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INDIGENOUS PEOPLES AND INDIGENOUS MOVEMENTS IN LATIN AMERICA AND THE WORLD

Jean Jackson

Langer, Erik D. (Ed.) with Elena Muñoz. *Contemporary Indigenous Movements in Latin America*. Wilmington, DE: Scholarly Resources, Inc., 2003. xxix + 220 pp. including references. $19.95 paper.

Maybury-Lewis, David. *Indigenous Peoples, Ethnic Groups, and the State*, 2nd ed. Boston: Allyn and Bacon, 2002. xiv + 146 pp. including references and index. $26.60 paper.

Sieder, Rachel (Ed.) *Multiculturalism in Latin America: Indigenous Rights, Diversity and Democracy*. New York: Palgrave Macmillan, 2002. xiii + 280 pp. including references and index. $29.95 paper.

The topic of ethnicity has been around in the social sciences for quite some time. However, until recently with some notable exceptions the scholarship tended to be mediocre, especially in sociology. For several reasons, not least the transformation of the world following the end of the Cold War, the topic now interests some of the best and brightest young scholars. These three books speak to a set of ethnicity issues of substantial interest in contemporary anthropology and related disciplines: identity, indigenous mobilizing, and the state. Latin Americanist work alone on these topics constitutes a virtual industry.

JEAN JACKSON is Professor of Anthropology and Head, Anthropology Program, Massachusetts Institute of Technology. Her research interests include ethnicity, indigenous movements, medical anthropology, and lowland South America. Recent publications include a volume she coedited with Kay Warren, Indigenous Movements, Self-Representation and the State in Latin America *(Austin, University of Texas Press, 2002); and* "Camp Pain": Talking with Chronic Pain Patients *(Philadelphia: University of Pennsylvania Press, 2000). Her article "Caught in the Crossfire: Colombia's indigenous peoples during the 1990s" appeared in* Identities in Conflict: Indigenous Peoples and Latin American States, *edited by David Maybury-Lewis (Cambridge: Harvard University Press, 2002).*

Address correspondence to Jean Jackson, Professor of Anthropology and Head, M.I.T. 16-241, 77 Mass. Ave., Cambridge, MA 02139, USA. E-mail: jjackson@MIT.EDU

INDIGENOUS PEOPLES, ETHNIC GROUPS, AND THE STATE, BY DAVID MAYBURY-LEWIS

Published in a series titled "Cultural Survival Studies in Ethnicity and Change," this well-written book introduces these subjects at a level suitable for undergraduates. It provides useful definitions, well-chosen cases, cogent analyses, and reasonable policy recommendations. Relevant terminology is succinctly discussed, often accompanied by a capsule history of how a word has changed over time. Also helpful is seeing all the major terms defined in conjunction with one another. Although this volume is a textbook and therefore not theory driven, it does present many of anthropology's theoretical contributions to the field.

The book addresses the question of why, contrary to expectations, the world's peoples haven't shed their premodern "primordial" loyalties to blood, soil, and religion and embraced the goal of becoming liberal, rational, secular citizens of a single global village. Enlisting the work of Anderson, Gellner, and Hobsbawm, Maybury-Lewis discusses how nineteenth century political philosophers and statesmen believed that modern state formation required that a country evolve into a single "nation," in the sense of a single "people." Obviously, the vast majority of countries are made up of more than one "nation," and Maybury-Lewis presents examples (among them Indonesia and Spain) of states' attempts to deal with their ethnically and racially diverse populations. His levelheaded recommendations of what states need to do to withstand external and internal pressures to deny ethnic and indigenous rights are unfortunately unlikely to be implemented in most of the countries experiencing ethnic conflict.

Maybury-Lewis endeavors to dissuade the reader from conceptualizing indigenous communities or ethnic groups as isolated, bounded cultures. The political, oftentimes geopolitical, context is everpresent in his discussion, not only where it obviously belongs (such as the current genocide in Sudan or the earlier ones in the New World perpetrated by the Spanish and Portuguese), but in every case he examines.

Maybury-Lewis argues that states ought to be "plural societies" whose citizens enjoy rights to cultural and ethnic distinctiveness, self-determination, and autonomy. The telling case of East Timor's resistance to Indonesian hegemony and the brutal repression it provoked demonstrates how great the price of continued resistance can be. The author argues that there are no easy answers. He explains why ethnic cleansing is so difficult to nip in the bud, and why more than education and appeals to the liberal and tolerant in all of us are needed if prevention is to be effective. Although replete with very discouraging accounts of oppression of indigenous, racial, and ethnic minorities, the book's tone is cautiously optimistic, rather than despairing.

In sum, this second edition of the book (the first was published in 1997) for the most part accomplishes the task it sets itself: introduce readers to the issues, provide useful definitions and discussions of the most important terminology, and offer well-chosen, concise case histories that illustrate how complex these matters are and how easily simplistic generalizations can seriously distort the reality, motivated, as they so often are, by ideological agendas.

