

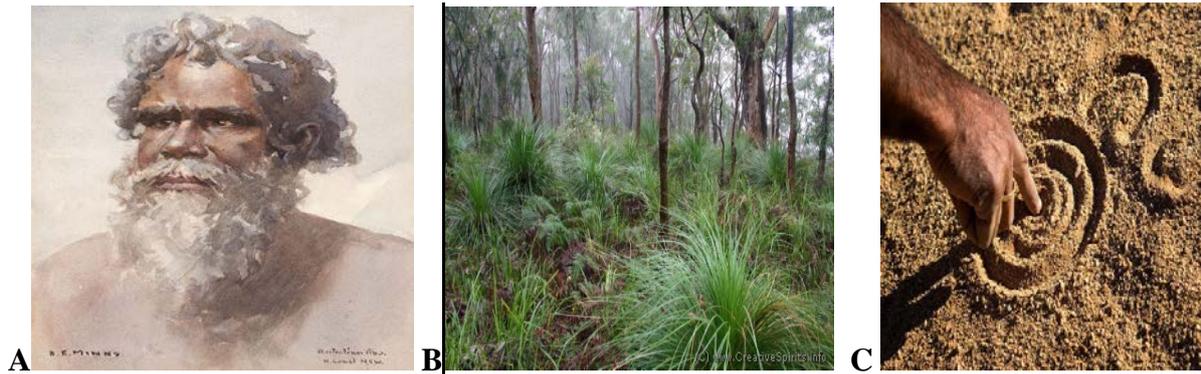
Ethnographic- Photo Voice – Essay:

Human Rights and Social Justice for Indigenous Cultures:**Abstract:**

Human Rights and social justice for indigenous cultures are important concepts. How are these concepts to be relevant within this paper? Whereby I imply that all individuals and cultures, but specifically indigenous cultures, have the human right, to attain social justice, via self-determination and connection to land / place concepts. In this essay I will elaborate on the above suggestion I have made, by using a photovoice essay format and examine my claims, via a comparative analysis process, incorporating evidence and literature review processes.

Done By: Peter Evans **Date:** 06/10/2016

According to Halstead, a general definition of human rights, is *rights* belonging to individuals, be they human or non-human entities and *rights* are allocated to them, by the mere fact, that they are either human or non-human entities (Halstead, 2010, pp.16-17). While the National Pro Bono - Resource Centre suggests that social justice is: “A concept of social justice involves finding the optimum balance between our joint responsibilities, as a society and our responsibilities as individuals, to contribute to a just society.” (National Pro Bono - Resource Centre, 2011, pp.2-3). How are these concepts to be relevant within this paper? Whereby I imply that all individuals and cultures, but specifically indigenous cultures, have the human right, to attain social justice, via self-determination and connection to land / place concepts. In this essay I will elaborate on the above suggestion I have made, by using a photovoice essay format and examine my claims, via a comparative analysis process, incorporating evidence and literature review processes. However 1st off, I must explain what a photovoice essay is? According to Carlson, Engebretson, Chamberlain and Riviera, a photo voice essay, incorporates photos and narrative, to engage and create awareness of participants within communities, so as to allow their voice / perspective to be heard / seen by others (Carlson, Engebretson, Chamberlain, 2006, pp.839- 842) (Riviera, 2010, p.990). In deed Harper, implies that a visual ethnographic narrative, is very similar to a photo voice essay, in that they both use an insider’s view, via their contextual photos and explorative narrative processes, to portray an outsider’s perspective (Harper, D, 1987, pp.1-8). For example, such a process was used in video called “Born into Brothels,” whereby the ethnographer used film / photos, to allow others to become aware of the sad plight of Indian children, who were born into a poverty stricken life (Briski, Kauffman, 2004, Born into Brothels - Ytube). Consequently in the context of this essay, what then are an indigenous cultures human rights concerns? Under the United Nations Declaration, on the Rights of Indigenous Peoples, it’s suggest that. “Indigenous peoples have the right to the full enjoyment, as a collective or as individuals, of all human rights and fundamental freedoms “pp.4-15. (United Nations, 2008, pp.4-15). While Social justice within the Australian Human Rights Commission, implies that Aboriginal and Torres Strait Islander peoples, are the first peoples of Australia, and that their continuing relationship with their land, waters, cultures, languages and heritage, is vitally important for them (Australian Human Rights Commission, 2015, p.31).



