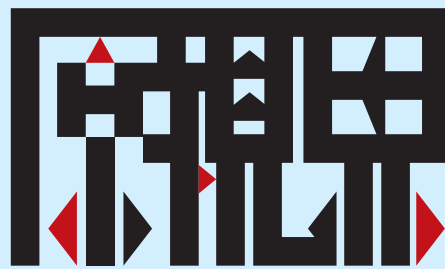


Issue

31

INDIGENOUS
SIGHT

| IPCF Magazine |



iakuan: anshaishin iamin a kmalawa

Speaking Out for
Communities.

Passing the Baton





do ili o nikapowan no mabnek a ipacingosongoso a vazay

Social Movement from **Community Subjectivity**

Nimapo noka 1980 do awan, o kapakdeng da mangay macingosongoso nia do seyvo so pimeymapian no yacimin, o makgeng a malavat da vazay am, pipakakatan no makakaday a pimasawdan no yancomin. tana ipamizeng da so mimatmatngheh no koka a panpanirsirngen am, sira rana mapinakem so macinenenet do seyvoa tao am, ipangonong da o makakaday a cicirawat aka no panakenakeman no yancomin.

Yarana mikabcil do awawan o yancomin a nimzadang do tana no Tayway ya, am cinarahet o da kapakakanakan so yancomin no pangangavangan do Taywan, ano yanakenakmen o mina vazay da no macingosongoso no kapien no yacomin am, ya mikadowa o makdeng a vazay do jia, ikasa na am, pacikapian no tao a vazay, ikadowa na am, da pakakanakanen o yancomin no seyvo. oya am, da kabedbedan a ya katoposan no makowan sira a macinenenet a yancomin, a jia gonagonay so nakem do onowne.

ya macikeyras siciakoa ya a malalavayo a tao am, pangozayan da o mian nvazay da no amcingosongoso a tao, ipaka zames da so kabedbedan a vazay no makeykeylian, nokakoa am, mangay sira o mimatmatngheh no vazay a tao do pikeylilian, a mapazimam so vazay do tao, a omononong do makdeng a ikoikod, inarahen no malalavayo a tao o akma so sang, ta nomangay paciamizingan o kamanrarakehan am, mimamayo a makdeng a oyowyat do kataotao.

Ya domket do “Indigenous Sight” o cirecireng da no nimamnoma a macingosongoso a tao, aka no nimacikeyras siciakoa ya a tao, nokakoa pa am, lovoten da o maciangay jira so nakem a tao, mangay sira do pikeylilian a omononong do makdeng a vazya, kalovot da rana mangay macingosongoso do seyvo; o malalavayo a tao siciakoa ya am, da topadketa o vatvatek do wanglo, a da tongonongi o da kapiavazay sia no tatasa ka tao, naipitarek rana no vazay do pacingosongosowan, am no pangozayan da no malalavayo a tao o minavazay no kakoa am, manoyong a ipipakatkat no aktokto do pacirawayan da a a vazay.

A key to the flourishing indigenous movement of the 1980s was a clear objective stemming from an ethnic perspective. Besides appealing to political power, activists of the previous generation interpreted the subjectivity of indigenous cultures.

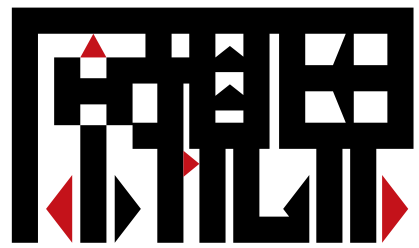
While indigenous peoples have lived in Taiwan for thousands of years, they have often been oppressed by the elites of modern society. From the developmental processes of past indigenous movements, two important factors become clear: ethnic subjectivity and the gap in social status between indigenous peoples and the ruling elite. Understanding these two factors greatly impacted activists and their followers; with clarity of belief they could not be frightened or swayed, and laid the foundations of the indigenous movement.

Looking back on past experience, the new generation of activists should understand the need for social movements to have a clear sense of community character and core appeal to create explosive impacts. The importance placed by activists of the past on traveling to Taiwan's various indigenous communities to promote ideas and mobilize is something for the younger generation to consider, as it is connecting to communities that creates a better understanding of meanings and goals, and builds a tenacious movement.

In the 31st issue of Indigenous Sight, we invite junior and seasoned activists to engage in a cross-generational conversation to explore different perspectives on the indigenous movement. While, for example, the older generation focused more on groups and bringing community participation to the streets, the younger generation's use of the internet and social media allows everyone's individual voice to be heard. Different eras and social contexts give rise to different styles of social movements, and provide the nutrients to nourish the next generation of activists.

Panirsirngen do yanbonkay
Chairman of the Indigenous
Peoples Cultural Foundation

瑪拉歐斯
Maras



INDIGENOUS SIGHT

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Passing the Baton

Speaking Out for Communities.

iakuan: anshaishin iamin a kmalawa

Before the 1990s, a long-standing neglect of indigenous peoples' ethnic status meant that Taiwan had never seen a clear government policy on indigenous rights. Indigenous peoples took to the streets to dismantle barriers brought by state and mainstream society. They claimed the rights that were their due, and established their status and collective rights.

Without the previous generation's courage to move forward, indigenous peoples' plight would not have gained public recognition and their position of disadvantage would be difficult to reverse. Now they're working behind the scenes, launching community movements in another form. The elders are shouldering the responsibility of cultural inheritance, passing on lifetimes of accumulated knowledge and experience to the next generation.

Note: "iakuan: anshaishin iamin a kmalawa" means "It's our turn to stand up and do something" in the Thao language.





I Dedicate My Life to Indigenous Peoples in Taiwan.

Down the Road of Indigenous Movement with Courage

Panu Lhkapamumu

We have our own cultures, history, languages, and traditional territories, and we must have right of speech and ownership in order to have dignity.



From Taiwan Indigenous Peoples' Right Advocacy Association to Thao Cultural Development Association, Panu Lhkapamumu has spent his life fighting for the rights of indigenous peoples in Taiwan. At 60 years old, he is still full of life with eyes gleaming at the mention of indigenous affairs, "I have dedicated my life to indigenous peoples in Taiwan."

Written by **Liang Weng-Jin**; Photo credits: **Huang Tzu-Ming, Tsai Shi-Hao**; Translated by **Ker Nai-Yu**

Sun Moon Lake in Nantou County is a popular tourism spot, and the homeland of Thao people for generations. However, the construction of reservoir, enforced expropriation, and readjustment of lands since the Japanese ruling period, has led to the gradual loss of their lands, followed by the loss of ceremony and rituals, language, history, and culture.

Born in 1995, Panu grew up in the Ita Thao Village at Sun Moon Lake, and watched the hometown he was so familiar with slowly changing and disappearing as he got older. Questions and anger rose in Panu, "how can the government just take our lands like that?"

Without Identity, the Law cannot Protect Us

In 1988, in the first Give Back Our Lands Movement launched by Taiwan Indigenous Peoples' Right Advocacy Association, over 2000 indigenous people from different ethnic groups marched the streets together. This movement awoke the identity of many indigenous peoples, and initiated a series of movements in fighting for indigenous rights.

To bring more indigenous peoples in Taiwan in solidarity, Taiwan Indigenous Peoples' Right Advocacy

Association even traveled to Sun Moon Lake, where the Thao people resided, to recruit like-minded people in joining their cause. Already built a family and business in his homeland, Panu caught on the trend of indigenous movement and joined the Taiwan Indigenous Peoples' Right Advocacy Association in 1989, taking up a series of positions as director, Vice Chairman, and Chairman.

