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Indigenous Worlds and Criminological Exclusion: A Call to Reorientate the Criminological Compass

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Abstract

Indigenous peoples, their cultures and territories, have been subjected to continuous victimisation, plunder and genocide throughout history—or at least 'history' as created by and written from the North. Since contact with colonisers, these many different peoples have suffered legal and illegal forms of direct, structural and symbolic violence. Meanwhile, criminology—the discipline concerned with studying instances of criminality, harm and victimisation—has largely remained untouched by or indifferent to serious crimes and systematic attacks that have increased mortality, denied rights and destroyed traditional ways of life. In this article, we first present a bibliographical analysis of relevant content in leading criminology journals. We then suggest a conceptual and theoretical basis for enhancing an ethical and non-colonial engagement with this underdeveloped field of work. We conclude, however, that to counter the under-representation of Indigenous explorations and contributors in criminology, a broader transformation of the discipline will be necessary.

Keywords

Criminological absences; decolonial theory; Indigenous criminology; Indigenous methodologies.

Introduction

Criminology has expanded through processes of identifying and reacting to its gaps, blind spots, and biases. From the pioneering embrace of a human rights and harm perspective to counter the dominance of a legalistic view (Schwendinger and Schwendinger 1970), to the development of a feminist criminology to counter the dominance of a male view (Smart 1977), to the inception of a global criminology to surpass methodological nationalism (Aas 2007), to proposals for a green criminology to study harm and crime beyond the traditional focus on built environments (Lynch 1990; South 1998), criminologists have sought to fill gaps that seem 'obvious' once addressed but which have been underdeveloped in terms of knowledge and theoretical, conceptual and empirical innovations. Such spaces of absence are created by both the orientation of professional training around the topics that are said to 'matter' (Goyes 2019; Kuhn 1962), as well as the social everyday frameworks within which most criminologists live their lives (Aas 2012). Addressing this phenomenon, Santos (2014) referred to the root cause of academic biases and gaps as *epistemological blindness*, a concept which we (2017: 168) synthesised as 'the conscious or unconscious preference to accommodate only that which accords with our existing epistemological and methodological configurations, leaving other possibilities and data ignored'. Because criminology is a discipline conceived in and dominated by Anglophone, 'core', northern countries (Agozino 2003; Carrington et al. 2019; Morrison 2006), it is unsurprising that it is still informed by many consequential biases, among which are its dominant focus on urban contexts (Donnermeyer and DeKeseredy 2013; Hollis and Hankhouse 2019) and its exclusion of Indigenous issues. Here, we suggest the need to 'reorientate' the criminological compass.

The Oxford Dictionary provides two definitions of 'reorientation' that are of use to us here. First, the notion of 'changing the focus or direction of somebody/something' and, in this sense, we call on criminology to widen its focus and be directed more towards peoples and issues that are frequently excluded. We are not naively calling for a criminology that rejects the existing strengths of the field, but we are suggesting that criminology be more attentive to—as the second definition suggests—'the act of finding your position again in relation to everything that is around or near you'. So, we agree with Carrington et al. (2016: 6), who argue the need for criminology to acknowledge that 'the idea of the South captures the fact that there are enclaves of the South within the North and unresolved North/South tensions *within* many societies' and add our own emphasis that the 'world around us' includes Indigenous communities and cultures and a process of reorientation should critique and remove the normative assumptions that underpin exclusion (Aas 2012). In this article, we present a position calling for the inclusion of Indigenous issues and voices on the criminological agenda, conceptually, theoretically and methodologically. This call is based on three propositions. First, such inclusion could generate important academic knowledge about the dynamics behind breaches of rights attributed to Indigenous peoples and other crimes against them. Second, considering that global conceptualisations of rights and crimes are primarily Western and can, thus, be considered colonial (Samson 2020), criminologists attuned to the principles of zemiology (Canning and Tombs 2021; Brisman and South 2018) can unearth hidden, legal and silent, yet harmful, forces that threaten the survival of Indigenous peoples in the long run. Third, more engagement with Indigenous criminology could unearth knowledge that is currently unfamiliar to criminologists and could be valuable and inspirational in the development of new strategies for crime prevention, harm reduction and restorative justice in non-Indigenous societies, as well as instructive about the limitations of physical punishments where these are employed. Overall—and of timely importance—the corpus of knowledge that a more Indigenised criminology could create would be useful in the understanding and prevention of colonial and racialised violence.