A: Retrieved from, http://www.artgallery.nsw.gov.au/collection/works/?artist_id=minns-be, on 12/08/2016....This is photo of an indigenous Australian, who like all other individuals, has the human right, to have a connection to place and self-determination. So that they can attain social justice within the / their world.

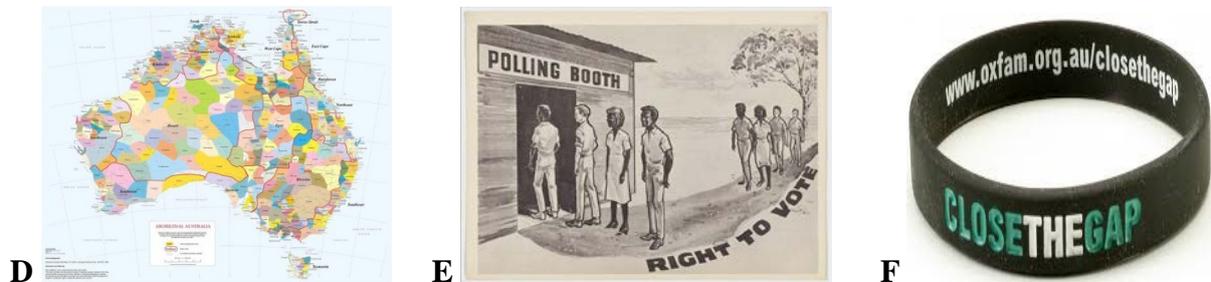
B: My own picture.....This photo portrays a specific landscape in Australia. For me this indicates a sense of place / home, for many and thus a significant element, in social justice / identity construction for many.

C: Retrieved from, <http://www.abc.net.au/rampup/articles/2012/04/20/3481394.htm>, on 12/08/2016....This photo indicates a true connection to land, with individuals telling a story / dance / map within / on the earth. Thus indicating that social justice / identities, are embodied / constructed within landscapes.

As has been indicated in the photo A: self-determination is a major factor in an indigenous Australian gaining social justice. However according to the psychologist Schwartz, having *too much* self-determination can create issues in regards to having too much freedom. Especially if individuals are unduly influenced by neo- economic policies and engage in excessive, rational choice - self-determinism processes. As this also in turn, can create issues for individuals in regards to, individuals being unhappy with their lives and having to cope with depression and poverty, etc. As they are seen to be unable to meet institutionalised and unattainable, neo - economical / cultural goals, etc (Schwartz, 2000, pp.79-86). However in regards to land rights issues, this is not the case. For instance, historically land has been acknowledged as an important issue for indigenous cultures / identities self-determination. As this is evidenced between the Spanish and Native Americans, in the 15th century, when natural law - land rights replaced divine law - land rights within international law. (Panzironip, 2006, p.36, 186 -196) Thus for all indigenous cultures, having rights to land, are neo -economical and rational choice goals, which are truly attainable (Webb, 2002, pp.76, 78, 81, 84, 89, 93 - 94).

Though according to Gunn, self-determination of *all human beings*, either as individuals or as collective, have the right to control their own destinies, be that within established institutions systems, or having their own self governing bodies (Gunn, 2012, p.22). In fact much of this definition of self-determination is included in the United Nations - Declaration on the Rights of Indigenous Peoples in articles: 5, 20,33,34,35. (Gunn, 2012, pp. 22-23). Whereby it's stated that "Indigenous peoples' right to maintain their own political, legal, economic, social and cultural institutions." p.23 (Gunn, 2012, p. 23). Indeed the social justice conflict here between Nation states and indigenous peoples, is that nation states have fears about loss of land, revolutions and loss of control of their power bases (Napoleon, 2005, pp32). Accordingly as is implied by Knocks, land / place must be included in any debates about social justice issues, for it's in the land / place, that identities, cultures and societies are

formulated (Stroshane, 2003, pp.166 - 167-168) (e.g. – Appendix). For instance, for all indigenous peoples, land is what shapes their culture, identity and their very being (Menzies, Ruru, 2011, pp.141-142,147).