In 1992, Panu took part in the inaugural meeting of Asia Indigenous Peoples Pact (AIPP) as Vice Chairman on behalf of the Association and took up position as the executive commissioner for AIPP Northeast Asia. He realized that whether in Taiwan or Asia, or even the entire world, the fate of indigenous peoples is the same, facing misappropriation of lands, deprivation of rights to survive, and loss of mother languages. Panu sighs, "because we have no legal 'identity', the law cannot protect us."



1988, indigenous people march in protest, demand that the State return their lands.



Representing AIPP, Panu visited the UN the following year and took part in the drafting of the final version of United Nations Declaration of the Rights of Indigenous Peoples. The first Article of the Declaration clearly states, “Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms as recognized in the Charter of the United Nations, the Universal Declaration of Human Rights and international human rights law.”

The experience of participating in international organizations enlightened him with the need to establish an association which can contend against the nation, and further firming his determination in the faith to fight for indigenous peoples his whole life. “Not only the mainstream ethnicity deserves human right, but indigenous human rights are also equally important, we should protect the rights of indigenous peoples with law and charter!” says Panu.

Return to My Indigenous Community to Be with My People

At the end of 1990s, claims made by Taiwan Indigenous Peoples’ Right Advocacy Association have received one after after responses from the government, achieving their interim goals. Some members of the Association went into politics, while others left the

various indigenous movements and returned to their own indigenous communities.

Having no interest in politics, Panu returned to Sun Moon Lake to actively promote the revitalization of Thao culture, “the Thao people faces many challenges, I must return to my community to stand with my people.” He set up the Thao Team in 1998 to take part in the project of Write Your Village History launched by the Taiwan Provincial Government, leading his people in combing through the culture and history of their indigenous community, and solidifying their ethnic identity. In 1999, Panu established the Thao Cultural Development Association and became the board director, developing the context for the revitalization of the entire Thao culture.

Less than three months after the establishment of the Association, September 21 earthquake devastated Nantou. The Association quickly organized the Thao Reconstruction Committee to accept donations and disaster relief from Taiwan and abroad and announced the Thao Declaration for the Reconstruction of the Devastated Sun Moon Lake, recruiting Thao people to

work instead of simply receiving disaster compensation, build their own houses, push for the name rectification of the Lalu Island, establish the Thao Cultural Park, and advocate for the government to return their old territory. While reconstructing their homeland, Panu worked to create solidarity within the Thao people, inadvertently pushing for the successful name rectification of Thao in 2001, rather than being part of the Tsou people.

This is Our Land; We Deserve the Basic Right to Consultation and Consent

For many years, the Thao Cultural Development Association has worked on cultural affairs including history and field research, learning traditional rituals, teaching and promoting of mother language, and helping indigenous communities in defending indigenous rights using the modern legal system.

Panu states that it is difficult for traditional indigenous communities to fight against the State. The Association acts as the channel for communication between the Thao people and the government. Once a joint resolution is made by the Thao People’s Assembly, the Association will execute the collective consensus of the ethnic group. Among which, in the lawsuit against Peacock Park Hotel BOT in 2016, not only is Thao rights involved but the issue of indigenous traditional territory right is pushed to the firing line in the fight against state power.

The Peacock Park Hotel was originally set to be located next to the Sun Moon Lake Ring Road, the old path, arable land, as well as ceremonial site for Thao people in the old days. In 1968, Chiang Kai-Shek instructed that a zoo be set up in this spot to keep peacock and other birds, thus the name Peacock Park. In 2016, word got around that Nantou County Government planned to BOT the land to a corporation to build a hotel.

The Thao Cultural Development Association visited the county government back then to understand the reason for this project, but the county government immediately agreed to a public bid for the BOT project after they left. “How can you develop our traditional territory without the consent of Thao people? Are there not enough hotels at Sun Moon Lake?” Panu explains with agitation that they are not only defending the traditional territory of Thao people but protecting the natural environment in Taiwan, “this land belongs to the people, it cannot become the property of a corporation.”

I will Keep Fighting to the End of My Life

Pursuant to Regulations for the Demarcation of Indigenous Land or Land for Indigenous Village, the Thao People’s Assembly demarcated the public land of Yuchi Township as Thao traditional territory, which includes the Peacock Park, in the fight against the county government and corporations, becoming the first ethnic group to announce their traditional territory. But Nantou County Government and Yuchi Township Office appealed to the court to revoke the demarcation of Thao traditional territory. “Indigenous peoples deserve the basic right to consultation and consent! We would rather let peacocks live there than build hotel that would pollute the land,” Panu stresses with firmness.

In the 20 years of his return to the community, Panu spares no effort in participating in public affairs and accumulating the momentum required. He believes that only by obtaining the legal identity and power of self-government will they be able to resist violation against Thao people by corporations, the local government, and even the State. “In the future, we must move towards self-government.”

Along the road of indigenous movement, Panu has always fought on the front line. His hair may be grey, his eyes still sparkle with courageous toughness, “this road has yet to come to an end, I will keep fighting until the end of my life.”





Accept and Learn Our Own Cultures to Identify with Ourselves and Our Ethnic Group.

When you respect your own culture, you are respecting yourself; only when indigenous peoples can all respect our cultures, can we restore our rights and dignity.

Return the Rights to Indigenous Peoples

buka makakaruwang



Tombs Dug, Corpses Destroyed, How can We Remain Silent?

March 1st, 1987, the plot in Tongpu Community in Hsinyi Township, Nantou County, which had been a cemetery ground since the Japanese ruling period, had its purpose repealed by the township office in order to develop the “Tongpu Scenic Area”. Without notifying family members, the County Government allowed ruthless excavators inside to destroy the tombs one after another, corpses were dug up and exposed to the sun. Shattered tombstones, coffins, rubble, and corpses mixed in a heap, a devastating sight.

buka remembered how his village once had a torrential rain wash away their ancestral tombs, leaving the coffins exposed, and people in the community restored the cemetery with heavy hearts, “it was extremely painful for our community.” Natural disasters alone were difficult enough to cope with, not to mention the State excavating the ancestral burial ground while the people were at church. buka sighed heavily, “it was unfathomable how they could be so disrespectful?”

After the rapidly moving age of indigenous movements, buka·makakaruwang left everything behind and returned to his indigenous community. From the hot-headed youth carrying a coffin in protest, he turned to work for the church for almost two decades. Now he is the indigenous language promoter in his community, taking elders and children on a journey of learning to use their own language again, and retrieving the culture and dignity of their people.

Written by **Liang Weng-Jin**; Photo credit: **Huang Tzu-Ming**
Translated by **Ker Nai-Yu**

“Stop Child Prostitution, Stop Human Trafficking!” January 10, 1987, to raise social awareness regarding indigenous child prostitution, over 30 NGOs sat in protest on Huaxi Street, the infamous red-light district in Taipei. buka·makakaruwang, who was then enrolled at Taiwan Seminary, was also among the protesting crowd.

That was when buka still went by the name David Hu. As a Paiwan person from Kaaluwan Community in Taitung County, he did not used to know much about indigenous issues, he

was simply there because the protest was on a non-working day and that the Seminary is from the same system as the Presbyterian Church. Curiosity brought him and his classmates to the site.

At the protest, there were indigenous parents from different ethnic groups, and they sang in indigenous languages, calling out in tears the names of children sold to brothels. “Why is this happening to indigenous peoples? What is our status and value?” This event gave buka a tremendous shock, awakening him to indigenous and social issues. He thus began engaging in many social movements.

The Tongpu grave-digging incident brought everyone in indigenous movements together. They understood that if they don't speak up now, history will repeat itself in the future when indigenous lands are again in conflict with economic benefits. April 3rd the same year, Taiwan Indigenous Peoples' Right Advocacy Association mobilized a crowd in a protest march. Already a member of the Association by then, buka wore a white banner with the words "Step Down and End Yourselfs Wu Fu-Ding and Wu Den-Yih," held up a crucifix and marched fearlessly down the Ketagalan Boulevard with the protesting crowd. buka and his uncle parangalan held up a coffin casket from Tongpu Village, measuring 6.6 meters, and let it stand on the empty ground in protest against the government for showing no concern for the rights of indigenous peoples.

