

**INDIGENOUS INTELLECTUALS AND ACTIVISTS:
FROM SOCIAL JUSTICE TO HUMAN RIGHTS**

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INTRODUCTION

Outside the main entrance at the Palais des Nations in Geneva, in July of 1997, indigenous peoples from all over the world, wearing their regalia, were gathering quietly. Many non-governmental organizations and journalists were also there. The ambience was festive and colorful. The occasion was a symbolic march to signify years of indigenous presence at the United Nations, especially in the Commission of Human Rights. This was the first cultural and political event that introduced me to one of the most important sites of the international struggle for indigenous rights.

In this talk, I would like to reflect briefly on the lessons of doing fieldwork at the United Nations. In particular, I will discuss how a study of this international organization, and of the official and alternative discourses and rhetoric generated in it,

can help us understand the concept of “indigenous-ness” as a political strategy to seek rights and justice, based on cultural difference and on contested “traditional” criteria that give indigenous peoples authenticity, rootedness, and gate-keeping roles. But first, I would like to note that my ethnographic research presented various challenges because of its uniqueness and novelty. On the one hand, despite the recognition that our concept of culture cannot be studied as something fixed and encapsulated within a community, in today’s global world, anthropologists are still forced to limit their inquiries at the local or regional levels. My firm conviction that a local culture is shaped significantly at the “centers” by the practices of the “margins” has led me to design a multi-sited ethnography guided by the travels and itineraries of indigenous intellectuals/activists. Obviously, the lack of funding does not allow graduate students to travel to all the international sites where indigenous peoples are constructing discourses, devising strategies, making alliances and learning from others. In order to correct this problem, I decided to make a longitudinal study of one international forum—in this case the UN Working Group on Indigenous Populations —over a period of at least five years. In Mexico, I followed for a period of two years a small number of informants—who have participated at the UN—to local, regional and national meetings and events. On the other hand, as I will explain, the kinds of struggles in which indigenous activists are immersed pose a challenge to post-modern critiques in anthropology which seek to de-essentialize the concept of culture.

In the following section, I will describe some of aspects of the indigenous march into the United Nations. It will help us understand how the performative aspect of

identity politics can reflect and shape political struggles, and how political struggles create identities.

INDIGENOUS PRESENCE AT THE UNITED NATIONS

Before the march started, a small group of Native Americans organized a prayer to which only few other indigenous representatives from the American continent were invited. An elder man from Tibet was waiting a little bit farther away, while a younger man inquired if the elder could partake in the prayer. After some hesitation and discussion, he was allowed to participate. As the representatives returned from the small ceremony, I first noticed the presence of Mexican indigenous peoples among them. The man was wearing the “traditional” uniform of Mexican anthropologists—that is, worn out jeans, indigenous shirt and bag, and paliacate (now-a-days a red handkerchief that symbolizes solidarity with the Zapatistas is preferred). Later on, I discovered that he was indeed an anthropologist from a community in Guerrero. His case is interesting because his experience at the UN has helped him to go from being an indigenous representative of a local organization to get high-level governmental positions: first as director of the Instituto Nacional Indigenista, and then as Mexican state representative at the newly formed Permanent Forum on Indigenous Issues at the UN. As a matter of fact, the international experience is a catalyst that can accelerate the furthering of personal interests at the local and national levels.

After the prayer, the march assembled and commenced at the pace of Native American drumming and South American indigenous peoples singing. It was headed by these two groups carrying as well flags and ceremonial arts and crafts. The Sami from Northern Europe were walking right behind them. Many other groups from around the

world followed. The march walked into the building, took the electric escalators and entered the assembly room where the five experts of the Working Group on Indigenous Populations and some NGOs were waiting. When most of the people had entered the room, Native American groups organized and led another prayer to nature. All of us were invited to join the circle and hold hands. After the prayer, an indigenous woman from Siberian Russia performed traditional chants and a Shoshone man gave the words of welcoming. He said that in 1977, an initial international indigenous delegation had come to the Palais des Nations seeking for justice because they had heard about:

“this great organization interested in peace, the welfare of peoples and nations [...] we thought this was the best place to come, and so it is. First, we didn’t bring good reports. We brought messages about the natural world even before speaking in our behalf. [...] we are the original peoples and our past leaders spoke of peace. Peace would come by putting our minds together as we did in our ceremony for nature. Things have changed in 20 years. We were not included in the declaration of human rights of the United Nations in 1945; thus, we worked to produce our own declaration and we produced it with much effort and sacrifice. We respectfully presented it to the United Nations in 1992. [...] In America, Tocqueville saw people working to live in peace, to live free. But the Americans have not sat down with Native Americans to talk about democracy or the rights of peoples and nations. [...] We need courageous leadership since we are the generation that will determine whether or not there will be a future. [...] Please recognize the draft of the declaration. We demand only the minimum of human rights. [...]”

When the Shoshone man finished, a male Ainu from Japan noted that indigenous peoples were not asking the United Nations for special rights but to recognize their legitimate rights as distinctive peoples. Indigenous women from South and Central America followed. They described in detail the urgent situation in many Latin American countries, and ended by saying that indigenous peoples have the right to mobilize and demand legal changes because they are peoples and nations “historically constituted,”

and therefore, have the same rights as other peoples¹. Next to speak was a representative from the Amazon basin who talked about biodiversity and the role of indigenous peoples in maintaining the ecosystem. Other groups from Kenya and Australia followed, as well as spokespersons for the United Nations. The native peoples from the American continent, Japan, Kenya and Australia, together with the Sami and those from the Philippines, constitute the most powerful indigenous groups within the United Nations.

The inaugural ceremony ended when a Shoshone man presented six beads representing the six nations of his people and “peace”. He related how, in 1922, they had come to speak to the League of Nations and how Canada had blocked their entrance then. How, after knocking doors to present their beads of peace, only few countries had supported them such as Estonia, Switzerland and Japan. With the passing of time, the indigenous cause gained more support among some other states. This has been very well documented elsewhere and it is determined by the political and economic dynamics among and within states and the saliency of ethnic conflicts.

The march into the UN in July of 1997, also commemorated the 15th anniversary of the Working Group on Indigenous Populations that was created in 1982. The WGIP is site for one of the largest international meetings of indigenous peoples that allows free access to all, and it is also a site where native women and men get socialized into global politics. The delegates that have been attending regularly the meetings are lawyers, anthropologists, film producers, economists, students, community elders and even members of international organizations. Since the mid 90s the number of young and female indigenous representatives has increased notably in response to Mary Robinson’s agenda as High Commissioner for Human Rights. Before discussing the official and

alternative rhetoric employed in the march about indigenous-ness and rights, I should give you a brief idea about the WGIP and some of its dynamics.

The WGIP was established: 1) to review the social, economic, juridical, and political situation and the evolution of human rights of indigenous peoples; and 2) to elaborate new international norms about the rights of these peoples. During the week-long meetings, native peoples bring their reports in regards to land issues, sustainable development, political representation, poverty, intellectual property, youth, women, et cetera. But indigenous representatives use the space, as well, to organize and build international networks with other delegations, great numbers of NGOs present, “lost and unavoidable” academics such as myself, local politicians, and the “experts” of the UN System. Both women and men lobby in the hallways and offices, intensively and in different ways, to prepare their grounds and arguments for other interventions in higher bodies of the UN. At the same time, they make room to display their culture in films, photography, arts and crafts, dances, music, and dress. The march was a unique event that has not been repeated since; but indigenous peoples have many other spaces within the Palais des Nations in which to express their ideas about who they are and why they are there. These range from expressions in formal meetings, casual gatherings, appropriated spaces for display and commercialization of products, organized performances, and lobbying dynamics in hallways and rooms.

As one of its major accomplishments, in 1993, the five experts in charge of the WGIP approved the Draft Declaration on the Rights of Indigenous Peoples. It represented their work, but most importantly, the direct participation of native representatives from around the world. This document is still moving, very slowly,

through the UN System...to the disappointment of indigenous peoples and experts alike. States such as the USA, Canada and Australia—historically, treaty-signing countries—have put great obstacles and lobbied against the approval of the Draft Declaration because of its central provisions on self-determination and autonomy. Other states have manifested their support to approve the document as it was drafted originally. Mexico is among them, because it wants to give the image that it has already given echo to indigenous peoples demands by legislating an autonomic regime in several of its states' constitutions, and thus, has apparently nothing to fear.

