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Rodolfo Stavenhagen

Pioneer on Indigenous Rights

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Rodolfo Stavenhagen

Pioneer on Indigenous Rights

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I am pleased to dedicate this book to my numerous indigenous friends in many parts of the world who have taught me the deep sense of their struggles for human rights and justice so long denied

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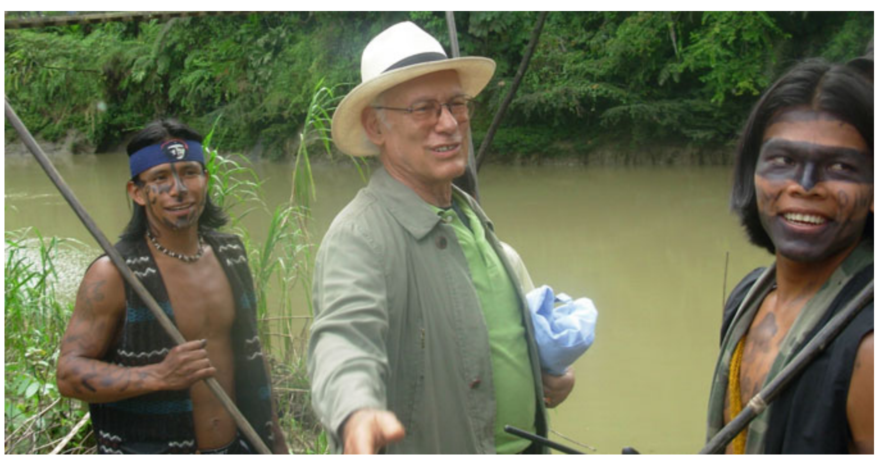
The cover photograph shows Rodolfo Stavenhagen addressing a meeting on indigenous peoples and the administration of justice in Guerrero, Mexico, 2008. (From the author’s private collection.)



Stavenhagen arriving in Sarayacu, a Kichwa Amazon community in Ecuador, which is locked in a legal battle against a multinational oil corporation. *Source*: Personal photo collection.

Preface

Rodolfo Stavenhagen: Pioneer on Indigenous Rights

Professor Rodolfo Stavenhagen is without doubt a Mexican social scientist of the first order, known not only in Latin America but all over the world. Our friendship started in the late sixties when Rodolfo was working at the *International Labour Organization* (ILO). Together with students and refugees from different parts of the world, I was deeply impressed by his "Seven erroneous theses about Latin America" (see Chap. 3 in this volume), written in 1965. Having experienced different independence struggles in Africa (Rhodesia, Mozambique, South Africa's Apartheid) and neo-colonial conflicts (Burundi), we were conscious of new development paradigms for promoting a peaceful and equal world. As a student leader at the University of Zurich I invited him to give a keynote speech on dependency theory, aware that the post-war economic improvements in the USA and Europe had brought about the first wave of the concentration of capital within multinational enterprise.[1] The thinking in Latin America and Rodolfo's understanding of traditional indigenous and rural societies revivified the theoretical understanding of changing global power structures, while the theology of liberation on the subcontinent offered a nonviolent potential for combating the exploitation of the poor. Latin America has a rich history of peasant and indigenous struggles and the first peasant revolution in the twentieth century took place in Mexico. The powerful neighboring USA involved the whole subcontinent in an intensive Cold War strategy, and the dissemination of the 'domino' theory after the Cuban revolution was a pretext for using the peripheral countries and their power struggles and proxy wars in order to maintain the extraction of raw materials and the overexploitation of labor. Finally, besides violent military coups in Brazil,

[1] In Switzerland, student associations were aware of the process of multinational monopolies and we had started a campaign against Nestlé with the slogan "Nestlé kills babies" to protect poor women against deceitful propaganda for artificial baby milk instead of breastfeeding.

Guatemala, Paraguay, Ecuador, and elsewhere, nationalist militaries were governing Peru in the seventies, so that Latin America was a political and social laboratory of thinking and acting that was synthesized in the theory of 'dependencia' presented brilliantly by Rodolfo Stavenhagen.

Rodolfo was born in 1932 in Frankfurt, and as a young child he had to leave Germany because of the Nazi regime. After trying to settle in different European countries, escaping bombs and war, his family found a new home in Mexico City. His father and his mother started to collect archaeological pieces from different indigenous cultures, which they first exhibited in their garage and later in different rooms in their house. Coming to Mexico four decades ago, I remember the afternoon tea with delicious cookies from a Viennese recipe where his parents received me as one of their own children while we examined archaeological pieces of exceptional beauty. Kurt Stavenhagen's collection came from different pre-Hispanic cultures in Mexico, some of them expressing scenes of daily life, disease, joy, and religious ceremonies, and others showing women giving birth, pieces produced more than a thousand years ago.[2] With visitors from all over the world coming to admire the collection, and an intensive interchange with intellectuals and artists, Rodolfo and his sister Ruth were educated in cultural diversity and acquired a profound understanding of the indigenous cosmovision and culture. Later, Rodolfo studied anthropology and had an opportunity to do field research among different indigenous communities in Mexico. He was shocked by the marginalization of these indigenous societies and the discrimination they suffered, but also by their deep cultural attachments.

His personal history of escaping violence, war, and persecution, and living in a very unequal society, defined his academic interests. First, at the University of Chicago he studied Ethnology, and the link between quantitative and qualitative methods later gave him the opportunity to teach at the *National Autonomous University of Mexico* (UNAM) while he was doing his Master's in Anthropology at the National School of Anthropology and History in Mexico City. He obtained his Ph.D. in Sociology in Paris, France with a thesis on social classes in agrarian societies. In Paris he was in contact with brilliant teachers (such as Claude Lévi-Strauss and Georges Balandier) and fellow students (such as Samir Amin and Claude Meillasoux). Due to his wide knowledge of empirical research in Mexico and Latin America on agrarian sociology, rural development, ethnic minorities and conflicts, indigenous communities, social movements, human rights and conflict resolution he was appointed General Secretary of the Latin American Center for Research in the Social Sciences in Rio de Janeiro. Between 1965 and 1969, in cooperation with the Inter-American Committee of Agricultural Development, he co-directed a research project on land reform and rural development in Mexico.

[2] The collection was donated to the museums of the universities of Veracruz in Jalapa, in Colima and to UN AM, where it is on display at the beautiful Museum of Tatelolco, in the former building of the Mexican Foreign Ministry at the place of the three cultures (Tlateloco).

Rodolfo's multidisciplinary education allowed him to overcome the overspecialization in anthropology, sociology, and history and to avoid getting trapped in a focus on traditional small-scale rural societies. Studying urbanization, globalization, and social classes with a group of researchers, he proposed an integral rural policy for Mexico, the so-called 'black book'.[3] This collective work created the scientific basis for President Echeverría's rural policy. His multicultural life experience helped Rodolfo to understand the lack of will in governments and their bureaucratic setting and to develop a sustainable model of Mexican rural societies for the seventies with rural employment, food security, and dignified life conditions for small peasants.

After the brutal repression and the massacre of students in Tlatelolco in 1968, from 1969 to 1972 he accepted a position as a researcher at the *International Labour Organization* (ILO) in Geneva, where I had the opportunity to meet him several times, together with his first wife Nina and their two lovely girls Marina and Andrea. From 1973 to 1976, as the founding Director of the Department of Sociology in El Colegio de México, he invited me to teach in the newly created *Center for Research into Anthropology and History* (CISINAH) and to obtain firsthand scientific experience in Latin America. Over four decades we had hundreds of discussions, and since we both lived in Cuernavaca, we established a close friendship with his second wife Elia and his two other children Gabriel and Yara. All four children are today involved in communication, especially in cinema, where they have built their own understanding of complex social relations in Mexico, drawing on the diverse cultural background of their grandparents and parents and on their own stimulating intellectual surroundings.

Rodolfo's firsthand field research in the poorest areas of Mexico and other regions in Central and South American countries (Bolivia, Brazil, Guatemala) obliged him to work with the most vulnerable indigenous poor women and undernourished children. He started his work with a central research theme about agrarian society and food. Mexico was no exception when A. G. Frank (1967) argued that since 1960 *per capita* food production had declined in non-Communist countries in Asia, Africa, and Latin America, in many cases to below pre-war levels, whereas it had risen above pre-war levels in China and Cuba. The precarious livelihood and lack of decent salaries and decent working conditions forced people to migrate to chaotic slums, and new problems of poverty, marginalization, disease, and cultural disintegration grew up in an urban context.

Rodolfo has always been curious to understand new socio-political problems, and the linkages and feedbacks among society, policy, economy, and culture. From 1977 to 1979 he was General Director of Popular Cultures in the Ministry of Education, and from 1979 to 1982 he was Assistant Director-General of UNESCO in Paris in charge of social sciences. These political and international experiences

[3] Later published in S. Reyes Osorio, R. Stavenhagen et al. (1974). *Estructura agraria y desarrollo agrícola en México* (Mexico D.F.: Fondo de Cultura Económica).

widened his understanding of the mechanisms of exploitation and when he returned to Mexico he concentrated his research on marginalized indigenous groups. As General Academic Coordinator of *El Colegio de Mexico* (1983–1985), he focused on the interrelationship between social and human rights, land rights, conservation of natural resources, and dignified livelihoods for the most abandoned. In 2001 he was appointed by the United Nations Commission on Human Rights as the first *United Nations Special Rapporteur on the situation of the human rights and fundamental freedoms of indigenous people* (Resolution 2001/57). His mandate was renewed until 30 April 2008. This task gave him an opportunity to understand the global mechanisms of expropriation of land, water rights, and minerals from native communities by multinational enterprises and corrupt governments. He was confronted with resettlement, relocation, and asylum related to development projects, industrial parks, and mega tourism projects, where the native people were expelled from their communities, livelihoods, and culture in the name of progress. Mega projects for dams, especially in India, Chile, Peru, Malaysia, Colombia, and the Philippines gave him firsthand knowledge of the energy-driven interests of multinational companies that were closely allied to the local bourgeoisie. (See his text in Vol. 4 of this series.) Unsustainable projects and highly polluting mining and agrochemicals, and the impact of *persistent organic pollutants* (POPs) and their repercussions on health, especially for the development of small children, brought him closer to human rights abuses in situations of conflict, and also led him to defend the rights to autonomy of indigenous women and girls, the most vulnerable groups affected by this destruction of nature and society. As a researcher on agrarian problems in Mexico he understood not only their dependency on natural resources, but also the often violent outcomes of conflict, and the opposition of most non-indigenous governments to social reforms.

In Mexico in 1994 the eruption of the *Ejército Zapatista de Liberación Nacional* (EZLN) and the first war fought basically on the Internet forced the Mexican government to accept a ceasefire, and this gave indigenous societies new hope for autonomous rights. Rodolfo was a member of the National Commission of Verification of the Peace Agreements of San Andrés from 1996 to 2001. Nevertheless, the unfulfilled peace accords, a longstanding low-intensity war, and the only partial implementation of indigenous rights in the constitution but without supporting laws and practical action, as well as the Mexican policy of creating divisions between indigenous organizations, brought Rodolfo back to his original concerns.[4] How does a structure of injustice create poverty, marginalization, exclusion, and increasing dependency on minimal governmental support or foreign aid? How are the human rights of the indigenous peoples, their rights to access to their ancestral territories, their natural resources, and their culture related to these processes?

[4] Rodolfo Stavenhagen, 2000: "Indigenous Movements and Politics in Mexico and Latin America".

During the Congress of the *Latin American Council on Peace Research* (CLAIP) in 2004, Lise Gil,[5] an indigenous Innu woman from Quebec, Canada, reported that after three decades of struggle the governments of Canada and Quebec had signed an agreement that the Innu are co-governors of their territory (called 'Nitassinan') and that they have the right to use their indigenous laws and some traditional practices. They were conscious that it is impossible to reject various aspects of progress or to recover their whole territory, but they fought to leave their children their cultural inheritance and specifically their relationship to mother earth. This long-term legal fight against laws imposed on their culture and territory finally allowed them to decide jointly with the other two powers (Canada and Quebec) how new modernization processes and the care of natural and eco-system services should be realized.

The many indigenous groups involved in problems where there were few positive outcomes brought Rodolfo Stavenhagen to realize that international standards and legal procedures often clashed with cultural rights, not to mention state policies and nationalism. After a legal approach had failed, the next step had to be politicization and social organization. As a result violent situations often arose, generally affecting the most vulnerable groups.

Professor Stavenhagen understood from the many cases he addressed during his mission at the UN that culture is capital not only in terms of money and Westernization, but especially as a way of life involving creativity, innovation, respect, and nonviolent conflict resolution. As a researcher and later as the UN Rapporteur he has written many articles and reports on cultural diversity and on respect for cultural, social, and human rights, with the goal of promoting multicultural citizen groups. Cultural capital, both tangible and intangible, is based on worldviews that often contradict the imposed mindset of Eurocentric or Western behavior that has brought about destructive results in traditional societies. A diverse society must include an ontological model of the world, or cosmovision, and an explanation of how it functions. But any culture also needs a dream of how the future should look. The values involved must be assessed together with the practical ways in which this utopia can be achieved: who should do things and where and when they should be done. In this epistemological analysis, Rodolfo understood the underlying processes of discrimination and exploitation within the worldwide Western system of laws. He challenged the view that all existing worldviews are socially constructed and have their own building blocks, origins, and constructions. To change the present exclusive globalization process, its underlying interests must first be deconstructed. But any deconstruction process affects established interests, and it

[5] Lise Gil: "Una nueva generación de tratados para el pueblo Innue, Canadá y Quebec", pp.108–116; C. Girard "Acercamiento histórico a los pueblos autóctonos en Canadá: territorio y autonomía gubernamental de los Innue montañeses del nordeste de Quebec desde 1603 hasta nuestros días", pp. 117–144; Rodolfo Stavenhagen "Conciliación de conflictos y derechos humanos en comunidades indígenas", pp. 63–70 in: Úrsula Oswald Spring (Ed.), 2004: *Resolución noviolenta de conflictos en sociedades indígenas y minorías* (Cuernavaca: Coltlax, CLAIP, IPRAF).

was precisely his lifelong work with indigenous societies that showed Rodolfo Stavenhagen that each society or group has cognitive orientations with created values, emotions, and ethical principles, and that any change in their socially organized way of life must overcome the emotional and political obstacles at the local, regional, and global levels.

His traveling around the world showed him that every culture has created productive processes, including those of science and technology, which have been transferred from generation to generation by formal and informal processes. Any culture, including the dominant Western culture, is socially constructed and is based on special interests where mechanisms of control and structures of power reinforce the status quo. Often these mechanisms are so deeply internalized that they are perceived by the people as natural. But cultural products are also shared by the members of a society; they link people together through their identity patterns. These deep belief structures also exist in indigenous cultures and reflect the cognition processes that have legitimized power structures based on complex relationships and interdependences and often associated with discrimination and control, and it is precisely these belief structures that are able to progressively destroy natural and human systems. Aware of the complexity among social actors, institutions, regimes, and worldviews that perpetuate profound injustice not only against indigenous and poor peoples but also against mother earth, Rodolfo has used his creativity to find peaceful ways to deal with rising conflicts. He has promoted more democratic behavior in traditional and modern societies in order to achieve greater justice, participation, power-sharing, and autonomy for these traditional societies. He has observed various peace accords in Asia and Central America based on long-term negotiations and a mutual understanding that would create for all those involved a win-win situation. The empowerment of indigenous societies has required the involvement of wider areas of society in order to pressure or control the government to fulfill the agreed agenda.

He was convinced that many indigenous societies understood that their system of justice was more suitable than the imposed Western one. In different indigenous societies, when a member of the community committed an offense or crime, the whole society became involved and felt guilty. The community was aware that they had not cared enough about this person's conflict. They had failed to support and guide her or him, and to collectively find a way out of her or his problems. Besides the rehabilitation and the public work of this person for the offended community, the whole group helped the offender to reincorporate him or her into society, to overcome his or her problems, and to find a positive way out his of her inhuman situation. This collectivity helped the offender to reintegrate into the group and to learn to limit his or her personal aspirations and requirements in favor of a harmonious living together.

For Rodolfo Stavenhagen sustainable living also means sustainable peace, as a desideratum linked to harmony, cooperation, well-being, and agreement. Sustainable peace tries to avoid the escalation and spreading of conflicts through political solutions and in a preventative way. He has had many experiences throughout the world of how people deal with conflicts and how they practise

peace-building. Thousands of years ago the indigenous societies of Latin America, living in difficult environmental conditions, developed an equilibrium, a deep respect for and unity with nature. In order to survive, they developed a wide knowledge of environmental management and of their own social structures. However, profound social inequality also exists within indigenous groups and especially within mestizo society. As the Rapporteur for the UN on the Rights of Indigenous Peoples, Rodolfo was involved in addressing both social development and sustainable peace.

Eight decades of reflection, actions, and struggle in favor of the most abandoned and marginalized have resulted in a rich scientific oeuvre with more than 20 books published in Spanish, English, French, Swedish, Italian, Arabic, and Japanese, together with hundreds of scientific articles, newspaper articles, radio and television interviews, and conference papers. Given his excellent academic achievements, Rodolfo now has the right to enjoy the results of his work, while he is still very active in the academic world and in connection with social and indigenous movements.

