

INTERNATIONAL JOURNAL OF LAW
MANAGEMENT & HUMANITIES

[ISSN 2581-5369]

Volume 4 | Issue 5

2021

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Cultural Conflicts and Future of Indigenous People in the Era of Globalization Promised Rights and Responsibilities

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ABSTRACT

In the past few decades world has witnessed the ever-growing impact of globalization and has entered a new age of development. Because of the easily assessable technology and increased dissemination of energy has brought about an evident change in the society as a result of such changes and advancements indigenous groups and local communities are becoming more connected to the dominant societies. At the same time, however, the process of globalization is simultaneously creating the real possibility that indigenous peoples as such will cease to exist. At the touch of a button, sacred cultural property - folklore, songs, stories or the location of sacred places - can be instantly appropriated and commodified for the global consumer. These incidences of appropriation and the adverse consequence of globalization has severely diminished the aspects of life and culture that goes to the very existence of indigenous peoples.

The increasingly multicultural fabric of modern societies has given rise to many new issues and conflicts, ethnic and national minorities demand recognition and support for their cultural identity. Moral conflicts are now common features of multicultural societies. The nature of moral conflict has a profound impact over the public sphere as different groups question the legitimacy of indigenous people living the era of globalization. Cultural change is not only a story of loss and destruction, but also gain and creativity. As these threats grow, increasing value is simultaneously being placed on the survival of minority cultures. In fact, the past decade has witnessed vast growth in demands and proposals for the protection of indigenous peoples' traditional knowledge. Nevertheless, legal regimes currently in place - most modelled on Western intellectual property laws - have thus far proven incapable of accommodating and protecting indigenous works.

I. INTRODUCTION

Globalization is considered a phenomenon that has a worldwide effect on every individual living in the society, whether being a person living in an advanced metropolitan city or a person

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belonging to a remote village of far away situated Amazon rain forest. Globalization has been referred to as a compounded phenomenon by numerous scholars, which comprises within its realm multiple layers involving social, political, economic, cultural, religious strata or domains interconnected with the lifestyle lived by individuals in the society.² The definition and explanation given regarding globalization differ based on its complexity, which is, in reality, not very easy to demonstrate or explain. In simple words, the process is defined as a connection developed among individuals at a local and a global level on every defined stratum of culture stretching from economic character and ending up at a religious aspect as well. Going by the historical development and background when globalization as a process started deepening its roots in the society, it had pure economic essence. It was known predominantly as an economic occurrence that started binding diverse global economies of the world into one single market for the overall development of the society as a whole.³ Exchange of knowledge and technology takes place at an international level instantaneously on a twenty-four into seven bases. Majorly globalization brings about change and impacts on society at three executive levels, including cultural, economic, and political.⁴

Referring to cultural differences, notable globalization is signalled as an activity where cosmopolitan culture or culture pervasive in western countries has deepened its penetrating influence on people living in another part of the globe apart from the west. How this culture has started diffusing in other parts of the world involves a basic understanding of newly developed and advanced technologies with additional resources of entertainment involving media spreading or making its stand through pop music, tourism, television, cinema, etc.⁵ By adopting these westernized cultural values, people have started behaving, acting, or living their life according to the set rules and identical fashion, which is religiously followed without any failure to maintain a standard of living that doesn't even belong to them initially. The westernized culture adopted in most parts of the world has started creating a hegemonic situation where no room is left for homogenous culture existing in the society through ages, which was considered as a heritage or practice gifted to us by our forefathers for decades. Shifting our focus to the indigenous population or minorities living in a particular country, we have seen that the hegemonic culture adoption has posed a severe threat to their identity and culture where day by day; their culture has started vanishing slowly without even a single

² David Held, David Goldblatt, Anthony McGrew, *Globalization in the contemporary world*, 5 *Global Governance* 483 (1999).

