Ecocide as Terricide: Indigenous contributions

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At present, there is no universal consensus on the definition of ecocide. Although the term carries intuitive significance across different languages, its precise legal characterization remains elusive. Discussions about the criminalization of ecocide has existed for some decades in international law. However, in 2021 StopEcocide convened an expert panel, marking a notable step forward in deepening the comprehension of ecocide as an international crime. This advancement recognized that the most egregious environmental harm often happens during times of peace, a domain currently not covered by the Rome Statute of the International Criminal Court (ICC). Moreover, the report released by StopEcocide's panel emphasized the close relationship between significant environmental damage and culture, highlighting the incorporation of indigenous viewpoints in refining the understanding of ecocide. Notwithstanding the valuable input of the panel, the rise of Indigenous critical perspectives within international law has revealed the constraints of addressing ecocide without establishing a link with the entrenched legacy of colonialism.

The impact of colonialism on fueling the climate crisis has long been highlighted in the climate justice narratives for Indigenous nations. Yet, it is only recently that the IPCC has incorporated colonialism into its reports, recognizing it as a significant factor in environmental accountability (Synthesis Report 2023, Section C.5.3). Indigenous perspectives have stressed the correlation between ecocide and settler colonialism viewing it as a form of genocide, often referred to as the cultural method of extinction. This approach is manifested through settler colonial expansionist land grabs propelled by global, mainly capitalist corporativism, which disregard Indigenous rights, specially the right to free prior and informed consent, article 19 of the UNDRIP.

Additionally, there is a notable indifference for Indigenous land governance and environmental wisdom, coupled with a lack of empathy for the suffering of both human and ecosystems. Instances of colonial ecocide and the 'cultural method' include cases such as the Tar Sands that affects the Indigenous peoples of Northern Alberta, as well as illegal gold mining on Indigenous lands in Suriname, or the involvement of companies like Benetton in the appropriation of Mapuche land for fossil fuel extraction and logging in Argentina, Patagonia. Ecocide has been proposed as another method of widespread dispossession, stemming from the degradation of our relationship with Earth's natural resources, unrestrained consumption, and the belief that the planet is an unlimited dumping ground.

The intersection between ecocide and cultural practices hints at the possibility of broadening the understanding of ecocide to include terricide, a concept introduced by Mapuche Indigenous leader Moira Millán and influenced by Indigenous communitarian thought.

Terricide refers to the systematic destruction of all life forms, encompassing tangible as well as spiritual ecosystems. Terricide confronts the discrepancy between Indigenous perspectives and the idea of ecocide in modern colonial contexts, where the colonial distinction and division line between culture and nature is still deeply embedded. For Indigenous communities, this division serves as a barrier to achieving genuine ecological justice.

Terricide encompasses the defense of the land and all its inhabitants, embracing the concept of 'all life without exception', namely the land ethics principle 'itrofill mogen/ixofij mogen' from the Mapuche people in Chile and Argentina. It recognizes that the idea of ecocide, or the human-caused destruction of ecosystems, existed and was punishable within Indigenous governance prior to settler colonialism. Terricide broadens the notion of ecocide derived from the 'oikos' (Greek for house) and the 'cide' (indicating caedere in Latin for destruction). It includes various forms of 'cide-s', the killing of tangible or intangible ecosystems, such as epistemicide which eradicates diverse forms of knowledges and ways of existing on the land, hydrocide as the biological death of the seas and rivers as in the case of the Aral Sea, feminicide as a form of biopolitical violence against women's bodies and many other cide-s. In essence, terricide establishes a framework encompassing various means of extinguishing life. In other words, ecocide in Indigenous conceptualizations is not only one crime, but it comprises multiple crimes simultaneously.

The inability to address the relations of the various 'cide-s' within the conceptualization of ecocide exposes its inadequacies. For instance, merely discussing the ecocide of the world's tropical rainforests does not just necessitate bolstering conservation efforts to prevent destruction; it also requires acknowledging epistemicide and the loss of Indigenous environmental defenders who have become targets of extractivist violence. The suppression of Indigenous voices at all levels of knowledge production is a hallmark of terricide, making it impossible to effectively combat ecocide without taking a firm stance against racism in all its guises and expressions.

Terricide is a notion that highlights the concept of ecocide as a criminal act that implicates both national economic policies and <u>corporatocracy</u> in the destruction of Earth. This ecological crime manifests in large-scale extractive activities that desecrate vital habitats necessary for the maintenance of the planet's ecological systems: such as fracking, deep-sea drilling, deforestation to establish monoculture plantations for the food and paper industries, depletion of water resources for massive mining endeavors, and the global shift from fossil fuels to green energy sources.

The Indigenous legal concept of terricide delves into the phenomena of the loss and dispossession of Earth from all life, encompassing the erosion of Earth through the various forms of 'cide-s' and the multifaceted impacts of colonialism. This includes the gradual disappearance of landscapes, along with the loss of languages and terminology that could articulate and differentiate the glocal (local to global) injustices associated with land across the globe.

In Indigenous critical legal viewpoints, the concept of terricide has a deep-rooted history predating <u>Colombus</u>'s arrival in <u>Indigenous</u> lands. Originating in Europe, it manifested through the marginalization of women from political power and knowledge centers, epitomized by the <u>witch hunting</u> campaign and the legacy of terricide endured as colonists reached Latin America and <u>North America</u>. Terricide remains ongoing today through widespread Earth destruction via various forms of 'cide-s,' resulting in the loss and dispossession of life. In the <u>Conceptualizing Ecocide project</u> of Pathways to Sustainability at UU, the incorporation of Indigenous legal and ethical philosophies is therefore essential. It serves the crucial purpose of understanding ecocide within the context of both contemporary and historical colonial dynamics, which underpin its origins.