Another accomplishment of the WGIP has been the establishment, ridden with conflict, of the Permanent Forum on Indigenous Issues directly under ECOSOC, one of the most important bodies within the UN system. Its significance lies in the fact that it is the only UN body in which indigenous peoples are given equal status with states. For the first, the promise of a new partnership and the recognition into the family of nations is the first big step towards obtaining the right to self-determination (see García-Alix 1999).

Finally, the lobbying efforts at the UN have also led to the appointment of a Special Rapporteur on the situation of human rights of indigenous peoples. The Mexican anthropologist and activist, Rodolfo Stavenhagen, was appointed to that office, again with much disappointment among native peoples who lobbied for an indigenous representative (long due after 20 plus years of the establishment of a “new alliance” with native peoples). He is in charge of investigating specific human rights complaints and visiting directly the communities where alleged violations have occurred. Because his office answers directly to the High Commissioner of Human Rights, he is supposed to act independently from any state; but cannot visit any country without an official invitation.

It is not surprise then that, even though Stavenhagen spent most of his first year of appointment in Mexico, he did not write a report on the situation of indigenous peoples in his country. This has opened an interesting dialogue, at least in Mexico and among Mexican organizations, about who has the right to invite him: the government or indigenous peoples as “victims”? The issue can have a major impact on the internal politics of the states. I will now turn now to a study of the discourses of indigenous-ness and rights employed during the march and inaugural ceremony.

INDIGENOUS-NESS AND RIGHTS

The 1997 march and inaugural ceremony illustrate various things about how native peoples see themselves as gate-keepers of nature, culture and harmony; and as right-bearers that can decide their own destiny as collectivities within nation-states. The representatives of the Shoshone in the USA and of the Amazon basin spoke of indigenous peoples' close relationship to nature and how that makes them safe guardians of the future of humanity. This idea about the oneness of indigenous peoples and territory has found a lot of echo within the United Nations and civil society in general and, it is one of the most attractive discourses at the global level, because civil society “has found” in indigenous peoples the ecological balance and lifestyle that it wants to emulate. Talks about biodiversity now cannot be made without referring to cultural diversity, especially when most of the biodiversity reserves lie within indigenous territories. The coupling of the ideas of “indigenous” and “nature” is one of the fundamental issue native peoples use to justify their uniqueness and recognition.

The words of the Shoshone also emphasized their desire for peace and equality. These ideas can be heard, over and over, in many of the meetings and lobbying at the WGIP. They are always present because they relate to states' fears and indigenous peoples' demand for political recognition. On the one hand, since the drafting of the declaration, states have felt the threat of "national dismemberment" and secession due to indigenous peoples' insistence that their right to self-determination be recognized. On the other hand, Native peoples have continuously responded that they are not interested in separating from the states neither via violence nor any other means; and that the only way to enhance their rights; improve their economic, political and social situations; preserve their identity; and avoid civil unrest would be to recognize their right to self-determination. Other states prefer to negotiate what is meant by "self-determination". Mexico, given the on-going conflict with the Zapatistas, has responded by recognizing one aspect of self-determination: that of "self-governance" or "autonomy". That is, it recognizes the right of indigenous peoples to preserve their culture and to control some lands and natural resources. This right does not fully correspond to the idea that indigenous peoples should be able to decide their cultural, economic, social, and political life.

Together with self-determination, native peoples have long demanded the right to participate in the definition of the political entities in which they live. Although the majority of states recognize it as an individual right, it is not acknowledged as a collective right of a people. This issue was one of the first major challenges posed to the doctrine of human rights, together with the debate about universal vs. particular human rights, because the term "peoples" is not defined in international law. Even though

collective rights are recognized, there is no international agreement on the definition of “indigenous peoples”. Until 1998-99, the issue of definition was highly debated within the WGIP. I will give you some examples.