³ *ibid*

⁴ King, Gavin, Roger and Kendall, *The State, Democracy and the concept of Globalization*, New York(2004)

⁵ *ibid*

moment of realization.⁶

Globalization often gives rise to two dangerous situations: - one condition refers to cultural hegemony which has been explained in the second paragraph above and the other case is that of hybridization of a culture where two or more cultural values and tradition mix up and interconnects so strongly that it gives rise a very new hybrid culture. Before pointing out the effects and impacts of globalization on indigenous cultures, it is essential or important to delve into the basic understanding of specific theories that form the basis or background of cultural changes taking place in the society rapidly.⁷

II. BASIC THEORIES OF GLOBALIZATION

Hybridity

Hybridity is a concept or phenomenon which traces its development or existence in the field of agriculture. The reference is often made to the diverse genetical strands of life pertaining to a plant. This model gives the best possible answer to the question which arises when in common practice globalization amalgamates or interlink with the culture predominant in the local society or a region located remotely. It has contributed a lot at a massive level being an important part or component in the overall advancement of numerous systems surviving artistically, politically, or religiously at a certain level. The theory of hybridity is often considered and seen as contrary to the concept of authenticity, pointing out the pure nature of a local culture which has developed, prevailed, or conserved strategically by an indigenous group surviving in the minority.⁸ Many scholars have criticized the concept as a means to misrepresent the pure identity of a local culture where outside foreign culture is brought in to destroy the true identity authenticity of an indigenous group. Ambiguity and doubts persist, especially in the areas characterized by contested identity. Some examples of such contested identity could be seen in countries like Latin America, Balkans, turkey, or central Asia, where the theory of hybridity is strongly opposed by the locals considering it contrary to authenticity. Despite being two contradictory concepts, they survive in the society interdependently complexly intertwined with each other. There are three models of hybridity which explains the concept judiciously without much confusion or contradiction.⁹ They are as follows: -

⁶ Beck U, what is Globalization and could it impact the society, Polity journal Cambridge (2001)

⁷ Supra note 1.

⁸ Pieterse, Gundersen, Interpreting the concept of Globalization as Hybridization ", in M. Featherstone (Ed), Sage, Newbury Park (2002)

⁹ ibid

Difference

Model of difference is also known to the world as cultural differentialism where the two diverse culture has its own identity and doesn't complement each other unanimously. This model stresses the belief that the culture of different countries must not be diffused into each other's society. Every unique culture has its own economic and tactical interaction or interplay, which must never be disturbed in the name of innovation. Model is considered to have its historical connection with the study of anthropology, where the political, geographical, and cultural characters are at the stage of the constant war-like situation.¹⁰ Parallel characteristics of the concepts are traced with the world-famous Marxist approach, where it has been stressed that how the rise of global markets and flourishing effects of globalization brought a rise in poverty and a wide range of disparity among the different factions of society. The model is against the large-scale diffusion, or penetration of alien culture among two diversified societies. For the indigenous population, this model is often considered venomous, which results in the creation of difficult situations of marginalization and stagnancy where people in the minority could be left behind far from strategic overall development and growth.¹¹

Convergence

Model of convergence as a second major paradigm belief in the concept of cultural homogenization where only one culture must stand in the society. This model is an approach where global culture overpowers and gulp down the rampant local culture, that persisted in society for a long period. Reference is made to western or European colonization, this concept was widely imposed on other countries where Europeans tried to rule. In the modern world, the concept of colonization has still sustained its presence. The most classic example is of American political and cultural hegemonic model which has been called McDonaldization¹². The American powers have thrived hard to erase and eradicate homogenous cultures from other countries both at an internal and at an intimate level by bringing in its own overpowering culture adopted by locals knowingly or unknowingly. In the culture of Mc world, the marketing economy is structured in such a manner that the level of consumption and production could be strategically reordered to grant maximum benefits to the country planning diffusion of hegemony through the means of globalization. Competent suppliers and consumers are manipulated in such a manner that they tend to isolate themselves from each other, and an

¹⁰Crane, Diana, *Cultural Globalization from the Perspective of Sociology of Culture*, op. cit,(1999).