His work is globally available in most important university libraries and his reflections in his many publications from 1965 to today are more necessary than ever, because many of the seven billion people on earth still lack the same rights as the privileged 'top billion'. The 'bottom' billion suffers from hunger, two billion more still lack access to safe drinking water and sanitation facilities, and several billion more live in polluted and overcrowded cities with severe consequences for human health.

The thinking and public activities of this extraordinary scientist are also crucial at this moment when wealth is ever more concentrated and the environment is reaching a tipping point that may for the first time even threaten the survival of the human race. His critical reflections are as urgent and as timely as when they were first written. They represent rich material for value-oriented action by present and future generations of students, teachers, politicians, and social leaders. Rodolfo Stavenhagen and his rich scientific oeuvre remind us as scientists that promoting social equity, especially for marginalized and indigenous women and girls living in extreme poverty, is an ethical obligation. Rodolfo Stavenhagen's innovative and often provocative academic thinking and his publications are an example to us of how we can explore new ways of dealing with present and future problems and continue his work for a more equitable and sustainable society in a multicultural and diverse context, aiming for a sustainable peace.

This volume and the two related books *The Emergence of Indigenous Peoples* (PSP 03) and *Peasants, Culture and Indigenous Peoples: Critical Issues* (PSP 04) portray him as a 'Pioneer of Indigenous Rights'. Since my student days in Zurich and now for 40 years in Mexico I have closely followed his many publications and speeches, his deep devotion both to the academic analysis of the rights of indigenous people all over the world, and the political and social struggle for their improvement.

Through his academic and sociopolitical work Rodolfo Stavenhagen has become a major 'Pioneer of Indigenous Rights', not only as a brilliant

anthropologist and sociologist, but as a professor and teacher he has also disseminated scientific knowledge with a sense of social responsibility. Together with other social scientists and concerned Mexican citizens, he has created sustainable rural and indigenous policies for alleviating poverty and creating greater equity. As an international official with ILO and UNESCO he has encouraged worldwide integrated rural policies on food security, something that is today on the agenda of many international (FAO), governmental and nongovernmental organizations. As a politically active social scientist and citizen he has inspired not only many young scientists but also policymakers to have the courage not to remain silent on the misuse of scientific knowledge in warfare, and not to focus on increasing short-term economic benefits while ignoring longer term effects on the lives of present and future generations. Finally, as the first Rapporteur of the UN on Indigenous Rights (2001–2008), he has promoted peace-building processes based on different cultural backgrounds, where the knowledge of the theory of 'dependencia' has helped him to understand and to overcome the global differences that are often the hidden cause of conflicts and violence.

As I have followed Rodolfo Stavenhagen's work for more than four decades, I have been deeply impressed by his modesty, his personal integrity, his social responsibility as a scientist, his creation of public awareness, and his impact on the policies of his country and others, on the evolution of international legal norms, and on sensitizing future generations of scholars. For all these reasons I am both pleased and also proud that I can present Rodolfo Stavenhagen as 'a Pioneer of Indigenous Rights".

Cuernavaca, Mexico, July 2012

Úrsula Oswald Spring
CRIM/UNAM

Úrsula Oswald Spring has a Doctorate in Social Anthropology, specializing in Ecology. She is a full-time researcher at the Regional Centre of Multidisciplinary Research at UNAM, and held the first Chair of Social Vulnerability at the *United Nations University* (UNU-EHS). She has been Minister of the Environment in the State of Morelos. She is a member of the National Researchers System SNI, level III and is a main author at the *Intergovernmental Panel on Climate Change* (IPCC) and member of the World Social Science Report. She has written and edited 45 books and 274 articles and book chapters. She has been distinguished with the Environment Prize in the State of Tlaxcala, the Sor Juana Inés de la Cruz Award, the Fourth Decade of Development by the UN, and Academic Women of the Year in 1991 and Women of the Year 2000.

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Contents

Part I Rodolfo Stavenhagen

1 Rights of Indigenous Peoples: A Personal Retrospective of Rodolfo Stavenhagen 3

2 The Author's Relevant Papers on Indigenous Rights and Other Topics: Selective Bibliography 13

Part II The Author's Key Texts

3 Seven Fallacies About Latin America (1965) 21
3.1 The First Thesis 22
3.2 The Second Thesis. 25
3.3 The Third Thesis 27
3.4 The Fourth Thesis 28
3.5 The Fifth Thesis 29
3.6 The Sixth Thesis 32
3.7 The Seventh thesis. 33

4 Decolonializing Applied Social Sciences (1971) 37
References 53
Comments 54

5 Ethnodevelopment: A Neglected Dimension in Development Thinking (1986) 65
5.1 Development Theory: Concepts and Values 66
5.2 The Ethnic Question 71
5.3 Nation, Nation-State, Nationalism 74
5.4 The National Question and the Class Struggle 79
5.5 Ethnodevelopment 81

6 Human Rights and Wrongs: A Place for Anthropologists? (1998) 87
6.1 Building New Human Rights 87
6.1.1 Individual Human Rights, Culture, and Discrimination 88
6.1.2 The Rights and Protection of Minorities 91
6.1.3 The Problem of Cultural Rights 94
6.1.4 The Right of Self-Determination 96
6.2 Latin American Anthropologists Discover Human Rights Violations 97
6.3 Human Rights and Wrongs 102
References 103

7 Indigenous Peoples and the State in Latin America: An Ongoing Debate (2000) 107
7.1 The Return of the Natives 107
7.2 Indigenous Peoples in the International System 109
7.3 Latin America: Nation-States Without Indians 110
7.4 Indians, Mestizos and State Policies 112
7.5 Social Conflicts and Intellectual Debates 113
7.6 Human Rights: A Contested Space 115
7.7 What Do Indians Want and What Can States Provide? 116
7.8 Ethnic Cultures Versus National Culture? 119

8 Building Intercultural Citizenship Through Education: A Human Rights Approach (2006) 123

9 Making the Declaration Work (2009) 141
9.1 The New Multiculturalism and the United Nations 142
9.2 The Challenge: How to Make the Declaration Work 144
9.3 How Shall Rights be Implemented? 149
9.4 Individual and Collective Rights 153
9.5 How Can the Right to Self-determination be Implemented? 154
9.6 The Need for Specific Human Rights Policies 156

About the Author 161

About the Book 163

Part I
Rodolfo Stavenhagen

Rodolfo Stavenhagen during a book launch at the German Embassy, Mexico City, 27 September 2011. Source: This photo was taken by and is reproduced with the permission of Serena Erendira Serrano Oswald.

Chapter 1
Rights of Indigenous Peoples: A Personal Retrospective of Rodolfo Stavenhagen

Rodolfo Stavenhagen, a Mexican social scientist, is professor emeritus at El Colegio de México. Born in Frankfurt, Germany, he came to Mexico as a young child with his family, being refugees from Nazi persecution. In this country he grew up, received his basic education and has lived throughout most of his life.

After spending 2 years at the University of Chicago, where he received a BA degree, Rodolfo studied anthropology and soon became involved in research and practical work among the country's rural peasant and indigenous populations. Upon completion of a PhD in sociology at the University of Paris in 1965, he also spent some time in public service, but mostly devoted himself to academic pursuits at the National University of Mexico, the National School of Anthropology and History and especially at El Colegio de México, the country's foremost academic institution in the area of social, historical and economic research, where he has been active for a half century.

As a young student of anthropology, Rodolfo was sent by the Mexican government to work with an indigenous Mazatec community that was scheduled to be displaced from its homeland by the construction of a major hydroelectric multipurpose project. Here he encountered his first vision of human rights violations in the name of development and the national interest, an experience that marked his subsequent activities. He spent several months in the middle fifties as a government employee, guiding one resettled Indian community through a difficult period of displacement and adaptation, an activity that taught him much about social relations, government policy, endangered cultures and human rights.

Stavenhagen's contributions to social science research and practice span a wide variety of fields and concerns: rural development, peasant societies, agrarian reform, indigenous communities, ethnic minorities, race and ethnic relations, education, and principally, in recent years, human rights of minorities and indigenous peoples. He has developed his specialty in the classroom, through publications in several languages, by service in government institutions in Mexico and international agencies such as the International Labor Organization,

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UNESCO, the Inter-American Institute of Human Rights, the Latin American Faculty of Social Sciences (FLACSO); as visiting professor and lecturer internationally (at the universities of Harvard, Stanford, Chicago, Paris, Seville, Rio de Janeiro, Geneva etc.). He has taught and published in Spanish, English, French, Portuguese and German.

His early work on rural peasant communities in Mexico contributed to a critical review of established theories and perspectives. At the time—in the 1960s—the principal approach in the social sciences was to contrast 'modern' and 'traditional' societies and the need for development was framed in terms of policies designed to change 'backward' or 'traditional' cultures into modern ones, sometimes referred to as the sociology of modernization. Stavenhagen and his colleagues developed alternative approaches, recognizing the complex asymmetrical relations between a dominant society and its subaltern segments, thus framing development not neatly into a continuum from backward to modern, but as a restructuring of social, economic and political relations between distinct actors defined in terms of power, economic production and cultural differences.

This approach became widely discussed in academic circles and social organizations not only in the countries of Latin America but also in other developing (Third World) areas in Africa and Asia. It was considered to be a variant of the then controversial 'dependency theory'. Stavenhagen and his colleagues developed the concept of 'internal colonialism' to characterize relationships between Latin America's indigenous populations and the nation-state. This concept was further elaborated by others in research on ethnic minorities in the United States and elsewhere.

During the early sixties Rodolfo lived in Rio de Janeiro, Brazil, where he worked as general secretary of a regional social science research institute that had been founded by UNESCO and a group of Latin American governments. Here he promoted Latin American social science development and integration and took part in a comparative study on agrarian structures and agricultural development, sponsored by a group international institutions. In Rio he lived through the military coup that overthrew the democratic government of Brazil and forced the closure of the research institute where he was working; whereupon he returned home with his family.

In Mexico he began his long association with Victor Urquidi, a well-known economist, at El Colegio de Mexico, where he and a small group of his former students began research on the social implications of economic development in the country, cooperating with an interdisciplinary team of economists, urbanists and demographers. This core group later became the Center for Sociological Studies at El Colegio which in 2013 celebrates its 40th anniversary. In the late sixties, Stavenhagen was asked by the study group on agrarian problems with whom he had cooperated in Brazil, to co-direct a major research project on land reform, agrarian structure and rural development in Mexico. Together with agricultural economist Sergio Reyes Osorio and a high-powered international team led by Thomas F. Carroll, they carried out field work in various parts of the country, carefully studied rural economic and social dynamics, evaluated the results of

Rodolfo Stavenhagen with Lacandon youth in southern Mexico in 1949. *Source* Personal photo collection

Mexico's land reform policies that dated from revolutionary times and proposed necessary changes in agricultural policies to avert the rural crises that emerged in later years. Although the government did little to follow their advice, the study deserved a major economics prize awarded by the National Bank of Mexico.

In 1968, at the invitation of Professor Robert Cox, a respected international political scientist he joined the research and teaching staff of the International Institute for Labor Studies of the International Labor Organization in Geneva. For 3 years he organized seminars and research projects on social policy in a number of African and Latin American countries that allowed him to pursue his research in comparative rural social development.

Continuing his interest in ethnic relations, Stavenhagen also emphasized the need to modify the conventional idea of 'development' by taking account of the particular characteristics and needs of subordinate ethnic groups such as indigenous communities through a process of ethno-development, an approach later applied in development cooperation practice by a number of international organizations working in Latin America (such as the World Bank). The concept of ethno-development stood in stark contrast to the sociological notion of modernization which became increasingly discredited.

Once more he returned to Mexico where the situation was ripe for the creation of the Center for Sociological Studies at El Colegio de Mexico in 1973, that soon began offering a doctoral degree in sociology to students from Mexico and mostly other Latin American countries. Turning academic concerns into practical tasks, Stavenhagen was invited by the Secretary of Education to create the Department of Popular Cultures in the Mexican Department of Education (1977) where he actively pursued educational and cultural policies focusing on the needs and potential of popular social groups, especially indigenous peoples, in contrast to the traditional elitist conception of cultural policy as a 'trickle down' process. To this day he is considered in the country as the founder of an alternative cultural policy model that has made progress over the years.

Continuing his commitment to a policy-relevant and socially useful social science approach, Stavenhagen became active as chairman of the board of UNESCO's Latin American Faculty of Social Sciences, during which term he had to deal with the failed attempt by the military dictatorship in Chile to close down this institution in 1973, and also negotiate the establishment of regional campuses in Mexico and Costa Rica.

He accepted an appointment in 1979 as Assistant Director General for Social Sciences and their Applications at UNESCO headquarters in Paris, which enabled him to work for the strengthening and institutionalization of social science research and training at the international level. After 3 years at UNESCO, he resigned and returned once more to his academic pursuits at El Colegio de Mexico. In 1983 Rodolfo married Elia who has been at his side ever since. They have two children, Gabriel and Yara who join Marina and Andrea, the elder daughters from his first marriage.

Stavenhagen's interest in indigenous peoples expanded beyond research and training to policy formulation and implementation. He was elected the first chairman of the Fund for the Development of Indigenous Peoples in Latin America and the Caribbean, an intergovernmental organization, where he worked closely with indigenous peoples in the Americas and devised together with governments and indigenous communities adequate development strategies for a new era. During the 1980s Stavenhagen became actively involved in human rights activities, first through his participation in the research and training projects of the Inter-American Institute of Human Rights (of which he is vice-president), where he developed the area concerning the rights of indigenous peoples. Secondly, by founding the Mexican Academy of Human Rights, the first association of its kind in the country, which has been consistently instrumental in opening and

Rodolfo Stavenhagen with Lacandon youth in southern Mexico in 2003. *Source* Personal photo collection

The author is greeted in Sarayacu, a Kichwa community in the Amazon region of Ecuador, in 2007. *Source* Personal photo collection

consolidating public spaces for the human rights of indigenous peoples and other oppressed minorities.

When the Working Group on Indigenous Populations was created in the United Nations Commission for Human Rights in the early 1980s, Stavenhagen began to take part in its various activities. In 1986, as chairman-rapporteur of an expert meeting of the International Labor Organization, he contributed to the formulation of the first draft of ILO's Convention 169 on Indigenous and Tribal Peoples, adopted by the ILO General Conference in 1989. Continuing his increasing involvement in the complex area of the rights of indigenous peoples (by publishing, teaching, organizing seminars and international meetings, advising governments and international organizations, and working closely with indigenous peoples movements), Stavenhagen was elected in 2001as the first Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous Peoples by the UN Commission for Human Rights. He carried out this mandate for 7 years and presented annual reports to the United Nations on his investigations in numerous countries, with recommendations to governments and international agencies. His expertise has been requested several times by the Inter-American Commission and Court of Human Rights, as well as a number of governments.

Stavenhagen's contribution to the international protection of the human rights of indigenous peoples has been widely recognized within the United Nations system, by governments and academic institutions, as well as by indigenous peoples themselves who have repeatedly expressed their acknowledgement of his work in their behalf. One such expression has been the recognition he has received from the Saami Parliament and the Honoris Causa Doctorate bestowed by the University of Tromsø in Norway. Among others, his work for indigenous peoples in the Philippines deserved a special publication in that country, similarly the non-governmental Rights and Democracy of Canada published a report on his work among the Aboriginal Peoples of that country. On a visit to Kenya, the Ogiek tribe of hunter-gatherers in the Mau forest named Stavenhagen as an honorary elder of their community. Several universities in Latin American countries have granted him honorary degrees and awards for his contributions.

Stavenhagen's varied career has led him from scholarly pursuits to practical activities and policymaking, from international forums to community meetings in the forests of Amazonia and Southeast Asia, from peace negotiations in Chiapas to theoretical debates in London and Berlin. Indigenous peoples have recognized and appreciate his contributions to their struggle for human rights. Scholars and students around the world quote from his writings regarding debates on development and underdevelopment, democracy and participation, individual and collective human rights, theory and practice in the social sciences. His contributions as a 'public intellectual', as he has repeatedly been called, have received acknowledgement through various awards, such as the National Prize of Science and Arts, by the government of Mexico, an honorary fellowship of the Institute of Development Studies in The Hague, an award for his contribution to the work of the United Nations by the Japanese Foundation for the United Nations, the Bartolomé de las Casas award by the government of Spain, special recognition given by the

Rodolfo Stavenhagen visiting an Arhuaco Indian village in Colombia in 2004. *Source* Personal photo collection

Rodolfo Stavenhagen with Sarayaku spokesmen in Ecuador in 2007. *Source* Personal photo collection

Latin American Studies Association, the International Congress of Americanists, the International Association of Ethnological and Anthropological Sciences, etc. The University of Québec has included two French-language books of Stavenhagen in its online library of 'Classics of the Social Sciences'.