Some minor criticisms must be made. As Ann Stoler (1997) and Joane Nagel (2003) have argued, race and ethnicity are always gendered and often sexualized—topics virtually absent in this book. The text refers to a map inside the back cover that appears to have been moved to inside the front cover. We are provided with maps of the former Soviet Union, South East Asia, and Central and North Africa but, oddly, no map of the Western Hemisphere to aid the book's discussions of Mexico and Brazil. Discussions of several cases need to be updated; for example, there's no information about what has happened since the San Andrés accords were signed in Chiapas, Mexico in 1995 (pp. 16–17).

INTRODUCTION TO THE SEIDER, AND THE LANGER AND MUÑOZ BOOKS

The books edited by Rachel Sieder, and Erik D. Langer with Elena Muñoz address very similar subjects—the activism and organizing that emerged during the 1980s and 1990s in virtually all Latin American countries with indigenous populations—and I will now speak largely to them, bringing in the Maybury-Lewis volume when the discussion warrants. Rather than describe each chapter separately, I will address the major themes, discussing each author's contribution as I go along.

Focusing on Mesoamerica and the central Andes, the Sieder collection looks at the new legal frameworks that followed democratic reform. The chapters explore (1) representation and autonomy, (2) legal pluralism and human rights, and (3) poverty and social justice. Following an Introduction by Sieder, Rodolfo Stavenhagen provides a valuable overview of relations between indigenous peoples and the state. Donna Lee Van Cott's astute survey of constitutional reform in Andean countries is followed by Xavier Albó's chapter on the history of indigenous organizing in Bolivia, its high quality due in part to the author's long familiarity with Bolivian indigenous politics and in part to his sharp analytical abilities and ironic humor. It is in turn

followed by Demetrio Cojtí Cuxil's close reading of negotiations that took place during meetings between indigenous and state representatives on educational reform in Guatemala. Guillermo de la Peña discusses a fascinating case of intracommunity conflict among the Huichol of Western Mexico that involved issues of social citizenship, ethnic minority demands, and human rights; it is followed by Raquel Yrigoyen Fajardo's assessment of how postreform Peru's "pluralist constitution" struggles to engage a "monist judiciary." Sieder's chapter compares Guatemala's and Mexico's attempts to insert indigenous law into the state legal apparatus, and Roger Plant's very useful overview, accompanied by well-chosen illustrations, examines economic and agrarian dimensions of multiculturalist approaches to development. An employee at the World Bank, Shelton Davis, discusses the Bank's policies with respect to poverty and indigenous "participatory development" in Latin America. The last chapter, by Nina Laurie, Robert Andolina, and Sarah Radcliffe, contains detailed ethnographic description and analysis that help the reader understand the complicated politics of multiethnic policies for water reform in Bolivia.

The Langer and Muñoz collection presents a more diverse coverage. The first section, on land rights, contains a chapter by Emilienne Ireland on the Brazilian Wauja's struggles to defend their territory nonviolently; and Mario Sznajder's chapter on Chile's Mapuche looks at ethnodevelopment and democratic consolidation. Four chapters comprise the next section, which deals with indigenous political participation. Leon Zamosc looks at agrarian protest in Ecuador's indigenous movement, and Erin O'Connor, also writing on Ecuador, focuses on indigenous political participation at the national level. Silvia María Hirsch compares Guaraní mobilizing in Bolivia and Argentina, and René Harder Horst discusses the struggles of Paraguay's indigenous peoples. The next section, on indigenous mobilizing in the context of violent conflict, contains a contribution by Orin Starn about Peru's *rondas*: self-defense organizations that arose during the extremely violent period when *Sendero Luminoso* ("Shining Path") guerrillas and the state's anti-insurgency campaign posed grave threats to the country's Andean population. It is followed by Kay Warren's discussion of pan-Maya activism during and after Guatemala's bitter civil war. The final section contains texts by indigenous activists Marta Silva Vito Guaraní (Brazil), Davi Kopenawa Yanomami (Brazil), Luis Macas (Ecuador), Nina Pacari (Ecuador), Felipe Quispe Huanca (Bolivia), and R. Marhikewun (Chile). A helpful list of internet sources is the very end; let's hope they remain current for several years.

A number of these chapters have been published already (Ireland's in 1990, Warren's in 1998, Zamosc's in 1994, and Synajdir's in 1995), and in some cases—Ireland's and Zamosc's, for instance—so much has happened subsequently that the discussions are now mainly of historical value. Some of the short pieces in which indigenous leaders speak are also old (Kopenawa Yanomami's in 1992; Macas 1994; Pacari's is not dated), and although the brief introductions to each leader's text are useful, we need more information in a couple of them. For example, we are told nothing about Ecuador's Center for World Indigenous Studies.[1]

The Democratic Transition in Latin America

Political liberalization during the 1980s and 1990s throughout Latin America resulted in a reduction of repressive state responses to indigenous demands, opening up space for broader organization and more inclusive claims. Latin American indigenous movements have given the lie to conventional paradigms that delegate roles to indigenous communities solely as victims or survivors of state violence. Although unfortunately bloody struggles over land rights and similar issues have not disappeared, the terms of engagement have changed in many instances, involving new forms of struggle and new kinds of responses. Most Latin American countries have moved toward a pluralist conception of the nation, a notion that once enshrined in the new constitutions demanded a respect for the autonomy of indigenous institutions never before imagined. Constitutional reforms were passed in Guatemala, Nicaragua, Brazil, Colombia, Mexico, Paraguay, Ecuador, Argentina, Bolivia, Peru, and Venezuela (Sieder, p. 201). Prior to the openings that fostered democracy and multiculturalism, the aim in all countries was to assimilate their indigenous populations, transforming any difference into historical memory, museum exhibits, and folklore performances. But the democratic transition promoted policies favoring inclusion of indigenous peoples in the national political process while also encouraging them to remain distinct.

