



## **Hunting as a crime? A cautionary note concerning how ecological biodiversity and anti-hunting arguments contribute to harms against indigenous peoples and the rural poor**

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### **Abstract:**

This article examines concerns related to hunting (and fishing) regulations that impact the ability of poor and indigenous peoples to engage in behaviors such as hunting that they require for subsistence needs. Often, green and conservation criminological research, theory and policy overlook this issue. Typically, those approaches favor hunting/fishing legislation and bans to preserve wildlife and biodiversity, or for philosophical reasons related to preventing harms against wildlife. Although those approaches may, in some cases, help preserve wildlife and biodiversity, the unintended consequences of anti-hunting policies on the poor and indigenous peoples, who are also often the rural poor, are overlooked. Moreover, anti-hunting/fishing policies are not the best method for preserving biodiversity. Rather, policies should promote regulation of forest and other wild areas, prohibit forest segmentation, and address how economic forces drive the forms of ecological destruction that lead to biodiversity loss.

This brief essay addresses a concern we have with green and conservation criminological views of hunting that we do not believe have been fully articulated in the relevant literature. We will review the general content of that argument which can be employed as the impetus and starting point for a more full-blown critique and assessment of green and conservation criminological approaches which address the regulation of hunting. The specific concern examined here involves the tendency for green and conservation criminology to develop a position on hunting that tends to preference the need to *eliminate all hunting* either because hunting ought to be considered a crime against nature and/or because the elimination of hunting is considered a useful mechanism for protecting wildlife species from harm over other alternatives. To be sure, many have argued that hunting could be considered a crime against nature. It should be recognised, however, that in recent years, others have also argued that hunting can have positive environmental impacts (e.g., hunting produces pressure for environmental conservation; Dickman et al., 2019; Di Mini et al., 2021). These latter views, which are sometimes viewed as ‘pro-hunting’ responses to hunting ban policies, are useful because they promote the need to think more critically about the implications of hunting ban policies and their impacts. In particular, we are concerned with developing a more nuanced hunting-related position that recognises that some groups within society require access to nature for their survival (Duffy, 2010) and that limiting all access to nature/animals by banning hunting can be detrimental to some people or groups of people. Those groups and individuals that might be harmed by hunting (and fishing) bans are typically comprised of indigenous people and poor rural people who must access nature in order to survive or to supplement their dietary needs. In responding to hunting bans as potentially detrimental in some cases, green/conservation criminology can also become more aware of the needs of and environmental attitudes and philosophies possessed by the rural poor and indigenous people as well as how incorporating and addressing those needs could make green criminology more sensitive and inclusive.

Green and conservation criminology arguments concerning the interests/needs of the rural poor and indigenous populations (who are often part of the rural poor in various locations) are also necessary because they assist in developing a more comprehensive understanding of the forces that lay behind contemporary ecological destruction. This includes paying greater attention to larger social forces that are responsible for the massive, global level of species loss that exists beyond the effects produced by hunting. Moreover, developing a greater consciousness of the environmental needs of the poor and indigenous peoples in ways that promote forms of critical thinking and allow routine environmental policies that – either purposefully or accidentally – limit access to nature by indigenous and poor people. For example, by taking a more critical view, a green/conservation criminology that focuses attention primarily on the behaviour of the poor or indigenous groups as wildlife-crime offenders can be understood as reinforcing the traditional, orthodox view of crime as the work of the poor (for an expanded discussion, see Lynch & Michalowski, 2006; Lynch et al., 2017). Many additional observations can be made on this point. For instance, opening up criminological research to address issues that impact indigenous people not only promotes criminological attention to the victimisation of indigenous people (e.g., de Carvalho, Goyes & Weis, 2021) but also can promote critiques of the ways in which criminology has developed biased views of culture and the lifestyles of people in the global South (for a recent discussion, see Dimou, 2021; Moosavi, 2019) and even for indigenous people in the Global North (Lynch & Stretesky, 2012). In the absence of these approaches, green/conservation criminologists have tended to leave larger questions unaddressed in the criminological literature with respect to the intersections of global economic forces with indigenous cultures (for exceptions, see Crook, Short & South, 2018; Goyes et al., 2021; Lynch et al., 2021; Lynch et al., 2018a).