Returning to the words of welcoming, recall that the Latin American women stated that indigenous peoples have rights because they are historically constituted peoples and nations. This shows by what criteria they identify themselves as “peoples”: that is, by having a common historical tradition, ethnic identity, linguistic unity, common worldviews and a connection to a specific territory. Criteria that have been long identified and analyzed in the anthropological literature. These ideas had found political support in the working definition of indigenous peoples used until 1997 at the WGIP. It says that:

“Indigenous communities, peoples and nations are those which having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.” (Martínez Cobo 1986)

According to this definition, one of the keys to identify indigenous peoples is a history of invasion and colonialism, and a present state of non-domination. The definition would leave out a large numbers of Asian and African groups. China and Arabic countries for example, have long questioned the legitimacy of any local “indigenous” representation at the WGIP. They reject the idea of having “peoples” within their nations and talk, instead, of having ethnic minorities. Therefore, these

countries would rather have their matters discussed at other UN fora which do not seem to pose serious threats to their statehood.

The definition of the ILO Convention No. 169, drafted three years later, is more flexible but still is restricted. It specifies that indigenous peoples should be regarded as such on account of descent, but it is not clear who has the right to delineate kinship criteria or the basis for descent. This definition is restricted, as well, in the case of indigenous peoples who have migrated, formed transnational communities and cannot claim descent from original populations in the new countries. However, the ILO definition, for the first time in international law, speaks of “indigenous peoples” and not populations. The ILO convention recognizes the legal status of indigenous collectivities.

Its states that:

“ [...] peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.”

These two definitions have lost currency and self-definition is preferred. At the practical level, however, self-definition poses some problems. I will try to illustrate more of the problems with these definitions at the practical level. First, one of my informants told me that the Tibetan elder was hesitantly welcomed to the small prayer organized before the symbolic march, because many Asian and African groups are still “suspected” of not being indigenous. Other “recognized” groups may not be sure about who is “authentic” and who is not given the fact that anybody who claims to be indigenous has the right to participate at the WGIP. Second, note that in the welcoming ceremony, the

indigenous representatives who spoke were from the American continent, Siberian Russia, the Ainu territory in Japan, Kenya and Australia. The indigenous groups from these areas, together with the Sami and the Philippines representatives, have a stronger presence and leadership within the WGIP and more legitimacy within the UN than any other group, thus, their concepts of indigeneity are more accepted. This is indicative of the power relations that exist among indigenous groups which are not only explained by access to resources, knowledge and participation at the UN. They also are explained by how “indigenous-ness” is conceptualized.

The WGIP of 1997, native peoples tried to move beyond the problems embedded in the proposed definitions. The concept of “indigenous peoples” was on the agenda to be debated. They stated that the concept could not be restricted because many peoples would then disappear with their cultures and richness thereby threatening biodiversity and cultural diversity. They adamantly claimed, instead, that indigenous peoples should be able to define themselves and resist any attempt to be defined by the outside, especially by Western thought. The experts of the UN also expressed their concerns for continuing a debate that would give states a justification for not approving the Draft Declaration, but they argued that the concept should be debated within the social context of each state. Since then, however, the idea of self-definition has gained more support. Indigenous groups have become more welcoming, in paper and rhetoric, of other groups that identify themselves as such. Nonetheless, who is indigenous is still a contentious issue because it exacerbates problems around authenticity, legitimacy and representation that are at the core of identity-based social movements, especially those that claim collective rights. Identifications and recognition as being native, indigenous, tribal,

original inhabitant, aboriginal, et cetera, determine in many cases the allocation of resources and power within nations-states.

Who has the right to speak? On behalf of whom? For what reasons? These are questions that problematize the idea of self-definition. Let me describe this problem with a Mexican case. Every year the meetings also feature receptions organized by various actors, among them, NGOs and indigenous peoples. In these receptions, indigenous peoples are invited to perform as they wish. Over the years there has been a group of *concheros*—Mexican urban peoples who claim original descent from the Aztecs—who organize a small performance with ceremonial dances, prayers, and discourses about their indigeneity. They use “the ancient Aztec” dresses, instruments, knowledge and communion with the Earth. They explain how they preserve the Aztec traditions and that they have been living in Germany and Austria, for over a decade, to demand that Moctezuma’s headdress be returned to Mexico. However, within the WGIP they are not welcomed in the same way as other performers are.