Ever since his childhood as a Jewish refugee from Germany and his youth as a young Mexican professional trying to establish himself as an academic, Rodolfo was conscious of the complexities involved in the insider–outsider identities of international migration, cosmopolitan upbringing, education and nation-building and the competing ideological commitments of political activism in a changing post-war world. From the community of exiles who gathered in his parents' home in Mexico, to his civil rights work as a student at the University of Chicago, to his student politics at the university in Mexico City, to his support of the Cuban revolution in Latin America, to his Third World identification while at the University of Paris in the sixties, to his engagement with human rights defense activities surrounding victimized minorities and colonialized indigenous communities, Stavenhagen became convinced that social science cannot be detached artificially from social policy and social activism. His professional career over six decades is an example of the "social responsibility of the intellectual" in specific contexts. When asked by an American colleague some years ago why he had gotten so involved in human rights work, Rodolfo's answer was spontaneous: "I was paying a debt…." What kind of a debt? A debt to life, a debt to having escaped the Holocaust and finding a new home in Mexico at the time when the coin was still tottering on the edge (the family left Europe by boat under Nazi bombs in 1940).

During the forties, when Rodolfo grew up in a middle-class home in Mexico City, the family environment was enriched not only by the discussions among fellow exiles from central Europe, but also significantly by a circle of Mexican artists, writers and intellectuals. It was in those early years that Rodolfo's parents, Kurt and Lore, discovered and fell in love with the Pre-Hispanic art of Mexico, that is, the artworks and artifacts produced by the indigenous peoples of Mesoamerica before the Spanish conquest of 1521. Over the years they built up an important collection of indigenous Mexican cultural items that provided them, and their many visitors, with a new and exciting vision of life and art before the colonial period. It also inspired Rodolfo's first interest Mexico's indigenous heritage. This collection was donated by their heirs to the National University of Mexico (UNAM) and is now housed in a special gallery at the Museum of Tlatelolco in the center of Mexico City, open to the public. Some of the illustrations in this book come from that collection.

The author with a Masai family in Kenya in 2007. *Source* Personal photo collection

Greeting Maori headman in Aotearoa (New Zealand), 2005. *Source* Personal photo collection

The author with Aymara Indians in Bolivia in 2007. *Source* Personal photo collection

Reception at the launch of the book catalogue to the Stavenhagen collection of ancient Mexican art at the Tlatelolco Museum, National Autonomous University of Mexico, Mexico City, February 2012. Ursula Oswald Spring, Rodolfo Stavenhagen and his wife Elia Stavenhagen. *Source* This photograph was taken by and is reproduced with permission of Hans Günter Brauch

Chapter 2
The Author's Relevant Papers on Indigenous Rights and Other Topics: Selective Bibliography

This selected bibliography contains only publications by Rodolfo Stavenhagen in English. The texts that were selected for this volume and for the two text collections are marked in bold (for the year of publication) and the source in italics. A comprehensive bibliography of his publications in Spanish, French, German and in other languages may be accessed at: < http://www.afes-press-books.de/html/SpringerBriefs_PSP.htm > .

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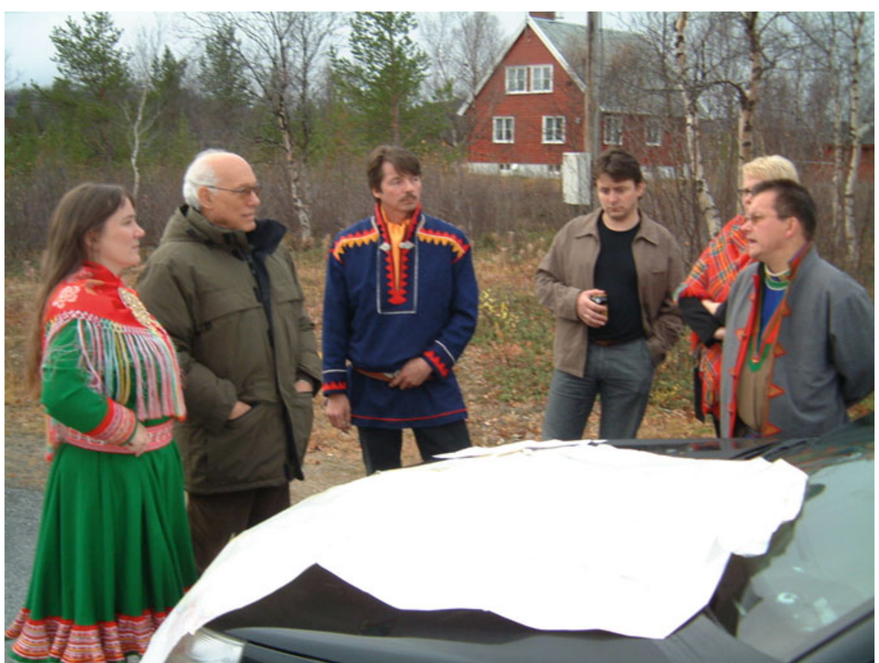

Rodolfo Stavenhagen with Sami representatives at a NATO military base in Sapmi, northern Norway. *Source* Personal photo collection

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Part II
The Author's Key Texts

Chapter 3
Seven Fallacies About Latin America (1965)

This text was first published in the Mexican daily *El Día* in June 1965, after my return from Brazil where I had lived through the military coup that overthrew democratic president Goulart, this newspaper article has been translated and reproduced numerous times in many countries over several decades. In my attempt to 'deconstruct' hegemonic thinking in the social sciences of the 1960s I must have hit a raw nerve, considering that this piece is probably my most successful text so far.[1]

Stavenhagen attacks a number of fallacies about Latin America, the principal one of which is to view Latin American countries as 'dual societies' of feudal and capitalist elements in conflict with each other. The relationships established between the colonial power and its colonies repeats itself within the colonies themselves, he argues; and the backward underdeveloped regions are essentially colonies—internal colonies as Gonzalez Casanova has called them—of the developing urban centers and productive agricultural areas, within the framework of an underdeveloped capitalist system. Exploitation of capital, raw materials, foodstuffs, and the labor force in the so-called semi feudal or backward areas actually permits the growth of the 'modern' zones; their development is at the expense of the stagnation and underdevelopment of these 'traditional' areas. Thus, any supposition that the urban industrialists of the 'modern' areas are inevitably in conflict with the large landowners of the backward areas is unfounded.

The purpose of this article is to review critically and refute a number of ideas on social development and underdevelopment that are current in Latin America. If the general tone of the article is outspoken and polemical, it is because the 'theses' and 'antitheses' it develops are directly pertinent to the great political and ideological issues that Latin America is facing today.

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[1] This is a substantially revised and enlarged version of "Siete Tesis Equivocadas sobre America Latina," which appeared in June 1965 in the Mexican daily, *El Día*. An English version of this article, translated by Otto Feinstein, appeared in: *New University Thought*, Vol. IV, No. 4 (Winter 1966/67): 25–37; and the present text is based on this version, with substantial additions and minor revisions by the author. Published in James Petras and Maurice Zeitlin (Eds.), 1968: *Latin America, Reform or Revolution? A Reader* (New York, Fawcett Publications): 13–31.

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In the massive literature dealing with social and economic development and under development produced in recent years, many doubtful, mistaken and ambiguous theses have appeared. Many of these are accepted as the working truth, and form a major part of the conceptual framework of Latin American intellectuals, politicians, students, researchers, and professors. Neither facts nor recent research, which contradict these theses have been able to weaken them. Constant repetition in numerous books and articles, particularly foreign ones have given these concepts a growing life of their own, turning some of them, despite evidence to the contrary, into dogmas.

In this article I will deal with the sociological theses, since the debate about similar mistaken economic theses has been quite widespread.

3.1 The First Thesis

The Latin American countries are dual societies.

In essence this thesis affirms that two different, and to a certain extent independent—though necessarily connected—societies exist in the Latin American countries: one is an archaic, traditional, agrarian, and stagnant or retrogressive society; the other is a modern, urban, industrialized, dynamic, progressive, developing society. The 'archaic society' is characterized by personal and family (kinship) relations; by traditional institutions (ritual co-parenthood, certain types of collective labor, certain forms of personalistic political domination, and patron-client relationships); by rigid stratification of ascribed social statuses (i.e., where the individual's status in the social structure is determined by birth, with little likelihood of change during his lifetime); and by norms and values that exalt—or at least accept—the status quo and the inherited traditional forms of social life, which are said to constitute an obstacle to economically 'rational' thought. The 'modern society', on the other hand, supposedly consists of the type of social relations that sociologists call secondary, determined by interpersonal actions that are motivated by rational and utilitarian ends; by functionally-oriented institutions; and by comparatively flexible social stratifications, in which status is attained through personal effort, and is expressed by quantitative indices (like income or level of education) and social function (like occupation). In the so-called 'modern society', the norms and values of the people tend to be oriented towards change, progress, innovation, and economic rationality (e.g., maximum benefits at minimum costs).

According to this thesis, each of the two societies facing each other in the Latin American countries has its own characteristic dynamics. The first, the 'archaic society', has its origins in the colonial epoch (or perhaps earlier) and preserves many ancient cultural and social elements. It changes little, or does so very slowly. At any rate, changes are not internally generated, but are imposed upon it by the modern society. The other society, the 'modern' one, is oriented toward change; it

generates within itself its own transformations and is the focal point of economic development, whereas the 'archaic' society constitutes an obstacle to such development.

The dual society thesis is expressed on a more sophisticated level by positing an alleged duality between feudalism and capitalism in the Latin American countries. In fact, it is claimed that in a large part of Latin America a feudal type of society and economic structure exists, which constitutes the base for retrogressive and conservative social and economic groups (i.e., the land-owning aristocracy, the oligarchy, local political strongmen, etc.). On the other hand, the theory affirms, there exist nuclei of a capitalist economy, in which we find the entrepreneurial, progressive, urbanized middle classes. Implicit in this description is the idea that 'feudalism' is an obstacle to development in Latin American countries and must be eliminated to give way for a progressive capitalism, which will be developed by the entrepreneurial capitalists for the benefit of the country as a whole.

There is no doubt that in all the Latin American countries great social and economic differences exist—between rural and urban areas, between the Indian and non-Indian populations, between the mass of peasants and the urban and rural elites, and between the very backward and the relatively developed regions.

Nevertheless, these differences do not justify the use of the concept of dual society for two principal reasons. First, the relations between the 'archaic' or 'feudal' regions and groups and the 'modern' or 'capitalistic' ones represent the functioning of a single unified society of which the two poles are integral parts; and second, these two poles originate in the course of a single historical process.

Let us take the first point. What is important is not the mere existence of two 'societies' or a 'dual society'—two contrasting poles at the ends of a socioeconomic continuum—but rather the relationships that exist between these two 'worlds' and that bind them into a functional whole. To the extent that the localized development of certain areas in Latin America is based on the use of cheap labor (is this not what principally attracts foreign capital to our countries?), the backward regions—those that provide the cheap labor—fulfill a specific function in the national society and are not merely zones in which for one reason or another development has not taken place. Moreover, the archaic zones are generally exporters of raw materials to the urban centers of the country and abroad. As we shall see later the developed areas of the underdeveloped countries operate like a pumping mechanism, drawing from their backward underdeveloped *hinterland* the very elements for their own development. This situation is not new in the underdeveloped countries. It is the result of a long a long historical process that began with the expansion of mercantilist and colonialist Europe.

Let us now turn to the second point, the single historical process that gave rise to the two poles of Latin American society, the conquest of Latin America was accomplished principally in the context of commercial goals. Essentially, it was accomplished by a series of joint (private and state) mercantile enterprises. In some regions veritable feudal areas were created by means of *encomiendas* and *mercedes* (respectively, grants of Indian labor and land, by which the Spanish Crown rewarded the conquerors). The conquered indigenous populations were

subjected to the most brutal oppression and exploitation on the part of the Spaniards. In the same way the slavery of the African Negroes on the Caribbean and Brazilian sugar plantations which satisfied the needs of a mercantilist economy oriented toward the consumer markets of Europe was not characterized by a closed, self-sufficient economy (as was the case in classical European feudalism), but rather satisfied the needs of the export mining industry and of agriculture that supplied these mining centers or the European markets.

During the whole colonial epoch the driving force of the Latin American economy was the mercantilist-capitalist system. The Spanish and Portuguese colonies were large producers of raw materials that supplied various European markets, directly or indirectly, and thus contributed to the later industrial development of Western Europe. The 'feudal' economy, if it ever really existed, was subsidiary to the dynamic centers—the mines and export agriculture—which, in turn, responded to the needs of the colonial metropolis.

The one constant factor of the colonial economy was the search for and control of cheap labor for the colonial enterprises. First the colonists tried enslaving the indigenous populations; then the slavery of Africans was introduced. Later they assured themselves of servile Indian labor through a series of arrangements that varied from the encomienda to the forced distribution of Indian workers. The 'feudal' living and working conditions of the majority of the Indian peasant population reduced to a minimum the costs of production in mining and in colonial agriculture. Thus, the 'feudalism' in labor relations may be considered a function of the development of the colonial economy in its entirety, which, in turn formed an integral part of the world mercantilist system.

The colonial economy was subjected to strong cyclical variations. In Brazil one after another of the major industries grew and then declined. This was true for the primitive extraction of wood, sugar production in the great slave plantations of the Northeast, mining in the central part of the country, the extraction of rubber in the Amazon, and finally, during this century, coffee production in the South and Southeast of Brazil. Each one of these cycles brought an epoch of growth and prosperity to the area in which it occurred. Each corresponded; at that moment to a foreign demand. And each one left, in the end, a stagnant, underdeveloped, backward economy and an archaic social structure. In a large part of Brazil, then, underdevelopment followed upon and did not precede development. The underdevelopment of these areas is largely the result of a previous period of development that was of short duration and followed by the development of new activities in other parts of the country.

This pattern also can be observed in the rest of Latin America, principally in the mining zones that flourished in one epoch and whose economies decayed thereafter. The economic cycles of colonial Latin America were determined, in large part, by the economic cycles of the Western World. In Middle America, Indian communities that are now closed, isolated, and self-sufficient were not always like that. On the one hand, the colonists displaced the Indian populations who were removed into inhospitable and isolated zones, in which their living standards were reduced to a miserable subsistence level; on the other hand, during the periods of

economic depression, those communities that had previously been relatively integrated into the global economy cut themselves off from the world and were depressed through necessity to a subsistence level. We see, then, that in historical terms development and underdevelopment are connected in Latin America, and that frequently the development of one zone implies the underdevelopment of others. We see that the 'feudal' conditions largely respond to the needs of the colonial metropolis and the colonial elite, whom it is hardly possible to define as feudal.

The kinds of relationships that were established between a colonial metropolis and its colonies were repeated within the colonial countries themselves, in the relationships that developed between a few 'poles of growth' and the rest of the country. As span was to her colonies, so the centers of colonial power in New Spain (and in the rest of Latin America) stood to be outlying, backward areas that surrounded them.

Indeed, the backward, underdeveloped regions of our countries have always played the role of internal colonies in relation to the developing urban centers or the productive agricultural areas. And to avoid the mistaken idea that there are two (or more) independent social and economic systems at work in the Latin American countries, we propose to describe the situation in terms of internal colonialism rather than in terms of 'dual societies'. This will become clearer as we discuss the next thesis.

3.2 The Second Thesis

Progress in Latin America will come about by the spread of industrial products into the backward, archaic, and traditional areas.

The diffusionist thesis is found on many levels. Some speak of an urban—or Western—culture that will spread gradually over the world, and that will little by little absorb all the backward and primitive peoples. Others speak of the effects of modernization as if it were a spot of oil that spreads slowly outward from a central focus. Others affirm that all stimuli for change in the rural areas come of necessity from the urban zones. The fact that transistor radios, bicycles, toothpaste, and Coca-Cola can be found in the most remote parts of the world is cited to support these arguments.

This thesis implies three others, which are not always stated as clearly: (1) the development of the modern sector, which is essentially expansionist, brings with it *ipso facto* the development of the traditional and archaic sector; (2) the 'transition' from traditionalism to modernism is a current, permanent, and inescapable process that will eventually involve all traditional societies; and (3) the centers of modernism themselves are nothing but the result of the diffusion of 'modernist' traits (technology, know-how, the spirit of capitalism, and, of course, capital) that come from the already developed countries. The thesis can be considered mistaken for the following reasons:

(1) While it is certain that a large number of consumer goods has been distributed to the underdeveloped areas in recent years, this does not automatically imply the development of these areas, if by development we mean an increase in per capita output of goods and services, and in the general social welfare. Often this diffusion of products is nothing but the diffusion of the culture of poverty into the backward, rural areas, for it involves no basic institutional changes.
(2) The spread of manufactured industrial goods into the backward zones often displaces flourishing local industries or manufacturers, and therefore destroys the productive base for a significant part of the population, provoking what is known as rural proletarianization, rural exodus, and economic stagnation in these areas.
(3) The same process of diffusion has contributed to the development of a class of merchants, usurers, middlemen, monopolists, and moneylenders in the backward rural areas, in whose hands is concentrated a growing part of the regional income, and who, far from constituting an element of progress, represent an obstacle to the productive use of capital and to development in general.
(4) The 'diffusion' is often nothing more than the extension into the rural areas of monopolies and monopsonies, with negative consequences for a balanced and a harmonious development.
(5) The process of diffusion of capital has taken place from the backward to the modern areas. Constant decapitalization of the underdeveloped areas in Latin America accompanies the migration of the best-trained part of the population out of the backward zones: young people with a bit of education who are looking for better opportunities in other areas. It is not the presence or absence of factory-made goods but this unfavorable outward flow from the backward zones that determines the level of development or underdevelopment of these areas.
(6) This process of 'diffusion', to which are attributed so many beneficial results, has been going on in Latin America for more than 400 years—and aside from certain dynamic focal points of growth, the continent is still as underdeveloped as ever.