To support our call and substantiate our arguments, in the first section following this introduction, we sketch the criminological landscape regarding Indigenous issues, illustrating how the discipline has largely overlooked matters of destruction, harm and violence directed against First Peoples and their territories, cultures and ways of living. In the second section, we engage with *conceptual matters*, that is, terminological debates about the meaning, context and characteristics of Indigeneity. Third, we address fundamental *theoretical* debates regarding the perspectives on which the strengthening of an Indigenous

criminology can rely. Specifically, we present the tools offered by decolonial theory and by Indigenous methodologies, identifying strengths and shortcomings vis-à-vis the criminological discipline. We conclude with some reflections on why the flourishing of any initiatives to build an Indigenous criminology will depend on some reorientation within the global politics of criminological research.

Background

Although there are some signs of change, as discussed below, there has generally been a dearth of criminological research concerned with Indigenous issues, and even that which does exist has often had an unhelpful orientation. This assertion is based on an extensive bibliographical search. Two methods were used to identify and rank the 14 most influential criminological journals in the world, with a cut-off date for publications of September 2019. We employed (a) the Scimago Journal Rank Indicator (SJR) (for a detailed explanation about this metrics system, see Guerrero-Bote and Moya-Anegón 2012), and listed the 10 top criminology journals from the subject area 'social sciences', subject category 'law'[1], and (b) the ranking of the 10 top criminological journals based on Scopus' CiteScore (for this metric, see Lancho-Barrantes, Guerrero-Bote and Moya-Anegón 2010).[2] Combining the lists produced 14 journals (there was an overlap of six journals). Six further journals[3] were added to the list, based on their reputation and our assessment that they would be likely to have published in the field of Indigenous issues. Finally, four globally regional journals were included to strengthen international representation.[4] This procedure generated a total of 24 influential criminology journals.

Admittedly, the creation of this database has shortcomings. First, two ranking systems were chosen, but others are also available. Second, as with all metric systems, the two selected have virtues and deficiencies (Silva 2015), although the combining of metrics was designed to compensate for flaws. A third and more important shortcoming is that only journals published in English were included. However, this was a purposeful decision, as we wanted to map the contours of the 'conventional criminological wall map' and its prominent journals, with an orientation influenced by the 'almost magnetic drawing power of US developments', which position the 'centre of gravity' as 'situated in the core western, particularly Anglophone countries' (Aas 2012: 6). Here and elsewhere (Goyes 2019; Goyes, Sollund and South 2019; Goyes and South 2017), we have expressed criticism of such Eurocentric bias in criminology, pointing out that the important criminological knowledge produced in the Global South and in languages other than English is often unnoticed within Northern Anglophone criminology. Nevertheless, mapping the criminological 'centre of gravity' reveals the positioning of some topics as more important than others in the criminological collective consciousness. The aim, then, was to see how close to or far from this 'centre of gravity' Indigenous issues have been. We use non-Eurocentric and non-Anglophone knowledge in all other segments of this article.

In our bibliographical exploration, we used the search terms 'Aboriginal', 'First Nation', 'Indigenous' and 'Native'. Admittedly, restricting our search to these terms may have excluded articles that *tangentially* deal with Indigenous issues and that use other generic terms such as 'racial', 'colonised peoples', but our intention with the selection of search terms was to identify articles that place Indigenous matters at their *core.* As a result, we found only 155 articles about Indigenous issues *ever* published in the sample of 24 journals—a stunningly low number given that these journals have been running, on average, for 33 years each and for an added total of 796 years if taken as a continuum. This amounts to 0.20 articles on Indigenous issues per year—155 articles across 796 linear years of publication—or one article about Indigenous issues published every five years. Furthermore, of the existing articles, 27.74% are analyses of the violence and crimes *performed by* Indigenous peoples, and 33.54% are about the interactions of Indigenous peoples *with* criminal justice systems. Only 11.61% are concerned with crimes and violence *against* Indigenous people, 11.61% with Indigenous justice systems and 5.8% with the development of an Indigenous criminology, with a remaining 9.67% addressing the governance of Indigenous peoples. This indicates that a minority of published criminological studies have focused on the contributions that Indigenous groups can make to crime prevention, justice and criminology in general (21.28%), and also the lack of acknowledgement of the historical, structural and systematic violence Indigenous peoples have

suffered (see Cunneen and Tauri 2017). Finally, it appears that it is non-Indigenous researchers who author most criminological articles about Indigenous issues. The latter is particularly problematic because, as Oxley (2020: 82) contends: 'A closer examination of whose voices are ... dominant' is fundamental to the decolonisation project because it can help to place 'the knowledge of Indigenous scholars above that of non-Indigenous scholars', which is particularly important 'when the topic is centred around Indigenous peoples'. As we note this, we also acknowledge that we ourselves—the authors—are not Indigenous: the first author is from the Global South and has Indigenous roots in the *Los Pastos* Indigenous peoples but was raised within a non-Indigenous community; meanwhile, the second author is from the Global North. We are conscious of any paradox attached to two non-Indigenous persons calling for greater awareness of Indigenous exclusion, although in other collaborations, Indigenous voices are centred (Goyes et al. 2021a, 2021b).