¹¹ Ibid

¹² Somyaditya Dasgupta, *Globalization and Mc Donaldization of the society*, available at: <https://lexquest.in/globalization-mcdonaldization-society/>

environment of difference is created by playing mind games. The personalized aim of such a model is to create a situation in the society where only one culture would sustain, often referred to as a monoculture. The effect of such a model is the destruction and disappearance of local culture and traditions.¹³

Multiculturalism / Mixing

The third model of hybridity is also known as the mixing or multicultural model where the culture of different societies or countries survives in a region appropriately. This model has great divergence from the other two models discussed above. This model refers to and supports the process of border crossing. Hybrid cultures are allowed to amalgamate with local culture in a healthy environment, where the concept of authenticity is often subverted in common practice. A unique hybrid form of culture is given birth, and it comes into existence by adopting a wide variety of cultures.¹⁴

This model of cultural hybridity is the most flexible form of model which could be adopted widely at a global level for inclusive development of the society comprising of the indigenous minority population. This model is neither a bottom-up approach where global tries hard to subsume the local population nor is it a kind of model that believes in authenticity and leave the local population in an inactive marginalized state. An amicable relationship could persist where cultural beliefs of other nations could amalgamate with local culture and beliefs in a healthy manner.¹⁵

III. GLOBALIZATION AND INDIGENOUS CULTURES

There is this common notion and belief in the mind of people which is thought of since decades that the local traditions and cultures have started adapting and acknowledging the concept of globalization because of the deep-rooted influence of western nations hegemonic or rather called dominating powers for quite a long period in history. Where most of the nations were under the direct control and authority of European or western powers characterized as the process of colonization. But very less attention is given to the sense and understanding of self-preference means the preference of the people living in the society at large. Two types of situations arise while adopting a foreign culture. One is where people out of their choice or preference adapt to the outside culture. In another instance, outside culture is forcefully imposed upon the people living in the minority. When out of valid preference, any culture is

¹³ Supra note.9

¹⁴ Curran, J, *Beyond the concept of Globalization Theory, De-Westernizing Media Studies*, by Routledge, (2000)

¹⁵ *ibid*

adopted, an era of development and prosperity could be witnessed. Still, when ideas and values are imposed against the will of individuals, their true identity starts vanishing.¹⁶ An example of African nations could be taken out of sheer choice people of particular countries started adopting the local culture to out loud their local problems and concerns to the outside world at large. Through the means of hip hop music, which pertains to or has its origin in American culture became part of the life of certain African communities where with the help of singing and dancing, people showcased and brought their problems in light to the outside world.

Arun Appadurai, an eminent scholar, described this overall process as the process of “indigenization.”¹⁷ Explaining the process of indigenization, Arun has stated that this is the process that mainly involves the reconsideration and reinterpretation of economic, social, and other cultural practices where these all aspects could strategically be reconciled and amalgamated at the local level. Globalization as a phenomenon is a multisided process which not only involves the contribution and struggle of locals but also involves global or international aspect at the same point of time. To better explain and maintain the stand of the indigenization process, another term, “Trans local,”¹⁸ is brought into picture or existence, which is used to describe the complicated arrangement of information, politics, power, and commerce at a global stratum. This approach of indigenization is characterized as a bottom-up approach where there is no such process involving the global subsuming or subverting the existence of local culture. Three essential elements are there, which must be present to gel up the proper structure of society. Its culture that is economic viability, social cohesion, and stability, if any of these elements or even one of these elements is missing from the social-cultural structure outside cultural values, could seep in or diffuse in the local cultural values and beliefs. In many instances, the impact or effect of this cultural mixing up process has adverse results for an indigenous population where they tend to lose their knowledge, resources, and lands to foreign intruders or even local hegemonic governments of the state.¹⁹

IV. IMPACT OF GLOBALIZATION ON CULTURE OF INDIGENOUS POPULATION

Looking at the consequences on the indigenous population there are both direct and indirect implications of globalization which could be categorized based on numerous grounds ranging from issues related to the ancestral land or property and valuable antique resources and on the other hand issues pertaining to language and other traditions conserved and protected by them

¹⁶ Mohammade, *The Global and the Local in International Communication, Mass Media and Society*, London, (1991)

¹⁷ Appadurai, A, *Disjuncture and Difference in the Global Cultural Economy Public Culture*, 2(1990)

¹⁸ Simon Alexander, *How will you define the term Translocal*, ResearchGate Net post, 2013

¹⁹ Supra note 16.

since ages. In specifying what cultural property or ancestral property means, it could include every listed thing, one could think of like strands of plant life, music, or any specific dance form belonging to the particular tribe and even medicines made from locally grown herbs and indigenous formulas. Along with the positive impact of globalization,²⁰ there are definite negative impacts which one could never ignore or let go they are as follows: -

- Lands, where indigenous people reside, are usually abundant, invaluable resources and minerals which could not be found in other parts of the country. Speaking in general terms indigenous population lives on the frontiers of ancient organized civilizations where often government bodies and multinational or transnational organization keep their keen eagle eyes and in most of the cases these resources are coveted by these entities which have destructive results on minority population living in that area.

