections of environmental and cultural rights (Bonilla 2015:1). The Court found, it seemed, that the categories of territorial protections accrued originally to indigenous Colombians were not, in the final analysis, exclusively reserved for indigenous Colombians – the logic of indigenous protections, then, was not inherently indigenous.

The situation of the Afro-Colombians forces deep consideration of the ways in which the logic of indigenous rights protections can be abstracted and applied to non-indigenous groups. In borrowing much of its underlying rationale from the indigenous rights movement, examining the movement to protect Afro-Colombian collective rights helps build understanding of how these shared underlying rationales ultimately function. Nowhere are these rationales distilled more plainly than in Colombia's Law 70 of 1993, an enactment whose object is articulated in the excerpt from Article 1 below:

The object of the present Law is to recognize the right of the Black Communities that have been living on barren lands in rural areas along the rivers of the Pacific Basin, in accordance with their traditional production practices, to their collective property as specified and instructed in the articles that follow ("Law 70" 2007).

Strikingly, the law predicates itself on the principle of “protection of the environment, emphasizing the relationships established by the Black Communities and nature” (“Law 70” 2007). Land grantees under the law are required to “develop conservation and handling practices that are compatible with ecological conditions,” again representing the ways Colombia deeply identifies its vulnerable minority interests with the project of protecting a vulnerable environment (“Law 70” 2007). This identification, a pillar of indigenous identity in Latin America, is seen to extend to non-indigenous groups, as well. The linkage of minority identity to environment (as well as highly generalized notions of a collective right to culture) motivates recognition of the need for protection of any minority group demonstrating dependence on traditional production, but they do not in themselves enable the state to achieve any more precise understanding of the particular content of one such group’s identity against the identity of another such group. Indeed, Law 70 has directly encouraged Afro-Colombian communities to claim an “‘indian-like’ identity in the eyes of the state” and to engage with the state’s professed understanding of the Afro-Colombian and indigenous social experience to be directly analogous, at least regarding the professedly congruent experiences of territorial loss, ethnocide, and cultural marginalization (Engle 2010:229-320). With this in mind, the unique function of indigenous identity emerges, namely, to help differentiate from one another the various minority groups lodging identically rationalized claims on environmental rights.

In a broad sense, the direct linkages made by Ruling C-030 and Law 70 between protections for biodiversity and protections for cultural diversity is compelling. More compelling to this paper’s analysis, however, are the ways in which the case demonstrates the robust operationalization of indigeneity in Colombian jurisprudence – indeed, the case’s implications for Colombia’s Afro-Indigenous rights claimants are instructive in understanding

how indigenous groups interpret the meaning of the indigenous label. Despite representing a racial heritage inclusive of a fundamentally non-indigenous ancestry (namely, African descent), Colombia recognizes its Afro-Colombian citizens as possessing shared rights protections with indigenous populations not characterized by mixed African ancestry. Furthermore, Afro-Colombian group interests have been interpreted as protected under international provisions (namely, ILO Convention 169) explicitly designed to protect indigenous populations. As already demonstrated by now, Afro-Colombians and Colombia's traditional indigenous have been seen to occupy analogous social positions of economic vulnerability and potential for environmental rights exploitation.

Consider, however, the implications of a non-tribal, non-indigenous ethnic minority or autonomous group whose local resources and property interests suddenly attract the gaze of state development planners. In such a situation, this third group would occupy an identically analogous social position as the aforementioned traditional indigenous and Afro-Colombian social groups. What status or standard, then, can be appealed to in determining how the right of prior consultation should be apportioned among these groups? If this third social group, furthermore, co-occupied a region alongside a traditional indigenous community, to whom would go the hypothetical rights of true first consultation? Simply put, it is the status of indigeneity that functions here as a means to specify the content and character of one minority group's claims of social protection against another minority group. As Bonilla writes, while the criteria of tribal organization supported categorization of the Afro-Colombians concerned into the same protected category as the traditional indigenous, it is posited here that appeals to indigeneity ultimately serve the purpose of providing a *specifying certification* of one vulnerable group's rights claims amongst incredibly dense milieus of ethnocultural diversity. With

demonstration of indigenous identity alone not being the only route to access protection of land or resources, claims of indigeneity help differentiate the character of minority groups who otherwise might be functionally entitled to the same legal protections.

When indigeneity, as a category upon which particular rights protections can be claimed, functions primarily as a tool to specify particular groups' claims against those of other cultural minorities, though, certain dangers immediately arise. In Colombia, Bonilla theorizes that a handful of key criteria are usually invoked to legitimize claims to indigenous identity, criteria including residency in or linkages to rural territories that help specify indigenous groups from non-indigenous groups, such as the Afro-Colombians. When these characteristics serve as the sole indicators of legitimate vs. illegitimate indigeneity, Bonilla suggests that the indigenous construct can become over-specified. On this notion, Bonilla writes the following:

By focusing excessively on the rural character of many of the indigenous communities, one loses sight of the fact that a considerable number of these communities built or helped build important urban settlements. Cities such as Teotihuacan and Cuzco in the past, or Denver and Bogota today, do not fit within the image of the truly indigenous that articulates the aforementioned theoretical axis [priority of rural residency and proximity to wilderness]. Indigenous cities or cities with indigenous populations do not appear in the narrative that this axis makes of the history of indigenous communities... (Bonilla 2011: 10).

Whether it be rural residency or any other essentialist component of dominant conceptions of prototypical indigeneity (Bonilla references five such identifying characteristics, namely ties to ancestral territory, rural residency, wilderness, atavistic cultural practices, and subsistence economy), the existence of such rigid criteria render indigeneity an unhelpfully static concept (Bonilla 2010:1). The result of such uniquely rigid preconditions for recognition is that indigenous people, as one among multiple minority groups, are not invited to freely conceptualize and pursue their own "project of good living," as is ostensibly a fundamental aim of liberal governments – rather, it is assumed that "good living" for the indigenous can only

materialize if such criteria as those listed above are satisfied (Bonilla 2010: 3). On this proscription of indigenous groups' ability to set their own sense community values as a minority group, Bonilla writes the following:

The staticity of indigenous identity, as stated above, produces remarkable gains for law and political philosophy. The subject of pre-Hispanic, colonial, and modern indigenous rights is the same, has no relevant differences. Consequently, it is justified that it is (or would have been) the holder of a set of differentiated rights. However, the price paid for the [unity] and the homogeneity of the indigenous is very high: the fading of the urban indigenous... (Bonilla 2011: 11).

Bonilla's important contribution here further elucidates how conflict serves as a subtle certifier of legitimate indigeneity. Colombia's urban "indigenous", it is assumed, demonstrate lifestyles that both currently are and perhaps aspire to be increasingly assimilated into majority economic and sociocultural systems – in other words, the degree of intentionally preserved cultural difference between these purported "indigenous" and the remainder of urban Colombia is diminished. As such, the possibility for conflict between the urban "indigenous" and their surrounding cultural environs is similarly diminished. Where such conflict is absent, Bonilla implies, the ability of "multicultural liberalism" (as rendered by Bonilla) to recognize a social group as truly indigenous is limited, for under "multicultural liberalism", culture is assumed a necessary good upon which differentiated rights depend (Bonilla 2011: 4). When conflict (again, not in its strictly disruptive sense, but rather as simple exertion against outside forces) to preserve a community's cultural difference is not observed, then, the necessary good of culture is assumed to be ceded in part or in full – along with the prior set of differentiated rights. Without conflict, the urban indigenous lose their ability to specify their own identity in meaningful ways from other groups, to defend and attain recognition for their indigenesness. By extension, particular kinds of conflict experience, situated as a necessary component within definitions of Colombian

indigeneity, thus further become implicated in certifying legitimately indigenous minority groups amongst other non-indigenous minority groups.