International laws, in particular treaties and covenants, encouraged states to recognize and promote the interests of their minority populations. Indigenous organizations gained official recognition partly due to the legal leverage provided by the 1989 International Labor Organization's Indigenous and Tribal Peoples Convention 169 and other international legal agreements. Transnational organizing itself has opened up new opportunities to influence national legislative agendas and to work with nongovernmental organizations

(NGOs) concerned with the development or human rights, which only recently have come to see indigenous peoples as clients.

While the reforms did significantly alter the relation between indigenous communities (henceforth *pueblos*) and nonindigenous institutions, these books show how much remains to be done. In several key areas the resulting documents at times are vague and ambiguous, sometimes deliberately so.[2] Also, changes that occur on paper do not necessarily occur in actuality.

According to Van Cott (1994), the following features characterize the goals of Latin American indigenous movements in general: self-determination and autonomy, with an emphasis on cultural distinctiveness; political reforms that involve a restructuring of the state; territorial rights and access to natural resources, including control over economic development; and reforms of military and police powers over indigenous peoples.

The Larger Context

The reforms occurred in a world in which the Cold War was ending and neoliberal policies and structural adjustment measures were being championed as a solution to the fiscal, legitimacy, and governability crises faced by so many Latin American countries. A main goal of neoliberalism is to decrease the role of the state, arguing that privatization and decentralization will result in a government that is less corrupt, less bloated, and less dependent on clientalist relations to get things done.

As Alvarez et al. (1998) point out, implementation of structural adjustment policies requires a concomitant "social adjustment" (p. 22), which includes movement toward a more participatory civil society that will take up the slack. Appeals to diversity, to a pluralist state in which everyone participates, furthers this "social adjustment" goal. It should not be surprising, then, that in some cases neoliberal models and policies have favored pueblos' agendas. According to Sieder, "state recognition of cultural rights has provided a new idiom for claims to collective entitlement, in turn encouraging strategic essentialising by indigenous activists and groups, whose appeal to tradition and community resonates with neoliberal discourses on community solidarity and social capital" (p. 18).

However, decentralization as such does not empower or enhance pueblos' participation in civil society. Furthermore, although some countries have established some form of "safety net" to ease the burden of structural adjustment on the poorest sectors; in general, public services have been so drastically cut and the elimination of price

supports and subsidies for the agrarian sectors has had such a powerful impact that such "softening the blow" programs do not take up the slack. These "minimalist"—"lean and mean"—governments are criticized by Stavenhagen for their "barefaced retreat from positions [that were] won earlier" (p. 41). The protests in Cochabamba following Bolivia's decision to privatize water delivery, discussed by Laurie, Andolina, and Radcliffe, are one of the many mass demonstrations in Latin America that have protested governments' invitations to multinational capital to conduct what are perceived as land or subsoil resource grabs. Dramatic mobilizations against oil exploitation in Ecuador's Oriente province are another example (see Sawyer, 2004).

Relations Between Pueblos and the State and the Construction of Indigenous Identity

A number of authors address the issue of how indigenousness is to be defined. Although indigenousness in Latin America does not face some of the definitional problems that arise elsewhere in the world, what it means is by no means fixed. An assumption is often made that "indigenous" simply refers to groups that can establish that they are descended from people who were the first to inhabit a particular territory, but such is not the case. Maybury-Lewis's criteria include a marginalized status, a requirement to struggle in order to maintain cultural distinctiveness (or, conversely, cultural distinctiveness that functions primarily to permit exploitation), dispossession, and other forms of oppression carried out by majority societies, both colonial and postcolonial.

States have found that in the face of the debates surrounding the constitutional reforms they can no longer unilaterally declare who is indigenous without being seriously challenged. All three books note an increase in the use of subjective criteria of "self-perception" or "self-definition" (Plant, p. 212) to determine indigenous identity, rather than relying on external, "objective" criteria.