D: My own pictureI took this photo to indicate how many indigenous Australian tribal groups existed in the past. It portrays disposed identities, which have been lost within our present world. Why?

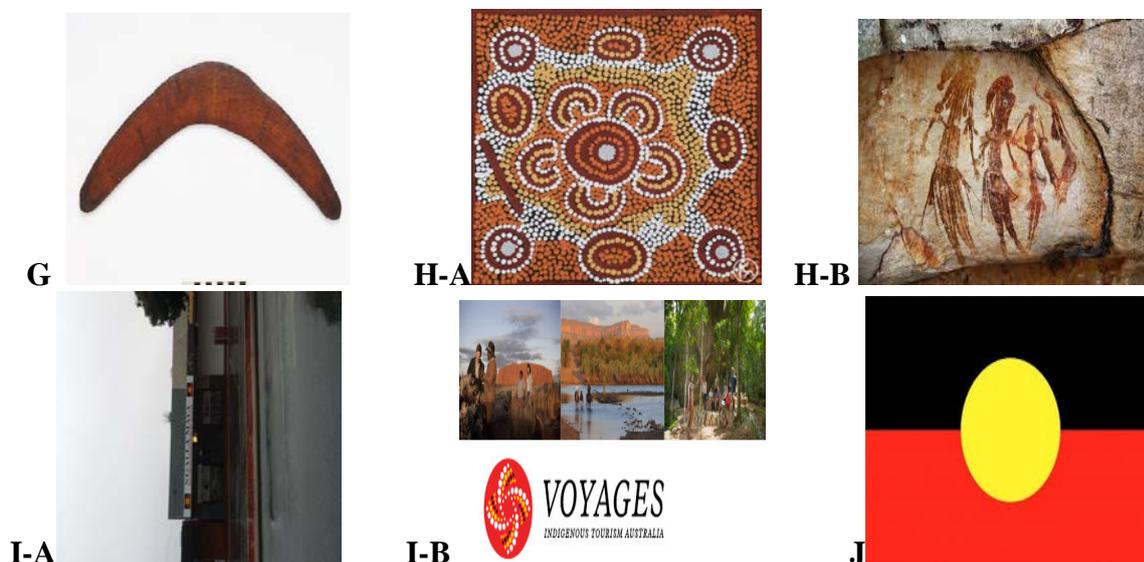
E: Retrieved from, <https://www.theguardian.com/commentisfree/2016/jun/30/only-58-of-indigenous-australians-are-registered-to-vote-we-should-be-asking-why.html>, on 12/08/2016.....This photo portrays when all Australian aboriginal people gained the right to vote in 1961. It indicates to me, that everyone has the human right to self-determination.

F: My own picture ...I took this photo to indicate, that there still is an inequity gap between many in this world. And for indigenous groups this can be because, they have lost a connection to their home / place, which empowered them with strength and equality.

In fact Walliss, implies that many indigenous cultures have not really been disposed of their land, but have rather assimilated within specific institutionalised strategies, so as be of major benefit for their culture and identity. For instance, Walliss, suggests that as land is embraced by indigenous cultures, they can in in turn, articulate how a specific landscape is experienced by others (Walliss, 2011, pp.153, 155-159). In deed it's via the present UN and its implementation of international human rights laws, that many Indigenous issues and democracy concerns, have become recognised within the world community (Webb, 2002, p. 84). It has also been indicated that the right to development, in all its contexts, also embraces, a right to self-determination, and it's thus via this right to development, that any inequality gaps can be closed (Panzironip, 2006, pp.96 - 101). For example, Stroshane indicates that non indigenous, 17th -18th century, English farmers and American settlers used "usufructuary laws." (Rights to use land - not to own land). So as to have community control and equitable "geographic embraces" of the land and its renewable recourses (Stroshane, 2003, pp165, 167,169).Thus indicating, that many cultures had / have connections to land, so as to attain equity and self-determination processes.