Of course, a 'dearth' of relevant research does not mean a complete absence, and some notable and recent contributions to the literature on Indigenous matters include the longstanding efforts of scholars like Tauri, Cunneen and others (Cunneen and Tauri 2017; Tauri 1999; Tauri and Morris 1997), as well as the founding of the *International Journal for Crime, Justice and Social Democracy* (IJCJSD), which between its launch in 2012 to our cut-off date in 2019, has published 15 articles that deal substantially with Indigenous issues, meaning that this journal alone has published 10% of all the articles we found in our sample of 24 academic outlets.[5] Some of the outstanding pieces published by the IJCJSD provide proof of the premises on which we base our proposal. Tubex (2013) demonstrates that the colonisation of the Americas and Oceania in the XV–XVII centuries created the structures that currently keep Indigenous communities in a situation of generalised deprivation. Cleary (2014) and Heydon (2018) expose how the laws apparently created to protect Indigenous lands usually contain 'paths' easily exploited by corporations to takeover Aboriginal territories. Porter (2017) provides evidence of the tendency of policymakers to prioritise non-Indigenous over Indigenous interests, even when creating regulations supposedly supporting First Nations. These varied contributions—and more, referenced below—indirectly inspired the present proposal to reorientate the criminological compass and be more attentive to the epistemological exclusion of Indigenous peoples and issues. It is also important to note that to be *published* is to be *processed*. Editorial sensitivity, journal policies and practices like 'no-fee open access' publishing are ways of enabling disciplinary expansion that can be more inclusive and support the momentum of discovery and discussion based on new data and ideas.

Additionally, scholars from the sub-field of green criminology have increased their interest in violence against First Peoples, the plunder of their territories and knowledge and threats to their ways of living, reflecting the significant connection to the impact of green crimes on the rights, territories and ways of living of Indigenous communities. Early studies (e.g., South 2007; White 2013) indicated that practices of resource extraction and intellectual property claims have victimised Indigenous peoples. More recently, Crook, Short and South (2018) discussed both genocide and ecocide in relation to processes of rights denial, injustice and exploitation affecting Indigenous peoples; Lynch, Stretesky and Long (2018) applied the treadmill of production theory to illustrate how capitalism environmentally victimises Indigenous peoples; and the development of a Southern green criminology (Goyes 2019, 2021b; Goyes et al. 2019) has motivated more intense engagement with Indigenous issues. Among the new wave of studies, Heydon (2019) used the concept of procedural environmental justice to study the ways in which international corporations, in collusion with the Canadian government and its local authorities, successfully deactivated the protections offered by the law to the First Nations; de Carvalho, Goyes and Vegh Weis (2020), based on an exploration of the environmental policies of left- and right-wing governments in Brazil between 2003 and 2019, identified that all rulers, regardless of their political leanings, have victimised Brazilian Indigenous peoples, albeit in different ways; Goyes et al. (2021a) have documented that beyond the highly visible forms of direct violence against Indigenous communities, neo-colonial societies also create several invisible, silent, structural dynamics that lead to the genocide of First Peoples; and Goyes et al. (2021b) have proposed the use of Indigenous environmental ontologies as a cultural tool for green crime prevention.

Despite such developments, criminology has generally failed to engage with or even note the systemic and systematic violence that Indigenous peoples have historically experienced. In that sense, the criminological discipline mirrors the dynamics of the historical marginalisation of Indigenous peoples and matters present in the broader society. Addressing the importance of the expansion and strengthening of this line of research—in terms of harm prevention, justice, rights protection and scholarly understanding—this article discusses some of the obstacles to and ways forward for the augmentation of 'Indigenous criminology'. In the next section, we outline the conceptual and theoretical bases of our proposal.

Indigenous Concepts, Methodologies and Theories

A mandatory question for the study of *Indigenous* criminology must be to ask, 'What does it mean to be Indigenous?' For decades, the task of defining Indigeneity has proven a difficult and dangerous one. Coates (2004: 8), for example, warns that definitions of Indigeneity can freeze 'indigenous cultures in a specific time, space, and relationship to others' and 'tend to be driven by non-indigenous, liberal agendas that set indigenous peoples up as foils for the excesses and shortcomings of western industrial society'. Indeed, as Canessa (2018: 314) puts it: 'The association of indigenous people with environmental issues, which is such a powerful element in contemporary discourses, was largely if not totally absent in the rights struggles of indigenous peoples until the end of the twentieth century' and 'current expressions' or definitions of Indigeneity may owe more to 'visions' developed in human rights discourses originating in 'New York and Geneva than in indigenous peoples' cultural and political pasts'. On this basis, we should note the fundamental elements of any definition of Indigeneity while also heeding warnings to avoid oversimplification and distortion. Thus, Canessa (2018: 318) argues that 'at its simplest, indigeneity is a primordialist argument that states, "We were here before you and your moves today or in the past to restrict our rights to this land are illegitimate." The scales of time (how distant in the past the land was usurped) and space (how big the territory in question is) will vary enormously but the basic argument remains the same.' The trap of romanticisation is also one to avoid, and Canessa (2018: 318) reminds us that 'justice and powerlessness' are 'relative concepts and there is a danger in assuming that indigenous people are always and everywhere in the right'.

