

TRADITIONAL USE OF NATURAL RESOURCES BY THE INDIGENOUS PEOPLES OF THE NORTH IN THE MODERN WORLD

A CONFLICT OF INTERESTS

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Despite some progress in the struggle of aboriginal peoples for their right to influence the development of their historic lands, there still exist various conflicts of interest and collisions between traditional ways of life and industrial civilization. The issue of the legal status of indigenous peoples of the Far North cannot be considered outside the context of global ecological, social and demographic processes. At the end of the 20th century indigenous peoples of the Far North find themselves in a highly precarious situation in which their very existence is at stake. Some indigenous peoples of the Far North are facing a real threat of disappearing from the face of the Earth. But the danger is not only of direct physical extinction of aboriginal peoples caused by industrial expansion into their traditional habitats. A nation can perish as a result of assimilation, which equals its ethnic death. Thus it is important to understand the essence of the conflict - is it ethnic or does it have some other nature?

Under the conditions of expanding industrial civilization the destruction of the traditional ways of life and the assimilation of indigenous peoples of the Far North are caused by the competing interests of different groups of people with regard to natural resources. This competition is being aggressively imposed by the economic laws of industrial society. In such a situation ethnic conflicts are secondary. The main conflict is between the industrial civilization represented by the so-called conquerors of the North, and the pre-industrial civilization in which indigenous peoples of the Far North were formed and lived using natural resources in traditional ways. The conflict of the two civilizations completely dissolved ethnic conflicts. Under the attack of the industrial civilization indigenous peoples either perish or become involved in the competition for resources according to the laws of market

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economy. Participating in that competition, they inevitably pass from traditional use of natural resources to their use under the rules of industrial civilization. This results in the economic assimilation of indigenous peoples which inevitably leads to their cultural and genetic assimilation. The consequences of this process will be disastrous not only for the indigenous peoples of the North but also for environment.

The problem of the legal status of the indigenous peoples of the Far North, or the necessity of providing special legal protection for them, is caused by the expanding industrial civilization. The advance of industrial society threatens the very existence of small-numbered peoples whose ethnic identity is determined by their specific habitats and traditional use of natural resources. But one should clearly understand the goals in the struggle for the special legal status of the indigenous peoples of the Far North. The priorities set and decisions taken will depend on our understanding of the problem and of the main goal of that struggle.

As a purely ethnic problem, the root of all evil is seen in the fact that less adaptable and more vulnerable nations will be expected to disappear under the pressure from more adaptable and aggressive nations because the former are incapable of joining the new economic environment as equal partners with equal chances for success. In such a case a logical decision would be to even the chances of a weaker nation by assimilating it into the advancing civilization. A special legal status could be provided to give a weaker nation certain privileges with regard to the rights for natural resources and economic activities. But such an approach would accelerate the assimilation and loss of ethnic identity by the nation. Economic assimilation would inevitably lead to cultural and genetic assimilation; at the same time, cultural and spiritual traditions would be lost. There is a further consideration: the ethnic identity, cultural traditions and spiritual experience of the nation can be regarded as independent values, and one can strive to preserve them protecting the nation from both genetic extinction and assimilation. Under such an approach the legal decision must be different from that under the first.

Why are the usual rights that are enjoyed or should be enjoyed by any citizen in a democratic state insufficient for indigenous peoples of the Far North? Because indigenous peoples of the Far North represent the most vulnerable ethnic groups.

Indigenous nations of the Far North are special because their ways of life and cultures are deeply and organically tied to the natural environment. The historical habitat of the indigenous peoples of the Far North is characterized by distinct features that determine specific ethnic characteristics of those nations, including their increased vulnerability. The natural environment has a severe climate, poor biodiversity and, hence, high ecological vulnerability. The special vulnerability of the indigenous peoples is the direct consequence and reflection of the increased

ecological vulnerability of the traditional habitats of those nations.

In the severe environment the nations lived by employing extensive methods of resource use - gathering, fishing, hunting and nomadic reindeer herding. For these preserving the natural environment and ensuring the renewal of biological resources are essential. In other words, traditional resource use can support the indigenous peoples of the Far North by preserving their cultures and economies, unless it exhausts the biological resources and damages the landscape. In this way, the ethnic integrity and health of the nations can also be preserved. Any form of intensive resource use causes the transformation and destruction of the natural environment. Population growth leads to the same result.

If conditions for economic development are created, an industrial society can remedy, and very quickly, even the worst damage to the economy. But it is impossible to restore the destroyed natural landscapes and ecosystems of nations indigenous to those territories. Industrial civilization destroys natural environment and, hence, the basis for traditional resource use, by destroying the mechanism that supports the peoples' ethnic identity and by stimulating total assimilation of the nations into a demographically uniform conglomeration. Different nations have different capabilities to resist this process.