In Bonilla's rendering, the degree of incorporation of an urban element of purportedly indigenous people into the majority society seriously modulates the degree to which any special rights implicated in the special label of "indigenous" become activated. Well-incorporated Native Americans of diverse tribal backgrounds who are largely separated from their ancestral lands and communities, Bonilla writes, constitute a first type of "metropolitan indigenous people" whose primary need for protection is to preserve cultural difference amidst other urban ethnic groups. By contrast, another typological metropolitan indigenous people can be identified, namely groups like the Mapuche in Bogota who recognize their separation from their rural roots but seek to reproduce the cultural traditions of their ancestors (Bonilla 2010: 11-12).

Interpreting these two groups, Bonilla writes the following:

The first type of metropolitan indigenous people, according to multicultural liberalism seems to have only cultural rights that allow them to express and defend their diversity in the context of the majority society to which it belongs and has been integrated. The differences between this indigenous community and a group of voluntary immigrants would seem only of degree and not of category. The second type of metropolitan indigenous people, according to multicultural liberalism, seems to be able to legitimately claim restricted rights of self-government that allow it to decide some matters related to the private and public life of its members, as well as some reduced form of rights of political group representation (Bonilla 2010: 12-13).

In both instances, in order to determine the degree to which protections of indigenous identity are activated, active reference is made to the group's experience or non-experience of social hardship as an isolated minority. In other words, the experience of a particular kind of conflict (minority vs. majority) becomes inextricably implicated within the process of interpreting any one community's "indigenous experience," an experience indexed by the degree to which those

protections understood as indigenous people's rights protections become activated in one urban context versus another.

Bonilla's analysis ultimately suggests that it may be necessary to more meaningfully articulate new types of differentiated law by which diverse kinds of urban "indigenous" communities (based on their degrees of connection with rural indigenous life and ancestral cultural lifeways) might demand uniquely tailored sets of rights according to their contemporary cultural positioning (Bonilla 2000:13). If nothing else, the lessons Bonilla develops from the unique case of Colombia demonstrates how the indigenous category functions in many contexts simply as a means to further specify the experience and particular claims by a given cultural minority for rights protections, to help distinguish the experience of cultural minorities experiencing certain kinds of political or economic exclusion from one another. When indigeneity is used as a means to specify the narrative of a particular cultural minority, however, opportunities for secondary exclusion arise: the definition of indigeneity itself may be overly specific, denying minority groups exhibiting non-traditional social identities seemingly at odds with essentialist notions of indigeneity the differentiated rights that otherwise might accrue to them. In summary, the dimension of specificity across these different levels of distinction becomes an important concept for understanding how indigeneity and conflict interact to allow states to interpret the claims of cultural minorities – and, indeed, cultural minorities to interpret and specify themselves amongst one another.

Indigeneity as Symbolic Certification: Environmental Conflict and Cultural Legitimacy among the Ainu of Japan

In addition to the ways that claims to indigenesness substantiate and specify minorities' claims for redress, as well as the ways that conflict narratives help substantiate and specify so-called legitimate indigenes identities from the illegitimate, engaging the concept of indigenes identity can be seen to assume an additional discursive function as a kind of *symbolic* instrument to demonstrate cultural difference. In such instances, indigeneity itself becomes a rhetorical tool to demonstrate cultural uniqueness, as opposed to the strategy of demonstrating cultural uniqueness to prove indigeneity. In the former case, increased enjoyment of cultural rights emerges as the minority group's central priority, not necessarily the achievement of indigenes status itself and its concomitant privileges – as such, indigenesness is used as an instrument to heighten a sense of cultural difference among the minority and majority societies. As will be demonstrated, such is the manner in which indigenes identity is strategically deployed in the activism of Japan's Ainu ethnic minority.

In 2008, the Ainu, inhabitants of Japan's northernmost island of Hokkaido, were formally recognized as an indigenes people by the government of Japan (Maruyama 2012:63). Upon announcing the decision, the state established a panel of experts on Ainu affairs in order to craft a new state policy toward the Ainu people (Maruyama 2012:63). The composition of the panel, however, was telling of the state's actual commitment to recognizing Ainu cultural rights: of eight panel members, seven were Japanese and only one Ainu (Maruyama 2012:63). Furthermore, the panel's report situated indigenes rights as operative only on the scale of individual persons' rights, not as a kind of people's rights, thus deflating much of the collective recognition to which the Ainu aspired (Maruyama 2012:63). Official recognition of Ainu cultural sovereignty, then, was lackluster at best, left under the auspices of Japanese academics

with little incentive to hand over the writing of the Ainu's cultural narrative to the Ainu themselves. Indigenous status had been given as a kind of token to the Ainu, but the realization of cultural rights lagged somehow far behind.

The first acknowledgment by a Japanese governmental organization of the Ainu's indigenesness came in the Sapporo District court's 1997 decision in the landmark *Nibutani Dam* case, in which two Ainu landowners challenged state expropriation of their farmland for construction of a public works hydropower project, the Nibutani Dam (Maruyama 2012:64). The Hokkaido Development Bureau had compensated all landowners in the area slated for damming between 1982 and 1984, save for Ainu landowners Kaizawa Tadashio and Kayano Shigeru (Maruyama 2012a:66). In the years leading up to the compensation settlements, local landowners had borrowed money from the government Agricultural Cooperative to convert fields to rice paddies but were forced soon thereafter to cease harvesting under the state's fallow policy (Maruyama 2012:64). As a result, many local landowners found themselves in debt, thus willingly accepting the settlements for land expropriation. The two Ainu landowners, however, found themselves on more stable financial footing and with the freedom to resist the expropriation. In 1986, local authorities authorized the Bureau to proceed on the project without the Ainu landowners' consent and without fully assessing the dam's projected impact on Ainu culture, a move which would later be found illegal (Maruyama 2012:68).

In the series of petitions that eventually emerged out of the Ainu landowners resistance of expropriation, the Ainu plaintiffs indeed called on the state to provide specific, substantive social and economic rights protections – namely, protection of the territorial integrity and land rights of the Ainu (Maruyama 2012:70). The conceptual focus of the plaintiffs' arguments, however, notably dealt with the restoration of the Ainu's right to exploit salmon fisheries as a traditional

livelihood, a right denied to the Ainu ever since the Japanese relocated the Ainu to a small parcel of land in hopes of forcing them to engage in agriculture (Maruyama 2012:71). The significance of these demands for the plaintiffs, however, stood arguably not in salmon fishing's role in providing sustenance to Ainu communities, but rather in the ways that the fishing livelihood was culturally inflected. The rituals surrounding relationship with the streams and swamps represented a major component of the Ainu cultural heritage. Once such cultural concerns were raised, the immediate concern of restoring expropriated land for a questionably orchestrated public works project became contextualized within a larger cultural project on behalf of the Ainu as a people and not just on behalf of the Ainu as persons owning land. If indigeneity was found a useful concept to defend land interests in the face of the dam project, it was found useful in the wider analysis only because establishing land interests was a way to prevent destruction of streams deemed central to Ainu culture. Such arguments propel discourse on indigeneity in which social/economic aims, as well as substantive indigeneity itself, are gains abstracted from the claims of cultural difference and the desire to manifest that cultural difference in meaningful ways, such as the opportunity to make use of traditional waterways. As such, indigenous status itself becomes heavily symbolic.