The general strategy in indigenous mobilizing in Latin America has been to create political space for groups to make claims on the basis of being a distinct "people" rather than on the basis of minority rights. *Inherent* rights, based upon a claim of having been in a location before anyone else, are stressed. In general, the earlier kind of appeal based on minority rights (which characterized indigenous mobilizing in the 1970s and early 1980s) has been avoided because of its assimilationist implications; in contrast, an inherent rights argument strengthens claims to autonomy and self-determination. Appeals targeted at states' liberal self-conceptions have evolved into

appeals based on notions of otherness: indigenous communities have come to recognize that in order to succeed with their political agendas they need to be seen as "other"—that it is in the performance of otherness that they gain the authority to speak and be listened to. Some countries have witnessed an increase in the use of *pueblo*, meaning "people," rather than "indigenous," in part because pueblo signals a political discourse that tries to construct the movement as a coalition of cultural groups as opposed to a category of oppressed people suffering from discrimination based on their ethnicity or race. Such discourses are constantly contested and negotiated, at times producing contradictions discussed by many of the authors. One particularly thorny issue has to do with the terminology used to designate the distinct groups. Maybury-Lewis provides a helpful discussion of the implications of speaking of "peoples" as opposed to "populations." De la Peña notes that it is not clear in Mexico whether indigenous *peoples* as such are legal subjects (p. 134). R. Marhikewun points out that because the Chilean constitution does not recognize them, Mapuche are technically nonexistent (p. 215).

Overall, this strategy has been remarkably successful. However, it has not succeeded everywhere, and it comes at a price. At times the emphasis on cultural difference has relegated discourses against racial discrimination and social and economic exclusion to the back of the bus, resulting in problems for indigenous communities who can no longer perform cultural difference via language, ritual, etc., as well as for Indians living in urban areas and for Afro-Latinos.

In sum, the nineteenth century project to ensure that nation and state share coterminous boundaries has not disappeared, but it has been powerfully challenged in numerous ways and in numerous venues. States have become "increasingly porous as the boundaries between the state and society change [in an] increasingly plural and transnationalised international context" (Sieder, p. 201). States increasingly share the stage with suprastate entities. The meanings of citizenship and civil society, always dynamic, have become even more fluid. Several countries have granted members of indigenous *pueblos* what scholars call "differentiated citizenship," or "ethnic citizenship," a special status in addition to that of regular citizen (Seider, p. 186; also Plant, p. 213). Perhaps "positive discrimination" is the best descriptor of this status, as the argument is made that differential treatment for historically discriminated and marginalized groups is necessary in order for them to attain equal citizenship—the classic affirmative action position.

The arrival of multiculturalism played a role in transforming a stigmatized indigenous identity into one often seen to possess a moral

capital sorely lacking in western society. We can speak of indigenous identity itself having become a strategy, a political opportunity structure—which does not mean that it somehow has lost its cultural and historical content. What indigenous identity means, never predetermined, becomes much more unstable as all actors repeatedly modify their discourses in response to multiculturalism's new role and the shifting terms of engagement. Pueblos have come to be seen by some sectors of society to represent legitimacy, democracy, and accountability, a moral reproach to status quo hegemonic institutions like the state and the church. Indigenous leaders, noticing the potential value of the symbolic and political capital attained through this resignification of "indigenous," increase their efforts to revive and strengthen their own institutions. Groups that previously faced acute pressures to assimilate have discovered an important rhetorical move in the concept of "renewal"—the assertion of a common past, suppressed and splintered by European colonialism and the emergence of modern liberal nation-states. Such renewal is seen to reunite the past with the present in a politically significant manner. An example of the evolution of pueblos' constructions of indigenousness is the reindigenization in communities that had traded their indigenous identity for a campesino one, as occurred in parts of Ecuador, Peru, and Bolivia. Plant's chapter (p. 209, ff) provides a useful comparison of several cases.

If successful claims to a core, intrinsic, valued indigenous identity increase the likelihood that a pueblo's demands for autonomous jurisdiction will be met, and if discovering that claiming certain rights due to one's distinct, valorized cultural identity is found to aid efforts to reclaim land and other resources, pueblos will work to establish such claims and regularly validate them by engaging in customary practices and traditions. Such self-representation via performances of cultural distinctiveness can be seen to be making "essentialist" claims.[3]

The meaning of indigenous has become strongly linked to identity over the last three decades, necessitating changes in the way land claims are argued. Territory in many Latin American countries has come to be seen in a rather comprehensive way: as land, yes, but also as the underpinnings of self-determination, a "fundamental and multidimensional space for the creation and re-creation of the social, economic, and cultural values and practices of the communities" (Alvarez et al., 1998, p. 20). According to Sieder, pueblo autonomy generally includes land, resources, and normative and administrative space (p. 7). Securing collective land rights has proved more likely when pueblos successfully convince government bureaucrats and

the courts of the validity of indigenous understandings of native identity and practices.

Attention to internal self-definitions reveals the flaws in the traditional/modern dichotomy. Starn, for example, judiciously critiques García Canclini's analytic model based on this opposition. Laurie, Andolina, and Radcliffe argue that indigenous identities in Bolivia are being reconstituted in non-dichotomous terms, neither wholly modern nor traditional (p. 253). Plant's concise discussion of the debate over whether indigenous identity should be seen as based in a particular economic system, or in a relationship with the land and environment, also points out the problems with standards based on "traditional" behavior (pp. 212–214). Hirsch's chapter describes the complex interactions between Bolivian and Argentinean Guaraní, illustrating how Latin America's native peoples are increasingly to be seen as—paraphrasing Stefano Varese–transnationalized, urban, proletarian, bordercrossing, bilingual and trilingual, and professional (p. 99). Cojti Cuxmal and Warren also provide examples of an emerging urban, cosmopolitan, and professional class of Mayas.