The traditional image of crime, and of environmental crime in particular, as harmful outcomes generated by the poor can also be revealed as misleading by taking up broader views of local and

global social and economic relationships. These approaches need to be sensitive to the variety of ways in which both local and global class, ethnicity, race and indigeneity intersect and have been historically constructed as well as modified in modern circumstances (on indigeneity, see Guzmán, 2013 [Brazil]; Canessa, 2014 [Bolivia]; Li, 2010 [Asia]; more generally, see Brown & Sant, 1999). Taking up that view can lead to more critical understanding of the external imposition of orthodox interpretations of harm, crime and justice that are common within criminology (for a critique, see McKay, 2021 on policing/protecting indigenous people). Individualising the study of victimisation through a more traditional/orthodox criminological lens also overlooks the many ways in which the structure of the global capitalist system generates ecological disorganisation and commits the robbery of nature in many diverse geographic locations (Foster & Clark, 2021) and distracts from understanding the ways in which global capitalism serves as the main force behind the global loss of biodiversity (Clausen & York, 2008).

Our primary purpose here is to make researchers aware that green and conservation criminology has not been attentive to considering how groups marginalised by contemporary capitalism who lack other means for survival and wellbeing – particularly the rural poor and indigenous people -- are turned into the primary offenders in discussions of wildlife crime in views that bend too much to the pressure of orthodox criminological assumptions. This tends to be especially true of research focused on the harm associated with ‘illegal’ (and legal) hunting and fishing activities. In the view we lay out below, we hope to make this critique apparent and to show why it is necessary to focus critical conservation theory and policy upon the detrimental ecological impacts of capitalism and to become more aware of the ways in which restrictive hunting policies fail to contribute to biodiversity conservation and may instead contribute to increased adversity for indigenous people and the rural poor.

## **Background**

Drawing upon green and conservation criminology as well as the broader ecological literature, criminologists have explored several concerns related to hunting (and fishing) crimes and legal hunting and fishing behaviour in various ways. In some cases in the extant literature, hunting – even when it is legal -- has been depicted as a crime against nature for ethical reasons (i.e., the harm to animals which results from hunting is ethically questionable) and because hunting can generate biodiversity losses (for a general discussion, see Di Minin et al., 2021). Some studies have examined the right to hunt and whether states are obligated to protect that right; others have examined whether the need to protect nature supersedes individuals’ rights (Nurse, 2017). Studies outside criminology have also taken up discussions of the right and need to hunt and the impact of hunting among indigenous people, and there is a broad literature on this subject that explores various social and cultural contexts in which these behaviours occur (see Aziz et al., 2013 on Peninsular Malaysia; Bennett et al., 2007 on West and Central Africa; Foerster et al., 2012 on bushmeat hunting in Gabon; Hitchcock, 2001 on the San Peoples; Houssain, 2008 on international law, human rights and indigenous people; Read et al., 2013 on Guyanese Rupunun).

Most criminological studies, however, focus attention on the study of illegal hunting in a more traditional or orthodox sense related to exploring the kinds and volumes of these crimes and their etiological origins. As Von Essen et al. (2014, p. 633) suggested in their review of that literature, the research has tended to study illegal hunting by framing those crimes in three ways: (1) by exploring the ‘drivers of deviance’; (2) by profiling offenders; and/or (3) by ‘categorizing the crime’. In introducing this examination and typology of the existing hunting crime literature, they noted that in prior research, illegal hunting has been ‘Stigmatized as theft and animal cruelty or celebrated as rebellion against oppressive laws . . .’ (Von Essen et al., 2014, p. 632).

Criminological studies often fail to recognise that legal hunting is of import to native people, and in many locations, it is important to other rural people (nonindigenous rural people) and the poor (here, we primarily mean the nonindigenous rural poor, as the urban poor do not have direct/easy access to nature in ways that facilitate hunting behaviours as a routine means of providing food). This recognition of the need of indigenous and the rural poor to hunt has serious implications for how green and conservation criminologists (should/ought to) depict and study hunting crimes. The criminological tendency to study hunting and its outcomes as an activity that ought to be (and is) considered illegal overlooks the positive role hunting plays in providing protein for poor and rural populations (De Merode et al., 2004; Suarez et al., 2019) and its importance for food provision for indigenous people (Burnette et al., 2018; Hoffman & Cawthorn, 2012).

Considered broadly, the primary view of hunting in the green/conservation literature frames it as a crime against nature (or wildlife generally or a particular wildlife species) and as an unnecessary behaviour. That argument tends to be promoted as a universally true statement about hunting and leads to a rather one-sided view of hunting behaviour in the most negative sense. As others have argued (see below), that kind of mainstream approach towards the classification and definition of hunting harm is based only upon a consideration of the detrimental consequences of hunting from an ecological perspective. It can be argued that doing so unknowingly/unintentionally takes up a view of hunting that promotes the interests/perspectives (and opportunities to hunt) of the better-off within society (Jacoby, 1997). From a political economic perspective, we might also say that the typical negative view of hunting promotes the interest of capital and non-indigenous populations and most certainly is discordant with the views and needs of indigenous people and, in many places, the rural poor (who in many countries are also indigenous people). The World Bank estimates that while indigenous peoples comprise about 5% of the population, they make up about 15% of the extremely poor population of the world and up to one-third of the rural poor globally; see <https://blogs.worldbank.org/voices/poverty-and-exclusion-among-indigenous-peoples-global-evidence>. (See also the following section).