Significantly, the Japanese government has treated the newly developed indigeness of the Ainu in highly symbolic terms, as well, avoiding making the translation of the indigenous label into a legally workable categorization under domestic law. In two subsequent high-profile Ainu rights cases, the Ainu Communal Property Litigation of 1999 and a later defamation case decrying racist medical depictions of Ainu, the Japanese courts involved did not reference recent international developments in indigenous rights nor engage the jurisprudence of the *Nibutani Dam* decision (Maruyama 2013: 206). Simply put, the courts simply avoided dealing with the

indigenous label as legally operative in the ways made possible through prior rulings and international standards. Though the indigenous label had been irrevocably assigned to the Ainu, its significance for domestic jurisprudence and actual legislation remained highly symbolic. The government's continued reference to the Ainu as *Ainu no hitobito* [Ainu persons] and not *Ainu Minzoku* [the Ainu people] represents additional hesitation to recognize the concept of collective rights inherent to usage of the indigenous people categorization, a concept necessary in order for the category to become more than a symbolic one (Haruyama 2013:206).

In the *Nibutani Dam* case's 1997 conclusion, the Sapporo Court concluded that the Ainu "have the right to enjoy their own culture" on the basis of the UN International Covenant on Civil and Political Rights and under Article 13 of Japan's Constitution (Maruyama 2012:72). At the same time, however, the Court ruled that revocation of the expropriation decision would not be in the public's interest since the dam had already been completed for several years, thus doling out a technical failure to the Ainu plaintiffs according to the literal requests of their case (Maruyama 2012:73). However, despite this absence in the court's decision, the symbolic aspirations of the case outlived and reached beyond the technical success or failure of the campaign to actually revoke the expropriation decision. Simply put, the primary objective of the petitioners in the case was less the achievement of a particular environmental or land rights concession and more the creation of a space of litigation inside which Ainu representatives might effectively argue for recognition of the Ainu's cultural sovereignty. As such, indigenous identity is seen to be invoked as a means of symbolic certification of underlying claims for cultural recognition. At the same time, the specific struggle within the Nibutani land rights conflict was invoked as a symbol of the ways in which Ainu indigenous identity had hitherto been violated by the Japanese state, thereby enunciating the particular character of that identity – that is to say,

conflict itself helps symbolize and certify the content of Ainu indigenoussness. In these ways, the dimension of symbolism, as enacted through indigenous identity claims and narratives of conflict, is seen to be a powerful actuator for minority groups lodging claims for collective rights recognition.

Scholar Katarina Sjöberg helpfully contextualizes Ainu activism by reiterating the ways in which the Japanese public interprets itself in popular discourse as a homogenous nation comprising but one dominant ethnic group, the Wajin (Sjöberg 1995:373). With the Ainu, as with other Japanese ethnic groups seeking distinction from the Wajin majority, Japanese officials have sought to adapt the people to the non-ethnic state ideology (Sjöberg 1995:377).

Controversially, Sjöberg claims that self-consciousness as an indigenous people is a recent innovation among the Ainu, writing that the Ainu people even were supportive of assimilation at various turns (Sjöberg 1995:377). Political currents, however, shifted as disparities in economic advancement deepened between Wajin and Ainu communities and Japanese environmental policy began to be perceived as a real threat to Ainu interests (Sjöberg 1995:377). Within that transformation, preservation of cultural integrity against the effects of economic marginalization and environmental threats emerged as a central priority. As such, the Ainu ascribed a very particular significance to securing the status of indigenoussness itself in the eyes of the Japanese state and the global indigenous rights movement, as Sjöberg describes in the following excerpt:

Although the Ainu are regular United Nations attenders, participants in International Labour Organisation meetings, and have links to the World Council of Indigenous Peoples, their primary concern is not to promote external status but to eradicate the stigma of being “outcasts” and gain a cultural status equal to that of Wajin (Sjöberg 1995:379).

Sjöberg takes her conclusion even further, positing that although many write of the Ainu as indigenous, this does not always reflect Ainu’s truest self-understanding (Sjöberg 1995:382).

Rather, Sjöberg writes the following of how the Ainu generally situate themselves within the national narrative:

To the Ainu, the Ainu are “central,” as are their land and natural resources, their activities, their ways of handling their situation. It is in this light that their emphasis on culture must be analyzed (Sjöberg 1995:382).

In short, Sjöberg’s interpretation makes clear that the significance of indigenous identity to the Ainu is not a direct translation of external renderings of indigeneity, particularly those constructed by the international indigenous rights movement.

Demonstrations of a visible status of indigeneity through performance of ethnic culture and entertainment of tourists (and, through environmental rights litigation, to link Sjöberg’s contribution here to previous discussion) are less an expression of any underlying “structure” of Ainu society, Sjöberg writes, and more an example of a rhetorical “strategy” shaped to match the “niches they can successfully exploit” within the space of Ainu-Wajin interaction (Sjöberg 1995:383). “For the Ainu,” Sjöberg concludes, “the stressing of cultural factors has become an indispensable means of defining their own position within the larger society unequivocally” (Sjöberg 1995:384). This stressing takes one of two forms. In the first form, Ainu strongly defend the Ainu as “a distinct cultural entity”, an argument in which appeals to indigeneity serve to accentuate that distinctness (Sjöberg 1995:381). In the second form, the Ainu suggest instead the “similarities between their own cultural tradition and that of the Wajin”, an argument aimed at disarming Wajin sensitivity to ethnic difference but ultimately rendering any focus on indigeneity itself quite simply non-central (Sjöberg 1995:381). Within either of these possible frameworks of Ainu self-articulation, the function of the indigenous label itself is seen to be only instrumental or even coincidental to larger aims of achieving cultural recognition within the context of majority-minority cultural conflict. Engagement with particular environmental rights

disputes (such as the Nibutani conflict) couched within the language of indigenous rights is seen to be symbolically leveraged by the Ainu towards their primary objective of demonstrating cultural difference – for, in the unique ethno-political economy of Japan, demonstrating cultural difference is of primary importance. In sum, the discourse of indigeneity and the environmental rights claims it enables becomes a symbolic language within a larger argument for Ainu recognition, but a discourse nonetheless remaining unable to capture the total essence of that larger argument.

III. Synthesizing Certifications: Evaluating the Function of Indigenous Identity in West Papuan Resistance against Indonesian Colonization

Development of the preceding case studies have sought to illuminate the various functions of the concept of indigenesness within basic processes of collective rights claims-making in three distinct international contexts. Far from an attempt to exhaust the many different functions of the concept of indigenesness in local contexts of activism, these case studies represent a an attempt to inductively construct at least a preliminary set of principles that animate local interpretations of indigenesness and motivate communities' decisions to claim indigenous identity as a route to redress of grievances. To test the utility of these principles, this paper now turns to examine the extent to which indigenous identity functions in the triple capacity of substantive, specifying, and symbolic certification of the collective rights claims made by a minority group caught within a particular intense and ongoing conflict, namely the struggle of indigenous West Papuans for independence from the Indonesian state.

i. Overview of the West Papuan Conflict

After more than a century of Dutch colonial rule, interrupted by a period of Japanese control broke by US-led liberation during WWII, Dutch administrators in West Papua moved steadily towards initiating a program for the eventual self-rule of West Papua (Brundige et al. 2004:12). Ever since the declaration of Indonesia's independence in 1949, however, the Indonesians had included West Papua in its own territorial boundaries (Brundige et al. 2004:11-12). The Dutch authorities managed to continue in their own plans for the province into the early 1950s, when increasing pressure and eventual military assault on West Papua by Indonesia's Soviet-backed Sukarno regime brought the region into crisis, a crisis whose buildup the UN failed to intercept in its repeated consideration of the Papuan situation (Brundige et al. 2004:13). Following the 1962 signing of the U.S.-mediated New York Agreement between Dutch colonial authorities and the Indonesian government, the territory of West Papua came under the jurisdiction of a temporary UN governing power, the United Nations Temporary Executive Authority, abbreviated as UNTEA (Brundige et al. 2004:14). Helping to avoid further confrontation between the Dutch and Indonesians over control of the resource-rich territory in a moment of shifting post-WWII geopolitics, the agreement facilitated the transfer of West Papua to Indonesia in October of 1962 and required the Indonesians to eventually hold a special election allowing Papuans to decide whether or not to remain within the Indonesian state in the long-term (Brundige et al. 2004:14). Even before UNTEA security forces arrived, Indonesian officials were quick to entrench their own military presence in the province, engaging in campaigns of intimidation to bleed off Papuan nationalist sentiment and initiating plans of resettlement by which some 400,000 Javanese would be brought to West Irian, as the Indonesians were now referring to the territory (Brundige et al 2004:15).