However according to Panzironip, many indigenous cultures lost their land / identities, due to the myth of "terra nullius" being enacted within law by nation states. Whereby according to the "terra nullius" concept, any land prior to colonization is an unoccupied landscape and thus able to be legally owned, by the colonizer (Panzironip, 2006, pp.18-19). However for many indigenous cultures land is more than just a landscape, it's envisioned as having personal, cultural, and spiritual significance

within their individual and collective identity constructs (Irvine, 2006, pp.2 - 5, 7-8). In fact, according to Deas many indigenous peoples have become immigrants within their *own land* within the present world (Deas, 2010, p.30). Indeed this is no more obvious than in the fact that within Australia, a 1901 law denied indigenous Australians any form of self-determination, via voting process, until 1965, when *all* Australians could then vote (Australian Electoral Commission, 2006, pp. 8 -10, 13) (Webb, 2002, p.87). Moreover an Australian Human Rights - 2015 - Closing the Gap report, indicated that there is an unacceptable health and life expectancy gap between indigenous Australian and other Australians (Australian Human Rights Commission, 2015, pp.37-38). For example, there is a life expectancy of Indigenous peoples, only attaining the age of 60 years old (Gray, 2012, pp.10 -12). Indeed this may have something to do with, an indigenous person connection to land. For instance, Calma implies that an indigenous person is intimately connected to the land and if there is disconnection to this relationship, it negatively effects, an indigenous person's health / identity (Calma, 2009, p. 18). Indeed it has been indicated that if a sociological analysis of indigenous peoples human rights and social justice is instated then its possible that solutions can be found that benefit indigenous peoples (Samson, Short, 2011, pp.173-174, 184).



G: My own photo....I took this photo of an indigenous Australian's boomerang artefact. So as to indicate, how an artefact can be embodied within a specific culture's landscape and identity construction.

H-A: retrieved from, [http://www.aboriginalartstore.com.au/artists/philippa-guguman-nungurrayi/womens-meeting-place-\(14092579\).html](http://www.aboriginalartstore.com.au/artists/philippa-guguman-nungurrayi/womens-meeting-place-(14092579).html), on 14/08/2016.....**H-B:** My own photo.....

These photos portray indigenous Australian artworks. I feel that this is relevant, as it indicates how indigenous Australian art - artefacts, are uniquely connected to specific landscapes.

I-A: My own Picture **I-B:** Voyages Tourist Company, retrieved from, <https://www.voyages.com.au/html>, on 10/08/2016. These photos portray an indigenous employment company in Redcliffe - West Australia and an indigenous tourist company. It indicates to me a people who are proud of their culture and a people that wish to contribute to society.

J: My own Picture.....I took this photo of the Australian Aboriginal flag. As it indicates the human rights of specific individuals, to be proud of their culture and to be recognized in this way within social justice contexts.

In fact Nowell, Berkowitz, Deacon, and Foster-Fishman imply that *all cultures* incorporate material artefacts of place / land connections into their personal / community memory processes. And that as such, all cultures make both positive and negative meanings from these artefacts. (Nowell, Berkowitz, Deacon, Foster-Fishman, 2006, pp. 34, 37). So that they in turn, can become both reflective and proud of their individual and cultural rights and thus also understand, what social justice contexts are important for them, at present and in the future (Ibid, 39, 40, 42-43). For example, as has been indicated by Abu-Ghazaleh, Palestine people living in America envisage the Palestine map, flag, Hatta, the Thobe, The Dome of the Rock, and pictures of Jerusalem, as links their identity, their land, their people, and to their ancestry (Abu-Ghazaleh, 2007, pp.155, 178,181,183,186,191).

However it has been indicated that for indigenous cultures the tactile presence of art, artefacts, dance and stories are an avenue to express how their identity, culture and spirit is connected to land, place and country (Gibson, 2012, pp.204-206,208,211 -212,216) (Lee, 2011, pp. 128-129,135,138). Indeed as indicated by Metta, if individuals can identify themselves and understand their situations, via a communal introspection process, such as art / artefacts, etc, then in turn, they can also create knowledge for themselves and for others (Metta, 20016, "Voices from the Community – lecture). For example, Australian Indigenous cultures have used art explain and inform others, of their human rights claims, in regards to attaining, native land title settlements (Anker, 2005, pp.91,95,116-118). In fact for Australian indigenous culture, it's through the engagement of objects and places, that meanings are manifest within their identities (Gibson, 2012, p.212). Indeed, such a process confirms Anaya suggestions, in that it's via the human experience of manufacturing and envisioning art, artefacts and material culture, in all its forms, that self-determination processes can be attained (Napoleon, 2005, pp.31, 33). In fact

In conclusion, as I stated at the outset of this essay, my intention was to highlight the fact that all individuals and cultures, but specifically indigenous cultures, have the human right, to attain social justice, via self-determination and connection to land / place concepts. I have endeavoured to examine the above statement, by using a photovoice essay format and by analysing my claims, via a comparative analysis process. Indeed the words of Goodale are relevant here, when he implies that. A goal of any anthropologist, is to analyse human rights agendas, so as to envisage *all contexts*, so as to then perceive, if others are using human rights processes as a form a controlling mechanism, over others (Goodale, 2006, pp. 496-498).