### Overlooking the Indigenous and the Rural Poor

To understand the argument that viewing hunting as unethical, illegal and/or unnecessary behaviour comprises a biased position, we begin with an observation about the general state of indigenous people throughout the world to make it clear that indigenous people are the most powerless and poor rural populations found across societies. To make that point, consider the view taken by the United Nations in its 2009 report *State of the World's Indigenous Peoples* ([https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP\\_web.pdf](https://www.un.org/esa/socdev/unpfii/documents/SOWIP/en/SOWIP_web.pdf)):

The situation of indigenous peoples in many parts of the world continues to be critical: indigenous peoples face systemic discrimination and exclusion from political and economic power; they continue to be over-represented among the poorest, the illiterate, the destitute; they are displaced by wars and environmental disasters; the weapon of rape and sexual humiliation is also turned against indigenous women for the ethnic cleansing and demoralization of indigenous communities; indigenous peoples are dispossessed of their ancestral lands and deprived of their resources for survival, both physical and cultural; they are even robbed of their very right to life (p. 1).

As a result of this separation from power and wealth, and as a consequence of their social, economic and political isolation, indigenous people are globally among the poorest people in the world. Although research suggests that market economies (i.e., global capitalism) typically have adverse effects on indigenous people (Godoy et al., 2005), the effects of capitalism on rural indigenous people has not been well studied and research on this subject is deficient (see also, Foster et al., 2020).

In order to address issues that impact indigenous people, it is important to consider their economic, social and political isolation in most nations. As a result of their marginalised economic location in society, indigenous people in many places are dependent upon local ecosystems for survival. Cisneros-Montemayor et al. (2016) illustrated this point in their assessment of the dependence of 1,924 coastal indigenous communities on seafood harvesting and consumption. These communities represented approximately 27 million people across 87 nations. The volume of seafood consumed by indigenous people was equivalent to about 2% of the global annual commercial seafood harvest. In other words – or in our view – what this study illustrated is that the effect of indigenous people on fisheries is relatively small compared to the effect of the larger market (i.e., capitalist) economy. In policy terms, the ability to shrink seafood consumption among wealthy nations even by a relatively small proportion would have a much larger effect on fishery sustainability than any policies that might be directed toward the consumption of fish by indigenous groups given the small volume of the global fish catch that they consume.

There is also a need to understand that indigenous and rural people may rely on hunting/fishing for subsistence. As Suarez and Zapata-Rios (2019) noted, the need of indigenous people to hunt wildlife or to fish for food subsistence has increasingly come into conflict with the ecological goals of environmentalists who support the protection of biodiversity by minimising hunting and fishing. This conflict was evident at the beginning of conservation movements within the United States, where conservation efforts restricted the subsistence lifestyles of the rural poor and indigenous populations (Jacoby, 1997, 2003). Today, indigenous people number about 370 million, about 4.8% of the global population. The limited impact of indigenous people on ecosystems has also been demonstrated in the legal context. In a recent study connected to a court case in Canada, the ecological footprint of indigenous people was considered to be ‘wide but light’, meaning that they required a good amount of land from which to harvest because they harvest sustainably from the land they use (see Wackernagel, 2004). Given that result, we might say that it is not the ecological footprint of the indigenous people that is of concern. What is a concern, as other research has shown, is the ecological footprint of the wealthy (Lynch et al., 2019).

It has been shown that the uncontrolled global expansion of capitalism has extensive adverse effects on biodiversity within nations across the face of the globe (Besek & York, 2019; Clausen & York, 2008; Marques, 2020). As global capitalism has expanded, its raw material/resource requirements (i.e., the ecological withdrawal of resources for manufacturing, food, water, road development, housing and urbanisation) has produced extensive ecological fragmentation (Jacobson et al., 2019). The result of this expansion has generated a decline in global forests and a shrinking natural, viable global ecosystem. Humans have significantly fragmented an estimated 44% of the global ecosystem not covered by snow or ice (Jacobson et al., 2019). These large scale, adverse outcomes are not significantly impacted by the behaviours of indigenous people.