Further caution is urged by Heydon (2019: 10), who observes that 'each group of indigenous peoples are distinct' and 'collapsing their various cultural characteristics into an undifferentiated mass is a conceptual manipulation tied to the legacy of colonialism, where the "Indian" label could "stand for the whole" (King 2012: 83)'. Apaza (2019: 8), when talking about the Bolivian Aymara, makes a similar point when she states their identity 'has been historically constructed and deconstructed by the colonisers, priests, rulers, landlords and international institutions use of diverse signifiers' such as Indians, peasants or Indigenous, something that, for her, 'creates a false and distorted identity through a false concept', which 'is dangerous for them because such a description can empty this [the Aymara] identity of all its contents'. In a similar vein, Greymorning (2019) warns that both colonial governments and academia—mainly anthropology (Sánchez-Parga 2013)—have historically self-arrogated the right to define who is and who is not Indigenous, as well as the criteria to define Indigeneity, thereby sidelining Indigenous voices in the process of self-definition. The process by which third parties define Indigeneity is, according to Greymorning (2019: 2), a process that 'illustrates how persistent governments are in wielding a colonial control over the lives of Indigenous peoples' in a dynamic in which 'Indigenous peoples have been told, and have had to listen to, who we were to be and what we were supposed to do'. In the face of all those concerns, the Universal Declaration on the Rights of Indigenous Peoples—arguably the most important international treaty on Indigenous matters—does not actually provide a definition of Indigenous peoples.

Among the main criteria some governments use to determine ethnic belonging are, first, a blood quantum measurement that seeks to determine the ancestry of a person (Harmon 2021), and second, governmental registries of the ethnic belonging of a state's population (Verne, 2019). Verne (2019: 172), nevertheless, sees those two outward manifestations of Indigeneity as functional for making Indigenous peoples disappear, as intermarriages will make Indigenous blood quantum lower under officially set thresholds;

consequentially, 'Indigenous Peoples would "legally" disappear', with the consequence that 'if there are no "legal" Indigenous Peoples, then the lands become "terra nullius" …Then, the lands can be open for the colonizer to occupy.' Similarly, Carrington and Hogg (2017: 93) argue that those two criteria—blood quantum and governmental registries—are neo-colonial tools. As they explain:

> The biological classification of human beings according to race or indigenous status is itself a colonising discourse … At the heart of these colonialist definitions of indigenous peoples is a biologically reductionist legal personality that has been variously constructed in terms of colour, 'blood quantum', 'race' and genealogical 'descent' (Chalmers 2013/14; Gardiner-Garden 2003; McCorquodale 1997; Brown 2014). These definitions of aboriginality falsely unify hundreds of Indigenous nations, thereby producing the present-day fiction that there is a singular Aboriginal (legal) identity. (Chalmers 2013/14: 50)

Meanwhile, in political and academic discussions, there are different criteria for determining the Indigeneity of a person: the (small) size of a population, the longevity in place, the commitment to traditional non-industrial ways of life or having been victimised by colonialism (Coates 2004). Some use the idea of continuity with pre-invasion and pre-colonial societies or being the offspring of the peoples who inhabited a territory before invasion. Nevertheless, that idea goes back to using a race criterion and blood quanta. Others see the category of Indigenous as synonymous with impoverishment and marginalisation, assumptions about inferior lifestyles and status reflecting 'approaches which are Eurocentric in origin and crisis-based' (Coates 2004: 5). Categorising the 'Indigenous' as impoverished and marginalised follows the dominant Western valuation of worth and riches—understood as purely monetary—and of inclusion, standing and belonging—understood in relation to the social stratification of a nation state—thereby neglecting Indigenous concepts and the embracing of different conceptions of wealth and community. All these Western/Northern criteria are problematic because they arbitrarily include and exclude and, in particular, because they sideline Indigenous self-determination.