In reality the correct thesis would be: the progress of the modern, urban and industrial areas of Latin America has taken place at the expense of the backward, archaic, and traditional zones. In other words, the channeling of capital, raw material, abundant foods and manual labor coming from the backward zones permits the rapid development of these poles of focal points of growth, and condemns the supplying zones to an increasing stagnation and underdevelopment. The trade relation between the urban and the backward areas is unfavorable to the latter in the same way that the trade relations between underdeveloped and developed countries on a world size are unfavorable to the underdeveloped countries.

3.3 The Third Thesis

The existence of backward, traditional, and archaic rural areas is an obstacle to the formation of an internal market and to the development of a progressive and national capitalism.

It is claimed that progressive national capitalism—located in the modern industrial and urban centers—is interested in agrarian reform, the development of the Indian communities, the raising of minimum wages paid to agricultural workers, and other programs of a similar sort. This thesis is mistaken for the following reasons:

(1) With rare exceptions, no progressive or national capitalism exists in Latin America, nor do the international conditions exist that would allow its development. By a 'progressive' and 'national' capitalism, we mean one which is committed in word and in deed to the independent economic development of the country—i.e., of the masses of the population. This would mean the formulation and acceptance by the capitalist class of economic policies furthering: (a) diversified agriculture for the internal market; (b) transformation of the country's principal raw materials for use in the country itself; (c) increasing industrialization; (d) a high rate of reinvestment in the country's agriculture; (e) increasing state participation in large economic enterprises; (f) strict control of foreign investments and their subordination to national needs; (g) strict control over exports of capital and profits; (h) preference for nationally owned enterprises over foreign-owned companies; (i) strict limitation of unnecessary imports; (j) strict limitation of the manufacture of nonessential consumer goods; and other such objectives.

These policies are not being pursued in most Latin American countries, and the countries that have tried at one time or another to implement them have suffered tremendous external political and economic pressures. The recent history of Brazil is a case in point. After the U.S.-supported military coup in that country in 1964, the previous economic policies that had furthered a progressive and national capitalism were thrown overboard in favor of the increasing control of the economy by U.S. corporations. The same thing has happened in Argentina, Chile, Bolivia, and other countries. With the exception of Mexico (and at one time, of Brazil), the 'national bourgeoisie' in Latin American countries does not have enough power or influence anywhere to make its interests really felt.

(2) Up to this time—and for the foreseeable future—a significant internal market exists among the urban population, a market that is growing continuously and one that is not yet fully supplied. On the other hand, in these same urban areas there is an industrial sector that works at less than full capacity for reasons that have little to do with the internal market, but rather with profits; and for a long time there will be no need for these industries to do more than supply the growing urban zones. That is to say those metropolitan areas like Lima,

> Callao, Säo Paulo, Santiago, and Mexico City can grow economically for the indefinite future without necessarily affecting any basic changes in the structure of the backward rural areas, the internal colonies.

The question of the internal market is essentially a question of income distribution. Economists and sociologists speak constantly about the need of incorporating the 'backward' subsistence peasants into the money economy in order to strengthen the internal market and further economic development. Yet nowhere in Latin America is the gap between rich and poor greater than in the cities, where the desperately poor 'marginal' urban population of the shantytowns is growing rapidly. If the internal market were indeed the driving force of Latin America's bourgeoisie, Mexico's capitalists would not be seeking, as they are, investment opportunities in Central America, or Brazil's in Paraguay and Bolivia; they would not be exporting millions of dollars a year to the security of American and European banks; they would, instead, favor more equitable tax policies, lower profit margins and higher turnovers, lower prices for their products, and higher levels of production. Generally, however, they favor none of these things.

3.4 The Fourth Thesis

The national bourgeoisie has an interest in breaking the power end the dominion of the landed oligarchy.

It has often been said that there is a profound conflict of interest between the new elite (or the new upper class) represented by modern commercial and industrial entrepreneurs and the old elite (or the traditional upper class), which derives its prominence from the ownership of the land. Although the latifundist aristocracy was eliminated by revolutionary means in some Latin American countries (however, always by the people, never by the bourgeoisie), there does not seem to be a conflict of interests between the bourgeoisie and the oligarchy in the other countries. On the contrary, the agricultural, financial, and industrial interests are often found in the same economic groups, in the same companies, and even in the same families.

For example, much of the capital coming from the archaic latifundia of Northeast Brazil is invested by their owners in lucrative enterprises in São Paulo. And in Peru the grand families of Lima, associated with progressive foreign capital, are also the owners of the major 'feudal' latifundias in the Andes. There is no structural reason why the national bourgeoisie and the latifundista oligarchy should not understand one another; on the contrary, they complement each other very well. And in those cases where there is a possibility of a conflict of interests (as with some legislation that would benefit one group and be prejudicial to the other, for example), there is no lack of bourgeois or military government that will give ample compensation to the group whose interest is prejudiced.

The sorry spectacle of some recent ‘agrarian reforms’ is a case in point. Stung by the Cuban experience and pressured by the U.S., many conservative Latin American governments, at the 1961 Punta del Este economic conference, subscribed to the proposition that it would be safer to bear some sort of land reform than to court peasant revolution. Much publicity has been given to the Colombian and Venezuelan ‘reforms’, and land reform laws or projects in Brazil, Chile, Ecuador, Peru, and other countries have been widely hailed. Where these projects have not been talked to death in parliament (as in Chile), or simply evaded by legal chicanery or specially erected institutional stumbling blocks (as in Brazil, Ecuador, and Peru), the experts agree that what is being done (as in Colombia and Venezuela) is too little, too late, too costly, too badly planned and executed, and these ‘reforms’ are simply insufficient to even keep up with the natural growth of the peasant population, let alone redistribute the land or break the rural power structure. And none of these governments are controlled by the ‘landed aristocracy’ to such an extent that it could be said of them that the local ‘bourgeoisie’ is excluded. Quite the contrary.

The disappearance of the latifundista oligarchy has been exclusively the result of popular movements, not of the bourgeoisie. The bourgeoisie finds a very good ally in the landowning oligarchy in maintaining internal colonialism, which in the last analysis benefits both of these social classes equally.

3.5 The Fifth Thesis

Latin American development is the work and creation of a nationalist, progressive, enterprising, and dynamic middle class, and the social and economic policy objectives of the Latin American governments should be to stimulate ‘social mobility’ and the development of that class.

There is probably no other thesis about Latin America more widespread than this one. It is supported by researchers, journalists, and politicians; it is the theme of seminars and conferences, the subject of voluminous books, and one of the implicit but basic assumptions of the Alliance for Progress; it has been transformed into a virtual dogma. But this thesis is false, for the following reasons:

(1) In the first place, the concept ‘middle class’ itself contains ambiguities and equivocations. If it deals, as is often the case, with middle income groups situated between the two extremes of a given economic scale, then it is not a social class but a statistical aggregate. Generally, however, this concept refers to people who have a certain type of occupation, particularly in the tertiary sector of the economy—in commerce or services—and mostly in the urban areas. In this case, it refers to white collar workers, the bureaucracy, businessmen, and certain professions. At times this concept also refers to certain social groups that have no place in the traditional structural model of Latin America, in which there supposedly exists only a landed aristocracy and peons

without land. All other groups, from the small land owners to the urban population as a whole, are then lumped together under the catch-all term of 'middle class'. As long as there is no clear definition of this term, information concerning the virtues and potentialities of this 'middle class' is only a subjective opinion of those who state it.

(2) Very often the term 'middle class' is a euphemism for 'ruling class'. When one speaks of the entrepreneurs, the financiers and the industrialists in relation to the development of the Latin American countries, reference is made to a class that has the power in the society, that occupies the apex of the social, economic, and political pyramid, and that makes, as such, the overall decisions that affect these countries. In other words, the class in question is in no sense 'middle'.

When liberal authors (such as John Johnson and Robert J. Alexander, for example) extol the virtues of this 'new' class in Latin American politics, it is obviously less embarrassing to use the neutral term 'middle class' than to accurately define the nature of this group at the top of the power structure as a new ruling class or power elite.

(3) This thesis of the middle class usually suggests the idea of a potentially majoritarian mass of the population, primarily recruited from the lower strata of society, which will sooner or later totally occupy the social universe. At that time, it is implied, the upper classes will no longer have any economic, nor the lower classes any numerical, importance. There could be nothing more utopian or mistaken. The growth of the tertiary economic sector is no guarantee of development, nor will the growth of the middle social sectors (a statistical fiction) guarantee the disappearance of the economic and social inequalities of society. No matter how accelerated the growth of these middle strata may be in Latin America as a whole, the growth of the lower income groups in both the countryside and the city on the one hand, and that of the miniscule upper income strata on the other, is still greater.

(4) The sectors that compose the middle class in its restricted sense—small- and medium-sized farm owners, small businessmen, public employees, small entrepreneurs, artisans, different types of professionals, etc. (i.e., those who work on their own or who receive a salary for non-manual labor)—usually do not have the characteristics that are attributed to them.

Instead they are economically and socially dependent upon the upper strata; they are tied politically to the ruling class; they are conservative in their tastes and opinions, defenders of the status quo; and they search only for individual privileges. Far from being nationalists, they like everything foreign—from imported clothing to the Reader's Digest. They constitute a true reflection of the ruling class, deriving sizeable benefits from the internal colonial situation. This group constitutes the most important support for military dictatorships in Latin America.

(5) The concept 'middle class' is also understood at times in terms of the consumption habits of a certain part of the population. In this way, for example, the fact that the peasants buy bottled beer instead of Chicha or Pulque, or that

the urban population buys furniture or electrical appliances on credit, is considered by some as an indisputable sign that we have taken great steps in the March toward a 'middle class' civilization. Everyone in Latin America, these authors tell us, has 'the aspirations of the middle class'. It is only a question of time as to when these aspirations will be realized. This assertion is incorrect for the following reasons:

A social class is not defined by the articles it consumes, nor does the level of aspirations reveal the structure of social institutions and the quality of inter-group relations. The diffusion of manufactured articles is directly related to the overall level of technology as well as to effective demand. The majority of the population—particularly in the urban areas—can enjoy this type of consumption, to some extent, but it requires no basic change in the class structure or in the inequalities of income, social status, political power, or labor relations.

The creation of 'aspirations' or 'necessities' of a certain type is increasingly the result of an all-powerful advertising industry that has infiltrated all social milieus. Levels of aspiration are rising everywhere, but so is the level of unfulfilled aspirations; and this, as any psychologist would confirm, leads to rising levels of frustration and feelings of deprivation. Thus, the aspirations of the middle class could well be transformed into revolutionary consciousness.

Furthermore, economic studies have demonstrated that in Latin America the proportion of wages in the national income—on which most of the population is dependent—tends to diminish, while the profits and capital returns of a minority tend to increase. This tendency, which has been accelerated in recent years by the process of inflation (especially in countries like Argentina, Brazil, Chile, Bolivia, and Colombia) does not fit with the idea of the slow, harmonious growth of the middle class.

(6) The strengthening of the middle class, as a goal of social policy, is not essentially intended to further economic development in a country, but rather to create a political force capable of supporting the existing ruling class, and of serving as a buffer in the class struggles that endanger the stability of the existing social and economic structure. The ideologues of the middle class have lamented that this class was not sufficiently strong in Cuba to oppose the socialist revolution. On the other hand, they give credit to the 'middle class' for the fact that the Mexican and Bolivian revolutions have become 'stabilized' and 'institutionalized'.

The so-called middle classes are closely tied to the existing economic and political structure, and lack an internal dynamic which could transform them into promoters of an independent economic development. Their relative numerical importance is one thing, and their condition and capacity to make decisions as a class that could affect economic structures and processes is altogether another thing. It is noteworthy that the authors who are most attached to the idea of the growth of the middle class give little or no importance to the fact that the lower strata still constitutes the largest part of the Latin American population.

(7) Finally, the thesis of the middle class tends to obscure the fact that there are tensions, oppositions, and conflicts between ethnic groups as well as between classes in Latin America; that the social and economic development of the Latin American countries depend, in the last analysis, upon an adequate solution to these conflicts; and that the growth of the 'middle sectors' (as one North American author calls them), though very impressive in certain regions, does not contribute to the solution of these problems. At times, such growth may even postpone a solution and sharpen the conflicts.

3.6 The Sixth Thesis

National integration in Latin America is the product of miscegenation.

This thesis is frequent in the countries that have major ethnic problems—those that have a large proportion of Indians in the population, and Brazil, with its Negro population. It is argued that the Spanish and Portuguese colonization of America brought two main racial groups, two civilizations, into confrontation, and that the process of national integration represents both a biological and a cultural mixture. In the Indo-American countries it is thought that *ladinoziation* (acculturation of Indians) constitutes a universalizing process in which the major differences between the dominant white minority and the Indian peasant masses will disappear. It is said that out of the traditional bipolar social structure a new, intermediate biological and cultural element is appearing—the Ladino, or *Cholo*, or *Mestizo*, or *Mulato*, as the case may be—who bears the 'essence of nationality' and who possesses all the virtues necessary for progress in Latin American countries.

The fallacy in this thesis is that biological and cultural mixing (a common process in many parts of Latin America) does not constitute, in itself, a change in the existing social structure.

National integration, as an objective process, and the birth of a national consciousness, as a subjective process, depend on structural factors (i.e., on the nature of the relations between men and between social groups) and not on the biological or cultural attributes of certain individuals. National integration (in the sense of full participation of all citizens in the same cultural values, and the relative equality of social and economic opportunities) will be achieved in the Indian areas, not with the development of a new biocultural category, but with the disappearance of internal colonialism. In the internal colonies of our countries, the Mestizos (or racially mixed population) are, in fact, representatives of the local and regional ruling class who help to maintain the Indian population in a state of oppression. They have not the slightest interest in true national integration. On the other hand, in the increasingly important urban centers, the immigrant rural population, often of Indian I stock, is rapidly 'integrated' from the national point of view; I but this is due more to the positions it occupies in the class I structure than to the process of miscegenation.

Furthermore, the thesis of miscegenation very often hides a racist prejudice (which may be unconscious); in the countries where a majority of the population has Indian traits, biological miscegenation signifies 'whitening', and in that sense citing the virtues of miscegenation really hides anti-Indian biases. The same prejudice is found in the cultural version of this theory—indeed, it means the disappearance of Indian culture. Thus, making miscegenation the prerequisite for national integration condemns the Indians of America, a group that numbers in the tens of millions, to a slow cultural agony.

3.7 The Seventh Thesis

Progress in Latin America will only take place by means of an alliance between the workers and the peasants, as a result of the identity of interests of these two classes.

We cannot leave this discussion of Latin America without referring to a thesis that is quite prevalent among the orthodox left. Indeed, on the basis of theories developed by Lenin and Mao Tse-tung, it is said that the success of the democratic revolution in Latin America depends on the ability of the working and peasant classes to forge a common front against the reactionary bourgeoisie and against imperialism.

While this may be correct as a revolutionary ideal or as the desired goal for political organization and action, it must be pointed out that if the analysis of the last six points is correct, particularly if the concept 'internal colonialism' is valid, then the existing social structures and their present tendencies in Latin America do not 'naturally' favor such an ideal alliance, though I will not offhand deny its possibility. Recent historical experience does not show a single instance of such an alliance having in fact taken place. The Mexican peasant revolution took place when there was hardly an urban working class to speak of. The Bolivian revolution, while greatly beneficial to the peasants, was mainly the work of the tin miners and intellectual elite. The Cuban revolutionaries finally achieved the support of the organized urban working class only toward the end of the armed uprising when Batista's downfall was assured. The working class of São Paulo (Brazil's largest concentration of industrial workers) has consistently elected the country's most conservative—albeit 'populist'—governors and was certainly unable to join forces with the relatively well organized rural workers in the Northeast to save Goulart's democratic regime from military overthrow. In Argentina the organized urban workers (either *peronistas* or *antiperonistas*) have not been able or willing to establish an alliance with the peasants and rural workers. In other countries the experience is similar.

In the future, as most of Latin America will become increasingly underdeveloped and will be increasingly controlled by the U.S., through military or pseudo democratic regimes, the situation may change. Many governments will continue to attempt to carry out some sort of land reform and certainly the political forces of

the left will continue to press for it everywhere. In regard to these land reforms (be they the first steps of a democratic revolution or the delaying action of an increasingly frightened bourgeoisie) it is pertinent to emphasize the flowing points:

(1) One of the indisputable steps in all democratic revolutions is agrarian reform. But the acquisition of land by the peasantry through a no collectivist agrarian reform transforms them into proprietors whose class interests are those of other landed proprietors.
(2) The objective interests of the peasants and the workers ire not identical in the matter of agrarian reform. An agrarian reform usually implies an initial diminution of food deliveries to the cities, the effects of which are first felt by the working class. It also means the channeling of public investments into the rural sectors, with a consequent disfavoring of the urban sector—which, as we have seen, is about the only sector that really benefits from economic development in a situation of internal colonialism.
(3) The struggle of the urban working class (which is politically more powerful than the peasantry) for higher wages, more and better public social services, price controls, etc., finds no seconding in the peasant sector because benefits obtained by the working class in this way are usually obtained at the cost of agriculture—i.e., the peasants.
In Latin America almost half of the economically active population works in agriculture, yet the agricultural sector receives little more than 20 percent of the total income, and its share in the total income has been declining much faster than its share in the total population. Capital formation is much more important in the nonagricultural sector and public and private investment (in public services, education, health, social security, etc.) principally benefits t\e urban populations.
In other words, the urban working class of our countries is also a beneficiary of internal colonialism. That is one of the reasons why a truly revolutionary labor movement does not exist in Latin America.
(4) In nineteenth-century England the expulsion of peasants from the land and their migration to the industrial sweatshops signified a diminution of their standard of living; in Czarist Russia, rural–urban mobility was strictly limited and the worker-peasant alliance was made in the field of battle; and in People's China the same alliance was forged in the fight against the Japanese invaders. In sharp contrast to all of these examples, rural emigration is not only possible for the discontented of the countryside in Latin America, but in most cases it represents an improvement in economic and social conditions (even in the *favelas*, the *barriadas*, the *ranchos*, or the *colonias proletarias*—the shantytowns—of the Latin American cities), as compared with conditions in the countryside. One can theorize that the revolutionary consciousness of the peasants increases in *inverse* proportion to the possibility of their individual upward social mobility, and that this relationship would hold even more strongly if the latter also implies geographic mobility.