The escalating effect of global capitalism’s ecological disorganisation has also led to the expansion of efforts directed towards curtailing hunting activities among native and rural people. As Suarez and Zapata-Rios pointed out in their discussion, the problem is how to allow for native/poor rural peoples’ food and survival needs while simultaneously protecting ecosystems and species biodiversity. Although Suarez and Zapata-Rios did not directly point to the cause of these problems as rooted in the constant expansionary tendencies of capitalism, they identified several conditions that contribute to the desire to constrain indigenous/rural people’s subsistence hunting activities in an effort to protect species diversity. These conditions include accelerating/expanding historical trends in habitat fragmentation and degradation, population growth and expansion of global trade networks and ecological extraction promoted by extractive industries. As research in environmental sociology makes clear, these adverse outcomes have been linked to the expansion of capitalism,

both globally and locally (for examples, see Aldyan, 2020 on forest damage in Indonesia; Barbosa, 1996 on the Brazilian Amazon rainforest; McKinney et al., 2009 and Shandra et al., 2010 on threats to bird and animal species biodiversity).

### **Cultural Conflict in the Conservation Literature**

Some effort has been made to address the observations made here in the conservation criminological literature, in which researchers have attempted to acknowledge the subsistence needs of the rural poor and indigenous people. In that literature, the problem of hunting is still often (though not always) framed around illegal hunting and is understood from the perspective of cultural conflict. Conservation criminologists have recognised the potential for wildlife conservation strategies that restrict or outlaw hunting and fishing as efforts that impose 'outside' values on the rural poor and indigenous people (Brockington, 2002; Brockington & Igoe, 2006; Duffy, 2016; Duffy et al., 2016; Duffy et al., 2019), and hence as potentially harmful to those groups.

Peterson et al. (2017) has addressed this issue by examining the neoliberal colonialism of conservation stemming from the economic interests of developed nations in the resources located in less developed nations. Duffy (2010) argued that 'the best' wildlife reservations in the world have outlawed the lifestyle of local poor communities that are reliant on wildlife hunting. Wall and McClanahan (2015) emphasised the political and financial resources of Americans and Europeans who can own and control land for wildlife ranching and trophy hunting, leaving marginalised groups without access to nature (see also Y. A. Forsyth & Forsyth, 2018; C. Forsyth et al., 1998). Jacoby (2003) analysed historical societal changes in the early US conservation movement which produced laws and enforcement efforts that targeted the now illegal behaviours of the poor who relied upon hunting for subsistence.

This literature influenced scholars to explore community-based policies centred on poverty alleviation as a solution to illegal hunting (e.g., Abebe, 2020; Rizzolo, 2021). These studies have not, however, provided sufficient evidence that poverty alleviation policies work to reduce illegal (i.e., subsistence) hunting (for additional discussion, see Duffy et al., 2016). Additionally, existing research in conservation criminology does not discuss the impact of global economic development on ecological destruction, how global development affects environmental degradation or the need for some groups to rely upon subsistence hunting. In short, conservation criminology tends to take a situational crime prevention approach to wildlife crime, and in so doing, overlooks how the global market adversely impacts indigenous people and rural populations (for an extended discussion of relevant ecological-situational crime prevention strategies, see Lynch et al., 2018b).

### **A Critique of Anti-Hunting Regulations**

Numerous countries could be employed to illustrate the limitations of existing hunting and fishing regulations and their effects on indigenous populations. For our purposes, we refer to an excellent critique offered by Eichler and Baumeister (2018) who wrote about the North American Model of Wildlife Conservation (NAM) and its impact on and exclusion of indigenous people's viewpoints. According to Eichler and Baumeister, the NAM was framed as a democratic model for undertaking conservation stewardship, thus incorporating a starting point that would appear agreeable to many. The framework for that approach boasts phrases that many people would find welcoming, such as efforts to design and promote 'the concept of democracy of hunting', and 'equal access for all', which are attached to a favourable interpretation of the history of the 'North American pioneer spirit' (p. 76). Eichler and Baumeister contended, however, that what the NAM promotes is the much more limited 'interests of sport hunters'. Moreover, Eichler and Baumeister stated that rather than

a democratic approach to conservation, the NAM actually promotes environmental injustices that adversely impact indigenous people. This outcome, they argue, is achieved by NAM's promotion of a settler colonialism model which generates a system of power relationships that contributes to the repression and genocide of indigenous people. In short, Eichler and Baumeister 'contend that the principles of the NAM, along with the ontological assumptions that they rest on, are antithetical to American Indian views of property, nonhuman personhood, and knowledge' (p. 76).