The protest may not have changed the fact that the ancestral tombs of the Bunun people were dug up, but incidents of march against child prostitution at Huaxi Street, Tongpu grave-digging, and Tang Ying-Shen execution, which took place one after another in 1987, gave rise to the momentum that had been building up for quite some time. In 1988, indigenous peoples launched the first Give Back Our Lands Movement, the start of the revolutionary age of indigenous movements.



Protesting the government's disrespect for indigenous peoples, intentionally digging the ancestral graves, and violating the rights of indigenous peoples, the Association launched a protest against Tongpu grave-digging, and indigenous peoples everywhere joined in support.

We are All from This Land

buka continues to be active in social movements and is concerned about social and indigenous issues. After Taiwan Indigenous Peoples' Right Advocacy Association took a break, he briefly participated in events organized by the Democratic Progressive Party before deciding to return home. buka say, "being in a political party has never been my goal, I had always intended on coming back to my community."

When he first returned, people knew of his experience in social movements and joining the DPP and felt that this kid who returned from the city had become radical. buka laughs, "everything I did, they saw as anti-government." It wasn't until buka and his older brother organized a trip to "return home to our root" and took everyone on a journey back to the old village deep in the Dawu mountain, did people begin to accept him, "because they knew that I'm no stranger, and that we are all from this land."

In 2000, Kaaluwan Community was listed as a candidate for low-level nuclear waste final storage site. The Atomic Energy Commission of Executive Yuan held a public hearing at the village, buka and his wife stood at the back of the venue and explained to the elders in indigenous language the effect of a nuclear waste storage site. After buka explained, the elders felt that it was not a good idea and started to leave. The public hearing could not proceed and hence the follow up prospecting was successfully stopped.

"If we see unfairness and injustice, and say nothing and do nothing, then we give the power that oppresses us even more power." As a reverend at Taimali Church, buka was trained as a clergy wearing a peaceful look, but the faith in his eyes to defend the rights of indigenous peoples is as determined as the passionate young adult protesting in the street while holding up a coffin back then.

Language is the Life of Indigenous Peoples, Which is Interdependent with Culture

buka didn't know his language growing up. After returning home from the city, he decided to start learning his mother language again. "When I was young, we spoke Japanese at home and Chinese at school, at the Seminary, we spoke Taiwan, but when you come back



buka at the protest against Tongpu grave-digging incident.

to the village, you can only speak indigenous language," he laughs and say, "because people in the church and in the village only spoke indigenous language!" buke taught himself the language using the Paiwan version Bible, and with assistance from his wife, it only took him two years to receive the indigenous language proficiency certification.

With his indigenous language proficiency certification, he retired from clerical work after Typhoon Morakot and became an indigenous language promoter at Taimali Township Office, promoting the development and preservation of Paiwan language at various indigenous villages, preschools, and indigenous language families. "The crisis of the dwindling mother language is not only happening to the next generation, but the older generation is also using less and less indigenous language. If the language is not used for a long time, it will be forgotten," say buka. Language is not only a medium for communication, but it also carries with it profound culture and knowledge of the ethnic group. Therefore, he works with cultural health centers and community care centers in indigenous villages, establish "indigenous language assembly house" to encourage elders to converse in indigenous language, and uncover the wealth of knowledge buried in the language.

"Without culture, there is not stage for language; without language, there is no life for ethnic culture," buka says with a heavy heart.

We have Yet to Recover Our Dignity

It has been 40 years since he first took part in indigenous movements. Although indigenous peoples have gained somewhat equal rights legally, buka feels that "we have yet to really recover our dignity."

"The rights indigenous peoples have now should not be 'given', they were restored to indigenous peoples because we were deprived of them earlier on." He says that as the government slowly restores the rights, indigenous peoples must also accept their own cultures to recover their dignity.

Explaining in the concept of Christian atonement, the position he holds now as an indigenous language promoter is just like the role of a priest in atonement, restoring the rights to indigenous peoples, "I hope to use language as a medium to retrieve our culture, and establish the identity of self and ethnic group for future generations."



Share the Sound of Hope with Our Sisters.

Taking the First Line of **March Against Child Prostitution**

Kawlo Malay

It's a sense of mission! Pangcah or not, they are still our sisters, they are our people.



34 years ago, in the significant march against child prostitution in Taiwan, Kawlo Malay called out heartily in Pangcah language to sisters in the dark alleys. After the march, the society confronted the issue of child prostitution and pushed for legal amendment to protect children and youth rights, thus finally ending the tragedy for female youth.

Written by **Chen Yi-Ru**; Photo credits: **Huang Tzu-Ming, Tseng Hsin-Yao**; Translated by **Ker Nai-Yu**

“Say no to selling aboriginal girls!” “Sisters, hear my voice and answer me!” “You must stand for yourselves!” On January 10, 1987, 55 NGOs occupied the Huaxi Street to save children from prostitution in the largest march against child prostitution in the history of Taiwan. Then 29, wearing her traditional Pangcah clothing, standing at the front of the march and calling out with all her might in her mother language using the speaker, Kawlo became the highlight of this historic moment.

In 1980s, Huaxi Street was the infamous Taiwan red light district, known far and wide for its decadence and

the girls. Due to economic challenges at home, many indigenous girls under 16 were tricked or sold to this street in Taipei, where it's always night and never day.

Nothing Wrong with Being Indigenous, Learn to Reject Inequality

Since a young age, Kawlo had felt deeply the inequality towards indigenous peoples. Born in Hualien, Kawlo moved to Taipei in third grade and started noticing the discriminating looks surrounding her. During a math exam in fifth grade, Kawlo answered correctly but her

teacher accused her of copying from the student sitting next to her. Even though that student had the wrong answers, she was still sent out of the classroom to stand in punishment. The unpleasant experiences as a child made her feel inferior to others as an indigenous person.

Entering middle school, Kawlo was elected a class leader, but lacking confidence, she came up with three excuses explaining why she wasn't suitable for the position. First was that she is an indigenous. The teacher said, indigenous is human like everyone else, that was not good enough a reason. Then she said her grades were not good enough, but the teacher believed that she could work harder to make up for the grades. Finally she said as bottom line that she had tuberculosis growing up and was physically incompetent, her teacher simply said that it was medically treatable. Having her excuses rejected three times by the teacher, Kawlo had no choice but to take up her position as a class leader, “that teacher had a real impact on me, inspiring me to do better and no longer feel inferior as an indigenous person.”

Although she was also discriminated against in high school, Kawlo was slowly awakening as an indigenous person. She needed to work part time as a student to help pay the bills at home, so her homeroom teacher asked her and a group of indigenous students privately to clean the toilets. Kawlo believed that student part time job recruitment should be public and categorically rejected the offer. “That was when I learned to think, make choices, and refuse for myself.”

It's a Sense of Mission! They are Our People

Kawlo later enrolled at Yu-shan Theological College & Seminary, and upon graduation was assigned to Keelung to start a church there. With \$5,000 per month as salary, she couldn't make ends meet at home. Hence she also worked part-time at the Indigenous Laborer's Gospel Home in Taipei of the Presbyterian Church in Taiwan, fighting for the rights and benefits of laborers. Ever since then, Kawlo began traveling back and forth between the two cities, devoting herself to social services.

The courses at the Seminary gave her the chance to contemplate issues regarding indigenous peoples. After she began working, she often took part in lectures and events held by the Presbyterian Church, which was her enlightenment to social movement. Back then, news on

children from indigenous communities being tricked into child prostitution are often heard. She once visited Huaxi Street for business while in Taipei and heard a woman inside a house speak to a man in the Pangcah language, “you're wearing glasses!” All of a sudden, Kawlo thought of the news reports, “I can understand what she's saying, and felt her greet us differently, that was a real wake-up call! The people in there are really our sisters!”