(5) We may also suppose that the more severe the internal colonialism in Latin America (i.e., the greater the difference between the metropolis and its internal colonies), the further the possibilities of a true political alliance between workers and peasants will be reduced. The example of recent events in Brazil and Bolivia should illustrate this point.

The preceding picture of Latin America might seem overly pessimistic. If so, it is only because the picture given us by those ‘experts’ who perpetuate these seven fallacies is uncritically optimistic and leads easily to an underestimation of the tremendous tasks that Latin America faces today. Perhaps the greatest single obstacle to economic and social development in Latin America (not localized growth) is the existence of internal colonialism, an organic, structural relationship between a developing pole of growth or metropolis, and its backward, underdeveloped, and underdeveloping internal colony. Quite often not even the best-intentioned policy makers are aware of this relationship, which exists on the economic, political, social, and cultural levels. Whereas several measures of a partial and limited nature can no doubt be taken by progressive governments to remedy this situation, the only way out in the long run seems to be the social and political mobilization of the ‘colonized’ peasantry, which will have to fight its own battles, except for the usual support it can hope to receive from radical segments of the intelligentsia, the students, and the working class. It is noteworthy that not even the governments that have formally acknowledged the need for land reform are willing to tolerate independent peasant organizations.

The myth of the middle class is another false panacea. This does not mean that the diploma-holding sons of the; middle-income strata have no role to play in their country’s development. Some of them will probably lead the coming] peasant revolutions themselves. Others will of course continue i to run the petroleum industry, the sugar mills, the hospitals, i the universities, and the chain stores. It is rather a question of in whose interest and for whose benefit these organizations will be managed. And in this sense, the ‘middle class’ has hardly ever been able to see further than to their own pocket-books. The thousands of Latin American technicians and professional people who emigrate yearly to the U. S. and better-paying jobs are a case in point.

In Latin America today there is growing awareness among all sectors of the population of what the real obstacles are to the socioeconomic growth and to democratic political development. Thoughtful people are less and less concerned with single factors such as ‘lack of resources’, ‘traditionalism of the peasantry’, ‘overpopulation’, and ‘cultural and racial heterogeneity’, which are still current among some scholars. They are increasingly conscious of the internal structure and dynamics of the total society and, of course, of the relation of dependence this society has with respect to the industrial metropolis, i.e., the phenomenon of imperialism and neocolonialism. Such awareness can only lead to deeper and more refined analysis of the Latin American situation and to newer tad more correct courses of action.

Chapter 4
Decolonializing Applied Social Sciences (1971)

Abstract The radical critique questions the theoretical conceptions implicit in much current social scientific activity. It implies not only that a measure of ideology is inseparable from professional practice [contrary to hollow claims to a 'value-free' social science], but also requires the development of adequate theory capable of explaining, even when not testable empirically, what society is all about (particularly those societies or parts thereof where applied social scientists generally exercise their profession). A second imperative refers to the problem of communications: how can research findings best be made available to those most in need of social knowledge yet usually least capable of acquiring it; who also happen to be precisely those groups most commonly studied by social scientists. A critical and committed social science must also turn from the traditional study of the underdog to that of the dominant elites and the system of domination itself. Ideological commitment by the social scientist to the anti-status quo might also lead to his emerging role as activist, and not merely as participant, observer. The applied social scientist cannot, by definition, be neutral to the larger political and ideological issues which determine the framework of his professional practice, whether he is engaged in international organizations or works on development problems within his own national context. (Rodolfo Stavenhagen was in 1970–1971 a Senior Staff Associate at the International Institute for Labour Studies, Geneva. This paper is a slightly revised version of the author's guest lecture at the

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In 1970 the Society for Applied Anthropology of the United States invited me to speak at their annual congress, and the revised text, presented here, later appeared in *Human Organization*, the Society's official journal, with valuable critical comments by invited reviewers. In this contribution, I continue my debate with mainstream social science and challenge my colleagues to take a more critical and radical position in their work with subaltern peasant and indigenous communities (This text was first published as: "Decolonializing Applied Social Sciences", in: Human Organization, Journal of the Society for Applied Anthropology, 30,4 (Winter 1971): 333–357. The permission to republish this text was granted on 19 July 2012 by Melissa Cope, Society for Applied Anthropology, Oklahoma City, OK, USA).

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thirtieth Annual Meeting of the Society for Applied Anthropology, held in Miami, April 1971. The opinions expressed herein are entirely personal and do not reflect those of the institutions with which the author is associated. He would like to thank Dorien Grunbaum, Otto Feinstein and Jeffrey Harrod for helpful comments on a first draft of this paper).

It has lately been found necessary in some quarters to decry anthropology in general, and its applied variety in particular, for its links to colonialism and imperialism. I believe this to be a healthy development, for the historical relation between colonialism and imperialism as world-wide systems of domination and exploitation on the one hand, and the use of social science in the management of empire, on the other, has up to recently been overlooked or ignored. It can no longer be neglected, and it has become clear to many of us that the methods, the theories, the various 'schools of thought', the very objects of study and observation in anthropology and other social disciplines have been deeply colored by this historical relationship.[1]

Let me add right away that I am deeply convinced of the very important contributions that anthropology and the other social sciences have made to the advancement of knowledge, irrespective of their various relationships with colonialism and imperialism; and particularly to knowledge of and about the so-called underdeveloped countries. I am also one of those who recognize the deep strain of humanism, progressivism, liberalism and radicalism that has been imbedded in the development of anthropology, and even in some of its colonialist varieties.

Thus it seems to me that it is equally mistaken to deny the evident historical relationships between colonialism and anthropology (or between imperialism and the so-called sociology of development)—a question that lies in the domain of the sociology of knowledge—as it is to simply treat these disciplines as handmaidens of colonialist or imperialist domination.

For it is precisely out of the science of society that the most powerful critiques of colonial systems, imperialist domination, totalitarian political structures and bourgeois class society have sprung. New generations of radical social scientists have arisen—mainly in the Third World—who question some of the basic assumptions upon which social science in the industrial countries seems to stand. Yet it must be recognized that these social scientists themselves are a product of the way social science in general has developed.

[1] The issues raised in this paper are neither new nor original and the author is conscious of treading on ground that has been broken before. He sees it rather as a contribution to the Great Debate that has taken place in the social sciences in recent years and in which many colleagues from various disciplines and different countries have participated. (See for example the discussion in *Current Anthropology* (1968); and among Latin American sociologists the debate between Fals Borda and Solari in the journal *Aportes* (1968–1971).

I think we may look at the issues involved from two angles: the uses or application of social scientific knowledge in general, and the professional practice of applied social science.

Like all knowledge, social scientific knowledge forms part of humanity's cultural heritage. It is there to be used or applied by those who can and know how to make use of it. While social scientists may be held partially responsible for the uses to which the knowledge they produce is put, they can do little to actually control the process if they remain within the established rules of the scientific game (research, publish, teach). It is the rules of the game that must be changed.

I think the issue hinges on two important aspects: the nature and quality of the research, and the diffusion of the information to potential users. But these two aspects are intimately linked, and they condition each other.

Anthropological studies are commonly criticised for being concerned with small-scale, part societies and it is held that this approach does not enable them to see wider issues and relationships necessary for a meaningful understanding of reality. The radical critique demands a holistic approach in terms of global social units and total societies. It is however not sufficient to simply state that tribal or peasant peoples, or village communities, are integrated into wider wholes (a truth that has not escaped anthropologists from the beginning). The task for anthropology is to unravel the mechanisms which relate the traditional anthropological unit of study to the wider society, to discover the mutual relationships and interconnections; to analyze cleavages, conflicts and contradictions. This is a question not of ideology, as some would have it, but of research methodology and adequate theory.

In general, anthropology—by concentrating on the small-scale, the isolated, the traditional—has not handled the theoretical aspects involved in these links and relationships satisfactorily. Few anthropologists who have carried out field work among tribal or peasant peoples have had a theory—even a general theoretical orientation—to help them explain such linkages. Unlike sociologists and political scientists, anthropologists have not given much attention to the interpretation of the national societies of which the object of their study is a part. On the average, anthropologists have been rather naive concerning national social structures or world systems (I do not mean studies of national cultures or national character, which are quite numerous). In fact, anthropological studies in underdeveloped countries have been much too culture bound, in the two meanings of this term. On the one hand, despite disclaimers to the contrary in the name of cultural relativism, whenever problems of social change are considered, we find linear models based on the assumption that modernization or development will lead necessarily to some kind of social structure similar to the capitalist industrial, middle-class, consumer societies we are ourselves a part of. On the other hand, by stressing, and more often than not, by reifying culture as a concept, anthropology has been unable to handle the problems involved in the analysis of total social systems.

Theories about national societies (or world-wide systems, for that matter), are of course not true or false in any absolute sense; they are simply more or less relevant in attempting to explain adequately a set of observable facts and their interrelationships. None of the existing theories, as far as I can judge, are directly

verifiable or testable (in the laboratory sense that some 'scientific purists' would like to have it). They necessarily reflect the value orientations of those who use them, but in their capacity to explain particular sets of facts they will in the long run turn out to be more or less adequate. And this of course has to do with what, indeed, one wishes to explain.

We may recall, some years back, the discussion between Robert Redfield and Oscar Lewis about the interpretation of the social structure of the Mexican peasant village, Tepoztlán. We cannot, for sure, state that one of the opposing interpretations is true and the other false. We can only say that certain facts seem to be explained better by one interpretation than by the other. A similar discussion—with important implications for action programs—has arisen around the concept of 'peasant resistance to change' (see Huizer 1970). Whether we accept theories attempting to explain 'peasant conservatism' or prefer those that emphasize 'peasant rebelliousness', will depend on our value orientations, and our choice will, in turn, determine the importance we attribute to different kinds of empirical data.

At a certain level of generality, theories about social structure and the dynamics of social forces are simply not testable in the immediate sense; they will only stand or fall in historical perspective; they should more correctly be considered paradigms. But I would go one step further; to paraphrase a piece of good old Anglo-Saxon folk wisdom: the proof of the theory is in the praxis. What I mean by this is that in the long run any theory of society, and particularly of social change, will be validated by its utility as an instrument of action in the hands of organized social groups.

Karl Marx formulated it thus: "Theory becomes a material force as soon as it has gripped the masses". This leads to the question of ideology and value orientations in relation to theory: an empirically validated theory becomes knowledge (not 'truth' in any absolute sense); knowledge is necessarily relative, not always unambiguous and subject to constant revision; it may become ideology when used as a guide for action; and if validated by praxis (i.e., by the organized, purposeful behavior of social groups) it ceases to be 'mere' theory and becomes social reality. It may be countered that this argument leads into the trap of the self-fulfilling prophecy. I don't think that this should deter us, because if we accept that man is not only a blind creature of historical forces but also shapes his own history, with the necessary bounds that this same history imposes on him, then the self-fulfilling prophecy becomes one of many dynamic forces that mankind uses to forge its future.

What does this mean in concrete terms? To take an example from common anthropological subject matter, it is generally agreed that community development programs are not as successful as they should be (or they turn into outright failures), because they are unable to really mobilize community participation. And this is so because they are based on wrong assumptions, deriving from inadequate theoretical orientations, about the social structure of rural villages and their links to the wider society. Specifically, they ignore or play down the patterns of dominance, power structures and conflict potential between differentially located social groups (i.e., social classes) at the local and regional levels, if they do not actually (as is often the case) perpetuate the very inequalities they pretend to overcome. When, however, the issues of social struggle become clear (because they have

been adequately identified and analyzed—and not usually by the social scientist, but by the interested parties themselves), then communities (or a good part of them) do become dynamic forces for progressive social change. Witness the mobilization potential of peasants around the agrarian reform issue in most Latin American countries.

Most commonly held social theory has been unable to cope with these phenomena, and usually social scientists are belatedly called upon to explain ex post what should have been clear from the beginning. That is why I hold that the most fruitful social theory is the one that may be validated not by any amount of statistical verification, but by the practical day-to-day problem solving of real life issues. These practical problems are of increasing concern to social scientists throughout the world and they raise the need to address ourselves to the question of the relation between the researcher and the wider society within which he acts.

1 am always touched by the prefaces to published monographs on Latin America, in which the grateful author expresses his acknowledgment to Don Simpatico, Dona Gracias and the other helpful inhabitants of San Pedro or San Miguel (or whatever the name of the barrio or the village might be), but for whose collaboration and hospitality the study might never have been written. Yet how frequently do those communities and these helpful informants whose lives are so carefully laid bare by proficient researchers actually get to know the results of the research? Is any effort made to channel the scientific conclusions and research findings to them; to translate our professional jargon into everyday concepts which the people themselves can understand and from which they can learn something? And, most importantly, to which they can contribute precisely through such a dialogue? Would it not be recommendable that efforts be made by the sponsoring institutions, with direct participation of the researchers themselves, to ensure that research findings be freed from the bonds of the specialized journals, the university libraries or the limbo of government files? Can books about peasants be brought to the attention of, discussed with and used by peasant organizations? Can studies on urban migrants be made to help labor unions and neighborhood voluntary associations to better understand, and thus solve, their problems? Cannot studies on social movements, popular rebellions and revolutions be shorn of their scientific and scholarly paraphernalia and made available to the revolutionaries themselves?

I am assuming that the scientific value of such work is good enough to deserve being involved in such a process of de-elitization. This is not, however, always the case. I am not sure whether much anthropological production would survive the crucial confrontation with its Object—transformed for that purpose from Object into acting Subject. Not only do we face the need for a process of de-elitization, but also of demystification and the direct responsibility of the researcher must be engaged here (Some years ago C. Wright Mills proposed this in his The Sociological Imagination but I daresay that only a handful of social scientists have followed his lead).

It is a sad reflection on the state of our art that on the very few occasions that members of groups studied by anthropologists have the opportunity to comment on our profession they feel it necessary to do so in most unflattering terms. Quite

aside from hisbis wit, a recent statement by a leading spokesman of American Indians to the effect that his people have been cursed above all others in history because they have anthropologists should give pause for thought to many (Deloria 1969, p. 83). And it would be wrong to simply shrug this literary omelette off as a bit of harmless egghead breaking. I have often wondered what would remain of concepts such as the culture of poverty, created by the cultured and the rich, if the poor had any say in the diagnosis of their own problems (on this, see Valentine 1968 and Current Anthropology 1969). Or what the results would be when *encogido*-ridden peasants encountered *entronenfro*-anthropologists on an equal footing (see Erasmus 1968 who contrasts the humble, withdrawn peasant with the ambitious, pushy go-getter, locally known as *entron*).

In French-speaking Black Africa intellectuals and students tend to grade visiting foreign social scientists (particularly Frenchmen) according to their degree of mental decolonization before they begin to judge their professional capacities. In these countries the identification between colonialism and ethnology is such that the very name and nature of the discipline is in disrepute and rejected by many Africans (See Jaulin (1970) and Copans (1970) for a critique of French neocolonial ethnology).

Still, in most cases, scholars in academic communities (particularly when they go back to their own foreign countries) can do relatively little to control the uses or misuses (or simply the nonuse) of the fruits of their labor. We often hear it said amongst radicals that social scientific produce is really only of use to repressive governments, the exploiting classes or the self-seeking imperialists. Some younger radical social scientists now refuse to publish their work, or to carry out research at all, on these grounds. While it is certainly necessary at times to delay or refuse publication of research findings because of possible harm it may cause to the groups involved, those who stand on this as a matter of principle will simply radicalize themselves out of meaningful social scientific activity. The point here, it seems to me, is to save social science and to ensure its use for humanitarian, not destructive, ends—but not to abandon the field altogether.

As I said earlier, I believe a part of the problem is the diffusion to the desired publics of the product of research. Yet it is not only a question of information transmittal per se; for the nature and characteristics of this transmittal (if built into the research itself, through a creative dialogue between researcher and Object-Subject of research), will turn it into a process of mutual learning and will thus change the very nature of the scientific activity. This—transposed to the problem area of research—is what Paulo Freire calls 'dialogics' in his *Pedagogy of the Oppressed* (1970).