When UNTEA forces withdrew in May 1963, armed struggle erupted between the Indonesian military and the *Organisasi Papua Merdeka* (OPM), a pro-independence resistance group, setting off parallel waves of increasing nationalism among Papuans seeking independence and increasing Indonesian crackdown in the form of state-perpetrated killings, disappearances, torture, sexual violence, and a systematized mass influx of Indonesian migrants into Papua's local population (Brundige et al. 2004:15). Greatly aggravating the situation was the entrance of American mining company Freeport-McMoRan into a contract with the Indonesian government by which the corporation was given sweeping powers to seize land and resettle indigenous families in West Papua (Brundige et al. 2004:15). When efforts to hold the referendum on self-determination promised in the New York Agreement finally got underway in 1968 as UN administrators arrived to help organize the vote, the Suharto regime took care to oversee the selection of West Papuan voters participating in the referendum (Brundige et al. 2004:17). In the wake of ongoing OPM skirmishes with the Indonesian military, a cohort of 1,024 official voters participated in assemblies across the province in the summer of 1969 to log their votes for or against West Papuan self-determination (Brundige et al 2004:18). Named the Act of Free Choice, the 1969 referendum, kept under close control by the regime, showed itself to be anything but: no dissenting votes were cast of all 1024 ballots cast, thus facilitating Indonesia's long-desired take-over of the territory of West Papua (Brundige et al. 2004:18).

In the years since the infamous Act of Free Choice, indigenous West Papuans have been subject to alarming cycles of military-orchestrated terror, forced resettlement, unlawful detention, and the outright murder of men, women, and children – crimes, many observers and scholars have argued, worthy of the designation of genocide (Brundige et al. 2004; Banivanua-Mar 2008:584). The violence has involved far more than direct physical violence, as Papuan

social institutions extend discrimination against the indigenous through an “Indonesianized” education system and through refusal to provide much-needed healthcare to indigenous West Papuans, a form of discrimination observed in the denial of drug flows to treat 1977 outbreaks of cysticercosis and remaining apparent in the province’s contemporary treatment of indigenous HIV/AIDS patients (Brundige et al. 2004:21; Butt 2013).

In recent years, the issue of continued Indonesian transmigration remains in the view of indigenous West Papuans a source of profound challenge. The demographics of the province’s capital city of Jayapura are telling: settler communities constitute about 68% of the city’s population, as is also the case in Sorong and Fakfak, according to data cited by scholar Richard Chauvel (Chauvel 2003:10). Within this context of competing Papuan and Indonesian nationalisms, the question here emerges: in what ways do Papuan resistance leaders seeking independence see claims of indigenesness as serving to clarify or further contextualize their particular position within long-standing conflict with the Indonesian state? To engage more intimately with this question, the narratives of resistance deployed by a leading intellectual active in the West Papuan independence movement will now be considered.

ii. Inside the Strategy of Resistance: An Interview with Octovianus Mote of the United Liberation Movement for West Papua

A former journalist with Jakarta’s leading daily newspaper *Kompas*, Mr. Octovianus Mote currently works as the Secretary-General of the United Liberation Movement for West Papua (ULMWP), an activist organization founded in December 2014 professedly aiming to unite “in one group and one struggle” the three main organizations involved hitherto in the campaign for independence (“About” 2016). Serving as journalist for 13 years, Mote’s coverage focused on the political situation in West Papua as well as the Indonesian military and national politics. Serving as an informal and official consultant to Indonesian authorities on the West

Papuan conflict in various capacities, Mote assisted in coordinating the conference of 100 Papuan leaders to meet Indonesian President B. J. Habibie in 1999. Following his involvement in this coordination, Mote said he soon learned that Indonesian military leaders had blacklisted him and not long after received death threats for his engagement with pro-independence Papuans. Upon being given confirmation by a friend and by fellow newspaper investigators that he had been blacklisted, Mote traveled to the United States in 1999 – a move publicized in the Indonesian media as an act of “escape”, a claim which made his return to Indonesia even more dangerous. After his research funding at Cornell University expired and the possibility of remained increasingly dangerous, Mote applied in 2002 for refugee status with Cornell’s support. He has maintained residency in the United States ever since and continues to organize advocacy efforts across the globe on behalf of the Papuan cause (O. Mote, interview, November 16, 2017).

In an attempt to identify how local indigenous activists in West Papua interpret the concept of indigenusness and understand the clarification the concept lends to their own claims for collective rights, the author arranged to interview Mr. Mote on his involvement with the cause for West Papuan independence. For an activist like Mote, how is indigenusness a strategically helpful concept in the eyes of the Papuan, Indonesian, and global public? How is it perhaps not so central a concern? Centered on these questions, the discussion that follows draws on an extensive conversation between the author and Mr. Mote taking place November 16, 2017, on Yale University’s campus. Lessons from the interview are arranged according to three primary tensions and concepts emerging from Mote’s commentary.

a. Sovereignty vs. Self-Distinction.

A central theme of the narrative of the West Papuan resistance movement communicated by Mr. Mote is that the movement’s primary aim is to defend West Papuans’ right to self-

determination as a sovereign nation unjustly constrained by subsequent Dutch and Indonesian colonial invasion. Within such single-mindedness, maintaining indigenous identity becomes a secondary consequence of efforts to build arguments for political sovereignty. Indeed, quite distinct from the prior three case studies constituting this paper's analysis so far, the West Papuan movement's aspiration is unambiguously one of separatism, an aim Mote took care to distinguish from many indigenous rights movements' goal of successfully attaining self-distinction within a shared state. Simply put, West Papuans are not aiming for an increased self-distinction and the attendant collective rights within a shared Indonesian territory because the underlying understanding is that West Papua has never been a legitimate Indonesian territory, given Indonesians' failure to facilitate a meaningful and free vote on self-determination. Of this, Mote said the following:

The Indonesian government never got authority by the UN to control West Papua. In 1961, the UN assigned them to prepare the "Act of No Choice", so that means only to administer preparation – it is not to hand over the sovereignty. The handing over of sovereignty [should occur] only when the people of West Papua are given right of self-determination (O. Mote, interview, November 16, 2017).

According to Mote's understanding, the political function of securing indigenous status does not provide in itself a reliable avenue to independence. Rather, the status only provides a kind of special recognition *within* the country as a unique ethnic group but not *beyond* the country as a sovereign Papuan state in the eyes of other countries. Of this distinction, Mote said the following:

'Indigenous' is more or less as a recognition in the territory of that particular nation, in that part of the world, and so not a separation or [recognition] as an independent country (O. Mote, interview, November 16, 2017).

Interpretations of the function of the concept and claim of indigenesness, Mote shows, must be contextualized within minority groups' separatist vs. non-separatist agendas. As shown,

separatist contexts contrast starkly to those non-separatist contexts in which indigenous elements simultaneously claim and value citizenship within the ruling state, as may be seen in the case study above concerning the Ainu ethnic minority in Japan. This distinction is crucial.