All of her enthusiasm and sense of mission powered up, throwing Kawlo into the movement of saving children from prostitution, “it was a sense of mission! Pangcah or not, they are still our sisters, our people.”

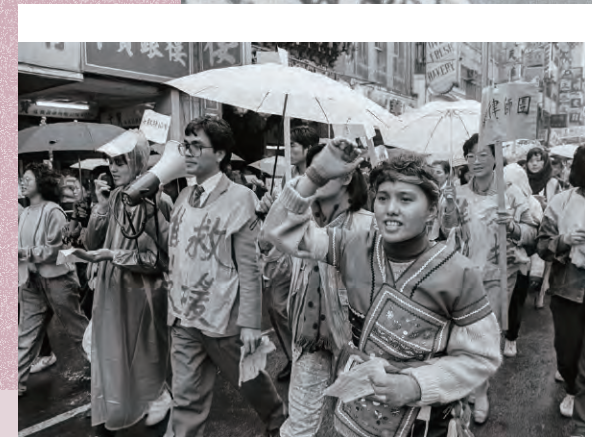
Armored in Traditional Clothes, We are Coming to Your Rescue!

With child prostitution becoming an increasingly serious issue, Director Liao Bi-Ying at Taiwan Rainbow Women's Ministry Center of Presbyterian Church in Taiwan started the “Project Rainbow” in 1986 with the purpose to save children from prostitution. Kawlo was one of the volunteers at the center.

In the following year, over 30 NGOs gathered at Huaxi Street in a sit-in and march against child prostitution, protesting the government for allowing “human trafficking and indigenous child prostitution.” Even though the National Police Agency of Ministry of the Interior launched a Straightening Project in the same year, there was not much effort from the police in the banning and improving of such situations. In 1988, the groups took to the streets again, launching a large-scale march on “Saving Children from Prostitution Once Again”.

Prior to the march, they discussed whether or not to wear their traditional clothing, in order to attract people's attention on issues regarding indigenous peoples. Kawlo recalls, “I wanted to highlight the issue, so I went all geared up, but ended up as the only one wearing traditional clothing.” On the day of the march, all brothels on Huaxi Street shut their doors and stayed low. The march moved into the small alleys, put up posters on the windows of the brothels, and threw pens printed with the contact number of Project Rainbow and Taipei Women's Rescue Foundation into the brothels, calling out, “call this number and we will come to your rescue!”

Around the time of the martial law being lifted, social movement organization was still weak in Taiwan, not



Kawlo Malay at the march against child prostitution in 1987.

to mention women's group, so demands from women were often marginalized. This large-scale march was the first time child prostitution really caught the attention of the public, women's organizations were established, becoming an important turning point for female movement development in Taiwan. Rescue operations never ceased since then. Women's groups started halfway houses to shelter the girls, launched anti-child prostitution movements, and trained volunteers. All the efforts pushed the government to adopt the previous version of Child and Youth Sexual Exploitation Prevention Act in 1995. “Legislative amendment was crucial, putting a stop to the buying and swapping of children in indigenous communities, gradually shaping and changing the ideas and concepts of the society,” says Kawlo.

Times and Places have Changed, I Still Have Dreams to Achieve

With saving children from prostitution as a start, Kawlo was also seen in Give Back Our Lands Movement, Name Rectification Movement, and protest of indigenous laborers against the policy to allow foreign workers.

These experiences let Kawlo to realize that it had always been about “economy”. There is no improving of life if the economy is not improved. A lot of domestic violence cases are caused by economic issues.

Sometime around 2000, Kawlo established the Taipei Indigenous Cleaning Labor Cooperation, matching indigenous women with cleaning projects as a way to help the economically disadvantaged women. Realizing the importance of policy, Kawlo twice took up positions within the government system as designated commissioner at the Council of Indigenous Peoples, and was only relieved of duty last year. She is currently the ethnic commissioner at Indigenous Affairs Commission of Kaohsiung City Government, and the Board of Directors of Kaohsiung Indigenous Women Association.

Here and now, Kawlo still has dreams to achieve. Her nephew suffered a sudden onset of cerebrospinal meningitis in sixth grade, and overnight, he lost the ability to talk or move. She wants to set up a foundation for indigenous children with rare diseases, “I want to achieve this before I leave the world.” To this day, Kawlo still sounds like that girl shouting slogans with all her might 33 years ago, ever so determined.





Speak to the Society with Poetry As Weapon.

The **Blind Poet** Lighting Up the Dark World

Malieyafusi Monaneng

I hope there will never be others like myself or my family again! I don't mind more suffering, the difference between 99 and 100 is minimal!



Suffered Throughout His Life and Even Harbored Dark Thoughts

65 this year, Malieyafusi Monaneng suffered tremendously his entire life. Growing up poor, his mother died from tuberculosis when he was barely 6. In middle school, his father was sentenced to jail for logging, and as the oldest son, he became the bread winner. But his younger brother was taken away as child laborer before turning 13, and his younger sister tricked into child prostitution.

Graduating from middle school, Malieyafusi Monaneng passed the exam for Air Force Mechanical School (now known as Air Force Institute of Technology) but discovered that he had retinitis pigmentosa during the physical examination and that he would eventually lose his eyesight. Unable to enroll in the air force school, he instead took up work in Taipei. He did everything he could in order to survive, from sandstone, bundling to porter. He even washed carcasses.

Surviving in the non-indigenous society meant that discriminatory vocabulary including “mountain people” and “barbarian” followed him everywhere. Malieyafusi Monaneng just wanted to make an honest living, but he was repeatedly scammed by employment agencies, “took my ID and sold me wherever they pleased, they were all liars!”

Despite totally blind in both eyes, Malieyafusi Monaneng sees more clearly than anyone the plight of the disadvantaged situation indigenous peoples is in. He aims straight at the center of issues with his poetry, and experienced the turbulent age in the era of indigenous movement by taking part in the establishment of Taiwan Indigenous Peoples' Right Advocacy Association and convening the indigenous community squad. To this day, he still speaks up for indigenous peoples.

Written by **Chen Yi-Ru**; Photo credits: **Huang Tzu-Ming**, **Huang Jiang-Bing**; Translated by **Ker Nai-Yu**

“When the bell chimes again / Mom and dad, do you know? I really hope / that you could give birth to me again.”

The singing resonates inside the Monaneng Massage, booming. Malieyafusi Monaneng, the Paiwan poet, stares straight ahead with sharp eyes. Hard to tell that he is totally blind in both eyes if you had not known ahead.

Poetry is how he speaks to the society. In 1984, Malieyafusi Monaneng and parangalan established the Taiwan Indigenous Peoples' Right Advocacy Association. He appeals with

the poem Restore Our Names, “if one day / we were to stop the wandering on our lands / first, restore our names and dignity.”

In the poem Here, Let's Drink, Malieyafusi Monaneng criticized the government for not giving indigenous peoples the right to decide the future of Taiwan, “in the slogan of self-determination for 1,800 million people / you hear not our sighs / equality and fraternity, justice and axiom / have long deserted us.” In 1989, The Beautiful Rice, a collection of 30 poems was published. Malieyafusi Monaneng became the first indigenous poet to write in protest for indigenous peoples in Chinese. He was 33 that year.



Above: Malieyafusi Monaneng at the Give Back Our Lands March.

Right: April 3rd, 1987, indigenous groups protested at the Executive Yuan against Tongpu grave-digging, Malieyafusi Monaneng carrying a crucifix.