“Who are those Apaches over there? Who do they think they are?” exclaimed to me one Mexican representative the first time she ever saw them in the assembly room. She was referring to the way this *conchero* group dresses during the meetings: It is certainly an amalgamation of native American and indigenous styles. Other Mexican indigenous representatives only observe them from afar. They discretely laugh about their claims and question their reasons to struggle and for staying in Europe—“*les gustan las güeras*” they say dismissively. They criticize them for the images of the Mexican indigenous peoples portrayed, their use of indigenous arts and knowledge, and their lifestyle but, moreover, for the object of their struggle: Moctezuma’s headdress instead of

democracy and social justice. The concheros are not allowed to participate in the festivities to celebrate the UN Indigenous Day during the meetings of the WGIP. They do not have legitimate claims in the views of many, especially Latin American groups, because they do not come from any actual indigenous community. They are tenacious nevertheless: last year, they waited until the event was over and invited people to join them in the garden behind to continue dancing with the ceremonial drum. They are welcomed and recognized by some NGOs, in part because of their exoticism, and by indigenous representatives who have long worked at the UN, because concheros have supported the struggle for indigenous rights on several occasions, not only by attending meetings but also by housing and feeding some people. Last year, for the first time, the Mexican delegates were more willing to approach the concheros after the international NGO that works with them insisted that the representatives should seek solidarity and forget about authenticity claims.

Self-definition in this case is a contested issue that revolves around not only to a certain idea of indigeneity, but also around a certain kind of struggle. While culture is a tool used in the political struggle for the recognition of indigenous rights, a struggle that has mere cultural artifacts as a goal is not highly valued. Especially, when that cultural artifact in question is, nonetheless, a symbol of the Aztec empire and domination over other indigenous groups that existed, at the time of Conquest, in Mexico! The other Mexican organizations favor a discourse in which the object of the struggle is basically political.

ON THE MEXICAN SITUATION

In the decade of the 90s, Mexican indigenous representatives were relative newcomers in the international struggle for rights. Even though Mexicans have attended the WGIP since its beginnings, they did it as local representatives, without getting actively involved in international networks and lobbying. For years, the permanent mission of Mexico in Geneva had not to worry about indigenous peoples' claims until 1995-96 when the internationalization of the Mexican indigenous struggle exploded. This would not have been possible without the help of national and international NGOs and other indigenous representatives from North and South America. They have trained national organizations and promoted the discussion of human rights concerns at the local level in indigenous communities, while they have also aided to gain Mexican organizations a certain kind of international diplomatic literacy. However, local interests have shaped that diplomacy. In an international discourse of indigenous rights dominated by the idea of self-determination, the discourse of rights within Mexico is instead centered in a discussion about democratization and social justice. Whereas intellectuals and activists have somehow accepted the position that self-definition is the only way in which indigenous struggles world-wide can strengthen, who and what is "indigenous" still is a contentious issue in the social spaces configured by ethnic relations in Mexico. At the discussion tables at the United Nations, Mexican delegates continuously manifest that it is in the struggle for rights—in a context of injustice, militarization, lack of political participation and representation, authoritarianism, marginalization and impunity— where their identity is shaped.

The CNI (Coordinadora Nacional Indígena) slogan “Nunca más un México sin nosotros,” expresses that there is an identifiable and distinct indigenous Other that has been historically excluded from the national project and that, only by granting rights to this Other, social justice and democracy will be realized. Moreover, it situates this Other also as an integral part of the world:

**“They stole our fruit,
they cut off our branches,
they burnt our trunks,
but they could not kill our roots.**

The indigenous people have their own deep-rooted cultural heritage through which they experience the basis of life itself. These conditions provide hope for life, both for mankind and for the nature of which Man is so integral a part. For five hundred years unscrupulous forces have waged war against our people. They have forced access to our resources and they have stolen our spiritual values. They have attempted to subdue, bribe, or extirpate whole populations. They have trampled justice into the dust, and they have introduced legislation in order to justify their injustice. For more than five hundred years our people have fought against this injustice. In the course of time millions of brave people have lost their lives in the fight to create a better world for our children. And the fight continues to claim its victims.

This fight for freedom now requires a new impetus to bring us out of the darkness in which we have been enveloped for so long. Once again the sun majestically rises into sight, giving new life to Mother Earth, to our people, and to all the people of the Earth. From the depths of the virgin forests and the darkness of the mountains can be heard the voices of the oppressed – demanding justice, freedom and democracy for all our people. Despite the many murders perpetrated against a defenceless population, we still feel the dead walking by our side, their voices blending with ours, their hearts beating in our breasts.

