

Understanding Indigenous Perspectives and Critical Knowledge in International Law

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Abstract : Contemporary scholarship in international legal theory is investigating new avenues of providing alternatives to dominant concepts. Indigenous peoples' philosophies and perspectives developed through them provide a fertile ground to explore similar alternative ideas. This review paper evaluates the theorized accounts of indigenous scholarships which have contributed towards a rich body of knowledge generating alternative visions on dominant notions of 'post coloniality', 'resistance' and 'globalization'. Further, it shall assess the relevance of such a project in shaping contemporary international legal thought. Traditional or classical international law has been opined to be highly influenced by the colonial and imperialist history which also left a mark on the way dominant discourses of resistance and globalization are read in mainstream international law. The paper shall first define what do we mean by indigenous philosophy and what kind of indigeneity is that inclusive of. Second, the paper defines the dominant discourse and then counters the same with the alternative indigenous perspective in the case of each concept that is in question. Finally, the paper shall conclude with certain theoretical findings – that the post coloniality, from indigenous perspective, lead to the further marginalization of indigeneity, especially in the third world; that human rights as the sole means of representing resistance in international law ends up making it a very state-centric discipline and last, that globalization from an indigenous, marginalised perspective is not as celebrated as it is in mainstream international law. Major scholarly works that shall be central to the discussion are those of Linda Tuiwahi Smith, Ella Shohat and David Harvey. The nature of the research shall be inductive and involve mostly theoretical review of scholarly works.

Keywords : indigenous, post colonial, globalization, perspectives

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