He swore to himself that, “one day I will grab a katana and slaughter all of you.” He never put the thought into action, but a few years later, Tang Ying-Shen did exactly what he had in mind. Malieyafusi Monaneng once said that if he had not moved into indigenous movements and found a place to speak and vent, he could very well have become the second Tang Ying-Shen. Truthfully reflecting the sorrow of indigenous peoples being at the bottom of the society.

Remaining Optimistic Despite the Experiences at a Young Age!

Malieyafusi Monaneng acquainted undergraduate students providing indigenous community services and the teacher Wang Jin-Ping upon a visit back to his village, which led him to befriending many non-indigenous people, most of which are political activists. When he was 22, Wang Jin-Ping invited him to assist Chen Gu-Ying and Chen Wan-Chen in their election campaigns for legislator and national assembly representative. That was his first access to political events. “I didn’t really participate much, just helped with putting up posters and handing out flyers.” He recalled his impression then, “one night I went to the plaza outside NTU front gate for their speech, and I was stunned! They were all criticizing

the government, I thought I had stumbled upon a communist gathering.”

But in the following year, Malieyafusi Monaneng went into a coma for two months in the hospital due to a car accident, and he woke up almost totally blind. Shortly after, he suffered from tuberculosis and coughed up wisps of blood. Chen Gu-Ying invited him back to the house to rest for few months and looking at the many left-winged books in the room, he thought, since he had nothing better to do, might as well read while he still had a little eyesight in the left eye. This opened a new door for him.

Malieyafusi Monaneng turned totally blind at the age of 27, after which, he began learning the skill of massage

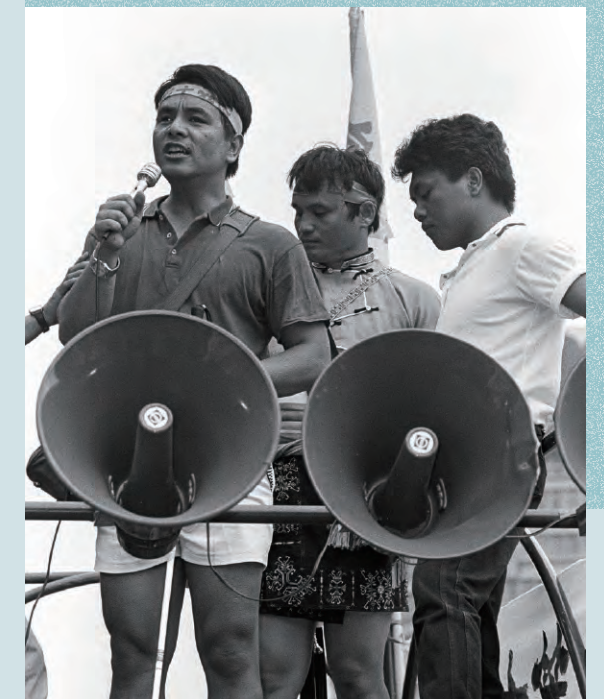
and writing with braille at the Institute for the Blind of Taiwan. Less than a year after leaving the institute, he discovered that he had thyroid cancer and underwent surgery and treatment. Despite the endless suffering, he maintains optimistic, and often introduces himself as, “herded laboring animals at home before 16, and became a laboring animal in the city after 16.” When people ask him how he became blind, he replies, “I was punished for being a peeping Tom.”

Free Our People Ourselves!

Opposition movements began blooming in 1980s. Malieyafusi Monaneng made acquaintances with prominent indigenous movement activists including parangalan and lycang-Parod, and formed a study group to discuss social issues. “When I understood that the oppression we suffered was not because we were stupid, but because of the entire social structure and national system, I knew that we must free our people ourselves!” He and parangalan drank alcohol with blood, took a scared oath and swore to fight for indigenous peoples. Ever since then, Malieyafusi Monaneng could be seen wearing tinted glasses and holding a walking stick in every event, including pulling down the Wu Feng statute, Give Back Our Lands Movement, and saving children from prostitution.

Having always had an interest in literature, with his experiences in study groups, Malieyafusi Monaneng began writing poetry after the Taiwan Indigenous Peoples’ Right Advocacy Association was established. He laughs and says that many of which were impromptus after he had been drinking, “when people asked me to repeat it the day after, I had already forgotten that I even sang them in the first place.”

Writing poetry as a blind person is not easy, when you haven’t seen words for a long time, you gradually forget them. But Malieyafusi Monaneng says, “writing poetry itself is not difficult, but very painful sometimes, when I write, I recall what it had been like then.” Despite saying so, Malieyafusi Monaneng found a way out in life during the process of writing poetry and taking part in social movements. He once wrote in The Barbarian Shot Down, “making acquaintance with undergraduate students delivering indigenous social service, and befriending many non-indigenous friends through them, helped me through the various sufferings in life in the latter half of 1970s. There were people who helped me ‘accept’ the problems, and that was how I came back repeatedly from the edge of breaking down and despair.”



Darkness is Not Scary; You can See with Your Heart

After the September 21 earthquake, Malieyafusi Monaneng became the convenor for the 921 Indigenous Community Squad, and hiked for hours to reach the mountains. People asked him how he could provide disaster relief if he can’t even see? He replies, “If I can make it here blind, indigenous peoples who have endured hardship will definitely make it through.” He encourages the victims, “darkness is not scary, you can see with your heart.”

The indigenous community squad dissolved after immediate disaster relief was provided, but they also came to realize that many indigenous villages were in situations just as bad and required assistance. They then transformed the squad into a permanent organization, supervising government policies and pushing for amendments, thus facilitated the adoption of *Indigenous Peoples Basic Law*.

Malieyafusi Monaneng has endured great sufferings throughout his life, how has he persisted in the journey of social movements? He replies without hesitating, “I hope there will never be others like myself or my family again! I don’t mind more suffering, the difference between 99 and 100 is minimal!” Last year, Malieyafusi Monaneng assumed the position of board director at Taiwan Multi-Indigenous Cultural Exchange Association, helping long-term care organizations in indigenous communities in purchasing supplies. Despite totally blind in both eyes, he sees clearly in his heart and continues to sing for indigenous peoples.



May These Images Become the Window to Getting to Know the Society.

Photographing Indigenous Movements for 30+ Years

Huang Tzu-Ming

Images may not eventually change the society, but we give it the chance to be seen, to influence some people, and such is the value of news report.



Seeing is Believing, Feeling that Strong Psychological impact

“April 3, 1987, indigenous peoples from Tongpu traveled north to Bo'ai Special Zone to march in protest, I marched with them carrying my camera, it was something we wouldn't have imagined doing during the martial law period.” Even after 30 years, Huang Tzu-Ming still recalls vividly what happened that day. January the following year, the newspaper ban was lifted, Huang Tzu-Ming left the magazine publisher and joined the Independence Morning and Evening News, mainly interviewing political and social movement events, which engaged him in a series of indigenous peoples' protests from 1980s to 1990s.

Huaxi Street March against Child Prostitution, Give Back Our Lands Movement, Nuclear Waste on Orchid Island..., turning on the computer, images from these indigenous movements are all organized with individual files, properly stored in his laptop. “I don't see myself on some mission of justice, work just so happens allows me to get up and close to these issues and record images on site, if they can be seen by others or create some kind of influence, that gives this news report its value,” says Huang Tzu-Ming.

As a non-indigenous photographer who has all the updates on various indigenous friends, his mobile phone is filled with messages of recent conversations. Huang Tzu-Ming has been photographing indigenous issues for over 30 years. He has thousands of pictures describing the development of indigenous peoples and how much he cares.

Written by Kuo Po-Jiun; Photo credits: Huang Tzu-Ming, Huang Jiang-Bing; Translated by Ker Nai-Yu

A photojournalist from Tainan, Huang Tzu-Ming originally worked as a product designer. Later on, to help out a friend, he briefly joined a magazine publisher to help out with photography. He never out down the camera since. After working in a financial magazine publisher for a while, he grew increasingly tired of commercial photography and instead became attracted to what was happening to this land. He learned of the on-going protest against the Tongpu grave-digging incident then and visited the site with his camera, an event that forever changed his impression of indigenous peoples.

Before his photographing of indigenous movements, Huang Tzu-Ming knew nothing about indigenous peoples. It was when he gained firsthand knowledge of their demands did he really understand the oppression and discrimination indigenous peoples face. “Taiwan society used extremely chauvinistic, the older generation used to tell us that indigenous peoples are ‘barbaric’ and we didn't know any better. After I started working, and later on learning of their demands, I can't help but wonder ‘how could the government treat them so brutally?’” Huang Tzu-Ming recalls his disbelief.



Above: Huang Tzu-Ming documents the process of Pangcah youth troupe learning traditional crafts at Ziqiang Community in Taichung and photographs the tattoos of their indigenous names on their arms.

Right: The Kavalan people is the only one using banana fiber to weave fabric, Huang visits the PatoRogan Community in Hualien to photograph children chopping down banana trees.



Huang Tzu-Ming has taken part in countless events and taken more photographs than he could count, what left him with the biggest impression was the relocation of Huatung Community in Xizhi at the end of 1990s. Huatung Community was the largest urban indigenous community in north Taiwan. The government expropriated the land to build a switching yard for Taiwan High Speed Rail, while over 200 households faced forced demolition of houses and relocation. January 4, 2000, was the deadline for house demolition, Huang Tzu-Ming arrived early at the scene to take photographs. The remaining residents invited him to join them for breakfast, and drink rice wine and chat. After breakfast, Hai-Lun, one of the residents, personally set fire to his own house.

The houses in Huatung Community were built by these people single-handedly, they would rather destroy the houses themselves than have the government demolish them. “I stood there watching them burn their house down, smelt the thick smoke. Can you imagine that kind of psychological impact?” recalling the ending of this forced relocation movement, Huang Tzu-Ming’s eyes darkened.

Are We Passers-By, Or can We Become Friends?

At every indigenous movement, Huang Tzu-Ming can be seen capturing the scene with his camera. After a while, he became friends with participants who took part in the movement. Sadly, as the protests ended, achieving the interim goals of the movements, some people returned home while some moved away, he lost contact with these indigenous people. In 2017, Huang Tzu-Ming was invited by Nylon Cheng Liberty Foundation to create a photography exhibition on human rights issues. Recalling that it has been 30 years since the first indigenous movement, he decided to title his exhibition “the Journey of Indigenous Movements”.

After sorting through the photographs he had, Huang Tzu-Ming thought to himself, “it would be boring to just show photographs about what once happened.” He came up with the idea to photograph the people who once participated in indigenous movements,

see how they are doing now, and highlight the development and changes of indigenous issues. But without Facebook or LINE in the old days, no contact information remained, how could he find those people again? In addition to using the connections he made over the decades of working in the media, he also traveled between indigenous villages with his laptop, going old school by showing people photographs for identification.

“That owner has been around for a long time!” “That’s XXX’s mother!” Huang Tzu-Ming held many “tell me who you recognize” gatherings in many indigenous communities, one after another, the people pointed at photographs on the screen and recognizing friends and family in delight. This searching process was also documented by Huang Tzu-Ming on his mobile phone and exhibited accordingly, showing the audience how this exhibition came about, and the lives of these people nowadays.

“I gave it a lot of thought while curating this exhibition, I’m a photojournalist, and my relationship with the interviewee ends the moment I leave the scene. But during the process of searching for these people, I kept asking myself, ‘what role am I playing?’ are we passers-by or can we become friends?” Huang Tzu-Ming felt that he has become bored of journalism, “so I shot documentary instead, and think about whether there is more I can do as a media person?”

From the results, it seems that Huang Tzu-Ming found his answer. Now, his mobile phone is filled with contact information of indigenous friends, he is constantly up to date with the fairings of most, and if anyone travels north, they look him up for tea and chat. With convenient internet communication applications, they often drop one another messages just like long lost friends, and cherish their friendships even more.

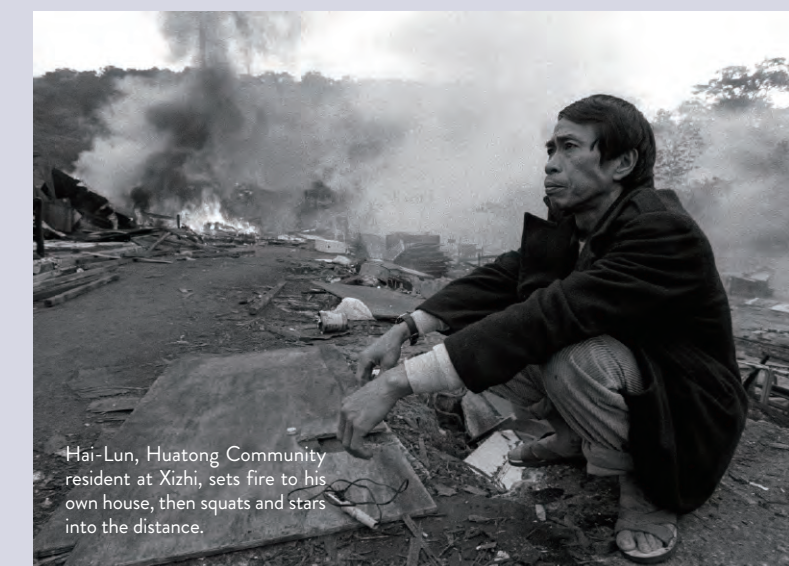
Photography is Also a Form of Social Movement

Over the past three decades, awareness of indigenous rights is picking up, even though the activists rocking indigenous movements have retired, Huang Tzu-Ming has never left. He turned to documenting indigenous cultural affairs. “Just like indigenous movements in recent years, they have not disappeared but changed their focus, I am now more concerned about how youth in indigenous communities promote cultural,” shares Huang Tzu-Ming.

Still working as a photojournalist at a news agency, he uses his time off work to travel the various indigenous villages for photography and interviews. He recently went to Ziqiang Community in Taiping, Taichung, and documented the return of youth to the indigenous community to learn from elders the traditional culture, and their tattooing of their indigenous names on the arms. Under the influence of these older youth, children in the community are naturally drawn to their indigenous culture, and dance and play to indigenous songs after school.

His photography of indigenous movement issues is work, and personally isn’t an indigenous person, why has he persisted on this journey for so long? Huang Tzu-Ming believes that there are human right issues in any country around the world at any time, if you don’t defend it, the rights regress, “photography is also a form of social movement, you need to invest over a long term and although it may not necessarily change the society, I preserve these images, and perhaps one day, it will become a window for the world to get to know the society.”

The Journey of Indigenous Movements
by Huang Tzu-Ming



Hai-Lun, Huatung Community resident at Xizhi, sets fire to his own house, then squats and stars into the distance.

Why Did the Indigenous Movement Emerge?

A Glimpse at History through Objects

“Return my land!” “Give us our life back.” “Stop calling us ‘savages’!” “We do not need your sympathy, but to take us seriously.” These slogans of the indigenous movements in the 1980’s have demonstrated that indigenous peoples back then only asked for their basic human rights from the government and the society. Different from the diversity and convenience in the modern digitalised world, how did the indigenous movement activists 40 years ago organise people and develop social movement? Let us have a look!