The San Andrés agreements of February 1996, signed by the federal government and the EZLN, strongly emphasised the need to create a new relationship between the State of Mexico, the national community, and the indigenous population. Unfortunately, as we approach the millennium, the government continues to go back on its word, and instead commits new atrocities against our people. On 22 December 1997, paramilitaries massacred 45 martyrs in the village of Acteal in Chiapas. Men, women

and children were murdered while they prayed for peace. Together with the many other thousands of victims of the brutal power of money, they will give us new strength in our march forwards.

No Mexico without our involvement!
Mexico needs its indigenous people
Mexico – no longer without our participation!
Mexico for the people – all its people!”

Since 1988, there has been a constant threat of international reprisal due to the controversies of the presidential election. The external politics of Mexico were initially aimed at cultivating the idea of Mexico as having a united culture and identity, counter-acting Mexico's image of corruption and authoritarianism, and promoting Mexico's commitment to international law and peaceful resolution of conflicts. In 1994, the threat increased due to the implementation of NAFTA and the Chiapas conflict. Even though Mexican diplomacy was not very successful at avoiding scrutiny of its record of human rights violations, it was at limiting international pressure to democratize (Serrano and Bulner-Thomas 1996). In an effort to correct the precarious situation of human rights in Mexico, an administrative commission was created to protect human rights in 1992. Later on, in 1994, the National Commission for Human Rights was founded. However, the commotion caused by the 1994 uprising of indigenous men and women in Chiapas, and the state's violent repression, made the question of international reprisal for human rights violations not only a matter of concern in the government, but also a matter of discussion in the streets. Thus, it made the international struggle for rights a very good possibility from where to challenge national politics AND national culture.

In 1998 I participated, as volunteer aid to Mexican indigenous representatives and a Swiss NGO, in some of the preparative work at the WGIP that led to the passing of a

UN resolution about Mexico. This resolution came from the Sub-Commission, the “parent” body of the WGIP. It was called a “historical resolution”, a “great triumph” for indigenous peoples in Mexico. The resolution on the “Development of the Situation of Human Rights in Mexico” (E/CN.4/Sub.2/1998/L.18) calls the Mexican state to guarantee human rights in Mexico under the international instruments which has ratified and signed; to fight against the impunity of the violators of human rights, especially of those who have victimized numerous indigenous peoples; to promote and respect the actions of the defendants of human rights and their security; and, to reinstate the dialogue in the Chiapas conflict in the basis of the San Andrés Accords.

This is a clear example of the kind of challenges now being posed by the so-called “margins”, “victims”, or “vulnerable sectors” to the power of the state and the international image of Mexico as “un estado de derecho” (a lawful state). It also calls our attention to issues of representation and how notions of universal human rights are being appropriated by different actors. Many of the indigenous interventions at the UN show that the “vulnerable” sectors, such as indigenous peoples and women, want to be recognized as subjects with rights, as full citizens and political actors.

CULTURE AND POLITICS

Gramscian analyses have fostered a new kind of thinking about culture and politics in anthropology. For Marxist theory, “Culture” is pre-political and ideological, and therefore, indigenous peoples should not organize separately from class-based struggles. In recent studies “Culture”, instead, should be the target of political struggle because it is thought that social transformation requires fundamental cultural change.

Alvarez et al (1998) have argued that in identity-based movements, cultural struggle becomes an instrument for political change: what is sought is the creation of a new political subject with rights including the right to participate in the definition of the political system. This rests in the explicit forging of a new political culture that recognizes that the political subject has the right to have rights. Therefore, in this kind of struggle, Culture becomes an object for right claims, but also the site from where to claim rights. In this view, collective rights based on the idea of the “sharedness of culture” are a legitimate goal for struggle; while cultural difference is the very reason to have rights. In this sense, I use the term “indigenous-ness” to indicate that the definition and meanings attributed to “indigenous” is the product of concrete political processes. And, following Richard Wilson (1997), I see human rights as a cultural process, because human rights discourses dictate or suggest the kinds of claims and identities that can exist in national and international regimes, while they are also contested at the local level.