The emphasis of Indonesia's crime as first and most fundamentally a political crime against a sovereign state (namely, Papua) rather than a violation of a cultural collectivity's attempts to self-distinguish itself within a shared state (namely, Indonesia) is clearly enunciated further in material presented on ULMWP's website. In a paper entitled "Reinscription of West Papua as a Colonised State and People" available on the ULMWP website, writer Powes Parkop indeed makes distinction between the Papuan *state* and the Papuan *people* as terms of reference for the recipient of Indonesian aggression (Parkop, n.d.). Clearly demonstrating this prioritization of understanding West Papua as a wronged state, the document cites the following among primary reasons that the "Melanesian [people] of West Papua or West New Guinea has a valid right to self-determination under International Law":

2.1 That West Papua as a State and a People was integrated into the Republic of Indonesia against the wishes and aspirations of its people and against the principles of International Law and the charter of the United Nations.

2.2 That the Melanesians of West Papua as a State and a People had never freely exercised their right to self-determination according to international law, in particular according to the Charter of the United Nations and Specific Resolutions of the General Assembly on Decolonisation, including Resolution 1514 and 1541 of the Declaration of the granting of independence to colonial countries and peoples and according to article 1 of both international covenant of Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights.

2.3 That the integration of West Papua as a State and a People into the Republic of Indonesia amount to the recolonisation of West Papua and her people by the Republic of Indonesia and not an expression of Self-Determination as it was not a choice of the people of that State (Parkop, n.d.).

The terms *state* and *people* as deployed in the justifications cited are quite obviously mutually reinforcing, but the clearly central claim to sovereign statehood made in the document resonates deeply with the emphasis throughout Mote's commentary that the situation in Papua is one concerned firstly and distinctively with reclaiming a stolen statehood. These are claims, as Mote explains and as Powes justifies with international law, that need not depend on the concept of indigenesness for their central truth or meaning.

Mote's remarks help observers better interpret the ways in which Indonesian repression has been understood by indigenous Papuans. As Mote suggests, the harm of Indonesian governance is not necessarily that Indonesian rule expresses itself as anti- or non-indigenous, but rather in the more primary and fundamental sense that Indonesian rule is both colonial and criminal given the dismissal of international legal requirements of self-determination. One particularly significant component of Papuans' understanding of Indonesian rule's unlawfulness concerns the origins and justification of that rule. Mote explained how the Indonesian state was only able to enter deliberations on the future of West Papua because of the geopolitically disruptive influence of Dutch colonialism, a colonial presence marking West Papua as a site for colony-building rather than a potentially independent state and administrator of self-rule. The following reflection reflects that theme, as well as those already discussed:

We have a Papuan People Customary Council, about 4 or 5 organizations gaining support from other indigenous people within Indonesia and building this issue as an indigenous issue. But, essentially, in the West Papuan issue, it's really not because of being [culturally/ethnically] different [that claims are based on] – we never were part of Indonesia. Indonesia invaded our land – we did not in any way or anyhow participate in the formation of Indonesia as a state in our entire history. So, the Indonesians claimed and colonized West Papua simply because it was colonized by the Dutch. That's the only claim Indonesia has (O. Mote, interview, November 16, 2017).

This assessment of Indonesia's opportunism being enabled only by prior Dutch colonialism is affirmed in other accounts of the origins of Indonesian rule. Writing for the London-based Minority Rights Group in 1979, Dr. Keith Suter observed the following:

West Irian's status as part of Indonesia is due to an accident of history – the Dutch got in first and the Dutch connection provided the bridge over which the Indonesian Government travelled to gain control over West Irian. If Britain had acted more quickly, then West Irian would today either be an independent nation or part of a larger Papua New Guinea. Such are the vagaries of the European colonization of the world (Suter 1979:16).

In Mote's narration, it is this baseless violation of sovereignty characterizing Indonesian occupancy that represents its cardinal sin against Papuans. Regardless of how modern anthropological definitions of indigeneity implicate themselves within the outworking of that sin, the vagaries of European colonization are seen to indeed be easily reproduced by Indonesian colonization, as well.

b. Cultural vs. Political Identity.

In his narration of ordinary Papuans' engagement with the cause for independence, Mote drew a distinction between Papuans' experience of political awakening (namely, increasing support for Papuan independence) and cultural awakening (namely, expression of indigenous identity). When asked how these two forms of awakening relate to one another, Mote answered with the following response:

No, I don't see any overlap there. Cultural identity becomes a tool for fighting for independence, from the Papuans' point of view...[Cultural expressions] are weapons that we already lost. We gain back and fight back with it now. It's not contrary, but as I said earlier, that we don't fight because we are of ethnic difference, but because we were colonized (O. Mote, interview, November 16, 2017).

Speaking on the Indonesian regime's regulation of Papuan musical forms, such as "Melanesian rhythms, Pacific Island rhythms, and reggae as a rebellion music," Mote noted that cultural

action becomes political statement, with the latter result being the ultimate meaning of the act itself. (O. Mote, interview, November 16, 2017). Commenting on such musical expression, Mote said the following:

It has become interesting, the mix between identity movement into the political movement. One of the things that I admire about being an intellectual from a distance for West Papuans is their capacity, their creativity of using all opportunities for the fighting (O. Mote, interview, November 16, 2017).

In Mote's narration, then, the greatest significance of West Papuans' expression of traditional customs lay not in the conscious assertion of cultural identity as an absolute aim, but rather in the immediate assumption of all cultural self-expression as political self-expression within the particular context of the Papuan-Indonesian conflict. Any expression of Papuan identity or custom, whether it be the wearing of traditional clothing or the preparation of local staples such as sweet potatoes instead of the Indonesian-favored rice, becomes an expression of political separatism due to the Indonesians' implicit political non-recognition of Papuan identity. Alignment with the separatist cause, and not assertion of cultural indigenosity *per se*, Mote suggests, is the greater purpose and consequence of such actions.

To further elaborate his own sense of the significance of certain identity forms relative to one another, Mote used as a case in point the Indonesians' renaming of West Papua to West Irian, with "Irian" claimed to represent the acronym for "Ikut Republik Indonesia Anti-Nederlands", translating into a command to the Papuan public to join Indonesia in opposition of the Netherlands. Of this change, Mote said the following:

The first thing Indonesia does to West Papua is to change the name of West Papua. They call Papuans as Irianese. Irian, as you know, that stands for Ikut Republik Indonesia, Anti-Nederlands...Once Indonesia colonized us, we had to call ourselves Irian. You are 'following Indonesia, 'anti-Netherlands'. You cut your identity -- you are not Papuans any longer. So when you're trying to promote your identity, identity being political identity, any move trying to develop identity of Papuans is seen as a separatist

movement. You can't sing your music. You can't dance. All of these things become a political symbol. For Indonesians, it's just like a ticket to kill and slaughter any time. For Papuans, identity becomes a symbol of resistance. (O. Mote, interview, November 16, 2017).

Mote did suggest that the language of indigenusness does emphasize, however, certain cultural characteristics among West Papuans whose erasure can be taken as a further sign of Indonesians' political criminality as a colonizing power (O. Mote, interview, November 16, 2017). Simply put, by identifying a cohesive set of distinguishing cultural characteristics belonging to many West Papuans, the language of indigenusness helps highlight the markers of difference against which Indonesian discrimination and erasure have been targeted.

Indigenusness expands an understanding of West Papuan cultural identity, ascertaining cultural identity helps create awareness of cultural genocide, and awareness of cultural genocide helps deepen a sense of the overall political criminality of Indonesians' involvement in West Papua.