Eichler and Baumeister pointed out that the NAM approach continues a long history of policies that contribute to efforts to eliminate indigenous peoples, such as efforts to eliminate Native North American peoples through the slaughter of bison during the expansion of the 'American' west (p. 78). They also argued that the idea that the protection of wildlife safeguards a public trust is based upon American and European notions that relate to concepts such as private property which were unknown to indigenous people and are applied in NAM to reinforce settler colonialism. In addition, Eichler and Baumeister stated that the principles in NAM related to public ownership of nature involve a claim 'that nonhuman animals, plants, and land are "resources" [which] implies that the primary relationship between humans and the world is one in which humans, existing apart from the world, dominate, extract, and consume the world for their benefit. This type of relationship runs counter to Indigenous notions of relationality and nonhuman agency' (p. 80).

Expanding upon Eichler and Baumeister and the other arguments that have been presented, our point can be summarised in the following. Green and conservation criminologists need to be sensitive to the production of generalisations concerning the harm produced by hunting, especially when those generalisations are in conflict with the interests and cultures of indigenous people or the needs of other groups, such as the rural poor, who are cut off from a connection to means of survival under capitalism, particularly in contemporary circumstances (although this has been true historically as well, e.g., Robbins & Luginbuhl, 2005). This point has been made on previous occasions with respect to ensuring that poor and indigenous people are not blamed for environmental problems and with respect to criticising the carving out of 'green polices' that have unequal, adverse effects on these groups (Lynch et al., 2017). The short lesson here is that green and conservation criminologists must be careful not to blame poor and indigenous people for biodiversity loss when the real, large-scale or global culprit is capitalism (Lynch et al., 2017).

## Conclusion

One way criminologists study wildlife crimes and harms is by exploring hunting and fishing behaviours that are defined as illegal behaviour in the law. Taking a legal approach to these crimes tends to replicate a long-standing tradition in criminology wherein the subjects of criminological studies have disproportionately been disempowered persons. Here, we have made that case with respect to green and conservation criminological studies of wildlife crime that involves illegal hunting.

Although we have not extensively documented one of the assumptions of our argument – namely that large corporations and the structure of capitalism are primarily responsible for the disastrous state of the contemporary global ecological system (see Besek & York, 2019) – we believe that greater attention to that assumption will make criminologists more circumspect when it comes to the study of crime against wildlife that involves low-level hunting and fishing violations. Many of these 'crimes', we assert, are behaviours engaged in by indigenous people and the poor who are seeking ways to sustain themselves. These efforts to live should not be criminalised but rather should be viewed in a much different light. In closing, we are reminded of a comment made by Friedrich Engels (1973) in his book *The Conditions of the Working Class in England* in which he summarises the

impact of capitalism on the working class. He noted that ‘Want leaves the working-man the choice between starving slowly, killing himself speedily, or taking what he needs where he finds it – in plain English, stealing. And there is no cause for surprise that most of them prefer stealing to starvation and suicide’ (p. 154). This same general sentiment applies to the ‘illegal’ hunting crimes of the indigenous and the poor who must violate the law to live.

In taking the views expressed herein, we are arguing for the development of a more unique, nuanced and theoretically rich view of the intersection between hunting, green criminology and indigenous and poor peoples. In doing so, we have drawn attention to theories of capitalism and how those theories conceptualise the adverse impacts of global capitalism and colonial relations on indigenous people. Those theories include perspectives developed about the adverse impacts of capitalism on dependent development in Latin and South America (Cardoso, 1972; Frank, 1967, 1970; Furtado, 1965) and Africa (Amin, 1970), which have long and rich intellectual traditions. To do so also requires an understanding of colonial capitalism’s effect on the Global South (Denoon, 1983) as well as on particular locations (Castellanos, 2017; Greaves, 2018). These views are only just beginning to make important contributions to the criminological literature (Dimou, 2021), though here, too, this literature has been in development for some time but has largely been undiscovered by orthodox criminology (e.g., Agozino, 2003, 2004). In developing these views, it is also important to keep in mind the contributions of indigenous scholars to such discussions (e.g., Fanon, 1961; Saro-Wiwa, 1995) and to contribute to the preservation of those voices and the people and issues they represent.