- In instances where the particular country strives hard to adopt or maintain an export-based system of the economy where monetary benefits could be gained by the exchange and export of resources and raw material, the direct impact is on the indigenous population. More and more resources are forcefully extracted against the wish of the community residing in those areas by imposing unjust laws and policies. This ruthless and unfair extraction could lead to the destruction of their habitat and culture prevailing in those areas for ages.

- All the countries in present times believe in sovereignty and about that character they make or enter into international treaties from which they could gain something at a maximum level. Many treaties are entered into by states related to fishing and hunting, where the direct interest or relation prevails with the indigenous population. While entering into a treaty will of the minority population is not taken into account either are, they consulted before such a decision; hence it leads to multiple issues and problems which stem deep inside the local culture or society of indigenous population.

- Another primary concern is related to the natural habitat and biodiversity where the indigenous population tends to conserve their natural habitat in all possible ways they could along with the ownership rights over biodiversity has also taken a significant turn where foreign countries try to claim their copyright over the products belonging to indigenous minority without even the grant of permission.

- Another major issue is related to linguistic characteristics, where the language of the minority population is at stake. For example, there prevails a global fashion of following the

²⁰ Crane, Diana, Cultural Globalization from the Perspective of Sociology of Culture, op. cit,(1999).

English language and adopting it over local dialects and languages, which in return leads to vanishing local languages and dialects which once were known to be the cultural heritage and concerned with the regional identity of the individuals.

V. UNIVERSAL HUMAN RIGHTS AND CULTURAL IDENTITY

Globalization has altogether raised an important question pertaining to the identity and culture of local communities, where there is an urgent need to reconcile the values of fundamental human rights with the current clashes occurring in the society related to cultural values. The imminent question is whether it would be possible in everyday practice to reconcile the importance of human rights with cultural clashes or not. The cultural identities in society are immensely diversified that it becomes difficult to understand how universal human rights could survive or exist in such an environment.²¹

The concept of human rights, its standards, and the idea of cultural identities of individuals both share the essential nature of relativity and often remain in conflict with each other. It is contested in many instances that the distinct character of cultural identities hampers the collective adoption of universal human rights principles. At the same point in time, the principles of human rights conversely affect the cultural identities of a particular community, which distinguishes them from others. Cultural relativism as a distinct concept explains the identity and behaviour of individuals along with their human values, which vary from community to community. Individuals belonging to distinct communities are characterized by discrete cultural identities and beliefs which could never be harmonized and made universally applicable to all. Such a similarity in explanation could be seen while interpreting the nature of human rights principles, these principles could never be adopted by all the communities universally neither could they be adopted with a similar set of beliefs and principles depending upon their own ethnic and cultural background.²²

Every community accepts and interprets the nature of human rights depending on their own values, norms, or distinct behavioural traits. Cultural relativism came into being as an antidote to the well-known concept of ethnocentrism. Both concepts and their nature tend to stand in extreme ends where they oppose from one another. The ethnocentric concept could be distinguished or kept at distinct levels based on its nature and understanding by the individuals. It could both be negative and positive or extreme negative at a further stage of interpretations. While talking about the positive side, the individuals practicing and living their way of life

²¹ Diana, Ayton Shenker, *The Challenges of universal Human Rights adoption and Cultural Diversity*(1995)

²² *ibid*

want other individuals to accept and prefer the same. The negative side talks about the certain beliefs and values of individuals which define their way of life and remain stagnant without any room for change.