In the modern world the danger of destroying the indigenous nations of the Far North lies in the conflict of interests over the natural environment where those nations were formed, traditionally lived, and exploited the natural resources of the Far North. The basis for the existence of a nation is the natural environment from which it emerged and which, through traditional resource use, supports its cultural and economic identity and ethnic integrity. In the system characterized as LANDSCAPE - ECOSYSTEMS - TRADITIONAL RESOURCE USE - ETHNOS, traditional resource use is the key component and represents the mechanism which preserves the cultural and economic identity of a nation.

In the more stable Southern geographical zones where resource use naturally evolved into intensive forms, the main conflict in the industrial society is between the preservation of the natural environment and its industrial and agricultural development. But in the geographical zone where indigenous peoples of the Far North live, that basic conflict is complicated by at least two other factors: the conflict between traditional resource use and the protection of the habitat; and the conflict between traditional resource use and the industrial development of natural resources.

Essentially the industrial market civilization is of technocratic, market and consumer character. It is based on aggressive destruction of the natural environment and on

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exponential (disastrous) population growth. According to UN data, by the year 2050 the population of the planet will have doubled and reached ten billion people as compared to 5.3 billion in 1991 (UNEP 1991). The biosphere of the planet is being suppressed globally, its natural immune system is being destroyed and the climate is globally changing. Industrial market civilization cannot, in principle, provide for the renewable use of natural resources. Even biological resources which are considered to be renewable become non-renewable if exhausted below a certain limit. Sustainable development cannot occur on a planet with limited ecological capacity and limited natural resources if there is no long-term strategy to slow down industrial and demographic growth. One should clearly understand that the attempts to save the indigenous peoples of the Far North from extinction and to preserve their ethnic identity are being made under specific economic, social and demographic conditions and must take into account all factors and trends - at the global, national and regional levels.

In all countries these conflicts and factors have both common and specific features that can be explained by national and historical distinctions in the life of a nation. In Russia the present situation of the indigenous peoples of the Far North and their struggle for special legal status have their own characteristics that complicate the situation in general and increase the probability of assimilation or total physical extinction of the indigenous nations.

This presentation allows only a brief listing of the factors that must be taken into account during the development of the legal basis necessary to preserve the indigenous peoples of the Russian Far North.

Displacement of the struggle

The struggle to preserve ethnic integrity and cultural and economic identity of the indigenous peoples of the Far North is often displaced by the struggle for the priority right to use natural resources. The danger lies not only in the fact that the laws of industrial civilization aggressively dictate to the indigenous peoples of the North new resource use rules that contradict their traditional ways of life, mentality and cultural traditions. There is also a new factor: the idea of protecting the rights of indigenous peoples is coming to be used as a tool to advocate interests that not only have nothing in common with the original goals of that idea (i.e. preserving the ethnic identity and survivability of aboriginal nations), but are directly opposed to them. There is nothing surprising in such a transformation - as soon as the idea emerges that promises to confer priority rights for the use of land or its resources, there appear persons who would try to transform this idea into ideology and use it for their own selfish ends. 'Interests' is a vague term and it easily becomes the subject for speculation. In an

industrial society the policy of protection of the 'interests' of indigenous peoples is inevitably be used to a certain degree in the struggle for access to the resources found in territories where other ethnic groups had lived from time immemorial. And it happens at all levels - from the economy of a separate village to the state economy. In such a situation indigenous peoples with their dying cultures become both hostages and tools in the claims for resources by representatives of industrial civilization. In Russia, taking into account the crime rate, indigenous peoples may easily become hostages and tools of criminals.

It is likely that such a situation can be avoided only if the legal mechanism protects not the interests of certain persons, but rather the conditions necessary to preserve the ethnic integrity of a nation. Customs, culture and language cannot be supported artificially. They can only be revived and preserved in natural habitats through the preservation of traditional resource use, culture and economy.

The Problem of the Industrialization of Traditional Resource Use

Modern technical devices have already entered indigenous peoples' lives and become tools of traditional resource use. What type of resource use can be considered traditional today? At present, there is already a problem of identifying traditional resource use. The wide employment of technical means alongside different economic, social and demographic realities is radically changing the effect of traditional resource use on the ecosystems and biological resources. Under such conditions traditional resource use cannot be free of legal regulation and a limitation system that must provide for the non-exhaustive use of resources.