## Bibliography

- Abebe, B. A., Jones, K. W., Solomon, J., Galcin, K., & Evangelista, P. (2020). Examining social equity in community-based conservation programs: A case study of controlled hunting programs in Bale Mountains, Ethiopia. *World Development*, 135, 1–16.
- Agozino, B. (2004). Imperialism, crime and criminology: Towards the decolonisation of criminology. *Crime, Law and Social Change*, 41(4), 343–58.
- Agozino, B. (2003). *Counter-colonial criminology: A critique of imperialist reason*. London: Pluto Press.
- Aldyan, R. A. (2020). The effect of globalization and capitalism on forest damage in Indonesia. *Dia-dikasia Journal*, 1(1), 1–9.
- Amin, S. (1970). Development and structural change: The African experience, 1950–1970. *Journal of International Affairs*, 24(2), 203–223.
- Aziz, S. A., Gopaldasamy, G. R., Clements, R. D. M., & Sankar, P. (2013). Why conservationists should be concerned about natural resource legislation affecting indigenous peoples’ rights: Lessons from Peninsular Malaysia. *Biodiversity and Conservation*, 22(3), 639–656.
- Barbosa, L. C. (1996). The people of the forest against international capitalism: Systemic and anti-systemic forces in the battle for the preservation of the Brazilian Amazon rainforest. *Sociological Perspectives*, 39(2), 317–331.
- Bennett, E. L., Blencowe, E., Brandon, K., Brown, D., Burn, R. W., Cowlshaw, G., Davies, G., Dublin, H., Fa, J. E., Milner-Gulland, E. J., Robinson, J. G., Rowcliffe, J. M., Underwood, F. M., & Wilkie, D. S. (2006). Hunting for Consensus: Reconciling Bushmeat Harvest, Conservation, and Development Policy in West and Central Africa. *Conservation Biology*, 21(3), 884–887.
- Besek, J. F., & York, R. (2019). Toward a sociology of biodiversity loss. *Social Currents*, 6(3), 239–254.
- Brockington, D. (2002). *Fortress conservation: The Preservation of the Mkomazi Game Reserve*. Oxford: James Currey.
- Brockington, D. & Igoe, J. (2006). Eviction for conservation: A global overview. *Conservation and Society*, 4(3), 424–470.

- Brown, J. N., & Sant, P. M. (eds.) (1999). *Indigeneity: Construction and Re/presentation*. Hauppauge, New York: Nova Science Publishers.
- Burnette, C. E., Clark, C. B., & Rodning, C. B. (2018). "Living off the Land": How subsistence promotes well-being and resilience among Indigenous Peoples of the Southeastern United States. *Social Service Review*, 92(3), 369–400.
- Canessa, A. (2014). Conflict, claim and contradiction in the new 'indigenous' state of Bolivia. *Critique of Anthropology*, 34(2), 153–173.
- Cardoso, H. F. (1972). Dependent capitalist development in Latin America. *New Left Review*, 74, 83–96
- Castellanos, M. B. (2017). Settler colonialism in Latin America. *American Quarterly*, 69(4), 777–781
- Cisneros-Montemayor, A. M., Pauly, D., Weatherdon, L. V., & Ota, Y. (2016). A global estimate of seafood consumption by coastal indigenous peoples. *PloS one*, 11(12), e0166681.
- Clausen, R., & Richard Y. (2008). Global biodiversity decline of marine and freshwater fish: A cross-national analysis of economic, demographic, and ecological influences. *Social Science Research*, 37(4): 1310–1320.
- Crook, M., Short, D., & South, N. (2018). Ecocide, genocide, capitalism and colonialism: Consequences for indigenous peoples and local ecosystems environments. *Theoretical Criminology*, 22(3): 298–317.
- de Carvalho, S., Goyes, D. R., & Weis, V. V. (2021). Politics and indigenous victimization: The case of Brazil. *The British Journal of Criminology*, 61(1), 251-271.
- De Merode, E., Homewood, K., & Cowlshaw, G. (2004). The value of bushmeat and other wild foods to rural households living in extreme poverty in Democratic Republic of Congo. *Biological Conservation*, 118(5), 573-581.
- Denoon, D. (1983). *Settler Capitalism: The Dynamics of dependent development in the South*. New York: Oxford University Press.
- Dickman, A., Cooney, R., Johnson, P.J., Louis, M. P. & Roe, D. (2019). Trophy hunting bans imperil biodiversity. *Science*, 365(6456), 874-874.
- Di Minin, Enrico, Clements, H.S., Correia, R. S., Cortés-Capano, G., Fink, C., Haukka, A., Hausmann, A., Kulkarni, R., & Bradshaw, J. J.A. (2021). Consequences of recreational hunting for biodiversity conservation and livelihoods. *One Earth*, 4(2), 238-253.
- Dimou, E. (2021). Decolonizing Southern Criminology: What can the "decolonial option" tell us about challenging the modern/colonial foundations of criminology? *Critical Criminology* 29 (3), 431-450.
- Duffy, R. (2010). *Nature Crime: How we're getting conservation wrong*. New Haven: Yale University Press.
- Duffy, R. (2016). War by Conservation. *Geoforum*, 69, 238–248.
- Duffy, R., Francis, M., Smidt, E., Marijen, E., Büscher, B., Verweijen, J., Maano, R., Simlai, T., Joanny, L., and Elizabeth, L. (2019). Why we must question the militarization of conservation. *Biological Conservation*, 232, 66–73.
- Duffy, R., St John, F. A. ZV., Büscher, B., & Brockington, D. (2016). Toward a new understanding of the links between poverty and illegal wildlife hunting. *Conservation Biology*, 30(1), 14–22.
- Eichler, L., & Baumeister, D. (2018). Hunting for justice: an indigenous critique of the North American model of wildlife conservation. *Environment and Society*, 9(1), 75-90.
- Engels, F. (1973[1845]). *The conditions of the working-class in England*. Moscow: Progress Publishers.
- Fanon, F. (1961). *The Wretched of the Earth*. New York: Penguin.
- Foerster, S., Wilkie, D.S., Morelli, G. A., Demmer, J., Starkey, M., Telfer, P., Steil, M., & Lewbel, A. (2012). Correlates of bushmeat hunting among remote rural households in Gabon, Central Africa. *Conservation Biology*, 26(2), 335–344.
- Foster, J. B., & Clark, B. (2021). *The robbery of nature: Capitalism and the ecological rift*. New York:

Monthly Review Press.

- Foster, J. B., Clark, B., & Holleman, H. (2020). Marx and the Indigenous. *Monthly Review*, 71(9): 1-19.
- Forsyth Y. A., and Forsyth, C. J. (2018). Ordinary folk transformed: Poachers' accounts of cultural contests and history. In: W. Moreto (Ed.), *Wildlife Crime: From Theory to Practice* (135–149). Temple.
- Forsyth, C. J., Gramling, R., & Wooddell, G. (1998). The game of poaching: Folk crimes in southwest Louisiana. *Society and National Resources: An International Journal*, 11(1), 25-38.
- Frank, A. G. (1967). *Capitalism and underdevelopment in Latin America*. New York: New York University Press.
- Frank, A. G. (1970). *Latin America and underdevelopment*. New York: New York University Press.
- Furtado, C. (1965). Development and stagnation in Latin America: A structuralist approach. *Studies in Comparative International Development*, 1(11), 159–175.
- Godoy, R., Reyes-García, V., Byron, E., Leonard, W.R., & Vadez, V. (2005). The effect of market economies on the well-being of indigenous peoples and on their use of renewable natural resources. *Annual Review of Anthropology*, 34, 121–138.
- Goyes, D. R., South, N., Abaibira, M. A., Baicué, P., Cuchimba, A., & Ramos Ñeñetofe, D. T. (2021). Genocide and Ecocide in four Colombian indigenous communities: The erosion of a way of life and memory. *The British Journal of Criminology* <https://doi.org/10.1093/bjc/azaa109>
- Greaves, W. (2018). Damaging environments: land, settler colonialism, and security for indigenous peoples. *Environment and Society*, 9(1), 107–124.
- Guzmán, T. D. (2013). *Native and national in Brazil: Indigeneity after independence*. Durham, NC: University of North Carolina Press Books.
- Hitchcock, R. K. (2001). “Hunting is our heritage”: The struggle for hunting and gathering rights among the San of Southern Africa. *Senri Ethnological Studies*, 59, 139–156.
- Hoffman, L. C., and Cawthorn, D. M. (2012). What is the role and contribution of meat from wildlife in providing high quality protein for consumption? *Animal Frontiers*, 2(4), 40–53.
- Hossain, K. (2008). Hunting by indigenous peoples of charismatic mega-fauna: Does human rights approach challenge the way hunting by indigenous peoples is regulated? *International Community Law Review*, 10(3), 295–318.
- Jacobson, A. P., Riggio, Jason, Tait, Alexander M., & Baillie, Jonathan E. M. (2019). Global areas of low human impact (‘Low Impact Areas’) and fragmentation of the natural world. *Scientific Reports*, 9(1), 1-13.
- Jacoby, K. (1997). Class and environmental history: Lessons from “The war in the Adirondacks”. *Environmental History*, 2(3), 324–342.
- Jacoby, K. (2003[2014]). *Crimes against nature squatters, poachers, thieves, and the hidden history of American conservation*. Berkeley, CA: University of California Press.
- Li, T. M. (2010). Indigeneity, capitalism, and the management of dispossession. *Current Anthropology*, 51(30), 385–414.
- Lynch, M. J., Fegadel, A., & Long, M. A. (2021). Green criminology and state-corporate crime: The ecocide-genocide nexus with examples from Nigeria. *Journal of Genocide Research*, 23(2), 236–256.
- Lynch, M. J., Long, M. A., Stretesky, P. B., & Barrett, K. L. (2019). Measuring the ecological impact of the wealthy: Excessive consumption, ecological disorganization and green crime and justice. *Social Currents*, 16(4), 377–395.
- Lynch, M. J., & Michalowski, R. J. (2006). *Primer in radical criminology*. Monsey, NY: Criminal Justice Press.
- Lynch, M. J., & Stretesky, P. B. (2012). Native Americans, social and environmental justice: Implications for criminology. *Social Justice*, 38(3), 34-54.
- Lynch, M. J., Stretesky, P. B., & Long, M. A. (2017). Blaming the poor for biodiversity loss: A political economic critique of the study of poaching and wildlife trafficking. *Journal of Poverty and*