The concept reaches the extreme negative point when individuals beholding certain beliefs or values try to impose the same on other individuals encapsulating distinct communities. The best examples of extreme negative ethnocentric approach involve colonization by European countries, Apartheid in African countries, Nazism followed by Adolf Hitler, or mass-scale genocide of American Indians. The particular concept failed as it tended to not understand or reject the viewpoint or perspective of other individuals who believed in a different set of human values and had a distinct cultural identity. But in contrast, the counterpart concept of cultural relativity believed the human values in which an individual has immense belief is developed by interpreting a distinct set of cultural learnings which an individual acquires through experience with the flow of time.²³

The conflicting situation between universal human rights and cultural relativists had started making its presence from the very establishment of the doctrine concerning human rights in 1948.²⁴ Where in respect to the essence of this particular doctrine, Human rights were made universally applicable, and the concept was accepted and recognized both in international and domestic laws. Talking about the United Nations and its charter, the principles concerning universal human rights were enshrined appropriately as one of the purposes which was needed to be respected by all the member states or parties without any form of distinction or discrimination. The principles of human rights and its standards were further strengthened by the adoption of two international covenants one was the International Covenant on civil and political rights²⁵, and another was the International Covenant on Economic, Social and cultural rights.²⁶ Concerning the other issues or problems, including Apartheid, Genocide, racial discrimination, slavery, etc. a distinct set of International instruments were formulated and adopted to tackle these issues with diligence and efficiency. The universal adoption and respect for human rights and its standards have been successfully achieved by putting in years of hard and strategic work carried on by the United Nations and its numerous other organs. The general assembly has played a very major role in adopting and promoting the basic principles and standards of human rights as an assembly constituted off by many distinct states strategically

²³ Supra note 20.

²⁴ The Universal Declaration of Human Rights, Adopted 10 December 1948. Available at: <https://www.un.org/en/universal-declaration-human-rights/>

²⁵ Available at: <https://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>

²⁶ Available at: <https://www.ohchr.org/en/professionalinterest/pages/cescr.aspx>

and stringently. The consensus and universal will of all the countries unanimously for the adoption of human rights could specifically be seen in the language used in the universal declaration itself. The preamble, which forms the very important part of any legal instrument and defines the ideals and objectives of the framers, also defines the common standards of achievement which are needed to be maintained and adopted by all the member states.

The ongoing debate and discussions regarding the universality of universal human rights and cultural identities could be seen ongoing for a very long period of time. Going back in the past, mentioning 1947, certain strategic steps were decided to be taken for making the groundbreaking advancements in harmonizing and resolving the conflicting nature and difference between both the concepts by the adoption of a declaration at Vienna²⁷ and Programme of Action at the World Conference on Human Rights. The common rationale behind the adoption of these international instruments was that the communities at international and national levels should entail basic human rights to all the individuals by respecting the principle of equity and fairness for inclusive development and growth of every human being. While granting the human rights and basic standards, states must not ignore and respect cultural identities or beliefs and traditions followed by distinct communities in common parlance in spite of their prevailing economic and political interests. All the rights, whether they are social, cultural, or economic, must be seen as one instead of differentiating them on the basis of their nature. The Vienna convention formulated for the universal adoption of human rights also states that it is beyond doubt that human rights belong to each and every human being hence of universal nature, and moreover, along with that fundamental freedom can never be questioned. The universal adoption of these international instruments by numerous member states globally and a sense of obligation to protect by every possible means the rights of individuals state its importance. Concerning the western influence over the principles adopted regarding human rights, the 1993 UN conference was adopted where numerous countries participated, including Iran, China, and Syria, where their concern was altogether totally different, and they did not accept the universal character of human rights. In their view, the human rights principles should not mandatorily be imposed upon the non-western or non-European states and should always be left upon the will of the states to adopt such principles keeping in consideration their community values and cultural identity.²⁸

²⁷Vienna Declaration on Human Rights 1993, Available at: <https://www.ohchr.org/en/professionalinterest/pages/vienna.aspx>

²⁸ Mohammad Ashraf, Globalization and Human Rights, *The journal on infection in developing countries*(2011)

VI. CONCLUSION

Globalization would certainly affect the indigenous population and their culture in both positive and negative manner, where it could adversely compromise the prevailing human values, traditions, languages, beliefs, etc. and impose the universal global view upon every community under an obligation. But at the same point in time, in order to bring the positive changes which the community was deprived of, globalization as a phenomenon has strived hard to bring positive changes as well. It will surely be difficult for the indigenous population to adapt to the new changes while having their own orthodox values, but globalization is a reality from which they could not run far and have to accept it as part of their lives. Talking about the harmonization of the concept of basic human rights and cultural relativism, it is very important to let the communities decide for them according to their values and standards keeping in mind the importance of universal adoption of human rights at the same point of time.