In the political struggles for the human rights, “Culture” is highly essentialized and forces peoples to demonstrate, somehow, their “authenticity”. However, the minimal components of indigenous culture are always negotiated because as it deemed necessary for specific struggles. I hope my talk has illustrated that in my concept of “indigenous-ness”, to have culture is a right based on difference that should be recognized and protected, but it is also a political strategy to seek rights. “Culture” is a strategy to seek rights in the sense that, “Culture” is not only tradition, ethnicity, language, et cetera, but it can also justify claims to land, the use of natural resources, education, political representation and so forth. Therefore, I see essentialized claims not as retrograde notions based on old anthropological concepts, but as a manifestation of what has been

called “strategic essentialism.” Moreover, these “essentialized” notions respond to a historical conjunction in which the promotion of universal and particular human rights has become the only way to survive. Consider the idea of indigenous peoples and their “closeness to nature”, or the notion that indigenous peoples are “rooted” in their territories; or the concept of “tradition”: native peoples have to resort to claims of “authenticity”, “primordialism”, and “gate-keeping”, to be recognized as peoples. In sites where what it means to be indigenous is an object of debate, “indigenous-ness” is the construction of identities of resistance that have an impact, not only in places where they were created, but also in other struggles at different levels.

Many of the anthropological studies on indigenous peoples and human rights that have been produced in the last years, follow these same theoretical premises and have reached similar conclusions. However, the fact continues to be that these studies are carried out at the local or national levels, seeing the international arena as a distant site where discourses are produced (but without understanding exactly how) and the local as the place where the appropriation of discourses takes place. For native peoples, the international struggle demands making alliances with NGOs and other groups from disparate places; it calls for the adoption of an unequivocal position on self-determination; it forces the performance and visibility of certain kinds of identities. Therefore, it also creates and opens for global contestation the definition of indigeneity. It also creates new venues from where to challenge the nation-state and international law and their defining power and image-making. In 1998 the Sub-Commission of Human Rights passed a historical resolution condemning human rights violations in Mexico and called it to act. This resolution was basically passed by the work and lobbying of

Mexican indigenous peoples. I would like to conclude my talk with the cautionary words of John Paul II in his 1999 visit to Mexico: “A government that does not respect its indigenous peoples and women, does not respect itself.” This, while may not mean a new alliance between church and indigenous peoples, it does mean that the international image of Mexico has been shaken.

REFERENCES

- Alvarez, Sonia, E. Dagnino, and Arturo Escobar, eds. 1998. *Cultures of Politics, Politics of Cultures. Re-visioning Latin American Social Movements.* Boulder, CO: Westview Press.
- García-Alix, Lola. 1999. *The Permanent Forum for Indigenous Peoples. The struggle for a New Partnership.* IWGIA Document No. 91. Copenhagen: IWGIA.
- Serrano, Mónica and Víctor Bulner-Thomas, eds. 1996. *Rebuilding the State: Mexico After Salinas.* London: Institute of Latin American Studies, University of London.
- Wilson, Richard, ed. 1997. *Human Rights, Culture and Context. Anthropological Perspectives.* London: Pluto Press.

ⁱ The topics that were covered are the following: (1) In Chiapas Mexico, the San Andrés Accords of 1996 are not respected. (2) In Aymara territory there is no protection of the natural resources and indigenous knowledge. (3) The coca leaf does not constitute a threat to humanity. (4) In Perú, the convention of work and land is violated. (5) In the Amazon basin, armed forces protect the exploitation and oil ignoring the autonomy of indigenous peoples. (6) Crimes are committed against indigenous peoples, for example, in Colombia. (7) Oil extraction is an attempt against the life of indigenous peoples. (8) In Chile, the survival of indigenous peoples is threatened without development of proper infrastructure. (9) In Guatemala, the Peace Accords are violated. (10) El Salvador has to recognize the distinct vision of its Nahua people. (11) Indigenous peoples have the right to mobilize and demand legal changes. (12) The Draft Declaration only asks for the respect of minimum human rights. (13) Indigenous peoples are peoples and nations historically constituted, and therefore, have the same rights as other peoples. (14) The international organizations still do not work with indigenous peoples.