References:

- Abu-Ghazaleh, F, N, 2007, "Thesis - Palestinians in Diaspora - An Ethnographic Study of Ethnic Identity among Palestinian Families in Maryland," pp.1-311, *Thesis - University of Maryland – 2007*, Maryland, America.
- Anker, K., 2005, "The truth in painting: cultural artefacts as proof of native title," pp. 91-128, *Law Text Culture Journal*, Vol - 9, Issue – 5, 2005, retrieved from, <http://www.ro.uow.edu.au/ltc/vol9/iss1/5.html>, on 12/08/2016.
- Australian Electoral Commission, 2006, "History of the Indigenous Vote," pp. 1-15, Australian Electoral Commission pub, Canberra, Australia, Retrieved from, <http://www.ag.gov.au/cca.html>, on 10/08/2016.

- Australian Human Rights Commission, 2015, "Social Justice and Native Title Report - 2015," pp.1-187, Australian Human Rights Commission, retrieved from www.humanrights.gov.au/socialjusticeandnativetitlereport2015.html, on 10/08/2016.
- Briski, Z, Kauffman, R, 2004, "Born into Brothels" YouTube - video, retrieved from, <https://www.youtube.com/watch?v=ldOqQ3oktTQ>, watched on 16/08/2016
- Calma, T, 2009, "A human rights based approach to social and emotional wellbeing," pp.15 -19, Australian Psychiatry Journal, Vol – 17, 2009, retrieved from, <http://www.sagepub.com/ahumanrightsbasedapproachtosocialandemotionalwellbeing.html>, on 10/08/2016.
- Carlson, E, D, Engebretson, J, Chamberlain, R, M, 2006, "Photo voice as a Social Process of Critical Consciousness," pp. 836-852, Quality Health Research, Vol- 16, N- 1, retrieved from, <http://www.curtin.edu.au/librarycatalogue/Photovoiceasasocialprocessofcriticalconsciousness.html>, on 12/08/2016.
- Deas, G, W, 2010, "Native Americans became immigrants in their own land," p. 30, New York - Amsterdam News - Nov 18-Nov 24, 2010, retrieved from, <http://www.proquestcentral.html>, on 12/08/2016.
- Ferguson, J, A, 2012, "Refecation's on the 2012 - UN - Permanent Forum on Indigenous Issues," pp. 24 - 25, *Indigenous Law Bulletin –Nov - Dec, Vol – 8, N – 3, 2012.*
- Gibson, L 2012, "Colonizing bricks and mortar - Indigenous place-making through art objects and artefacts," pp. 203-219, *Postcolonial Studies Journal, Vol – 15, N - 2, 2012*, retrieved from, <http://www.tandfonline.com/action/journalInformation?journalCode=cpcs20.html>, on 10/08/2016.
- Goodale, M, 2006, "Toward a Critical Anthropology of Human Rights," pp. 485-496, *Current Anthropology Journal, Vol - 47, N – 3, 2006.*
- Gray, S, 2012, "Scoring the Intervention – Fail Grades on Closing the Gap - Human Rights," pp. 10 -14, *Indigenous Law Bulletin, March - April, Vol - 8, N - 2, 2012.*
- Gunn, B, L, 2012, "Self Determination as the Basis for Reconciliation –Implementing the Un Declaration of rights of Indigenous Peoples," pp.22- 25, *Indigenous Law Bulletin –May - June, Vol – 7, N – 30, 2012.*
- Halstead, P, 2010, *Human Rights*, Hodder Arnold pub, London, England
- Harper, D, 1987, "The Visual Ethnographic Narrative," pp. 1-19, *Visual Anthropology Journal, Vol – 1, N - 1, 1987*, retrieved from, <http://www.tandfonline.com/loi/gvan20/dx.doi.org/10.1080/08949468.1987.9966457.html>, on 10/08/2016.
- Irvine J. R, 2006, "Aboriginal Land Rights - A Continuing Social Justice Issue," pp. 1- 8, *Australian eJournal of Theology, Vol- 8, October – 2006.*
- Lee, G, 2011, "Living with Country – Stories for remaking Contested Landscapes," pp. 127-140, *The Right to Landscape – Contesting Landscape and Human Rights*, Eroz, S, Makhzoumi, J, Pungetti, G, (ED), 2011, Ashgate Pub, Surrey , England.
- Menzies, D, Ruru, J, 2011, "Ingenoues People's Right to Landscape in Aotearoa-New Zealand," pp.141- 153, *The Right to Landscape – Contesting Landscape and Human Rights*, Eroz, S, Makhzoumi, J, Pungetti, G, (ED), 2011, Ashgate Pub, Surrey , England.
- Metta, M, 20016, "Voices from the Community" Lecture - Curtin University, 16/08/2016.
- National Pro Bono - Resource Centre, 2011, "What is Social Justice," pp.1-21, University of New South Wales pub, retrieved from, <http://www.nationalprobono.org.au/nationalprobonoresourcecentreoccasionalpaper/whatisocialjustice.html>, on 10/08/2016.
- Napoleon, V, 2005, "Aboriginal Self Determination: Individual Self and Collective Selves," pp. 31-46, *Atlantis Journal, Vol - 29, N - 2, 2005.*