Written by Kuo Po-Jiun; Illustrated by Lin Jia-Dong, Shutterstock
Translated by Lai Yu-Hsuan

Church

Main Source of Resources and Mobilisation

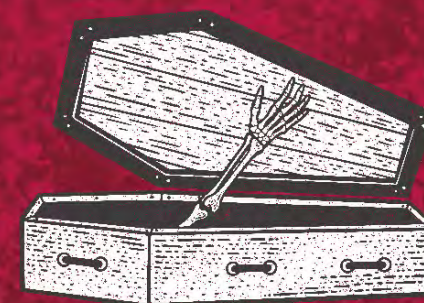
A high proportion of Taiwan’s indigenous population believe in Western religions. Churches combined with grassroots became the cornerstone of the indigenous movements in the 1980’s. After WWII, the Presbyterian Church in Taiwan was actively involved in Taiwan’s social movements. When the indigenous movements emerged, the PCT also provided huge aid and support.

In communities, indigenous pastors often took on the role of opinion leaders. In addition to the work at churches, they also instilled their people with ethnic consciousness and culture and education. In so doing more indigenous peoples would be mobilised to take to the streets and fight for their own rights. Indigenous peoples moved to cities to live and work hard. While they were trying to adjust to the metropolitan life, they endured stress and discomfort stemming from discrimination. It was how churches gradually became



the bridge between cities and home and the shelter for indigenous peoples. The influence of churches also elevated.

The PCT cares about the society and politics, so it enriches the nature of the indigenous movements, diversifies and strengthens the movements to fight for indigenous rights. The resources from and people mobilised by churches were no doubt a great impetus to the indigenous movements.



Coffin

Let Me Show You What You have Done to Me!

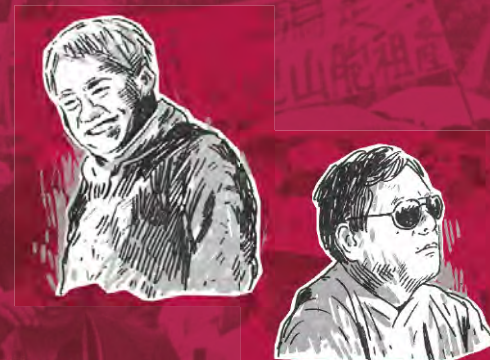
On the first of March, 1987, the government dug out an indigenous peoples’ cemetery in order to plan a scenic area and build a hotel in Dongpu without notifying families. The cemetery was littered with corpses, bitten by wild dogs.

To protest to the government catering to the development plan of conglomerates and digging the indigenous land, on the 3rd of April the same year, the Bunun people in Nantou carried the coffins from the cemetery, which had been rampaged earlier, to Taipei. Wearing headscarves, they carried the coffins facing a human wall created by the police, which was a rare scene of protest.

Music and Poems

From No Voice to Singing Our Own Songs

The music style of “folk song” has emerged since 1970’s in Taiwan. Riding on this trend, the indigenous music and songs, which had always been closely related to its culture, have encouraged many indigenous singers to start writing folk songs. These songs express the sentiments and identify of indigenous peoples as well as showing the society’s current situation. For example, Ara Kimbo singing folk songs live on-site at indigenous movements and Malieyafusi Monaneng reciting poems have aroused public interest and emotion. Music and poems serve as an effective channel to make the indigenous people’s voice heard.



Magazine

Give Me a Pen to Write Down What has Happened to Us

In addition to taking to the streets, indigenous people have distributed their claim to other people through the power of words and mass media in order to awaken the awareness of indigenous peoples’ human rights.

In 1983, 4 indigenous students studying in the National Taiwan University incorporated hand writing and oil printing to publish “Gao Shan Qing”, in which they criticised the government and society, drawing attention outside the ruling party. “The Taiwan Association for the Promotion of the Indigenous Rights” also published “The Indigenous Peoples” newsletter and magazines “Shan Wai Shan” and “Taiwan Indigenous Peoples” successively as a medium for indigenous people to speak out. “The Voice of Indigenous Peoples” and “The Hunter Cultures” were published subsequently.

Apart from mobilising people to the streets, the power and philosophy delivered by words are also very crucial to drive social reform and cohere collective consciousness, so as to succeed in social movement. Its importance is axiomatic.



The Collective Rights of Indigenous Peoples

Written by **Shih Cheng-Feng** (Professor at the Department of Indigenous Affairs, National Dong Hwa University)
Translated by **Lin Shi-Fen**

The “Three Generations Theory of Human Rights” proposed by the French scholar Karel Vasak is known for dividing human rights into three separate generations based on the development of human rights: 1. civil and political rights; 2. economic, social and cultural rights; and 3. developmental and environmental rights, rights of solidarity, and the right to peace. Here the rights of solidarity, also known as collective rights or group rights, refer to those rights that are enjoyed by virtue of sharing a collective identity, such as women’s rights, children’s rights, and minority rights.

The obligation of a state to protect the rights of ethnic minorities arises from the duty to ensure their equal status in society. The government, on the one hand, should work to prevent ethnic minorities from continued stigmatization, while on the other hand, seeking to compensate for the injustice they have suffered. Traditional liberalism holds that collective rights are incompatible with individual rights, arguing that the former could be a potential threat to individual liberty. From a communitarian perspective, however, the individual is inseparable from the community and society as a whole. The rights of individuals are based on the premise that the rights to survival and identity of ethnic minorities are guaranteed. Given this, the current international trends suggest that simply guaranteeing the individual-centered right to survival and anti-discrimination principles is hardly enough. Further actions should be taken to protect collective rights.

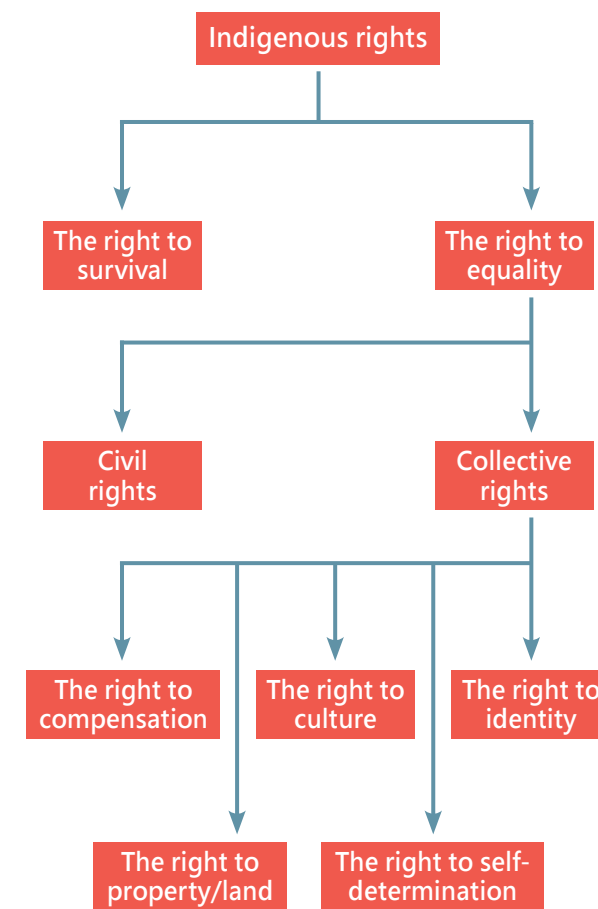


Figure 1: The Classification of Indigenous Rights

According to the Canadian scholar Will Kymlicka, the rights of ethnic minorities comprise those to culture, autonomy, and political participation. Indigenous rights can be viewed either as one of this kind in a broad sense or as a unique type of collective rights. They are most distinct from other ethnic minorities’ rights in that they are pre-existing and inherent to indigenous peoples, rather than delegated by the states or others.

Following the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), here we divide indigenous rights into two major categories: the right to survival and the right to equality. The right to survival, or the right to life, concerns the guarantee of basic survival of indigenous peoples, while the right to equality deals with the active promotion of their basic rights, which can be further classified into civil rights and collective rights. The former is concerned with protecting individuals from discrimination, while the latter takes care of various rights that concern indigenous people as a whole, including their rights to identity, self-determination, culture, property/land, and compensation (see Figure 1).