There has been some wide-ranging discussion about how to refer to Indigenous peoples, and both Indigenous and non-Indigenous commentators have employed myriad terms. Based on Columbus' mistake and a colonial gaze, during the sixteenth, seventeenth and eighteenth centuries, missionaries, anthropologists and others used the terms 'Indians' and 'savages'. Both terms are widely recognised as unacceptable for their degrading and racist connotations (Younging 2018). While, as Gilio-Whitaker (2019: x–xxi) reminds us, 'the most appropriate terms are specific Native nation names, such as Lakota', currently, the term Indigenous 'is gaining currency', mainly because 'it is used in the UN Declaration on the Rights of Indigenous People' (Gilio-Whitaker 2019: 64). This term is, however, as explained above, also problematic because it collapses various cultural characteristics into an undifferentiated mass (Apaza Huanca 2019; Heydon 2019). Other appropriate terminologies as applied to Indigenous peoples are *Aboriginal*, which is oftentimes used interchangeably with *Indigenous*; *First Peoples*, which recognises that Indigenous peoples are distinct groups but is 'rarely used by Indigenous Peoples to describe themselves' (Younging 2018: 64). Finally, *First Nations* is another acceptable term but has strong associations with the Indigenous communities of Canada (Younging 2018: 64). Even the generally acceptable terms (Aboriginal, First Peoples, First Nations and Indigenous) can be both decolonial and colonising, depending on the context of use and who is using them. Chalmers (2013/2014: 48) highlights that 'the reader will notice … a seeming contradiction in both the use and contestation of the word "aboriginal"' in his work. He explains that 'this colonially imposed word may be said to have two different usages: a social and a legal usage'. The social use happens 'when people identify themselves with this word' and are 'using it as a means to refer to their own First Nations group' and related 'epistemologies, ontologies and "legal jurisdictional realities"'. Meanwhile, the legal use is problematic because it is part of 'the colonial legal construct'. Undoubtedly, those categories are generally problematic as they *can* colonialise, conflate, essentialise and reify. Nevertheless, they also have critical and disruptive potential because, alternatively, they *can also* denounce global shared experiences of discrimination, dispossession and marginalisation by providing 'context for a more global category of people who share similar struggles against states' (Gilio-Whitaker 2019: x–xxi). Indeed, being conscious that race labels such as 'Indigenous' are socially constructed should

not mean ignoring that they also have a 'constitutive dynamism' (Phillips et al. 2020: 428). In this text, embracing the critical potential of the term, we generally use *Indigenous*, as it is the denomination that has been most widely embraced; nonetheless, for stylistic reasons, we sometimes interchange this with First Peoples. We note, furthermore, that the most adequate denomination varies depending on the geographical and cultural context: we base this article on the experiences of working with Latin American Indigenous peoples. We acknowledge the complexity of the situation regarding African communities and the uniqueness of the experiences of North American Indigenous peoples and North-European ones.

Despite the difficulties and dangers involved in refining an acceptable definition, Indigenous peoples themselves argue for the use of qualities such as 'mindset, spiritual orientation, and attachment to traditional matters' to define Indigeneity, as they see these as mattering more than 'bloodlines and [...] externally imposed legal descriptions' (Coates 2004: 2). For instance, Verne (2019: 171) suggests using inward characteristics to determine Indigeneity:

> Being 'Indigenous' is a political identification and not a racial indicator. Indigenous Peoples identify with their lands and their territories. It is not the color of the skin nor the state government's racial criteria that makes an Indigenous person. Being Indigenous comes from the heart and the mind, as Elders have said on so many occasions.

Following Verne's call, we here use inward indicators to define Indigeneity. Furthermore, we use Coates' (2004) differentiation between Indigenous characteristics in which we locate four items and Indigenous circumstances to which we allocate four more elements. Among relevant characteristics, Verne (2019: 175) recognised, first, identification with and 'a spiritual relationship to their territories' upon which they build their identity. Second, the placement of the collective over the individual. Regarding the former, Heydon (2019) describes one of the characteristics shared by Indigenous communities as 'the "deeply spiritual" relationship maintained with the land (Anaya 2009: 69)' which 'form[s] an "embodied inscription", where land and wildlife form a central component to their collective indigenous identities'. Regarding the latter, Sánchez-Parga (2013) explains that the collective element of Indigenous peoples means that Indigenous communities build their identities around the communal and the shared, as opposed to Western societies that place the individual and the private as fundamental and central organising concepts. Belonging to a community means that the individual self-identifies with the group and the group accepts the individual as a member (Coates 2004). The collective principle goes as far as implying that the Indigenous do not consider their bodies as a mark of their individuality but as a component of the community. For instance, while Western societies consider disease to be conditions and faults of the individual (see Desowitz 1991, 1997), within Indigenous cultures, most of the diseases a person may suffer from 'have a social ethology, and are consequently cured' through 'reintegration, reconciliation or by recomposing the community' (see also Cardona-Arias 2012; Sánchez-Parga 2013: 22), although communities in contact with government services may reach an accommodation between Indigenous practices and Western biomedicine (Carrie et al. 2015). Currently, Western economic and political pressures are driving the decomposition of Indigenous communitarian societies (Goyes et al. 2021a), although 'for the Indigenous it is not necessary to keep living in a commune to keep living in a community and belonging to it' (Sánchez-Parga 2013: 134). Being a part of and protecting the cultural matrix of thinking in communitarian terms can transcend the requirement to be physically present in a location.

