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RIGHTS OF INDIGENOUS PEOPLES:
between the recognition of difference and the persistent denial of otherness

Belo Horizonte
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Thesis presented to the Graduate Program in International Relations at the Pontifical Catholic University of Minas Gerais, as a partial requirement for the degree of Doctor of International Relations.

Supervisor: Prof. Dr. Matilde de Souza
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Concentration area: International Politics - Institutions, Conflicts, and Inequalities.
Research line: Security and International Institutions.

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The development of a doctoral thesis is an exhaustive endeavor. It entails long years dedicated to working on a research project, which, at various moments, we believe may not come to fruition. This is aggravated by the fact that, in Brazil, job opportunities for researchers and academics are scarce, and receiving research scholarships in graduate programs, besides not guaranteeing personal funding or social security benefits, forbids engaging in paid activities other than teaching. The result is that these countless hours of work are accompanied by fears, frustrations, and uncertainties related to both present and future professional life, leading most people to conclude this cycle without minimal financial stability and without experience in other professional fields.

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The idea that white Europeans could go out colonizing the rest of the world was based on the premise that there was an enlightened humanity that needed to reach out to the obscured humanity, bringing it into this incredible light. This call to civilization has always been justified by the notion that there is a certain way of being on Earth, a certain truth, or a conception of truth, that guided many choices made in different periods of history.

Now, in the early 21st century, some collaborations between thinkers with distinct views originating from different cultures enable a critique of this idea. Are we really one humanity?
(Ailton Krenak in *Ideias para Adiar o Fim do Mundo*, 2019)

ABSTRACT

The general aim of this thesis was to understand the persistent denial of the otherness of Indigenous Peoples, even in the face of the recognition of their right to difference in modern international law. In order to accomplish this task, this objective was subdivided into three specific objectives: 1) to study the evolution of the modern Western ontological dominance over the Indigenous Peoples; 2) to analyze modern international law as a current control mechanism over the otherness of Indigenous Peoples; and 3) to demonstrate the excluding inclusion of Indigenous Peoples through document analysis and interviews. As for the methodological strategies, different data collection methods were used in the development of the work, such as a comprehensive search for literature in databases available on the internet based on keywords related to the thesis topic. Additionally, four semi-structured interviews were conducted. Regarding the methods of analysis, it varied equally according to the proposal of each chapter, with the use of systematic bibliographical analysis, document analysis, a mix of historical and concept-centered analysis, and qualitative content analysis for the interviews. In the conclusions, we understand that the initial conjecture that the roots of the persistent denial of Indigenous Peoples' otherness lie in the relations initiated between the European Self and its new Other encountered in America was confirmed. This encounter played a crucial role in triggering the emergence of the modern Western Self, along with the development of a hierarchical relationship, in which the Indigenous Peoples' otherness has been continuously denied. As demonstrated in this thesis, in this power relationship between the Western Self and the Indigenous Other, different mechanisms of control or exercise of power have been used over time. We focused on examining modern international law as one of these mechanisms, through which, from the dominance of Western ontology, the parameters accepted as legitimate for relations in international politics are defined, with an emphasis on the centrality of the modern sovereign state as the main instance of validated political authority.

Keywords: Indigenous Peoples. Modern state. Otherness. International Law. Power Relations.

RESUMO

O objetivo geral desta tese é compreender a persistente negação da alteridade dos Povos Indígenas, mesmo diante do reconhecimento de seu direito à diferença no direito internacional moderno. Para alcançar essa tarefa, esse objetivo foi subdividido em três objetivos específicos: 1) estudar a evolução da dominância ontológica ocidental moderna sobre os Povos Indígenas; 2) analisar o direito internacional moderno como um mecanismo de controle atual sobre a alteridade dos Povos Indígenas; e 3) demonstrar a inclusão excludente dos Povos Indígenas por meio da análise de documentos e entrevistas. Quanto às estratégias metodológicas, diferentes métodos de coleta de dados foram utilizados no desenvolvimento do trabalho, como uma busca abrangente de literatura e documentos em bases de dados disponíveis na Internet baseadas em palavras-chave relacionadas ao tema da tese. Além disso, foram realizadas quatro entrevistas semiestruturadas. Em relação aos métodos de análise, variaram igualmente de acordo com a proposta de cada capítulo, com o uso de análise bibliográfica sistemática, análise de documentos, uma combinação de análise histórica e centrada em conceitos, e análise de conteúdo qualitativo para as entrevistas. Nas conclusões, entendemos que se confirmou a conjectura inicial de que as raízes da persistente negação da alteridade dos Povos Indígenas estão nas relações iniciadas entre o Self europeu e seu novo Outro encontrado na América. Esse encontro desempenhou um papel crucial em desencadear a emergência do Self ocidental moderno, juntamente com o desenvolvimento de uma relação hierárquica na qual a alteridade dos Povos Indígenas tem sido continuamente negada. Como demonstrado nesta tese, nessa relação de poder entre o Self ocidental e o Outro Indígena, diferentes mecanismos de controle ou exercício de poder têm sido utilizados ao longo do tempo. Concentramo-nos em examinar o direito internacional moderno como um desses mecanismos, por meio do qual, a partir da dominação da ontologia ocidental, são definidos os parâmetros aceitos como legítimos para as relações na política internacional, com ênfase na centralidade do Estado moderno soberano como a principal instância de autoridade política validada.