- Social Justice*, 25(3), 263–275.
- Lynch, M. J., Stretesky, P. B., & Long, M. A. (2018a). Green criminology and indigenous/native peoples: The treadmill of production and the killing of indigenous environmental activists. *Theoretical Criminology*, 22(3), 318–341.
- Lynch, M. J., Stretesky, P. B., & Long, M. A. (2018b). Situational crime prevention and ecological regulation: A review and discussion. *Annals of the American Academy of Political and Social Science*, 679(1), 178–196.
- Marques, L. (2020). *Capitalism and environmental collapse*. New York: Springer.
- McKay, D. L. (2021). Real Indians: Policing or protecting authentic indigenous identity? *Sociology of Race and Ethnicity*, 7(10), 12–25.
- Moosavi, L. (2019). A friendly critique of ‘Asian Criminology’ and ‘Southern Criminology’. *The British Journal of Criminology*, 59(2), 257–275.
- Nurse, A. (2017). Criminalising the right to hunt: European law perspectives on anti-hunting legislation. *Crime Law and Social Change*, 67(4): 383–399.
- Peterson, M. N., van Essen, E., Hansen, H. P., and Peterson, T. R. (2017). Illegal fishing and hunting as resistance to neoliberal colonialism. *Crime Law and Social Change*, 4, 401–413.
- Read, Jane M., Fragoso, J. M. V., Silvius, K. M., Luzar, J., Overman, H., Cummings, A., Giery, S. T., & Flamarion de Oliveira, L. (2010). Space, place, and hunting patterns among indigenous peoples of the Guyanese Rupununi region. *Journal of Latin American Geography*, 9(3), 213–243.
- Rizzolo, J. B. (2021). Effects of legalization and wildlife farming on conservation. *Global Ecology and Conservation*, 25, 1–14.
- Robbins, P., & Luginbuhl, A. (2005). The last enclosure: Resisting privatization of wildlife in the western United States. *Capitalism Nature Socialism*, 16(1), 45–61.
- SaroWiwa, K. (1995). Nigeria in crisis: Nigeria, oil and the Ogoni. *Review of African Political Economy*, 22(64), 244–246.
- Shandra, J. M., McKinney, L. A., Leckband, Christopher & London, Bruce. (2010). Debt, Structural Adjustment, and biodiversity loss: A cross-national analysis of threatened mammals and birds. *Human Ecology Review*, 17(1), 18–33.
- Suarez, E., & Zapata-Ríos, G. (2019). Managing subsistence hunting in the changing landscape of Neotropical rain forests. *Biotropica*, 51(3), 282–287.
- Von Essen, E., Hansen, H. P., Nordström Källström, H., Peterson, M. N., & Peterson, T. R. (2014). Deconstructing the poaching phenomenon: A review of typologies for understanding illegal hunting. *British Journal of Criminology*, 54(4), 632–651.
- Wackernagel, M. (2004). *Assessment of Human Population Carrying Capacity Prior to European Influence and Trade of the Brittany Triangle and Xenigwet'in Trapline Areas in the Nemiah Valley, British Columbia (the "Claim Area")*. Accessed July 10, 2021. [https://www.footprint-network.org/content/images/article\\_uploads/First\\_Nation\\_Dec\\_2004.pdf](https://www.footprint-network.org/content/images/article_uploads/First_Nation_Dec_2004.pdf)
- Wall, T., and B. McClanahan. (2015). Weaponising conservation in the “heart of darkness”: The war on poachers and the neocolonial hunt. Pp. 221-240 in A. Brisman, N. South and R. White (eds), *Environmental crime and social conflict: contemporary and emerging issues*. London: Routledge.

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