Sánchez-Parga (2013: 140) adds a third characteristic—language; the speaking of Indigenous languages has traditionally been an indicator of Indigeneity, but the current and rapid disappearance of these languages invites us to understand that Indigenous identity is marked by linguistic codes rather than by the full use of a language: 'It is about integrated codes, or forms of speaking, whose social effects tend to the integration of the interlocutors to the group they belong'. A fourth characteristic is the important sense of history transmitted through oral methods: 'Indigenous peoples are historical societies with a strong understanding of the past, often passed on through oral testimony, ceremonies and cultural activities' (Coates 2004: 14). This cultural matrix celebrates and signals the importance of carefully considering the

stories and legends of Indigenous communities that 'play a vital role in preserving the indigenous understanding' (Coates 2004: 14).

While acknowledging that there are important variations between and within Indigenous peoples, four elements compose their current circumstances around the world: (1) their experiences of processes of colonisation and neo-colonisation (Cunneen and Tauri 2017), (2) their consequential 'lack of political power and autonomy' derived from their existence 'under the control of an immigrant or ethnic group-dominated state' (Coates 2004: 13), (3) the small size of their populations compared to non-Indigenous inhabitants and (4) their engagement in the process of decolonisation (Coates 2004). Notwithstanding the principles and recognition entailed in the 2007 United Nations Declaration on the Rights of Indigenous Peoples, the marginalisation that Indigenous peoples experience is materialised in their disadvantaged contact with social services, such as access and permanence in the educational system, access to health services and their overrepresentation in criminal justice systems and in victimisation rates, the latter two being topics on which criminology has traditionally focused (Cunneen and Tauri 2017).

These sets of characteristics and circumstances imply that research on Indigenous matters must be conscious of the differentials and inequalities. In the next section, we present an overview of the theoretical frameworks that provide overarching bases for explorations of the distinct situation of First Peoples.

Theoretical Frameworks for Indigenous Criminology

The dominant Western research tradition for the validation of findings, peer review, demands that researchers present the theoretical and conceptual frameworks on which they base their analyses (Wierzbicki 2016). A *conceptual* framework refers to the qualities a researcher assigns a phenomenon, and a *theoretical* framework presents the relationships the researcher assumes exist between phenomena (Johannessen, Rafoss and Rasmussen 2020). By revealing the conceptual and theoretical frameworks, the researcher justifies the rationality and coherence of the thinking behind the research and makes explicit the focus of the research project. Nonetheless, there exists a clash between most conceptual and theoretical frameworks existent in Western academia and Indigenous ways of knowing (Kovach 2009). For Kovach (2009: 41), the main problem of such a clash is that the former 'privileges thought as the sole pathway to knowledge and places feeling, spirit, and experience as secondary. Furthermore, such frameworks within research are primarily set out using the written word, and the abstract quality of written language carries its own complexities in attempting to represent a worldview based on oral tradition'. Thus, Western research frameworks have difficulties in capturing 'the relational, holistic flavour of this [the Indigenous] worldview' (Kovach 2009: 41). The augmentation of Indigenous voices and studies within criminology, thus, requires solid frameworks that sustain these studies without forcing their assimilation into ways of thinking foreign to First Peoples.

The first conceptual and theoretical framework useful in the analysis of instances of violence against and within Indigenous communities is *decolonial theory*, which aims to 'liberate the production of knowledge, reflection, and communication from the pitfalls of European rationality/modernity' (Quijano 2007: 177). According to decolonial theory, freeing knowledge production can only be achieved by giving back its epistemological force to the sources that have been made subaltern—also referred to as 'epistemologies of the South' (Santos 2014)—among which are the First Peoples. This implies, among other things, the need to 'take seriously the epistemic force of local histories and to think theory through from the political praxis of subaltern groups' (Escobar 2003: 61). Instrumentally, this can be done by enlarging the experiences and knowledge of those made subaltern (Santos 2009) and by showing how their worldviews and knowledge are valid alternatives to the imposed way of being (Santos 2014). In sum, decolonial theory invites us to accept that there are valid ways of generating knowledge beyond those validated in Western academia; nevertheless, it runs short of offering an alternative epistemological system.