Yet precisely one of the more criticable and increasingly criticised aspects of social science—at least as far as the Third World is concerned—is that it is mainly concerned with studying the oppressed—from the outside. It should have become abundantly clear in recent years that the causes of oppression, or exploitation, or deprivation (relative or absolute), or simply backwardness and traditionalism, are to be found in the functioning of total systems, in the nature of the relationships binding the oppressed and their oppressors (or, if these words shock the

sensibilities of those who think they are too value-laden, we may say the deprived and the privileged), into a total system. We must thus try to channel to the former not only scientific knowledge about themselves, but also about how the system works. And this requires giving attention to the other pole of the relationship, and perhaps the most important pole: that of the dominant groups.

The truly comprehensive understanding of social forces in a process of social change requires more than an analysis of the so-called underprivileged social groups or of social movements against established systems of domination. It requires the study of the system of domination itself, and particularly of the mechanisms whereby the social groups at the top, that is, the elites, fit into the general structure; how they react to and participate in the process of change; how they operate to maintain, adapt or modify existing systems. It is here that I see a vast new field of inquiry opening up for the radical social scientist. Compared to studies of Indians, peasants, tribal peoples, urban poor, marginal migrants and so forth, the scientific study of elites and decision-making at the upper echelons of the social edifice is still very sketchy. One would think that because of his social origins, his university education and his general place within the social structure, the social scientist should be well placed to carry out such studies; yet up to now his scientific and mental equipment does not seem to have carried him into this direction.

By concentrating his attention upon the 'underdogs' in society, the social scientist has revealed precisely those tendencies which are most subject to the radical critique: the paternalistic or 'colonial' approach to the study of society. More than any of the other social disciplines, anthropology has been bound by these limitations. And perhaps for this very reason it is incumbent upon anthropology to break with its own past and set out upon new paths.

How many studies do we have of political elites and their decision-making processes; of the functioning of bureaucracies; of entrepreneurs (not only as innovators or modernizers but as political and economic interest groups); of foreign business communities in underdeveloped countries; of corruption among labor leaders; of advertising and the manipulation of ideologies, opinions, attitudes, tastes and the innermost emotions; of the role of estate owners in the maintenance of traditional agrarian society; of regional and local *cacicazgos* or *coronelismo*: of the influence of foreign diplomatic missions on national politics; of ecclesiastical hierarchies; of military cliques; of the role of the mass media; of oppressive educational systems; or simply of the varied and multiple aspects of repression (physical, cultural, psychological, economic) that dominant groups use to maintain the status quo? When studying Indian communities, how often have we analyzed regional political systems? When studying peasant villages, how frequently have we given attention to the operation of national market systems? When describing the urban poor, what role do we attribute to real estate speculation and economic interest in the development of cities? When addressing ourselves to the rural migrant in the process of industrialization, how conscious are we of the role and function of the multinational corporation in determining levels of investment, technology and employment opportunities? When judging the effects of community development, health or nutrition programs at the local level, how

much do we actually know of the bureaucratic and political processes involved? Admittedly, these are difficult areas for the field worker to get involved in. And by tradition we have chosen the path of least resistance. It is easier to walk into a peasant hut than into an executive office; besides, the peasant is not likely to ever read our field report.

Nevertheless, if social science is to avoid becoming irrelevant to the social change process as it is occurring in the underdeveloped countries, then we must face these new challenges, make use of our sociological imagination, become observers, perhaps even participant observers of those institutions and areas of activity which are of significance. This is not easy, and such a change of focus will encounter enormous—but I hope, not insurmountable'-difficulties.

Social scientific knowledge has long since ceased to be merely an academic fixture. Like all scientific knowledge, it has become (and increasingly so) an element of power (economic, social, political). Hence the rapid proliferation of 'think tanks', data banks, documentation centers, clearinghouses, etc. The academic researcher (particularly the younger one) is no longer able to select his research activity simply by following his intellectual whims. His choice is governed by available funding, university institutes specializing in this or that area, 'scientific fashion' (which is perhaps as tyrannical in its own way as are women's fashions in theirs), and other institutional considerations. Under these circumstances the accumulation of knowledge follows predetermined patterns over which the individual researcher exercises relatively little control. In the face of this situation, he can take one of three alternatives:

(a) He can simply continue producing information-like an assembly line worker produces spare parts—without regard to its ultimate use. But surely such scientific alienation stands in direct contradiction to the role of the intellectual in society as a humanist and a social critic.
(b) Or he can produce knowledge suited to prevailing and established interpretations of society, accepting and using in his work the premises upon which are predicated the continuity and stability of existing social systems. I would include under this heading the majority of studies on, say, acculturation, social class mobility, modernization, socioeconomic correlates of individual attitudes and behavior, community monographs, etc., within the framework of functionalism and behavioralism. While such research has contributed considerably to an accumulation of knowledge in general, it has had little influence on changing prevailing patterns of the uses to which such knowledge is put and on the distribution of productive knowledge among different social groups. I am here consciously drawing an analogy between the accumulation of capital and the accumulation of knowledge in a capitalist society, insofar as both processes are an expression of the prevailing mode of social and economic organization.
(c) Thirdly, he can attempt to offer alternative explanations; explore new theoretical avenues; and exercise his intellectual critique of established or accepted 'truths', and at the same time promote the redistribution of knowledge in the

> fashion suggested earlier. At this point, the accumulation of knowledge may become dangerous in the eyes of those who control the academic or political establishment, and our scientist will have diminishing access to research funds, his contract may not be renewed, he may be forced to leave the university; and in extreme cases he will be obliged to leave the country or may be imprisoned. In some Latin American countries (such as Brazil and Argentina) this process has been notorious in recent years—but I do not think that it is specific to the southern part' of the hemisphere or to the Western hemisphere at all.

While the accumulation of knowledge is an element of power, it does not necessarily always serve to maintain existing power structures. On the contrary, it may—and must—become an instrument for change which, through the awakening and development of a creative critical conscience, enables the powerless, the oppressed, the downtrodden, the colonized, first to question, then to subvert (for emphasis on the positive aspects of subversion, see Fals Borda (1970a, b), and finally to modify existing systems.

This leads directly to a consideration of an emerging role of the social researcher which will go beyond the well proven technique of participant observation: the role that I would call of activist observation, that is, of the militant cum observer. By this I mean the true synthesis between research on, and participation in, the social change process, not—as is so often the ease—from the vantage point of the administrator, the outside manipulator or the transitory participating visitor (a common breed of applied anthropologist); but rather at the level of the political organizer, the social agitator (in the noblest expression of that much maligned term), or the 'fish in the water' (to use a relevant Chinese metaphor). Thus action and research would be joined both in the interests of furthering knowledge and of contributing to change.

Not only will activist observation improve scientific understanding of social process as it is actually occurring (and not as it is reconstructed after the fact), but it may also help to transform non-research-minded activists or militants into careful observers of their own action. This is not of course a standard recipe for anthropology in general, for not every kind of social movement can hope to count a qualified social scientist among its members, committed to its goals. It is rather an idea for committed social scientists who are interested in certain kinds of social movements not only as observers but perhaps even mainly as participants. And, hopefully, it will help to improve the quality of the social action itself.

That this is not idle speculation is clearly demonstrated by the very active commitment of many a social scientist in Latin America's revolutionary movements. May I be permitted to publicly express here my humble admiration and homage to those (social scientists and all the others) who have thus become involved, and particularly to those who have met death and suffered torture, imprisonment and persecution in their pursuit of some of man's most noble ideals. But personal emotion aside, these very revolutionary movements have shown the desperate need for social scientific analysis; that is, for the constant interplay between theory, facts and practice. Would not some of the errors and tragic

mistakes that many of these movements have incurred have been avoided if, instead of simply applying theories and schemas mechanistically, they had engaged in some sort of continuing analysis of the social reality that they themselves were helping to shape? Or is this too much to expect from social science as well as from revolutionary movements? I confess that I do not possess a ready-made answer to this question.

But despite the advantages of posing research problems at this level, there are large fields of study where this approach simply is not feasible. Moreover, there is the thorny question of perspective and objectivity. One of the principal contributions of social science to social knowledge has been precisely the development of research techniques and methodology that has enabled individual researchers to distinguish more or less clearly between social fact and social norm, between what is actually going on and what they would like to see happen. This contribution of social science should not be thrown overboard by radical social scientists. The vantage point of scientific, theoretically-grounded observation by trained observers, the comparative perspective so dear to anthropologists and sociologists, the ability of social scientists to free themselves from narrowly determined perspectives of social class, minority group or subculture, is a precious achievement. And this may be an important contribution to the adequate study of the social movements to which the researcher as an individual is committed.

There is, furthermore, the very important role of the social scientist as a teacher, and not only in the university. The world-wide student revolt against the university and schools in general as systems of domestication should be of particular relevance to social scientists in helping them to 'decolonialize' themselves in their own academic environments. Social scientists as teachers can become powerful forces in the de colonialization process at all levels. We have a responsibility in helping to promote educational systems for the liberation of the human being, and not his domestication and subservience to established systems of domination.

Next to the important questions of what kind of research, for whose benefit, and the role of the social scientist as teacher, we also have the issue of the direct involvement of social scientists in the application of their knowledge.

Applied social science is generally held to mean the practice by a qualified social scientist in the interests of an objective not directly determined by himself, but by another group or agency, with direct consequences for the management of human affairs.

The moment a social scientist either sells his labor to the highest bidder on the professional market or puts his knowledge at the service of a government, a bureaucracy, a political party, a labor union, an international organization or a revolutionary movement, then he can hardly claim to be simply a neutral observer. He becomes directly involved in the value systems and ideologies of the groups or organizations he works with, for, or against. When an industrial sociologist adopts the ideology of management (see Baritz 1960 for a pertinent critique) or an applied anthropologist helps to improve colonial administration or to incorporate Indians into national societies in Latin America, then a number of ethical or ideological questions must be faced squarely. The social scientist must become aware that he

has made a choice and it is only in terms of the conscious recognition of the implications of this choice that he can exercise his applied scientific activity. The importance of such considerations in the exercise of applied social science is paramount: the fact that they have been ignored or neglected by applied social scientists (many of whom have considered themselves to be amoral technicians), has led the applied social sciences into the quandary in which they find themselves at present.

I believe the time is past when innocent social scientists, happy with newly discovered knowledge about human beings, could engage in a little harmless 'human engineering', in the belief that all's to the good and without questioning the deeper implications of their action. I am personally of the opinion that the difference between social scientists who wittingly contribute to counterinsurgency programs in Southeast Asia or Camelot-style projects in Latin America and elsewhere, and the doctors who experimented on human guinea pigs in Nazi concentration camps is one of degree and not of kind. The end result is genocide. Yet these are, admittedly, extreme cases, where the moral issues involved are fairly clear and the world scientific community has had ample opportunity to make its feelings known on them.

Not all cases of applied social science are equally clear-cut. Let us briefly analyze only two kinds of situations of particular relevance to underdeveloped countries, that of applied social science in the context of international aid, and within the context of national development.

In the second half of the twentieth century international technical aid has become something akin to what. Christian missionary activity among heathens used to be earlier. The same apostolic zeal, the same moral justification, the same na about economic and political realities, the same basic subservience to and lack of critical appraisal of the international system of domination itself. Social scientists who work on various kinds of development programs within the international framework (either bilateral aid projects or those connected with international organizations), have not, until recently, challenged the basic assumptions upon which such aid has been based, many of which constitute theoretical misconceptions still widely held in social scientific circles concerning the nature of underdevelopment, the characteristics of the development process, and the interrelationships between the developed part and the underdeveloped part of the world (see Frank 1969; Stavenhagen 1966). Nevertheless, this very experience over the last twenty or so years has demonstrated (to those who wish to see) the hollowness of many of these assumptions and the fruitlessness of many of these programs. The Andean Programme that was widely publicized by several South American governments and international agencies some 15 years ago (and in which a number of sociologists and anthropologists sharpened their professional teeth), has been quietly laid to rest; fundamental or basic education coupled with community development has undergone agonizing reappraisals in various United Nations agencies; among Peace Corpsmen the Committee of Returned Volunteers has proceeded to demystify the whole operation. Other cases could be mentioned. The social scientists involved in these programs have been the first to recognize

their limitations. This has been one of their positive results: they have contributed to the development of the radical critique that I have proposed earlier.

Though there has not been much publicity about this, the professional staffs of experts and technicians in a number of international agencies have lately expressed grave doubts and serious criticism about the operations they are involved in, and about the basic orientations that seem to guide the actions of these organizations. While some of this criticism simply proposes greater efficiency in existing programs, much of it is addressed to the implicit (and sometimes explicit) assumptions regarding the development process. Many social scientists thus employed have of course become simply cogs in the international bureaucratic machines that they serve; others however are engaged in a painstaking process of rethinking and reshaping the basic concepts of multilateral international technical assistance.

It is of course true that the basic tenets upon which rests the international capitalist system are not being questioned by these organizations—thus FAO is not only committed to raise agricultural productivity in the world, but hopes to do so by strengthening the medium-sized market oriented entrepreneur; the ILO, through its tripartite vision of the world, sees private employers and salaried workers as a permanent fixture of the social scene; UNIDO does not challenge the role of private enterprise in industrial development; and of course the international development banks see their own role as complementary to that of the giant multinational corporations. Yet even within this overall framework, and despite the fact that in terms of the Third World's development needs international technical aid is simply a drop in the bucket, it is clear that social scientists have contributed something important. In Latin America, for example, the UN's Economic Commission, ECLA, has been decisive over the last two decades in shaping what might be called a Latin American consciousness about social and economic underdevelopment and the area's foreign dependence. Whatever the present status of the policies recommended by EC LA might be, it is undeniable that even those who reject them today have been deeply influenced by the social and economic currents of thought generated by the activities of this organization.

Of course, international aid programs are a far cry from social revolution, and if taken in isolation their efforts will be minute; but then the role of the applied social scientist, as I see it, is to act to the best of his ability in terms of his personal ethical commitments, within the institutional framework that he has chosen as his field of action.

For example, social scientists working within a project of international technical assistance for agrarian reform would play a completely different role today in, say, Chile than in a similarly-named program set up by the present regime in Brazil, or even by the military government of Peru (which is committed to carrying out a drastic agrarian reform). The key variable here is the kind of reform that national governments are willing to undertake, and not the philosophy of the international agency.

International organizations are not monoliths, but rather, like all bureaucracies, monsters with many heads. A certain amount of flexibility is inherent in their nature, and there is leeway within their structures for the committed social

scientist. Somewhat more, I would say, than in military establishments or intelligence agencies.

Much more complex, and much more important to my mind, is the situation of the applied social scientist working within his own country in the Third World. He usually finds himself in the maelstrom of conflicting professional, political and ethical crosscurrents.

First of all, he is motivated by a profound and sincere desire to change things for the better for his country's population with whom he identifies completely. This motivation probably led him to choose the social sciences as a profession in the first place.

Secondly, he is eager to exercise his profession to the best of his ability, confronted, as he often is, with limited occupational opportunities in the academic field and in his profession in general.

Thirdly, he is conscious—with so many of his fellow students or professionals—of the causes and nature of his country's underdevelopment and of the functioning of imperialism or neocolonialism as it directly affects his own country's chances for development.

But very often it is only a visceral consciousness; he feels it but does not understand it intellectually. This leads at times to exacerbated nationalism and chauvinism: the 'we know it all; you've got nothing to teach us' attitude towards foreigners. Yet nationalism has become a powerful force and national ethics, as Adams (1968) has shown, is an important ingredient in the makeup of Latin American social scientists.

Fourthly, he becomes conscious of the nature of his own country's class and power structures, and of the conflicting interests of the ruling groups (landowners, bureaucracy, dependent bourgeoisie, etc.) and the oppressed masses (Indians, peasants, urban marginals, working class).

Moreover, his country's government (whatever its specific political color) is committed to social and economic development as a national goal and has established any number of agencies the declared purpose of which is to bring about such development (national planning offices, regional development authorities, community action programs, preventive medical and public health services, and many others).

Our social scientist with applied inclinations is peeved because many of the responsible positions in these programs are occupied, as he sees it, by illiterate politicians, narrow-minded doctors, socially ignorant architects and other kinds of uncivilized, technocratic vermin. He knows that all the mistakes and failures that such programs have incurred are due to an inexcusable ignorance of social realities and that a social scientist, well armed with the latest research designs, nondirective open-ended focused interview schedules, multivariate statistical analysis and a couple of good operational hypotheses, will soon be able to show them. Within this framework, a kindly patron (university professor, friend in the government, or well-connected mother's brother) will surely come up with a not highly paid but challenging proposal: here's your chance to show what you can do.

Alas, our well-meaning, ambitious social scientist soon becomes enmeshed in bureaucratic red tape, administrative paper-pushing, political in-fighting and general lack of receptivity to his world-shaking ideas. Furthermore, he is never actually given any power, and there is nothing as irritating to a social scientist in an underdeveloped country as not having any power. So either he accepts defeat and lets social science slowly slip away from him, or he stands and fights the system, with mixed results.

You will notice that I am only half joking when I draw this stereotyped picture. In truth, the dilemma of the applied social scientist, particularly of the radical type, is difficult. The urge to 'do something', to contribute to social change at whatever level in countries as needy as these, is great. And small and large changes are in fact taking place everywhere; many of them, particularly in Latin America, seem at first glance to be truly revolutionary when seen within the framework of traditional social structures, especially in the rural areas. This leads us into the burning question of structural transformations, so passionately debated in Latin American circles. What are these 'structural' changes? When is social action really revolutionary, and when is it 'merely reformist'?