In recent years, the composition of the official leadership of the Papuan independence movement has arguably demonstrated a willingness to entertain and express identities and elements that do not align necessarily with an uncompromising emphasis on indigenous cultural identity as typically imagined in the global indigenous rights movement. As Richard Chauvel notes, the leadership of the independence movement has at times taken on a notably "inclusive and collective" character, a character argued here to come at the possible expense of expressing an idealistic indigenusness (Chauvel 2003:21). Primarily representing a Papuan elite whose experience and sense of collective credentials arguably differ from the local experience of the most marginalized indigenous Papuans, Chauvel notes that "most of the contemporary Papuan leaders have New Order 'pasts'" – that is, they complied with the Suharto regime's cultural program in the early years of Indonesian administration, a distinction perhaps complicating these individuals' own claims to a pure experience of Papuan indigenusness (Chauvel 2003:17).

“Those in positions of responsibility,” Chauvel writes, “have often been confronted with choices between the interests and values of the people they represent, on one side, and institutional, community, and personal advancement and survival in the Indonesian state, on the other” (Chauvel 2003:17).

Representing this argument best is Theys Eluay, the figure elected in 2000 to head the Papuan Presidium Council, the principal organ of the pro-independence groups then active in Papua (Chauvel 2003:21). Eluay’s past seemed at odds with the experience and sensitivities of the Papuan indigenous – one of the 1,024 Papuans voting in the Act of Free Choice for incorporation, a suspect figure in cases of human rights abuse, and a three-term provincial parliament member identifying with Suharto’s ruling party, Eluay hardly fits the script for a leader of uncompromising defense of indigenes, and yet he emerges by consensus as the movement’s leader and maintained stature in the public’s eyes as “a traditional leader” (Chauvel 2003:21). Adherence and expression of cultural indigenes, it can thus be intuited, has not been a sacrosanct prerequisite to serving as a leader in the independence movement. Chauvel extends his interpretation of the elite’s role in the movement, writing that the Papuan elite “has been the key agent in the development of a Papuan identity” (Chauvel 2003:17). This identity, perceived by outsiders to emphasize its own indigenes, was crafted, ironically, by a elite demographic whose engagement with and collective valuation of non-indigenous institutions, such as the prestigious credential of a Dutch-provided education, was greatest out of all Papuans (Chauvel 2003:17). This realist image of the Papuan political leadership directing the independence movement should help modulate interpretation of the extent of the movement’s idealistically indigenous character. When it comes to the movement’s priorities, peaceful achievement of Papuan sovereignty, with all the pragmatism thus required, transcends the

prerogative of symbolic indigenesness. The political identity of being a participant in the pro-independence movement, as rendered by Mote, does not necessitate any particular pedigree of cultural indigenous identity. The analysis contributed by Powe's paper, too, as noted above, similarly roots claims for redress (and Papuans' identities as rights-claimers) in terms of legal/political standards of international law as opposed to the justification alone of cultural indigenous identity. The extent to which the concept of indigenesness functions in West Papua as a symbolic certification of rights struggle as theorized in the case of the Ainu, a community whose primary intent was cultural self-distinction from the leading ethnicity, is thus limited.

Before continuing, it bears simple reiteration, however, that the line between political and cultural identity is often blurred in places like Papua beset by intensely competing nationalisms. In one of the most well-known instances of cultural violence against indigenous Papuans, the Indonesian government in 1971 launched Operation Koteka, "a programme to 'civilize' the Dani people" and "turn them into good Indonesian citizens" by changing eating habits, regulating traditional clothing, facilitating Indonesian language learning (Suter 1979:16). In the evaluation of contemporary monitors, the program represented Indonesia's view of indigenous Papuans as racially inferior and of the Dani as "particularly contrary to the image it wishes to convey to the world: that of a modern and rapidly developing nation" (Suter 1979:16). Cultural images, in many senses, pervade the Indonesian state's political calculus, notwithstanding Mote's personal understanding of political and cultural identities operating distinctly within discourses of Papuan indigenesness

c. Networks of indigenous activism

While Mote portrayed defense of Papuans' symbolic indigenesness as ultimately secondary to the movement's political aim of attaining sovereignty, he nonetheless regarded the

concept of indigenusness as a meaningful foundation for coalition-building and claims-making. Mote described how the West Papuan independence movement enjoyed early support from a collection of countries in Africa, the Caribbean, and the wider Pacific region. Of these supportive countries, Mote said the following:

All of these are former colonies. Many of the leaders are experiencing the same experience as West Papua does. Today, the...big powers victimize the small island countries, with climate change, and many other economic interest. So it's easy to build a case, and they can easily associate their situation. It's easy for [these small island countries] to understand (O. Mote, interview, November 16, 2017).

As such, one of the primary ways that Mote and other activists of similar opinion conceptualize the significance of claiming indigenusness is as a way to enable the gathering together of similarly positioned activist groups and minority communities into networks of support, resource-sharing, and strategic partnership. Quite distinct from the concept of indigenusness itself, claims of indigenusness help empower the building of relationships among campaigns and organizations with similar political aims. The founding document of the ULMWP itself, too, pays generous thanks to the facilitation of a number of such organizations in neighboring Pacific nations and agencies, namely the Vanuatu Government, the Malvatumauri National Council of Chiefs, the Vanuatu Christian Council, and Pacific Conference of Churches (“Saralana” 2014). Throughout his narrative, Mote cited numerous examples of how commitment to indigenous issues translated into instant relational capital with foreign partners, such as the New Zealand foreign minister whose own Maori identity Mote cited as a strong reason for the minister’s personal support of the Papuan cause (O. Mote, interview, November 16, 2017). Additionally, claiming indigenusness enables the rhetorical comparison of Papua’s rights struggles with archetypal examples of colonial oppression – indeed, Mote drew alluded to the colonial histories afflicting the Native American community at numerous instances to illustrate his own

interpretation of Indonesian abuses (O. Mote, interview, November 16, 2017). Such comparisons, enabled largely by common appeal to the concept of indigenesness, are used to marshal global attention and sympathy towards the Papuan position, widening the network of potential sympathizers by framing the local issue in a language accessible to a worldwide audience. In this way, appeals to the concept of indigenesness operate to some extent in Papuan separatist activism as a kind of substantive certification of Papuan rights claims before a global audience. By appealing to indigenesness and referencing perceived parallels with other international minorities' experiences, Papuans hope to somehow substantiate their own position within their particular conflict with Indonesian domination. Reciprocally, Papuans may indeed appeal to their own experience of colonial conflict to further certify and enunciate their claim to indigenesness, as well, as described in the case study of Maasai self-articulation noted prior.

With further regard to network-creation, one of the specific ways in which Mote also envisioned the functional significance of indigenesness claims-making is in its creation of an internationally accessible platform by which Papuan exiles removed from the current on-the-ground political situation may engage with the independence movement from abroad. When physically removed from on-the-ground political awakening, exiles may be seen as illegitimate or irrelevant actors within local activism. By invoking the internationally sanctioned language of indigenous rights, foreign exiles can appeal to a common vocabulary with local indigenous groups themselves within Papua, thus finding inroads into political participation from abroad. Mote recollected a moment in the independence movement in the 1980s when foreign exiles interested in supporting Papuan separatism had to negotiate their detachment from local political participation. Interpreting the late Papuan activist Viktor Kaisiepo's involvement in the global indigenous rights movement as a means to bolster the Papuan cause, Mote's reflections here help

further demonstrate the way that indigeneity claims help shape opportunities to both better leverage existing networks of influence and to enter new networks:

There was no connection between the West Papuans in exile with the political awakening in West Papua. That's why [Viktor] was creatively thinking of how can he build [the indigenous rights movement] up. When this movement was building up in the 80s, starting in the Amazon and Brazil, Viktor was able to speak so many languages and was able communicate and to build this up. When we moved in 1999, that's where this indigenous kind of a mechanism [began arriving] which could get more recognition in the UN systems where Viktor played a role (O. Mote, interview, November 16, 2017).

Significantly, Mote described a conscious decision among leaders in the movement to switch between multiple kinds of advocacy rhetoric based on the current political moment and on the security of the leaders within local political networks.

At the same time in 1999, the political movement in West Papua also gets internationally recognized because [President Habibie, who] pressured everybody, is gone. A new era came. The political change at the national level gave an opportunity for political awakening in West Papua, and so the form of the movement also changed [focus] from 'indigenous' as a way in, to political recognition in the end of the 1990s. So, that's how it switched (O. Mote, interview, November 16, 2017).

As a rhetorical tool necessary for mediating entrance into local political networks and expansion of global networks, the concept of indigenusness is seen to hold notable strategic value.

It bears demonstrating that Papuans' conscious sense of participation in a network of peer nations reaching far beyond the Pacific and connected by the conceptual touchpoint of indigenusness is a sense held not only by international academics like Mote, but also one evident throughout an activist literature seemingly produced for popular consumption by the Papuan diaspora in the Netherlands. The *West Papuan Observer*, a socialist pamphlet produced semi-regularly by Papuans in the Netherlands for the "collection and supply of information which may be useful to the West Papuan struggle for political independence outside Indonesia", aimed "to make our struggle known to the whole world" ("Editorial" 1989:3). The publication regularly published updates on anti-colonial resistance among peoples around the world. In one

issue, a lengthy opinion piece interprets the 1989 incursion of South African “terror troops” into Namibia as having a deep resonance with the Papuan experience (“Namibia” 1989:11). The

Observer writer goes to say the following:

Every week or so some cruelty against the blacks is reported, from the notorious Koevoet, South African terror-troops that, for the UN-façade, have been turned into “police forces” to conduct the coming “free elections”, but who seem to intimidate and cheat the people right under the nose of UN representatives, just like in West Papua at the 1962 hand-over of the country to Indonesia. Luckily the Namibians do not have to wait 7 years for their elections. But how free will they be? (“Namibia” 1989:11)

Representing the voice of a politically conscious Papuan diaspora, the *Observer* illuminates the ways in which Papuan resistance media has demonstrated an inclination to self-identify their local political concerns as part of a global struggle for colonized peoples’ collective rights. As such, claiming an identity of indigenusness which spans international contexts becomes one readily accessible rhetorical bridge across which Papuans may perform their inclination towards a globalizing self-interpretation and strengthen strategic partnerships with other resistance groups. Such themes indeed find resonance with the particular perspective shared by Mr. Mote.

IV. Conclusion:

“A Broken Mirror”: The Psychic Impact of Conflict on Indigenous Identity Theory

This paper has sought to begin to illuminate the multi-faceted significance of the concept of indigenusness as it is strategically claimed by marginalized minorities seeking to articulate a shared identity in hopes of attaining some form of redress and recognition from other groups. As a legal strategy, invocation of indigenusness both synthesizes and stands apart from a well-established repertoire of principles and means of recourse within the regime of international human rights. Legal scholar Benedict Kingsbury sketches a general archaeology of the

indigenous rights frame's emergence within the existing conceptual field of prior collective rights protection, a field in which four primary varieties of claims-making had hitherto been operating: human rights and non-discrimination claims; minority claims; self-determination claims; and, fourthly, historic sovereignty claims (Kingsbury 1998:190). Kingsbury here describes the emergence of indigenesness as an emergent anchor for claims-making both distinguishing itself from yet synthesizing together the other routes . Kingsbury writes:

Over time some convergence has occurred on the utility of a fifth category – the notion that some legal claims raised by indigenous peoples are *sui generis* and have a distinct conceptual structure...different claims made by indigenous peoples may fall into any of these five categories, or into several at once, and that the totality of these claims as a genre cannot and should not be understood as a belonging to exclusively to any one or other category (Kingsbury 2001:191).

Kingsbury develops a paradigm of indigenous rights activism most straightforwardly rendered as a sort of hopeful pragmatism, a mix-and-match assembly of legal strategies by which:

Claimants may choose structures based on the competence and likely receptivity of the forum, looking in some cases for a structure that does not overreach, in others for one that may open paths for future lines of argument in the same or other fora...Within liberal societies, the multiplicity of concepts offers a way beyond the limits that liberalism repeatedly confronts in coping with issues raised by indigenous peoples. Such multiplicity thus may be a basis of legitimacy (Kingsbury 2001:248).

The global indigenous rights movement, in Kingsbury's vision, comprises a global system sustained by its multiplicity of meanings.

Such a multiplicity of meaning may satisfy the philosophical demands of the global scale, as activists build coalitions between groups separated by continents and thousands of years of disparate histories, but the philosophical demands on the concept of indigenesness are not quite the same on the local scale, within a shared province, in a home village, amidst one's own people. In these contexts, the concept of indigenesness is a vessel to hold local and specific meanings. As local peoples draw from this vessel in order to ground their own communities in a

concrete sense of social place and identity, the importance of understanding the particular function and promises both shaping and sustaining contemporary notions of indigenusness emerges as a more urgent task. In contemplating the thematic unities underlying the preceding discussion of the Papuan resistance and this paper's earlier case studies (selected from an indeed overwhelming catalogue of analogous movements across the world), there develops a possible interpretation whose consequences are indeed somber and perhaps submerged until now. This paper's remaining span now takes up this submerged meaning, a proposition whose development here comes as the intended culmination of this paper's discussion.

The concept of indigenusness today, as claimed and articulated by and on behalf of an incredible diversity of ethnic communities across the world, has not infrequently been fashioned by its custodians to invoke a two-part reciprocal dependency as the source of its essential character. Within this reciprocal dependency, two conceptual elements entangle one another and become dependent on one other for individual meaning, for individual certification. First, the identity of indigenusness itself increasingly connotes experiences of certain forms of colonial and post-colonial conflict as markers of that indigenusness' authenticity. For the Maasai, invocation of structurally analogous narratives of marginalization became primary in the early stages of the Maasai people's articulation of an indigenous identity. For Colombians, the legal and political significance of indigenusness constructed as a necessary response to environmental rights conflict has become abstracted and been made transferrable to non-indigenous groups, such as Afro-Colombians, whose experience of similar conflict creates a kind of bridge across which the function of indigenous status becomes thoroughly de-indigenized. Among the Ainu, it is the conflict arising from unlawful public works projects such as the Nibutani Dam which becomes the venue and the material expression of the cultural distinction

the Ainu seek to demonstrate. In all these instances, one wonders whether certain patterns, both past and present-day, of cultural and physical violence against indigenous groups have been subconsciously understood as the essential rhetorical framework across which the canvas of indigenous identity must be stretched. Have experiences of colonial conflict become too deeply integrated into the world's conception of indigenusness so as to infiltrate the sovereignty of narrative-telling rightfully held by indigenous peoples themselves? As this paper has sought to show, it is the protraction of conflict that will often most effectively and enduringly crystallize a minority group's claims of indigenusness and subsequently enable the evolution of indigenusness into the much-theorized triple certification operant throughout this discussion.

Indigenous rights scholar Tania Murray Li's work on the rhetorical significance of indigenusness in Indonesia helps drive this point deepest. Writing of two tribal groups, the Lindu and the Lauje, and their widely different articulations of collective rights-claims and identity, Murray Li portrays the calculus of deciding to claim indigenusness as a truly tangled process, one she renders in the following terms:

In view of the still-powerful official line that indigenous people are figments of an NGO imagination unduly influenced by imported ideas, the contrast between the two sites could be taken to imply that the indigenous identity articulated at Lindu has been adopted strategically—that it is opportunistic and inauthentic. Mention of the “invention of tradition” presents a similar risk. So too might academic discussions of ethnic identity framed in individualist terms, which seem to suggest that maximizing, goal-oriented “actors” switch or cross boundaries in pursuit of their ends, approaching questions of identity in consumer terms, as a matter of optimal selection. Equally problematic from another perspective are theoretical positions which might suggest that one or other of the groups is suffering from false consciousness: the Lindu perhaps for articulating a tribal position rather than one defined in class terms, or the Lauje for their apparent failure to mobilize at all (Murray Li 2000:150).

Murray Li excavates these communities from the seemingly intractable politics weighing down such projects of identity construction by claiming that Indonesian ethnic groups' articulation of indigenusness is a “positioning” of one's community into a “tribal slot” whose significance is

made clear by “historically sedimented practices, landscapes, and repertoires of meaning, and [which] emerges through particular patterns of engagement and struggle” (Murray Li 2000:151). This reframing of the process by which communities choose to claim indigenoussness is indeed helpful, but it ultimately still depends on “sedimented practices” and “particular patterns of engagement and struggle,” constructing indigenoussness not so much as a shared spirit but as a slot to occupy (Murray Li 2000:151). In essence, indigenoussness as such appears too much to be an identity certified only by the experience of predictable patterns of conflict, or at least to unintentionally assume that meaning in the lived experience of many communities laying claim to that identity.

On the other half of this reciprocal dependence, understanding of conflict itself can come to depend on the demonstration of a victimized groups’ indigenoussness before the rights claims of that group can be fully entertained. “Indigenous rights conflicts” take on a particular color not immediately shared by all collective rights conflicts more broadly, thus enabling unique possibilities of redress to be imagined not otherwise accessible without the demonstration of the indigenous identity. Taken together, these two lines of understanding constitute the aforementioned reciprocal dependence and result in an arguably unprecedented entanglement of conflict and identity for those who would seek to assert themselves as indigenous peoples. As it has been rendered, litigated, theorized, and even eulogized by the international human rights movement, the concept of indigenoussness is a cultural narrative metamorphosed by modernity into assuming the connotation of being laden with conflict, perhaps, in the eyes of many, even in conflict with modernity itself.

Asian states such as China and India have increasingly come to recognize the philosophical hazards of international rights systems such as the indigenous rights movement,

hazards their spokespeople profess as potentially injurious to non-Western peoples' own right to political and philosophical self-determination – and, of course, certainly injurious to Chinese and Indian maneuvers for unfettered influence in their own geopolitical spheres. In discussing debate amongst Asian nations of the definition of indigenous peoples, Kingsbury cites such Chinese protest in the following excerpt:

China's position is that the concept [of indigenusness] is inextricably bound up with, and indeed a function of, European colonialism. This is in one way a continuation of the UN General Assembly's practice of treating the entire nonsettler or non-European population of European colonies (e.g., the entire local population of Mozambique under Portuguese rule) as indigenous peoples. In this respect, indigenous peoples are those who, not having obtained liberation from European rule, are continuing victims of sufferings caused by the settlers' colonialism—the losers, in a sense, in the formation by Europeans of states outside Europe (Kingsbury 1998:414).

Kingsbury continues on in his work to further enunciate the neo-colonialist potentiality of internationally sanctioned, internationally mandated notions of indigenusness upon other peoples and regions of the world. Of this potential, he goes on to write:

Implicit in the contemporary position of China and other Asian states is the suggestion that the attempt to impose the concept of "indigenous peoples" upon various states in the region is a form of neocolonialism. In this view, the concept, which was made relevant and necessary in Western states (including Latin America) by the enduring human consequences of the European incursion and settlement that gave these states much of their present form and character, is now applied at the initiative of many of these same states to Asian states that either staved off Western colonialism or rid themselves of its most direct effects in the struggle for decolonization (Kingsbury 1998:434).

Necessarily taken with some skepticism at the PRC's rhetorical bravado and contextualized by documented histories of Chinese human rights abuses, the vocal critiques leveraged by non-Western states such as these against the international indigenous rights movement might perhaps provoke a deep soul-searching within the movement to re-evaluate the place of conflict (colonial or otherwise) and its symbolic significance in defining the political, cultural, and ultimately spiritual identity known as indigenusness.

This paper and its engagement with living movements – and a living figure – within the world of indigenous rights activism has sought to examine the ways in which indigenous peoples themselves make meaning of the concept of indigenusness as both a means to redress of collective rights claims and as a marker of collective identity. In conducting this examination, initiated with the intent of elaborating indigenous peoples’ role as ultimate arbiters of their own shared identities within the context of rights-claiming, the full persistence of colonial paradigms of epistemology and history-writing within spaces of indigenous narrative has been simultaneously elaborated, a persistence whose primary language is conflict, as has been here contemplated at length.

The poem with which this paper began was printed inside the back-cover of the Winter 1989 edition of the *West Papuan Observer*. Its suggestion of the Papuan freedom struggle as a broken mirror provides an image whose poignant symbolism can perhaps be taken up as a means, too, of better visualizing the possible effects of conflict-emphasis upon the tools of identity-making and the potential for justice enabled through it. If neoliberal narrative-making inscribes conflict-emphasis too deeply upon the surface of indigenusness, and if certain theories of conflict become too central a means of conceptually certifying a people group’s definition, experience, or claims as indigenous, then the international indigenous rights *movement* will have handed indigenous *peoples* around the world a broken implement for seeking justice and seeking community identity. It will be coercing indigenous nations to attempt to know themselves using a broken mirror. Neoliberal indigenous-concerned movements within the international human rights regime must take care to avoid re-enacting Western epistemological hegemony upon the identity-making of the very peoples those movements aspire to defend. It is to indigenous peoples to design the epistemological mirror by which a vision for progress can be most

meaningfully implemented and by which a collective identity (and opportunities for rights-based claims-making enabled through that identity) can be most meaningfully created.

Notably, earlier verses of Mansorom's poem situate West Papuan identity viscerally in battles fought against foreign invaders. In these verses, the poet writes:

Don't give up!
Your struggle is not against some-
Thing , but for something:
Your struggle in the past and the
 present
is a struggle for the future:
Your fighters are the sons of the
Warriors of the ancient Papuan
 People.
Men and women who wore bows and ar-
 rows,
destroyed the first whites who came
to plunder the island... (Mansorom1989:23).

As this paper has concluded to argue, non-indigenous leaders within the international indigenous rights movement must resolve to exercise the greatest mindfulness in considering the role of rhetorically emphasizing conflict-experience as an anchoring component in the brand of indigenusness sanctioned by the movement. While this mindfulness remains incredibly important, Mansorom's narration provides a final note of further context as to how certain indigenous peoples envision past colonial conflict within an ongoing narrative of indigenous identity in which historical struggle against colonizers is a profound heritage to be claimed, a source of structure for understandings of present identity and future possibility, rather than nothing more than an epistemological constraint on self-interpretation. While the cracking of the metaphorical mirror which is the indigenusness concept, as it has been helpfully and harmfully imagined by the international rights movement, is a process whose real prior enactment and future possibility need to be recognized, so, too, must indigenous thought leaders be recognized

as the sole hands with the right to determine how to reconfigure the pieces of the mirror into an indigenusness under modernity. “Give me the splinters you keep,” Mansorom writes, “and // we’ll // put them back together in one whole” (Mansorom 1989:23).

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