De la Peña's discussion of a community experiencing conflict between Huichol traditionalist Elders and Evangelical Protestants illustrates one way communities negotiate identity. The Evangelicals refuse to participate in certain community activities required by the traditionalists, who then insist that the Evangelicals have to leave. The Evangelicals argue in favor of a notion of "culture" significantly different from that of the Elders. We are party to explicit and heated discussions of just what constitutes "essential" Huichol identity: what do members need to *do* to affirm (and reaffirm) their right to be considered Huichol?

Nina Pacari, a deputy in the Ecuadorean National Congress, addresses self-definition and self-representation as well; for her, danger lies in the homogenizing reductionism of self-referencing as "indigenous peoples." She favors developing collective identities like Shuar and Quechua (p. 204).

In some countries the alliances being forged between indigenous organizations and Afro-Latino communities inform us not only about effective strategies for coalition building but also about how ethnic and racial identity is constituted and reconstituted in struggles over land. Davis (p. 242) mentions problems that arose in a World Bank project due to inadequate assessment of potential conflicts between the various ethnic and racial groups along the Pacific Coast region of Colombia.

Several authors discuss the disputes about "authenticity" that often result from the emphasis on cultural renewal. When culture

becomes a form of empowerment, mobilizing around that empowerment may seem fraudulent precisely because it is politicized. Challenges made to indigenous individuals and communities take the form of claims that they are "no longer indigenous" because of their "untraditional" behavior. Hirsch provides an interesting variant on the theme of a state's challenges to a group's authenticity (and hence legitimacy): the Argentine government unproblematically agrees that its Guaraní citizens are indigenous, but says they are so influenced by Bolivian Guaraní that their status as Argentineans has been compromised.

Opposition from the dominant society can paradoxically strengthen development of a national indigenous consciousness. Horst shows how the extremely difficult struggle during the Stroessner regime in Paraguay helped indigenous activists identify themselves as a concerted lobby bloc opposed to an economic and social agenda that ignored their concerns (p. 127). And O'Connor notes that while resistance has a long history in Ecuador, earlier strategies were primarily reactionary, lacking long-term, widespread, or alternative solutions to oppression. Here, too, the development of national and even transnational strategies resulted in part from frustration following unsuccessful local actions (p. 75). Political mobilizations that were able to unify highland and lowland populations in national protests, notably in Bolivia and Ecuador, profited from reaching international as well as national audiences.

Yrigoyen's analysis helps readers understand the forces that have mitigated against indigenous organizing at the national level in Peru. Government attempts to root out Sendero Luminoso included brutal suppression of any form of organizing. While Peru did move closer to a formal democracy in the 1980s, authoritarianism predominated in the 1990s, which meant that despite the constitutional reforms of 1993, no significant social mobilization of any kind at the national level arose to make sure they were implemented (p. 175). Starn also documents the climate of fear that permeated the northern Peruvian countryside during the period when insurgents and government forces were exacting a high toll of death and displacement on the civilian population.

Also addressed by several authors are choices made by leaders to operate within, as opposed to totally outside, the system. By participating in politics at municipal, regional, and state levels, indigenous organizations and leaders have moved, as Yrigoyen (p. 158) points out, from being exclusively objects of policy to being political subjects. Albó differentiates between leaders who are achieving real gains, leaders who are overly interested in raising their own

political profile, and leaders who are making unfortunate decisions due to lack of experience and less-than-optimal role models (p. 93). Cojtí Cuxil's equally fine analysis (worth reading in spite of the numbing acronyms—an occupational hazard of this kind of scholarship) deals with weaknesses that emerged during a Mayan delegation's meetings with a government delegation. The weaknesses resulted from a lack of professional qualifications, contacts, and resources, as well as insufficient access to Ministry of Education data (p. 113). He also describes the delegation's lack of understanding of political rhythms that were dictating the government delegation's actions (p. 121), in particular when general elections were on the horizon. Several authors, among them Macas and O'Connor, discuss alliance-building with nonindigenous sectors like labor unions, and ecological and human rights groups.

Unlike some of the cases discussed by Maybury-Lewis, in general Latin American indigenous claims to self-determination and autonomy do not include secessionist projects, even though some indigenous intellectuals will argue that that right must never be ceded. Despite oft-expressed fears about a shattered Humpty-Dumpty nation ("Balkanization"), indigenous activist rhetoric and practices have for the most part emphasized other goals and made other demands. "Jamás un México sin nosotros!" (never again a Mexico without us!) expresses the position taken by most indigenous activist organizations. Complaints tend to decry an absent state, a rejecting, exclusionary state, a state run by oligarchs who enthusiastically attend to international capital but ignore the poor. As Zamosc points out, Ecuadorian natives protesting integration were rejecting the agenda of cultural homogenization embedded in it, not rejecting integration per se (p. 55). Warren points out that Mayas who challenge the current Guatemalan model of "national culture" (p. 171) do not necessarily reject the notion of a unified Guatemala. The impressive *levantamientos* (uprisings) in Ecuador and Bolivia were the opposite of secessionist; their platforms critiqued governmental willingness to sell a country's patrimony to foreign interests, and protested governmental indifference to the consequences of structural adjustment squeezes on sectors of citizens who could least withstand it. We could even say that these discourses express a form of nationalism and patriotism; while they certainly contest state power, especially when corrupt and incompetent, some of the most effective speeches and position papers coming out of the movement are populist in nature, and make inclusive arguments in favor of putting the nation (a multicultural one of course) first and foremost.

Customary Law

Indigenous campaigns to achieve juridical autonomy in Latin America are particularly interesting. From the colonial period on, indigenous communities were granted a degree of autonomy to run their internal affairs. Following the recent reforms, however, several countries undertook an experiment to explicitly repudiate assimilationist policies targeted at total integration of indigenous pueblos and to create an interface between positivist Western law and indigenous legal systems. Sieder points out that such arrangements do not involve a face-off between Western law and indigenous law, for there is no single coherent body of Indian customary law, no self-contained separate legal system parallel to state law (p. 39). These legal reforms allow local authorities much more latitude than before, in particular to adjudicate criminal cases, with the proviso that certain fundamental rights be observed (no executions, torture, or banishment). Contrasting Peru's "pluralist constitution and monist judiciary," Yrigoyen compares that country's constitution with those of Colombia, Bolivia, and Ecuador. She finds internal contradictions in the sections on indigenous authorities' right to judge, detain, establish sanctions, and punish. For example, is detaining and forcing someone to work a crime against individual liberty, or the legitimate act of *ronda* authorities (p. 174)? Stavenhagen describes how Colombia's Constitutional Court has promoted indigenous juridical autonomy to the greatest extent in the region by allowing the constitutional confirmation of the country's status as a multicultural and pluri-ethnic nation to be actually instantiated in a range of judicial decisions that support local judgments based on world views and cultural practices that are at times simply incommensurate with Western culture (p. 33).

Specific rulings employing customary law are sometimes disputed within indigenous communities themselves, resulting in individuals appealing their sentence by turning to Western courts. When local decisions are accused of being discriminatory, authoritarian, or intrusive into private space, the confrontation between two very different legal systems can be fascinating to observe. As Stavenhagen points out, this kind of serious negotiation and renegotiation always reflects changing political and economic circumstances (p. 39). Put another way, "legal pluralism should be seen as a plurality of continually evolving and interconnected processes enmeshed in wider power relations" (Sieder, p. 201). An incompatibility between liberal Western concepts of universal human rights and culture-specific collective rights is often the nub of the problem. Sieder cites Kymlicka's (1995) argument that as long as an individual can leave a

community, certain restrictions on individual freedoms within it are justifiable. The basic argument allows the curtailment of individual rights when they are perceived to threaten the cultural integrity of the group as a whole. Stavenhagen goes further, offering the proposition that the recognition of group rights may be seen as a condition for the enjoyment of individual rights—but he concedes that such a novel idea is difficult to integrate into Latin America's legal systems (p. 37). Examples of such restrictions include Sieder's discussion of individuals being prohibited from selling their land, and de la Peña's analysis of the Huichol conflict. Sieder mentions the issue of nonindigenous interests manipulating customary law to their benefit, discussing how Mexico's PRI (Partido Revolucionario Institucional) increasingly used the new legal framework to repress any practices that contested the party's dominance (pp. 196–197).

Several authors discuss the place of gender equality in customary law. Starn describes the role Peruvian highland indigenous women are supposed to play as traditional culture placeholders for their pueblo. Citing the work of Marisol de la Cadena (2000), he shows how women are considered to be "more Indian" because they are less likely to speak Spanish or travel to urban centers, and more likely to wear traditional dress and be assigned duties that are seen as more traditional—all of which results in a second-class status for women and "the female" in Andean societies (p. 150). He concludes that "the *rondas* remain caught within the disturbing logics of sexism, corruption, and bossism, and within a neoliberal offensive" (p. 156). Sieder comments that finding a balance between communal rights and individual rights connected to gender equality, religious freedom, and property rights tends to be particularly contentious (pp. 11–12).

International Actors and Development

Indigenous claims can become linked to geopolitical conflicts. Maybury-Lewis's examples include the Kurds and the Rwandan genocide. The Zapatista rebellion in Chiapas following the signing of the North American Free Trade Agreement (NAFTA) in 1994 has been described as the first campaign to raise substantial international support via e-mail communiqués. Unfortunately, "domestic" disputes that become international can result in communities finding themselves militarized, as happened in Nicaragua's Sandinista-Atlantic coast dispute that became part of the contra war. At other times communities are simply caught in the

crossfire; in Colombia, entire pueblos are being wiped out in a conflict in which international actors, in particular the U.S., play major roles.