The Problem of Responsibility for Natural and Cultural Heritage

The right of self-determination, including the right to dispose independently of a natural and cultural heritage, can become destructive for a nation if the society has undermined moral principles and has lost the sense of responsibility for its own destiny, and its natural and cultural heritage. The best illustrations are the plundering of archeological and national culture sites for commercial purposes and the selling of land to companies for the extraction of raw materials. Quick money does not compensate for the destruction of the environment which means the loss of the basis for existence. Nor will it ensure conditions of life and traditional resource use for future generations or replace the history or spirituality of a nation. The natural and cultural heritage of any people is of human and global significance, and all nations must realize their responsibility to preserve that part of their heritage which they wish to possess and to discard that part which they do not wish to retain. Biological

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resources and the entire habitats of indigenous peoples are not only their exclusive ecological resources - they are at the same time national and global resources. That is why a single group of people, no matter how vulnerable it may be, cannot have exclusive rights to landscapes, ecosystems or biological resources without the responsibility for preserving them as national and global resources.

The Problem of Lumpenization

One of the most burning issues is the lumpenization of the indigenous peoples of the Far North. It has a long history and deep socio-economic roots. But it is a factor not to be underestimated since it can influence any decisions. The problem of the legal protection of indigenous peoples cannot be resolved in isolation from the problem of preventing the total lumpenization of aboriginal nations that affects especially the younger generation. Specific measures must take into account the level of alcoholism and the fact that privileges and state subsidies can quickly make people lose the habit of providing for themselves and of being responsible for the future of their children. At present it is not enough to call for self-consciousness to combat lumpenization of aboriginal nations in the Russian Far North - the essential thing is to have a system of legal and administrative tools to prevent degradation of indigenous nations.

The Problem of Criminalization in Russian Society

Before the perestroika Russia was regarded by the world as a source of military aggression. Now it has become a real source of ecological and criminal threats to other countries. Criminalization has penetrated all spheres of life in the country and is a reality of life. Indigenous peoples are not free from this process. They are becoming involved in the criminalization process, but, unlike other 'more competitive' nations, they serve mostly as tools rather than organizers. The idea of special legal status and privileges in resource use for indigenous nations may be actively used by the criminal world. Criminals use any mechanism that gives the right to dispose of natural resources, and if the original owner of that right is insufficiently protected socially, it is that much easier for them.

The Problem of Priorities in the Exercise of Ownership Rights - The Danger of Exhausting Biological Resources and Destroying the Natural Environment

The main issue in the struggle for the right to land and resources is the question 'By whom, how, and to what degree shall the resources be disposed of?'. The question may be rephrased as: 'By whom, how, and how soon will natural resources be

exhausted and the conditions necessary for traditional resource use be destroyed?' All of this depends on the determination of priorities among those who will have title to land - to preserve the natural environment and ethnic identity of indigenous peoples or to make the nations competitive in the market economy system. From this viewpoint it is unimportant who will have the priority right to dispose of land and resources. The important thing is how effectively the nature, land and resources are protected by law from destructive use and exhaustion.

The Demographic Problem and the Limits of Loads on Environment

Even if environment and traditional resource use are preserved, population growth will cause exhaustion of the capacity of biological resources for self-renewal. Ecological capacity of a territory determines the permissible loads from traditional resource use, but that capacity is not unlimited. Population growth increases the load on biological resources and traditional resource use becomes exhaustive. For example, in Greenland the biological resources (hunting and fishing) support the lives of 55,000 persons. A hundred years ago the same resources supported barely 5,000 (Mikkelsen 1996). No such an assessment has ever been done in our country, but it is necessary because there is every ground to believe that even now the load on natural ecosystems may be excessive in many territories, especially taking into account other factors that suppress the biota and cause reductions in animal populations.

These factors operate simultaneously and mutually enhance the consequences. Is there, then, any place for optimism? One must believe that a positive resolution of such a complicated conflict is still possible and, proceeding from the analysis of current factors, many necessary conditions and approaches can be outlined.

1. It is necessary to set priorities for legal protection proceeding from the real status of the planet and the hierarchy of the processes in the LANDSCAPE - ECOSYSTEMS - TRADITIONAL RESOURCE USE - ETHNOS system, and the development of civilization, in the following order:

- ecological (conservation of environment - landscapes, natural ecosystems and their components);
- traditional resource use (preserving conditions for traditional resource use);
- industrial development of resources (development of resources in severely limited areas with strict observance of environmental protection requirements and the conservation of territories used by aboriginal peoples in their traditional economies).

2. The object of legal protection should not be the interests of individual population

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groups but the conditions necessary for the conservation and renewal of traditional resource use and the cultural and economic ways of indigenous peoples. The key here is well-organized territorial protection of the environment based on a system of specially protected territories with different status (game and forest reserves, national parks) and of ethno-ecological refuges. In other words, there should be a systems approach to preserving biodiversity, the integrity of ecosystems and natural landscapes. Success can be achieved only when the territorial approach to environmental protection is understood and supported by indigenous peoples of the Far North as the most efficient mechanism for preserving the functional integrity of their habitat, and for the self-renewal of biological resources, particularly the animal populations on which traditional Northern resource use is based.