The second and most obvious framework fit for an Indigenous criminology would be what is usually called 'Indigenous methodologies' but which in many cases tends to be employed as a conceptual and theoretical

framework (Smith 2012). Within criminology, Cunneen and Tauri (2017: 34) established three principles for an Indigenous criminology: first, *committed objectivity*—'speak with empirical authority about the life-world of Indigenous peoples'; second, *speaking truth to power*—giving back to the community by 'challenging the foundations of the dominant systems of thought and hegemony that confront, in this case, Indigenous peoples' (Cunneen and Tauri 2017: 35); and third, *reality*—'it [the work about Indigenous peoples] must come *from within* Indigenous peoples and their communities' (Cunneen and Tauri 2017: 41). There are other programs of Indigenous action related to academic work: for instance, Burgess, Cormack and Reid (2021) suggest decolonising academia via a Kaupapa Māori citational practice. Such practice encompasses, among others, *citing prior thought* existent in a community to enlarge the visibility of its contributions to knowledge, and *citing to bring balance* by prioritising decolonial thinkers while excluding colonising ideas and authors. While valuable, Cunneen and Tauri's (2017) three principles and Burgess, Cormack and Reid's (2021) citation practice are primarily related to epistemology—'the nature of the relationship of the knower or would be knower and what can be known' (Guba and Lincoln 1994: 10)—and to a political stance than to theoretical frameworks.

Closer to Indigenous theorisation is the work of Kovach (2009: 47, 56), who describes the Indigenous thinking and knowledge of the Plains Cree as a 'non-fragmented, holistic approach to the world', meaning a way of thinking and creating knowledge that is non-binary, 'interactional and inter-relational, broad-based, whole, inclusive, animate, cyclical, fluid and spiritual'. In such a framework, knowledge is a product of 'inner and outer space' in which the former refers to the physical world and the latter to the metaphysical/inward intuition. In a similar vein is Goyes' (2021a) proposal of a *Pachamama* philosophical approach as the basis of a Southern green criminology. Goyes draws inspiration from many Indigenous communities in the Global South who organise their lives around an 'interrelated whole' in which the economic, political and social spheres are harmoniously integrated. An example is the Bolivian Aymara People (see also Apaza Huanca 2019; Torres, Goyes and Torres 2020). The Pachamama approach evidences a non-humanistic way of thinking, a way of seeing reality that does not place human beings at its centre. A Pachamama philosophy, as the basis for a research direction, acknowledges the limits of human cognition and allocates value equally to all beings (Goyes and Sollund 2018). Proponents of Pachamama philosophy assert that it is necessary to focus on wholes rather than on the parts. Consequently, Pachamama philosophy is mainly concerned with relationships and not with atoms or individuals. Indeed, fixed points make no sense when relationships are understood in terms of a notion of time that rolls and unrolls, 'passes and returns', a spiral 'articulation through which everything is related' (Rappaport 2003: 326).

The reviewed frameworks, which seem best suited to provide theoretical support for the development of Indigenous criminology, all have important shortcomings when considered for this *specific* task.[6] Decolonial work debunks the idea of Western epistemology as the ultimate way of knowing but does not offer a concrete theoretical alternative, while existing Indigenous methodologies have yet to be translated into applicable, coherent, conceptual and theoretical frameworks that substantiate the coherence of the thinking behind the research. Arguably, the need for further theoretical development arises in part because 'too often Indigenous research has been equated with the inclusion of particular methods, such as sharing circles, and commentary on ethical guidelines involving research with Indigenous peoples and/or communities' (Kovach 2009: 42). Despite these shortcomings, decolonial theory and Indigenous methodologies have the potential—upon revision, adaptation and enlargement—to be the pillars supporting the evolution of Indigenous criminology.

Conclusion

In this article, we have argued that a criminology that acknowledges past 'gaps, blind spots, and biases', as we put it in the Introduction, is now well placed to build upon this recognition and, as has occurred in addressing other omissions, can be strengthened and enriched in various ways. As a contribution to encouragement of this research direction, we have engaged with debates concerning the meaning of

Indigeneity, with frameworks that might be appropriately congruent with an Indigenous criminology and with some of the methodological challenges and considerations specific to this field of work.

We would, however, wish to emphasise the challenge posed: the growth of Indigenous criminology requires more than the documentation of this field as a gap in criminology and the offer of conceptual, methodological and theoretical tools for its advancement (see Cunneen and Tauri 2017). Rather, the progress of this research direction is contingent on the acceptance of structural changes in criminology. Oxley (2020: 81) states that if criminology 'were serious about decolonising' and the project of applying alternative perspectives to the analysis of the criminal justice system, then 'research should have focused on [that] system'—and we could say the same about the academic system. As Moosavi (2018: 260–261) has documented, the decolonisation of criminology has failed in the past due to 'the limitations of non-Western criminology' as much as the 'patterns of exclusion in the West'. In particular, considering the case of the evolution of 'criminology', it is uncertain whether the decolonisation of the subject is 'even possible given the discipline's Western origins, its historic relationship with elite coercion and the way in which we have already reached a point in history where it is no longer possible to disentangle Western hegemony from social science knowledge production' (Moosavi 2018: 260–261). Indeed, as Agozino (2003) and Morrison (2006) documented, criminology was conceived as a tool to be used at the service of colonial powers. Ever since, part of the discipline has been informed by the embracing of a 'civilizing' and colonial ideology requiring the imposition of a Western 'order' on the rest of the world. This orientation persists, argues Morrison (2006), with some developments in criminology continuing to have a colonialist character, thereby disdaining projects outside the imperial agenda, such as an Indigenous criminology. Further challenges for the inclusivity of an Indigenous criminology project would be the global epistemological and wealth power imbalances, which have ensured criminology is a product of and dominated by contributors from *core* countries (Carrington et al. 2019; Carrington, Hogg and Sozzo 2016; Goyes 2021b; Goyes and South 2017). As one consequence, the Indigenous criminology that does exist has mainly developed in core, Anglophone colonial nation-states, such as Australia, Canada and New Zealand.

Here we have attempted to make visible the problematic under-representation of Indigenous topics and Indigenous authors in criminology. The less knowledge there is about the dynamics of the harms that victimise First Peoples, the less effectiveness there will be in the prevention strategies that could potentially be implemented. Consequently, augmentation of an Indigenous criminology will aid in improving the protection of Indigenous rights, help to establish more just social relations and benefit criminology as a whole by increasing the discipline's theoretical and practical understanding of crime and victimisation in locations and among peoples historically neglected.

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[1] 1) *Criminology*, 2) *Journal of Quantitative Criminology*, 3) *Journal of Research in Crime and Delinquency*, 4) *Journal of Criminal Justice*, 5) *Journal of Experimental Criminology*, 6) *Crime and Delinquency*, 7) *British Journal of Criminology*, 8) *European Journal of Criminology*, 9) *Punishment and Society*, 10) *Theoretical Criminology*.

[2] 1) *Criminology*, 2) *Journal of Quantitative Criminology*, 3) *Journal of Experimental Criminology*, 4) *British Journal of Criminology*, 5) *Theoretical Criminology*, 6) *Criminology and Public Policy*, 7) *European Journal of Criminology*, 8) *Criminology and Criminal Justice*, 9) *International Journal of Cyber Criminology*, 10) *Feminist Criminology*.

[3] 1) *Race and Justice*; 2) *Deviant Behaviour*; 3) *Critical Criminology*; 4) *International Journal for Crime, Justice and Social Democracy*; 5) *Crime, Law and Social Change*; 6) *The Howard Journal of Crime and Justice*.

[4] 1) *Australian & New Zealand Journal of Criminology*, 2) *Asian Journal of Criminology*, 3) *Canadian Journal of Criminology and Criminal Justice*, 4) *Journal of Scandinavian Studies in Criminology and Crime Prevention*.

[5] *International Journal for Crime, Justice and Social Democracy* (crimejusticejournal.com). It was because of the Journal's sensitivity to Indigenous matters that we submitted this paper to it. The Journal has published three additional articles meeting our criteria in the period not covered by our study (October 2019–July 2021), going significantly over the 0.20 average within criminology journals. David Rodriguez Goyes, first author of this study, has been a member of the editorial team of the *International Journal for Crime, Justice and Social Democracy* since December 2019. However, together with the second author, Nigel South, he developed the literature review before undertaking that position. Consequently, Goyes' role in the Journal did not affect the analysis presented in the section 'Background'. Nevertheless, for the sake of transparency we wish to publicly state his position as editor of the Journal. Nigel South is an Adjunct Professor in the School of Justice, Queensland University of Technology, Australia.

[6] *Critical race theory* (CRT) could also potentially be of use for this project, since it focuses on how 'race' is constructed, on how racial power is sustained (Crenshaw et al. 1995) and on how racial categories are constitutive in social life (Phillips et al. 2020). However, this framework—as it has developed—has actually been mainly concerned with addressing (1) discrimination logics and practices against black populations and (2) how legal institutions and legal culture sustain and reinforce systemic racism, particularly in the United States of America (Crenshaw et al. 1995) and, as Cunneen and Tauri (2017: 9) assert, has 'largely side-lined the Indigenous experience' and populations of the global south (Carrington et al. 2017; Carrington et al. 2019; Connell 2007).

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