International donors' frequent interest in strengthening alternative forms of dispute resolution (Sieder, p. 201) helps create opportunities to establish the legal pluralism discussed above. Certainly the international donor funds that tied aid disbursement to implementation of the peace agreements in Guatemala helped ensure the recognition of customary law, weak and ambiguous though it may be (Sieder, p. 198). International aid has helped in land titling and preservation in Nicaragua, Paraguay, Colombia, Brazil (Ireland, p. 7), and elsewhere. Such international support can also be used to embarrass states that are dragging their feet in some way. Hirsch (p. 83) points out that an additional benefit of indigenous people operating in a global context is to counter images of them as on the periphery, untouched by modernity.

Horst's chapter on the indigenous struggle in Paraguay illustrates many of the dangers ill-conceived development can pose to indigenous communities. The informative chapter by Laurie, Andolina, and Radcliffe outlines the politics that produced a very poor fit between the Bolivian state's water and land tenure programs. Horst, Davis, and Plant discuss ways in which supra-statal organizations such as the World Bank have encouraged changes in development policy to better benefit a country's pueblos. Both Plant and Davis discuss what enlightened development might look like: USAID forest reserve planning is one example, the program for *Desarrollo Sostenible de Kuna Yala* (Sustainable Development of the Kuna community) in Panama another. It seems to me that programmatic statements about ethnodevelopment like Davis's do not invite a true re-examination of the dominant development paradigm. All too often the goal is either to encourage pueblos to participate in business-as-usual capitalist development, or else to increase their ability to withstand its depredations.

Authors in both books point out the necessity of being careful not to pigeonhole pueblos into "outdated...localised, rural and self-sufficient indigenous economies" (Sieder, p. 19). Plant makes the useful observation that "most of Latin America's indigenous communities have generally sought a high degree of *external* market participation, while maintaining *internal* land tenure arrangements that can act as a defensive mechanism against encroachment by outsiders." (p. 222, emphasis in original).

When indigenous peoples are stereotyped as the preservers of biodiversity, changes in traditional patterns may jeopardize the

legitimacy of territorial claims. In their pursuit of distinctive visions of development, indigenous people will be unduly restricted when they must conform to Western images of them as instinctively superior ecologists. This particular representation of Indians as Nature itself also tends to disenfranchise the large majority of indigenous peoples (70%) who are poor highland peasants (Brysk, 2000, p. 6) and the many more who are uncounted urban dwellers. If, as Albert (1997) argues, the market value of "indigenous identity" results in the marginalization of groups seen to be less traditional, then indigenous citizenship will become indexed to an "identity rent," and new forms of dependency and clientelism will result. That the patrons would be international lending agencies and NGOs rather than traditional party politicians is no guarantee a pueblo would ultimately benefit.

The Future: Potentials and Problems

We can rejoice that predictions about the inevitable disappearance of indigenous people have proved to be untrue. Their seemingly unavoidable disintegration and assimilation failed to happen because local, regional, and national organizations fought and lobbied on many fronts, and numerous communities engaged in cultural revival and recovery projects. In addition to traditional forms of protest such as land repossessions and mass demonstrations, indigenous groups availed themselves of laws, enlisted sympathetic allies, worked with national and international NGOs, and appealed to supra-statal organizations like the United Nations and the Interamerican Court to pressure states to implement the various international covenants and conventions to which they had been signatory.

Clearly, much progress has been made in recognizing the rights of people to retain a culture distinct from that of the dominant society. However, all authors indicate difficult times ahead. Maybury-Lewis concludes that genocide is not abating one whit; indeed, in terms of numbers of people killed, it seems to be a plague that hit the 20th century especially hard. Stavenhagen notes that while we should celebrate gains, the struggle for indigenous rights has barely begun, and in the future the going will be rough. Indigenous leaders have not been able to agree on short-term and medium objectives. Also, poorly considered actions taken by some leaders have displeased some potential sympathizers, and all too often truly effective political strategies have not been developed (p. 34). Langer and Muñoz mention how Bolivian indigenous leader Quispe Huanca's insistence

on Aymara cultural hegemony and historical importance weakened his support base in the southern and eastern parts of the country (p. 205). In addition, opponents continue to organize and mount counteroffensives. In countries like Paraguay, indigenous people have been labeled as enemies of the state, and in Guatemala indigenous organizing is still seen by some to be a project that promotes racism and class/ethnic conflict (Warren, p. 170). Arguments are advanced in several countries that international "agitators" are the real decision makers, brainwashing local communities into betraying their own country. This argument was one way of countering Brazilian pueblos' successful protest against a massive hydroelectric project in Altamira in 1989.

Although the amount of territory inalienably and collectively owned by Indians has increased in several countries, huge problems remain. Colombia has ceded vast areas to lowland groups, but in the more productive highland areas the situation is often dire, and Van Cott notes the failure of three successive governments to establish the Indigenous Territorial Entities mandated by the constitution (p. 52). In Mexico the revised 1994 proposal to establish regional autonomy for ethno-linguistic communities does not link it to actual territory; only the right of pueblos to decide their destiny as peoples is mentioned (Sieder, p. 195). A later agreement signed in 1995 also leaves questions of territorial jurisdiction unresolved.