Nowell, B, L, Berkowitz, S, L, Deacon, Z, Foster-Fishman, P, 2006, "Revealing the Cues within Community Places -Stories of Identity, History, and Possibility," pp.29-46, American Journal of Community Psychology, Vol-37, N-1/2, retrieved from, <http://www.curtin.edu.au/librarycatalogue/revealingthecueswithincommunityplacesstoriesofidentityhistoryandpossibility.html>, on 12/08/2016.

Panzironi, F, 2006, "Thesis - Indigenous People's right to Self Determination and Development Policy," pp. 1-245, Thesis - Faculty of Law - University of Sydney, retrieved from, <http://www.us.edu.au/panzironi/thesis/indigenouspeoplesrighttoselfdeterminationanddevelopmentpolicy.html>, on 12/08/2016.

Riviera, D, 2010, "Picture This: A Review of Doing Visual Ethnography - Images, Media, and Representation in Research," pp. 988-991, The Qualitative Report Journal, Vol - 15, N - 4, July - 2010, retrieved from, <http://www.nova.edu/ssss/QR/QR15-4/pink.pdf.html>, on 10/08/2016.

Samson, C, Short, D, 2011, "The Sociology of Indigenous Peoples Rights" pp.168-187, *Rights - Sociological Perspectives*, Morris, L, (ED), 2006, Routledge pub, London, England.

Stroshane, T, 2003, "On Land and Social Justice," pp. 162-169, Capitalism Nature Socialism Journal, Vol - 14, N- 3, 2003, retrieved from, <http://www.tandfonline.com/loi/rcns20.html>, on 10/08/2016.

Schwartz, B, 2000, "Self - Determination - The Tyranny of Freedom," pp. 79-88, American Psychological Association journal, Vol - 55, No - 1, 2000, retrieved from, <http://www.americanpsychologicalassociation.com/DOI: 10.1037//0003-066X.55.1.79.html>, on 12/08/2016.

United Nations, 2008 "United Nations Declaration on the Rights of Indigenous Peoples," pp. 1-15, Resolution adopted by the General Assembly, United Nations publication - March - 2008, retrieved from, <http://www.unitednations.org/declarationontherightsofindigenouspeoples-2008.html>, on 08/08/2016.

Walliss, J, 2011, "The Right to Land versus the Right to Landscape," pp. 153 - 164, *The Right to Landscape - Contesting Landscape and Human Rights*, Eroz, S, Makhzoumi, J, Pungetti, G, (ED), 2011, Ashgate Pub, Surrey, England.

Webb, J, 2002, Indigenous Peoples and the Right to Self Determination,' pp.75-102, *Journal of Indigenous Policy, Issue 13, 2002*.

Appendix:

