The Indigenous Right to Self Determination in Extractivist economies

The element shows the diverse ways in which Indigenous peoples in countries where extractivism prevails exercise their right to self-determination

We know that International norms widely recognize the Indigenous right to self-determination by which Indigenous peoples define and purse their collective aspirations. Yet few Indigenous communities enjoy this right.

Legal scholars, anthropologists, and political ecologists have produced extensive literature documenting how Indigenous rights are persistently violated by governments and extractive companies. Governments, on the other hand, typically argue that extractive revenues are necessary to improve Indigenous life.

Amid polarized positions regarding how to make indigenous rights a reality, rural Indigenous peoples are most often divided over extractive industries. To assess how self-determination has progressed, and the role that extractivism plays in this, I examine six Indigenous communities in Mexico, Bolivia, and Peru with contrasting experiences of extractive projects.

DEFINING SELF-DETERMINATION

In the last decade we have focused on prior consultation. More recently, legal scholars and activists have recaptured the spirit of Indigenous rights, by shifting the focus back to self-determination.

I propose a definition of self-determination based on indigenous testimonies and legal concepts.

Based on the cases, I propose the following theory: the interaction between 1) Indigenous use of favorable legal frameworks (electoral autonomy regimes, justice administration, customary laws, prior consultation, compensation mechanisms), and 2) the available economic resources for Indigenous communities (extractive resources, non-extractive resources, or none), shape Indigenous self-determination outcomes.

A typology for Self determination outcomes

This Element offers some preliminary hypotheses based on the cases that may be tested in further studies. I conduct a comparison of six cases in Bolivia, Peru, and Mexico and create a typology for self-determination outcomes.

Indigenous ability to use favorable legal frameworks to their advantage, together with access to non-extractive resources is a winning combination for both Indigenous self-determination and the environment.

I underpin how the different self-determination outcomes found in the cases align—or not—with the goals of environmental activists and Indigenous discourses on *Buen Vivir*.

The finding of the element, I believe, are important for a better understanding of Indigenous communities and the complex paths through which self-determination can be achieved.