Specially protected natural territories are vitally important for traditional resource use and survival of Northern indigenous peoples and do not contradict them (Pokrovskaya 1997: 168-169). Territorial environmental protection is a factor in the survival of indigenous nations. It would be incorrect to present the creation of reserves and protection of indigenous rights as a conflict of interest. They should be regarded as components of the environmental protection process aimed at preserving traditional resource use.

A network of specially protected territories based on strict regime reserves is the most efficient way to achieve territorial protection of natural complexes. Without such a system it is impossible to preserve natural ecosystems and to support biodiversity and self-renewal of biological resources in the modern world. But the network should integrate protected territories with different status. A systems approach avoids conflicts and provides conditions for traditional resource use.

It is extremely important to explain to people the significance of specially protected territories and to establish the network with the participation of indigenous peoples. The idea of creating reserves is organic to folk law which forbids the use of taboo sacred places, which are natural objects. The notion of 'sanctuary' underlying the concept of natural reserves essentially originates from the notion of 'commandment' in the folk law of aboriginal peoples. In Russia the process of administrative evolution in the sphere of reserve territories created a gap between the practice of creating and operating the reserves and the notion of sanctuary. This caused a conflict of interests between traditional resource use and protection of natural complexes. This conflict must be resolved because it is harmful both for environmental protection and for preserving the traditional ways of aboriginal lives. Towards this end one must go back to the notion of 'natural sanctuary'. The complete sanctuary of natural objects is nothing more than the first example of the use of folk law notions in the environmental protection legislation in force. The idea of providing legal protection for natural objects already protected by folk law needs support, and those objects

include places of worship, pagan shrines, and similar sacred places. And this is where the religious and environmental protection ideas can merge. From time immemorial those places have been important not only spiritually but also ecologically and have represented refuges that have preserved the reproductive animal population and supported the balance in ecosystems.

3. There must be a development strategy oriented to limiting population growth. That strategy must determine the allowable growth limits and stable environment load levels in concert with a balanced demographic policy. Such a strategy and policy must be based on adequate legislation.

4. Ecological planning is necessary. In the tundra zone not less than 30% of the territories must receive the specially protected status. The development of the territorial environment protection system must precede industrial development. This is necessary not only for preserving the environment for indigenous peoples but also for the planet's immune system. The total size of specially protected territories is determined by the necessity to preserve biosphere. The conflict between traditional resource use and ecological interests in this case must be resolved in favor of ecology. In addition, not less than 40% of the territory must have the traditional resource use status protecting it from any industrial or other damaging effects.

5. These ends can hardly be achieved without spiritual support. The world is now at a point where the survival of Northern indigenous peoples needs a new environmental and aboriginal nations protection concept which will match the systems approach to preserving biodiversity, encourage modern environmental protection technologies in developing natural resources, and use the experience of non-damaging traditional resource use. The spiritual basis for the new concept can be found by merging religious and environmental protection ideas and turning to the spiritual experience of the close-to-nature nations of pre-industrial civilization.

If mankind cannot develop such a concept, our common future looks rather joyless. Using natural resources and destroying the environment, industrial civilization develops in a similar way to a population of lemmings where it crashes following the dramatic growth in numbers and disappearance of food resources. But dead lemmings leave only a mass of organic substances, and the cycle is repeated. Unlike lemmings, human being would not simply disappear. Our civilization will leave not only gigantic garbage sites and mountains of scrap metal, but also a lot of 'delayed action mines' represented by nuclear power stations, chemical factories, chemical weapons and nuclear waste burial places, and many other dangerous objects sufficient to destroy the biosphere. Industrial civilization is at the critical point. Attempts to preserve the pre-industrial ways of life, culture and spirituality of Northern aboriginal nations can serve as a test for human capability to avoid a global ecological catastrophe, and a

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collapse of modern civilization. Turning to the values of spiritual attitude to the nature, to a life in concert with its cycles and to the ethical attitude to all living things may be the last chance for humanity.

References

MIKKELSEN, A.M.

1996 'Conservation and Resource Management in Greenland: A Challenge for the Future.' *WWF Arctic Bulletin* 4: 15.

POKROVSKAYA, I.V.

1997 *Probabilities of Coexistence of Specially Protected Territories System and of Traditional Resource Use in Russia. Legal Status of Aboriginal Peoples in Circumpolar States*. Moscow: Russian University of Peoples' Friendship.

UNEP (United Nations Environment Programme)

1991 *Caring for the Earth. A Strategy for Sustainable Living*. Gland, Switzerland: World Conservation Union.