Among radicals it is common to reject many programs as being 'reformist' (i.e., they lead to no significant changes but rather tend to strengthen existing systems of exploitation through a process of modernization), and to demand, in turn, truly revolutionary changes. While I basically agree with this viewpoint, I do not think it is an excuse for the committed social scientist to withdraw from professional activity; it is rather a challenge for him to orient this activity into a meaningful direction.

Upon closer examination, the distinction between 'reform' and 'revolution' becomes of course quite blurred. While we are all sure that we can recognize the finished product, we seem to be more like the proverbial blind men seeking to identify the revolutionary elephant by groping around its various extremities. Yet revolutions are never a finished product, and a closer look at some recent ones will show that they all undergo constant reforms from within. Those that do not, those that stand on the myth of having achieved perfection, fall into the bureaucratic-totalitarian quagmire, from which it is increasingly difficult to escape.

On the other hand, whereas 'reformism' as an ideology is certainly counter-revolutionary, specific reforms of social and economic structures have different meanings in different historical contexts. Thus, there are certainly reforms whose main purpose and function is to forestall any kind of deeper change and to strengthen existing systems. The Alliance for Progress is one such program. I shall call them counterrevolutionary reforms.

Other reforms are more 'reformist', that is, they attempt to achieve a certain number of important changes which require the adjustment of existing structures without, however, modifying the bases of the economic and political power of the country's ruling classes. The abolition of serfdom in Russia, the *estatuto da terra* in Brazil, the recognition of the right of workers to organize and to strike, the nationalization of some basic industries or services in dependent countries, and, of course, a number of land distribution programs in Latin American countries, all

fall within this category. 'Reformist reforms', in the absence of thoroughgoing social and political revolutions, are a necessary and inevitable aspect of social development. The radical social scientist cannot but approve of them and give them his support, even when he knows—or senses—that they 'don't go far enough', or 'avoid the real issues'.

Finally, there are 'revolutionary reforms', reforms that reach the nerve-centers of existing systems of domination, that are the result of the organized pressure of the popular masses and that very clearly affect the relative position of opposing social classes in society. This was certainly the case of agrarian reform in Mexico and Bolivia in its early stages, and of land reform in Chile and Peru at present. The nationalization of the banking system (as in Chile) may be another example. Revolutionary reforms are springboards for further transformations, and whether they are used as such or not depends of course on very concrete political factors.

Whether reforms of a certain kind turn out to be revolutionary or not is not so much a function of the reforms in themselves, as of their place within the overall process of development and their relationship to other kinds of action. Therefore they should not be judged in isolation, but rather in terms of their interplay with the larger society. Thus, while Mexican agrarian reform was revolutionary at first (up to 1940), the same reform (based on the same premises, the same mechanisms and the same ideology) has become conservative within Mexico's contemporary social and economic structure. The role of reforms in society is but an expression of the relations between the various social and political forces at play, and it is the dynamic of these relations that will determine whether reforms are reformist or become revolutionary.

Under these conditions, the applied social sciences must constantly redefine their role, or they will become meaningless technocratic appendages to the implementation of policies over which they exercise no influence whatsoever. I have encountered few applied social scientists who see the situation in this way; they usually accept a given set of policy guidelines from above, and if they tend to redefine problems at all it is more in operational than in political terms. Today, the fundamental critique comes rather from the younger generation of social scientists, and very frequently from the students.

It should be clear, for example, that the role of a sociologist or an anthropologist who participates in programs of diffusion of technical innovations in agriculture will vary radically according to whether these programs are earned out within a far-reaching agrarian reform and are addressed to the peasant beneficiaries of this reform, or whether they take place within a traditional setting of large estates, with rigid stratification systems, where a handful of modernizing entrepreneurs are the only ones who are able to take advantage of these innovations. The same applies to health and nutrition programs, community development, cooperatives and so forth.

A particularly relevant issue in Latin America at the present time is *indigenismo*, a term which denotes the various government programs directed at the incorporation of backward Indian populations into the mainstream of national life. Recently such programs have come under heavy attack by radical social scientists, particularly in Mexico and in Peru. The basic goal of *indigenismo* cannot of course

be quarreled with: to improve the living standards of the Indian populations. It is the ideological premises upon which *indigenismo* is based which are being questioned. And these have to do with the prevailing conceptions about what constitutes the so-called Indian problem and about the nature of the process of national development. Indian societies in Latin America have been traditionally viewed by anthropologists in terms of a number of cultural criteria which set them off from the so-called national culture. Changes undergone by these societies have been handled as a process of acculturation. Regional systems in which Indians and non-Indians interact have been termed caste systems. The guiding hypothesis for *indigenistas* has been that an accelerated process of directed acculturation or culture change will help break down this caste system, raise the Indian communities to the level of the surrounding environment and integrate Indians as fully fledged members of the national society. The nature of the national society itself was rarely analyzed. The mechanisms whereby the dominant classes of this national society (and before it, the colonial society) had in fact already integrated the Indians in a system of oppression and exploitation ever since the Conquest, but particularly since the expansion of capitalist production in agriculture was referred to as historical background but was not considered relevant to the present situation. By refusing to recognize the essential characteristics of the national society to which they belonged (not to mention the nature of the State as an expression of the national class system), the *indigenistas* squarely placed the onus of backwardness on the Indian communities themselves; on their culture, on their value systems and, ironically, on their supposed isolation [Elsewhere (Stavenhagen 1963) I have criticized this conception and proposed an alternative interpretation].

Is it the role of applied anthropologists in *indigenismo* to hasten the disappearance of Indian cultures? To impose on them the middle-class urban values of a competitive, destructive bourgeois society? To sanction, through official policy, the accelerated proletarianization or marginalization of Indian populations? To strengthen, through their action, other newer and perhaps more pitiless forms of economic exploitation? These are some of the questions that a newer generation of indigenistas is asking itself. Of course these processes are occurring by themselves, and official indigenistas will hold that they are in fact combating them through enlightened paternalism, technical assistance, educational programs and the like. Critics, however, are doubtful, and would like to see a new kind of *indigenismo* as a powerful dynamic force which will serve not only bureaucratic palliatives to agonizing cultures and downtrodden peasants, but which will counter ethnocide as it is currently being practiced in Latin America (see the recent '*Declaration of Barbados*' signed by eleven anthropologists concerned over this process, 1971; as well as Jaulin 1970) and which will serve as a rallying point for the revolutionary transformation not only of the Indian communities but of the national societies themselves [For some of the recent discussion on indigenistas see Bonfil (1970), and Villa Rojas (1969)].

We may see by this example that the role of the applied social scientist in national development cannot be neutral; he cannot remain true to the ethical principles of his science and at the same time refuse to take a stand on the wider

ideological and ethical issues of the societal processes in which he is involved as a practitioner. And as the case of the *indigenismo* shows, it is not a question of science versus politics, but of one kind of science-in-politics versus another.

Certainly no amount of applied social science, whether romantic, official, bureaucratic or radical, can alter by itself the social forces that are at work. But the committed social scientist has an obligation to raise the issues, to ask the embarrassing questions, to carry the critique through to its conclusions, to create new models in place of the ones he is obliged to discard. And if he can, to take the necessary action.

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Comments

James Silverberg: Damned If We Do and Damned If We Don't…

We should all deeply appreciate the relevance and honesty of Dr. Stavenhagen's paper. It corrects naive assumptions in applied anthropology: all social conflict is evil; everyone's interests can be reconciled and served by the same social program; cultural relativism + structural-functionalism = a need to preserve every status quo…. He cites the dim view about us held by members of the societies we study.

Stavenhagen emphasizes the need to expand our research universes up and outward from the local community to "global social units and total societies" and to study elites rather than only the 'underdogs'…. (He) also called upon us to peer downward within the local situation to probe the "patterns of dominance, power structures and conflict potential between differentially located social groups (i.e., social classes)", "the relationships binding the oppressed and their oppressors". Yes, indeed. Anthropologists as a whole have far too much and for far too long ignored 'production organizations'. Obsessed with 'the division of labor', 'specialization', and 'social differentiation', they have been almost oblivious to the combination of labor or, better, the mode of production. Inattention to the class-structured organization of work in a system of differential power is a defect in much of our ethnographic description, particularly for 'peasant communities'…

Committed anthropology, however, may be damned by disheartening dilemmas so long as it entails the commitment of a 'revolutionary intellectual' or of 'liberal anthropology' as distinct from that of 'a real partisan—an intellectual revolutionary' or of 'liberation anthropology'. Let us assume a willingness to face diminished access to research funds, or forced departures from countries as a result of our work. On this I have ample reason to second Stavenhagen's homage to the many martyred revolutionary social scientists of Latin America, for my own close friend and compadre, the Colombian priest-sociologist Camilo Torres Restrepo, was harassed and ultimately killed as an activist observer. Let us also assume an ability to eschew the distortion of 'wishful seeing'; we must if our observations are to be sound and our activism effective. Nevertheless, the process of decolonializing anthropology-studying elites, revolutionaries, and class conflict; shaping our research through 'dialogics' with the people toward whom we are committed; de-elitizing and demystifying our work and yet not radicalizing ourselves out of meaningful social scientific activity—comes smack up against at least two realities from the outset.

(1) Under what circumstances is such research possible? Think of the obstacles in situations where protest is just beginning and a full picture requires research on both sides of the nascent conflict. In much of the world today we see social categories (conceptual aggregates) becoming militant organized movements. In the USA alone we see this strikingly among Blacks, women, Chicanos, students, Indians, homosexuals, youth. There are overwhelming difficulties in

studying nascent protests. The activist radical scientist will be hard put to establish rapport with the elite to study them. Even if he gives up direct study of the elite, he will be hard put to stay in the community—the semi-feudal village, the factory—they control as an activist observer on behalf of the oppressed. The face-to-face participant observation that is ethnographic research makes activism possible, true, but in the situations I refer to the elite have power to harass, block, or oust activist researchers. They have guns and we have not. If I am referring here to the 'large fields of study where this approach is simply not feasible', are they not precisely the ones we should be studying?...

(2) How is it possible to feel ethically secure in publishing any empirical description? This question remains even if our research findings result from a mutual learning process with the people to whom we are committed, and we avoid or are ostracized from elite-controlled publication outlets.... In addition to decolonializing anthropology, we should seek to enhance its relevance and utility by deparochializing and de-imperializing it.

Clifford R. Barnett

I have been most stimulated by what has been said by indirection in this article and by what has not been said at all. I hasten to add that I am in agreement with what I perceive to be the basic proposition in the article, namely, that anthropologists in one sense are like doctors. Despite their expertise, doctors are vulnerable to the microbes and viruses they study; and anthropologists, despite their special knowledge, are just as subject to cultural and social influences as are their informants.

When Dr. Stavenhagen suggests that anthropologists have neglected the study of "total societies" and that this is a question of "research methodology and adequate theory" it seems to me he leaves out one very important factor, namely money. If we look at such a simple thing as the shifts that have occurred in culture area emphasis in U. S. anthropology, it is evident that federal (and to a lesser extent, foundation) dollars have helped point the way.... In large complex societies such as ours, the development of knowledge of all sorts is controlled through the allocation of resources....

As Dr. Stavenhagen notes, Vine Deloria, Jr. and other politically conscious members of the groups we study are extremely critical of us. They are angered that as anthropologists, with special knowledge of their needs, we have done nothing for them. First, in terms of numbers, even if we all became 'activist observers' it is doubtful that we would have the impact that Dr. Stavenhagen and the groups in need would like to see us have.... Moreover, more than ninety percent of all anthropologists work in universities. Thus, we are an academic discipline, and not oriented professionally to the types of problems that Dr. Stavenhagen suggests we address ourselves.

This is the crux of my concern over the article. What makes anthropologists specialists in 'activist observation' or 'militants cum observers'? Where does the anthropologist get the expertise to provide practical advice to 'labor unions', 'neighborhood voluntary associations' and 'revolutionaries'?... National

development problems have not been central to anthropology, and neither has been the study of elites… In summary, the article touches on two major areas without clear distinction made between them: (1) the need in academically-oriented research to select problems that are significant to the discipline without being unconsciously or needlessly swayed by the power and social biases of our own society; and (2) the need to develop a corps of anthropologists trained in anthropology as a profession (offering a service) in addition to those now trained as academicians.

Gerrit Huizer

Too long 'Western' anthropologists or 'non-Western' sociologists have exchanged ideas and data mainly amongst themselves in their own circles. At the high level they consider themselves to belong, only rarely has a scholar from a non-Western country (a developing country) had a chance to make his voice heard. It seems an important sign of the decolonializing in the social sciences that Rodolfo Stavenhagen, a Mexican, was able in a Western forum to express his views on the role of applied anthropology.

Stavenhagen's points are well made but it can be expected that among the 'established' anthropologists doubts will be raised regarding the effects of some of the approaches proposed by him. Until today, very few anthropologists have risked taking the activist anthropology line. Does it really lead to scientific knowledge? Does it sufficiently avoid or overcome 'subjectivity'?…

First, an observation about Stavenhagen's idea that anthropologists have to see the villages they study in their wider social and political context: it could even be said that village research-if-combined-with-action if carried out properly and consistently, automatically leads to knowledge about the macro level of the society to which the village belongs. ….The polarized social structure of the country, and the 'resistance to change' of the upper class were easily discovered as the reasons behind the peasants' distrust and 'resistance to change'. The surprising thing about a great deal of anthropological research is that such wider implications are not being discovered (or not being published?). Anthropologists appear to have a strong bias against such facts. This may partly be due to their own cultural background, but partly to the fact that even applied anthropologists, involved in some kind of action, seem to close their eyes to the political implications.

Not experimenting by promoting the kind of change that provokes 'resistance to change' from above leaves the anthropologist in a rather static situation where many things of interest can be studied, but where hardly any insights into the potential for dynamic change can be achieved. He only observes 'resistance to change' from below. Only rarely are anthropologists present when the static rural society becomes upset or dynamic—peasant movement, unrest or revolution. It seems important to notice in this context that, contrary to strongly held beliefs among traditional anthropologists, it is necessary to identify as much as possible with the peasants and their Weltanschauung in order to properly understand their life. One has to try to see the world through their eyes. Empathy, 'Einfühlung' and the phenomenological approach seem to be too rarely applied in anthropology.

A quite important proposal by Stavenhagen which may raise doubts among traditional anthropologists is the usefulness of discussing research data with the people who were the object of study…. Proper questioning and discussion of preliminary data can help the people in a village or region themselves to become more aware of their own problems. It can help in the *concientização* of the people … as well as in the gaining of more profound insight by the researcher. Insights gained by the researcher about a conflict situation, be it hidden or overt, can be used to help the underdog to achieve a better understanding of his situation and give him means to struggle for improvement, as Stavenhagen has pointed out. For all those worried about the increasing use of anthropology for 'counterinsurgency' or 'establishment sponsored' research to purposely help the underdog, these may be the most effective forms of protest and of defense of the professional ethics of the anthropologists.

Delmos J. Jones

I agree very strongly with most of the points made in Stavenhagen's paper. His comments on the relationship between social science and society, his criticism of radicals, and his comment on the relationship between ideology and reality are all excellent points….. But despite the very positive position taken in this paper an element of elitism emerges which is disturbing. It is a radical elitism but elitism nevertheless.

The impression of elitism emerges because the author places too much stress on the role of the social scientist as teacher and not enough is said about groups—peasant organizations, labor unions, neighborhood voluntary associations, etc.—that are actively working to bring about social change. The recent political activism of such groups has, in fact, done more to politicize social scientists than vice versa. More importantly, in order for an activist social science to be effective it must be rooted in an organized social movement….

In order for the information to be meaningful it must in the first place deal with problems which are of concern to the group in question. This requires a continuous dialogue between the social scientist and the group and implies an equal relationship between researcher and researched. In order for a social scientist to make a contribution to social change in the manner proposed by Stavenhagen, he must be willing to conduct research on the types of questions that the group itself is interested in. It is at this point that most social scientists, including most 'radical' social scientists, draw the line. The questions which the people are interested in may not have any theoretical importance as defined by the discipline and they may not relate to the problem that the researcher himself is interested in.

I believe that it is both desirable and necessary for some social scientists to take the activist role which Stavenhagen proposes. But the expectation should not be that the social scientist will play a key role in social processes just because he is a social scientist. It is unfair to imply that militants are not "careful observers of their own action". The truth is that they observe the impact of their action for a different perspective than a social scientist would. The social scientist who works with an activist group can perhaps introduce a different perspective but will learn a new perspective in the process. Thus, it must be emphasized that the social

scientist can only join with others as a partner in the effort to awaken and develop a critical conscience which will "enable the powerless, the oppressed, the downtrodden, the colonized, first to question, then to subvert, and finally to modify existing systems".

Art Gallaher, Jr

I am sympathetic to the general thrust of Dr. Stavenhagen's paper—that there are questions to be asked about the subject matter anthropologists have generated, the roles employed to do it, and about the professional practices of applying the science. This is, I think, the only posture that a science can take and remain viable. Also, I believe his paper to be in the mainstream of our current dilemma—the conjunction of anthropological past with anthropological future, with explanation of the former justification for the latter.