Palavras-chave: Povos Indígenas. Estado moderno. Alteridade. Direito Internacional. Relações de Poder.

RESUMEN

El objetivo general de esta tesis es comprender la persistente negación de la alteridad de los Pueblos Indígenas, incluso ante el reconocimiento de su derecho a la diferencia en el derecho internacional moderno. Para lograr esta tarea, se subdividió el objetivo general en otros tres específicos: 1) estudiar la evolución de la dominancia ontológica occidental moderna sobre los Pueblos Indígenas; 2) analizar el derecho internacional moderno como un mecanismo de control actual sobre la alteridad de los Pueblos Indígenas; y 3) demostrar la inclusión excluyente de los Pueblos Indígenas mediante el análisis de documentos y entrevistas. En cuanto a las estrategias metodológicas, se utilizaron diferentes métodos de recopilación de datos en el desarrollo del trabajo, como la búsqueda amplia de literatura y documentos en bases de datos disponibles en internet basada en palabras clave relacionadas con el tema de la tesis. Además, se realizaron cuatro entrevistas semiestructuradas. En cuanto a los métodos de análisis, variaron igualmente según la propuesta de cada capítulo, con el uso de análisis bibliográfico sistemático, análisis documental, una combinación de análisis histórico y centrado en conceptos, y análisis de contenido cualitativo para las entrevistas. En las conclusiones, entendemos que se confirmó la conjetura inicial de que las raíces de la persistente negación de la alteridad de los Pueblos Indígenas yacen en las relaciones iniciadas entre el Self europeo y su nuevo Otro encontrado en América. Este encuentro tuvo un papel crucial en desencadenar la emergencia del Self occidental moderno, junto con el desarrollo de una relación jerárquica en la que la alteridad de los Pueblos Indígenas ha sido continuamente negada. Como se demostró en esta tesis, en esta relación de poder entre el Self occidental y el Otro Indígena, se han utilizado diferentes mecanismos de control o ejercicio de poder a lo largo del tiempo. Nos centramos en examinar el derecho internacional moderno como uno de estos mecanismos, a través del cual, desde la dominancia de la ontología occidental, se definen los parámetros aceptados como legítimos para las relaciones en la política internacional, con énfasis en la centralidad del estado moderno soberano como la principal instancia de autoridad política validada.

Palabras clave: Pueblos Indígenas. Estado moderno. Alteridad. Derecho Internacional. Relaciones de Poder.

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LIST OF ACRONYMS AND ABBREVIATIONS

APIB	Articulation of Indigenous Peoples of Brazil
BP	Before Present
CIR	<i>Conselho Indígena de Roraima</i>
DOAJ	Directory of Open Access Journals
ECUARUNARI	Confederación de los Pueblos Kichwas del Ecuador
ICC	Inuit Circumpolar Council
ILO	International Labour Organization
IR	International Relations
IWGIA	International Work Group for Indigenous Affairs
FUNAI	<i>Fundação Nacional dos Povos Indígenas</i>
Latindex	Sistema Regional de Información en línea para Revistas Científicas de América Latina, el Caribe, España y Portugal
NGO	non-governmental organizations
ONIC	Organización Nacional Indígenas de Colombia
PAC	<i>Programa de Aceleração do Crescimento</i>
Scielo	Scientific Electronic Library Online
TSE	<i>Tribunal Superior Eleitoral</i>
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
WGIP	Working Group on Indigenous Populations

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