The violent conflicts involving indigenous communities are a continuing worry. Not too long ago armed indigenous insurgents played very visible roles in Peru, Colombia, Guatemala, and Mexico. Indigenous communities can come to be seen as subversives because they are poor, they live in rural areas, and they mount public demonstrations against a neglectful or exploitative state. Accusations detailing pueblo subversion can serve elites' self-interest in maintaining "the traditional source of cheap labour and political supporters in well-oiled systems of client-patron relationships" (Stavenhagen, p. 37), or ensure that zero resistance will greet mega-development projects exploiting subsoil, forest, or hydroelectric resources. Such accusations are often accompanied by the claim that ethnic revitalization projects are impeding the country's journey toward modernity.

Another problem is the tendency on the part of both pueblos and the state to reify identity. Although a pueblo's claim to self-determination does not in principle require it to freeze-dry its traditions, this is a common response to criticism that a particular set of behaviors is nontraditional and therefore inauthentic. Because performances of identity to vindicate collective indigenous identity claims increasingly

occur under overtly politicized conditions, if funders are shocked to discover that the indigenous organizations they are supporting do not exactly resemble the stereotype, an authenticity standard—a thoroughly western concept—may be invoked to justify withholding funding.

Clearly, the romantic view of pueblos as cohesive and consensus-based collectivities can be sustained only from a distance. Any indigenous community will be riddled with conflicts—some ongoing and others resolved but not forgotten—as well as factions, hierarchies, and decision-making mechanisms that exclude and marginalize some members. It will, in short, display values and actions that are anything but fair, democratic, or egalitarian, as defined and valorized in the west. (Western institutions and values are no less conflict-ridden and are certainly more exclusionary.) How to represent such conflicts without giving ammunition to enemies who do not have a given pueblo's interest uppermost in mind is often not at all evident to either the pueblos or their nonindigenous allies.

Ideally, Latin America's indigenous peoples will have the space to transform their cultures (and hence their identities) selectively, according to their own customary law and de facto realpolitik. Just how indigenous customary law is to best interface with codified positive law, including determining what compromises are absolutely necessary, points to the danger of imposing Western legal premises and procedures on systems that are anything but codified. Such systems rely on methodologies like shamanic consultations that differ fundamentally from Western notions of justice, due process, and conflict resolution.

Other potential threats include a disruptive stratification within the movement and within the communities themselves. "Rights" granted to pueblos can strengthen the sectors already possessing power and weaken the position of subordinates. A hopeful trend mentioned by Sieder involves marginalized sectors within indigenous communities in Chiapas—such as women—beginning to "refashion and reclaim 'tradition' in order to advance their own demands for greater participation and independence" (p. 193). In order to establish optimal legal systems in multicultural societies, Sieder recommends that certain basic principles of justice, for example, gender equality, accompany the flexible leeway given to pueblos in their interpretations of socio-legal concepts like due process (p.13). Sensitive, intercultural approaches that pay careful attention to the circumstances and context of each case are best, which will require "a profound adjustment of legal thinking and practice" (p. 13).

FINAL COMMENTS

The books reviewed here raise all sorts of theoretical questions. Under what conditions is ethnicity activated? Under what conditions is conflict, including the violent kind, most likely to erupt, either intracommunity or between pueblos and nonindigenous actors like the state? When is armed conflict on an international scale, illustrated by the Zapatistas and the contra war, most likely to develop, and are we analyzing such conflicts as comprehensively as we can? What are the conditions under which Afro-Latino politics looks like indigenous politics, and those under which it does not? Can we improve our theorizing of community? Several scholars have suggested that the concept still carries enough romantic baggage so as to preclude rigorous analysis of actual communities. This would seem particularly true for indigenous communities, which are all too often held to an impossible standard.

Just as pueblos should not be required to "freeze-dry" their traditions in order to retain legitimacy during their interactions with governmental and parastate institutions, so should we researchers not "freeze-dry" indigenous movements into rigid categories in our attempts to analyze their differences. For instance, it is not uncommon to see indigenous "separatists" unexpectedly join mainstream political parties to press for cultural rights, forge surprising alliances (for example, with the Ecuadorian military), or sponsor intercultural curriculum reforms in the public schools.

Finally, we always need to keep in mind that the indigenous/nonindigenous divide is never unproblematic. This does not deny that such a division exists. It does mean that we must constantly resist seeing it as a natural, straightforward, uncomplicated division. In particular we should be mindful that presenting airbrushed images of homogeneous, harmonious, eco-wise indigenous communities can be counterproductive in the long run.

NOTES

1. The volume could have been more carefully edited as well. Three examples: the authors' use of "indigenist" is not consistent; Horst speaks of "marginated" people (p. 114); and Hirsch needs to provide the full name of Ecuador's ECUARUNARI, and Colombia's CRIVA (p. 85).
2. See Assies, et al. (2000, p. 297).
3. Essentialism refers to discourses of enduring, irreducible commonalities that are seen to naturally bind people together (Warren and Jackson, 2002, p. 8). Warren's chapter notes certain Maya intellectuals' position that Maya share a common consciousness, an essence that perdures even though "dress, religion, language, work and the region where one lives," might change (p. 173).

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