The Right to Identity

Indigenous peoples have the right to maintain and develop their unique collective identity and define themselves as indigenous. This means their identities and identification should not be imposed by the state or others but rather defined by themselves. Note that the so-called self-identification here does not apply to those who claim to be indigenous in their own right. The consensus of the community must be achieved to serve as the criterion, otherwise, the unique indigenous identity can become an easy target of exploitation.



The Right to Self-Determination

This refers to the right for indigenous people to determine their political status and to pursue their economic, social and cultural development. Simply put, the right to self-determination is a collective right that empowers indigenous peoples to handle their future and destiny, which can be said to be “the mother of human rights.” This has been clearly defined by the United Nations in the 1966 *International Covenant on Civil and Political Right* (ICCPR) and *International Covenant on Economic, Social and Cultural Rights* (ICESCR). And there are no other international laws or codes that prohibit indigenous peoples from exercising their right to self-determination. Hence the indigenous right to self-determination is equally effective as any of its counterparts in the world.

While exercising their self-determination right, indigenous peoples may also demand political separatism, or instead embrace cultural integration and assimilation. There is considerable room for imagination between the two extremes of the spectrum. Indigenous communities may be willing to accept various forms of autonomy or self-government offered by the state. But this doesn't mean that they abandon their right to self-determination. Rather, they accept the arrangement temporarily, depending on to what extent the state protects or makes concessions to guarantee their other rights.

Opinions differ on what makes appropriate units for defining the scope of indigenous autonomous regions (see Figure 2). Up to now, it has been generally held that peoples or ethnic groups be used as the major criterion. The various autonomous regions thus defined can be further integrated into a pan-indigenous confederation. For those ethnic groups who claim larger traditional territories, they may adopt a compound model of autonomy featuring multiple “sub-nations,” namely, “a single indigenous people with multiple autonomous regions.” On the contrary, when an area is inhabited by mixed ethnic groups, residents can carry out an inter-ethnic/cross-national autonomy, characterized by the joint government of different peoples. That is, a “single autonomous region with multiple indigenous peoples.”



Figure2: Units for Indigenous Autonomy

In the case of tribal autonomy, the major concern is how to enforce community integration to prevent buying off and internal division.

The Right to Culture

The characteristics of a culture are truly reflected in the way people think, speak, act or interact with others. However, the systematic destruction of a culture, or cultural genocide, can lead to the extermination of a people without shedding a drop of blood. Hence, for indigenous peoples to sustain their cultural lifeblood, they should have the right to retain their languages, religions, traditions, customs, and ways of life. Particularly at the language level, in addition to the right to learn their mother tongues, they should have the right to receive education in their native languages. Meanwhile, the government should not implement any laws and policies that are assimilative or integrative. In recent years, the right to culture has been expanded to include the protection of and appropriate compensation for indigenous cultural and intellectual properties, including access to traditional secret remedies.

The Right to Property

Aside from the cultural and intellectual properties mentioned above, the indigenous peoples' right to property generally implies their rights to land and natural resources. For indigenous peoples, the spiritual and material basis of their cultural identity can only be maintained through their link to the land, or a sense of belonging. The deprivation of their connections to the land implies the decline of culture and loss of identity, which could render their existence meaningless. In other words, as far indigenous people are concerned, the lack of land rights is tantamount to the infringement of their right to cultural identity, in turn making the pursuit of the right to survival a pointless endeavor.

Land, in a broader sense, can refer both to land and sea area, which highlights the necessity to distinguish between “land country” and “sea country.” In this regard, the indigenous land rights also concern sea domains,

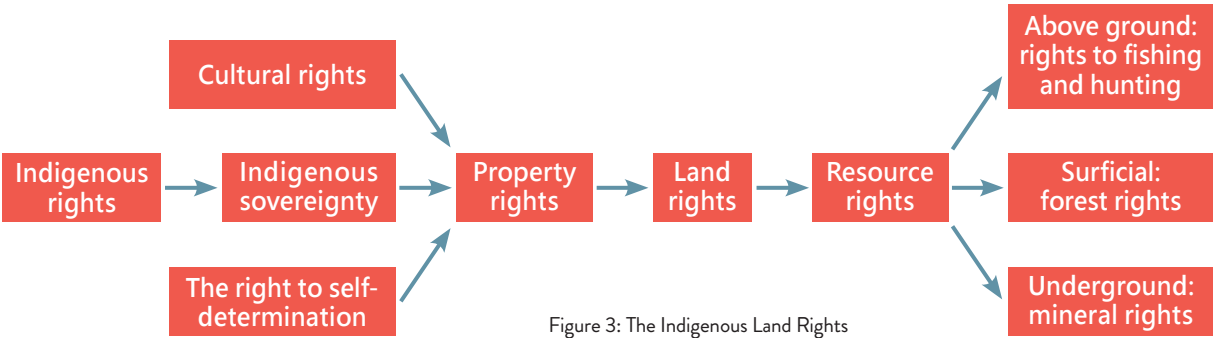


Figure 3: The Indigenous Land Rights

namely, sea rights. Besides, the right to natural resources should also be counted as part of the land rights, but the two are generally referred to together as the rights to land and resources. As Figure 3 shows, it can be further classified into several categories, including the rights to fishing and hunting, forests, and minerals.

The source of indigenous property rights comes in two types: substantive rights and procedural rights. The former includes indigenous sovereignty and cultural rights, while the latter is a derivative of the right to self-determination. Indigenous sovereignty refers to those rights acquired through prior occupation or utilization and thus overrides all the other indigenous rights. Its derivatives include the rights to land and various resources.

For indigenous peoples, culture can be expressed in various forms, such as a unique way of life associated with the use of land resources. Due to the fact that they have the right to retain their cultural characteristics, and that natural environment and land resources serve as the fundamental basis for the sustainability of indigenous culture, the protection of the environment, particularly land, becomes a prerequisite to the guarantee of indigenous cultural rights.

The right to self-determination is a kind of procedural right. This means that indigenous peoples are entitled to determine the arrangements of political, economic, social, and cultural affairs related to their properties, land, resources, and forests. In other words, when the government intends to exploit natural resources that concern related indigenous rights, it must solicit the opinions of local people in advance and allow them to participate in the decision-making process. To put it concretely, when applied to the exercising of resource rights, the right to self-determination can be realized in the forms of public participation and access to information. The former denotes the situation where those who are likely to be affected by policies have the right to participate in the decision-making concerning the utilization of resources. This entails that these participants have the right to voice their opinions to be heard and to influence the decision-making process. The latter

suggests that people have the right to gain access to information about potential environmental risks to ensure their quality of life, especially when the government's actions may cause damage to the environment.

In short, the state must recognize and guarantee indigenous peoples' rights to possess, develop, control, and utilize their shared land, territories, and recourses. If these rights are denied without free and informed consent, an attempt must be made to return them. If it's practically difficult to do so, just, fair and prompt compensations must be provided.

The Right to Compensation

It's often the case that foreign settlers seize the land of indigenous peoples without their consent, showing no respect for their unique ways of life and needs when exploiting natural resources. This contributes to the inherent guilt on the part of colonizing settlers. Hence the authorities must take active compensatory measures to repair the damage caused by the past social discrimination and political oppression against them, as well as the plunder of their native land. The least that can be done is to provide guaranteed opportunities in education or employment. A more positive approach, on the other hand, is for the colonizing country to make compensation for indigenous communities.

Shih Cheng-Feng

Professor at the Department of Indigenous Affairs, National Dong Hwa University. His specialties include ethnic politics, international political economy, and comparative foreign policy. He is also the author of “原住民族の權利與轉型正義” and “原住民族の主權、自治權與漁獲權”.



Seasoned activists passing the baton!
See the 31st issue for the section The New





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