More specifically, I share Dr. Stavenhagen's concern for the anthropological focus on small-scale, isolated, traditional, societies. Surely this has influenced the nature of the questions asked by anthropologists, and has produced a theoretical world view far too limited. I agree, too, that anthropologists have studied mainly the 'underdog' segments of society; that we have ignored elites and their power, and a host of other critical topics and processes… It is in the explanation for these conditions that I withhold, at least temporarily, agreement with Dr. Stavenhagen.

My interest is strongest where Dr. Stavenhagen suggests new directions. I agree we should study elites, and we should engage the topical and process areas that he suggests. Dr. Stavenhagen, however, goes the added step and advocates a genuine activist role for the anthropologist.

Dr. Stavenhagen… advocates an anthropology in the service of the disadvantaged; others press for an official stance on the reduction of intergroup tensions; and some push for very specific political postures. This is probably the most serious, complicated, and potentially decisive issue yet faced by the discipline, and the first genuine test of our maturity.

Vera Green

One can realize that the types of problems which have delighted anthropologists to date often required focusing on the most 'untouched' elements of the total population, or according to Stavenhagen, the 'underdogs'. What is more difficult to comprehend is why their findings are generally not discussed in terms of other segments within the same societies where such exist; as for example, the 'elite' as illustrated in his article. Stavenhagen also states that the anthropologist should attempt to channel to oppressed Third World peoples "… not only scientific knowledge about themselves, but also about how their system works". Perhaps the fact that few anthropologists attempt to follow this admonition stems not only from (1) the fear that their informants would be furious over what was written and they would not understand the lofty implications of their findings; but also (2) to the fact that change such as pointed out in the discussion of *indigenismo* has often been treated simply as processes of acculturation. And of course acculturation is seen as unidirectional and final.

As their significance seems to be continually overlooked by a number of current anthropologists, certain of the points raised by Stavenhagen definitely need to be stressed. This lack of awareness continues in spite of the fact that more individuals are expressing concern that they are 'not wanted' in Third World and minority areas, giving the impression that all anthropologists had formerly been welcomed everywhere with open arms. It becomes evident, therefore, that there has been little connection made between the resistance of Third World peoples to anthropological research and the types of points raised by this address.

Guillermo Bonfil Batalla

(*Summary from the original Spanish comment*). The issues raised by Rodolfo Stavenhagen make a substantial contribution to the discussion, so heated in the Third World countries at present, about how to make the social sciences, and particularly anthropology, become more dynamic and coherent in the processes of revolutionary transformation required by their current economic and social problems.

Murray L. Wax: On Demythologizing the Slogans of Revolutionaries

In a few areas, Stavenhagen's sketch is imprecise, possibly because of an uncritical acceptance of popular radical rhetoric. The space allotted to me does not permit a dialectical elaboration but only a simple listing.

(1) Stavenhagen repeats the contention that anthropologists (and fellow social scientists) should reorient themselves from the study of their oppressors—the elites. The contention has a radical gloss until the reader reminds himself that most conventional historical research has been devoted to elites, their cultures, modes of action, and dramatic contests. The development of cultural anthropology (as of social history and sociological research) represented a radical reorientation of such historical effort, as it was a declaration that the culture and conduct of the subordinate masses were of equal or greater importance than the posturings of military heroes or the speeches of proconsuls.

As Stavenhagen comes close to stating, when he deals directly with this critique, the terminating of social research would equally terminate the great tradition of Marxism as the heir of the Enlightenment and the revolutionary liberator of mankind…. (2) Anthropologists and Marxist humanists (in which category I place Stavenhagen) tend sometimes to be naive about the struggle for power and the conduct of political leaders, whether radical or repressive. In consequence, they often exhibit an eschatological attitude toward revolution, politically defined, and a failure to anticipate the sordid realities of the post-revolutionary political epoch. Certainly, as Stavenhagen argues here (and I have argued elsewhere in 1969), the reformist social scientists oriented about 'community development' are naive in failing to grasp the larger picture; but are not these revolutionary social scientists even more naive in failing to grasp the realities of power?

(3) Anthropologists are indulging themselves in a form of elitism (or delusions of grandeur) when they exaggerate their role in affairs of empire.

Nancie L. Gonzalez

I found this paper very provocative and valuable for the issues it raises concerning the future role of social science. In general, I am sympathetic to Stavenhagen's position and will here deal only with a few items which seem to me to be particularly thorny.

I should like to start by referring to Stavenhagen's final paragraph, in which he states, "Certainly no amount of applied social science… can alter by itself the social forces that are at work. But the committed social scientist has an obligation to raise the issues, to ask the embarrassing questions, to carry the critique through to its conclusions, to create new models in place of the ones he is obliged to discard. And if he can, to take the necessary action". I heartily endorse his recognition that social science is unlikely to be the force which saves (or destroys) the world. What, then, comprises commitment? One might argue that the adjective, 'applied' implies commitment on the part of the scientist to something or someone. The question is to whom and to what? Stavenhagen several times chastises the social scientist for ethnocentrism, which raises its ugly head in a variety of areas including the selection of a research topic, the theoretical perspective with which one attacks problems, and the final analyses and/or recommendations.

However, the question of making data available to the people being studied raises some rather interesting problems. When Stavenhagen says, "Can books about peasants be brought to the attention of, discussed with, and used by peasant organizations?" the answer must be, "It depends on who did the study, for what purpose, and from what perspectives". Most of the present literature on peasants (urban migrants, primitives, tribal organizations, etc.) is probably not too valuable to "the natives" themselves. By this, I mean that it is either not relevant, or it may appear to them to be simply untrue. When Stavenhagen makes a plea that such nonelite groups could benefit from having scientific information about themselves, he should have specified that this must be only information on how others see them, since the anthropologist or other social scientist rarely attacks problems of special concern to the people being studied. ….

Andre Gunder Frank

Anthropology of whom, applied to whom, for whom, by whom? That is the question. Stavenhagen has scientifically and morally posed and answered that, in bourgeois-legitimated orthodoxy, anthropology and other social sciences have traditionally been of the people and applied to the people, but for their colonial capitalist rules at home and abroad; and by these rulers or their hired action anthropologists the better to govern the oppressed people. In courageously saying so before the *Society for Applied Anthropology* (SAA), Stavenhagen himself sets out on one of the new paths he advocates inasmuch—or insofar—as his denunciation itself amounts to an untraditional study of the rulers instead of the ruled. Therein he wages a valiant battle on the ideological front insofar as his message reaches out to the people or at least to some of the colonializing applied anthropologists whom it may help take conscious stock of the question. (Inasmuch as the

SAA itself invited Stavenhagen to so address it…. More important than asking anthropology of whom applied to whom, is the question, anthropology for whom and by whom? Indeed, and herein Stavenhagen and the present writer perhaps disagree, the class of anthropological activist for and by whom anthropology is applied is more likely to determine the kind of anthropology he practices than the other way around.

And certainly the for whom that troubles Stavenhagen will be determined principally by the by whom, which Stavenhagen rather mentions in passing instead of making the applied anthropological actor the principal object—or subject—of our meta-applied anthropology. While the anthropologist or other social scientist is one who sells his labor—and his soul—to the highest capitalist bidder, little good for the people is likely to derive from his anthropology, irrespective of what kind he applies.

Anthropology and other social science is more likely to be for the people if it is applied by the people, regardless of whether this science is of the people and applied to them to mobilize them or whether it is science of their enemies applied to them by the people who combat them. Similarly the question is not, as Stavenhagen poses it, where the distinction between reformist and revolutionary change or anthropology is at any moment. The question is rather one of the distinctions between a reformist and revolutionary organization. … And therefore also, only militancy in a revolutionary organization and the application of anthropology and other social sciences guided by and tested in the praxis of such revolutionary militancy can assure that anthropology and social science will be applied in the people's struggle for a government of the people, by the people, for the people.

Steven Polgar

Among the many excellent ideas Stavenhagen has put forward his positive use of 'self-fulfilling prophecy' particularly strikes me. Although even scientific facts are not 'objective' (since, if nothing else, their selection for ascertainment and dissemination is value-laden), theories are even less so. We are beginning to recognize, as Stavenhagen has stressed, that to propound a theory about society is a political act. To go one step further and participate in the application of that theory requires a new self-concept among anthropologists. Those who have practiced applied anthropology, as Stavenhagen also points out, have usually done so in the employ of some group. The theories of social change that such employers have are usually firmly held, even if they are not explicit. Hence, the common complaint of the applied social scientist that he is being used as a mere technician. Those, on the other hand, who have acquired policy-making power within a group or organization have felt that they must abandon their self-concept as scientists. But the interpretation of theory in the light of specific situations is a scientific activity. To test out the validity of such interpretations in the crucible of action is, I would agree, also doing science. What Stavenhagen's activist observer can hopefully do is to see his theories tested directly—without waiting for his book to be published and then possibly read by some receptive activist. If the theory and its reinterpretation are scientifically sound, the action will be successful. And if several actions based on the theory (and its interpretations) are successful, neither the

social scientist's participation nor some unaccounted variable can be validly proposed as alternative explanations of the results.

Reply of Rodolfo Stavenhagen

The comments on my paper address from different points of view, the various issues raised therein and I am grateful to my colleagues who felt that these were sufficiently important to deserve their attention, both to those who give me their enthusiastic or guarded approval, as well as to those who express their criticism.

While I do not feel it necessary to restate my position, some of the points raised require discussion. Let me begin by replying to my negative, if gentle, critics. The points made by Professors Barnett, Gallaher and Wax represent fairly faithfully the traditional approach which the radical social scientists are increasingly taking to task. Barnett, for example, regrets that he does not find in my paper a proper distinction between the anthropologist qua anthropologist and the anthropologist qua citizen; and Gallaher asks for a clear limit between what he calls the anthropological world view and that of other reference groups. But one of my points was precisely that such a distinction is illusory. While I certainly do not mean to imply that every political act engaged in by an anthropologist is anthropology, the converse however does hold. The practice of social and cultural anthropology (at least in most cases, and certainly applied anthropology) does constitute a political act, as Polgar rightly states when referring to the propounding of theories. Thus, when Barnett pleads for the need in academically-oriented research to select problems that are significant to the discipline without being swayed by the power and social biases of our own society; or when Gallaher opposes the rights and interests of a researched population to the supposedly "self-serving needs of a science", it seems only fair to ask that the criteria whereby these problems and needs are determined be made explicit. Barnett, however, quite rightly recognizes that the development of knowledge is controlled through the allocation of resources and that the professional associations are not engaged in the politics of resource allocation. The contradiction here is self-evident. And in order to escape from this contradiction we may legitimately ask why the professional associations should not engage in the politics of resource allocation. By not doing so, are they not precisely letting the "self-serving needs" of the science be determined by the "power and social biases" of the society (vide establishment)?

Similarly unconvincing is Murray Wax's contention that the study of elites would signify a return to 'conventional' research from which cultural anthropology has allegedly made a radical departure. As Professor Wax surely does not ignore, there are different ways to study elites—and even the posturings of military heroes. Cecil Rhodes and Teddy Roosevelt look quite different according to which side of empire-building one happens to be on. Likewise, there are different ways to study the oppressed, and one does not have to be a conspiratorial enemy of reason, liberty and science (as Professor Wax curiously suggests) in order to call a spade a spade and recognize that social research not only can, but increasingly has, become "a species of military intelligence". What country has Professor Wax been living in?

Yet of course he is quite right in chiding radicals for their na about the realities of power and their often eschatological attitude toward revolution. I can only suggest that in order that the whip of tyranny not turn into the scorpion of bureaucracy—as he seems to fear—we maintain our faith in the lion-like strength and the eagle-eyed vigilance of the popular masses.

Finally, a word on anthropological guilt, to which both Professors Barnett and Gallaher refer. Anthropologists, like other groups, have played social roles determined by historically given structures. There can be no question of 'guilt' on that level. But social scientists are also free human beings and, as intellectuals, have always borne particular social responsibilities. That scholars are able to act according to their conscience and not only to their social roles needs no reiteration here. The problem becomes critical when the definition of the social role enters into contradiction with the ethical values ostensibly held by the dominant culture which defines these roles. This, I hold, is what has been occurring in the applied social sciences, and has led to the issues we are debating.

Let me now turn briefly to some of the points raised by the other commentators. I plead guilty to Jones' accusation of 'radical elitism' and do in fact feel uncomfortable about it. It is probably due to my not having been as much involved in 'activist research' as I should have, despite my advice to fellow radicals to do precisely that. The difficulties involved in such kind of research are of course great, as Polgar, Silverberg and others acknowledge, but can also be scientifically rewarding as Huizer demonstrates. Yet even to suggest that this approach can be extended to each and every kind of social research would be sheer nonsense.

On the other hand, political militancy, as Bonfil and Frank suggest, is, in today's world where the lines of social struggle are fairly clearly drawn, much more than simply a personal commitment which can conveniently be kept apart from one's 'science' or scholarly activities. As we all know, political organization for revolutionary social change will continue (fortunately, let me add) regardless of what a handful of social scientists decide to do. But if social science has anything to contribute to this process, then it is only by what social scientists as individuals do. And on this I must insist again that radical social scientists should be careful not to radicalize themselves out of meaningful social scientific activity altogether. Thus I do not believe, with Frank, that the dialogue between the social scientists and the people they study must necessarily lead to the latter's co-optation into the system of their oppressors. That such dialogue may be used for manipulative ends is undeniable. But it is equally clear that it may lead to increased social and political awareness of both the social scientists and the people involved. Social scientists have indeed been known to acquire such awareness in the course of their scientific activity, to detach themselves from the establishment and to use their knowledge and scientific tools in the fashion suggested in my paper. Gunder Frank will surely allow me to mention his own intellectual development as a case in point. And if this process is to continue then the radical debate must be carried out at all possible levels, whether it be with Don Simpatico, in the university, in international organizations or within the staid and respectable professional organizations of the academic disciplines.

Chapter 5
Ethnodevelopment: A Neglected Dimension in Development Thinking (1986)

Following my earlier approaches, in this text I insist on alternative development as 'ethnodevelopment', focusing on the social and cultural identities of indigenous populations who the world over were the victims of ethnocidal policies. The idea of ethnodevelopment penetrated in the language and politics of some international organizations working with indigenous peoples, such as the World Bank and a number of government programs in Latin America. More recently indigenous peoples are claiming the right to 'good living' (*Buen vivir*), according to their own cultural identities.[1]

It has become a commonly accepted truism in the social sciences that social phenomena, that is, a number of interrelated social facts, become meaningful only insofar as they are seen through the various theories, paradigms, ideologies and, indeed, values (some would say, prejudices) of those who look at them. To put it bluntly, and in terms of current events, one man's terrorist is another man's freedom fighter.

Many cherished concepts of social, economic and political theory must likewise be considered in terms of the not always explicit paradigms or theoretica1 orientations which hide behind them. I am not referring to the traditional question which for so long has haunted social theorists: is there a value-free social science? The answer to that question, of course, is: no, there is not! Rather, the question is: what are the implicit and explicit values behind the use (or non-use) of concepts and categories in current social science thinking?

A number of examples come to mind. Perhaps the most flagrant one concerns the conflict between communism and capitalism. As related cases in point one might cite the conceptual and theoretical debates over the nature and role of social classes in society, or the nature of the modern state.

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[1] This text was first published as: "Ethnodevelopment: A Neglected Dimension in Development Thinking", in: R. Apthorpe; A. Krähl (Eds.), 1986: *Development Studies: Critique and Renewal* (Leiden: E.J. Brill): 71–94. Permission for republication was granted on 24 July 2012 by Ms. Gaby van Rietschoten, Rights & Permissions Coordinator, Brill Academic Publishers, Leiden, The Netherlands.

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5.1 Development Theory: Concepts and Values

Another example, perhaps closer to our concerns, is development theory. Here we immediately jump right into the middle of the fray. The term 'development' itself is full of value implications of the most potent kind, yet no one seems to have found as yet an adequate substitute. 'Development' means change, evolution, growth, metamorphosis. But we must ask: development from where to where, and from what to what? from smal1 to big? from backward to advanced? from simple to complex? from young to old? from static to dynamic? from traditional to modern? from poor to rich? from lower to higher? The issues are many and complex, yet we have happily accepted the term 'development' in our social scientific tool-box and we carry out development studies or even practice 'development' as development economists or development sociologists or as development planners and practitioners. Related terms, also widely used, are no less problematic.

We speak of underdeveloped or developing countries (in relation to what and whom?). The United Nations has a long list of least developed countries (LDC's) on which it bestows loving care… but little else. A number of social scientists speak of 'maldevelopment' or 'perverse' development, with the implication that there is some sort of pathology involved, and, conversely, that there is an ideal type of sound and healthy development which is not being observed. So our implicit values show even before we have begun to discuss what development is all about.

These issues have never been clearer than in the three decades from the early 1950s to the late 1970s during which a linear evolutionary conception presided over development thinking, with some notable exceptions. The point of departure was the recognition that a number of areas in the world (mostly colonies or former colonies of the European powers) were 'backward' economically, socially, culturally and, some would add, politically. And backwardness, as understood at the time, meant poverty, hunger, low GNP, low per capita incomes and in general, low standards of living for the large masses of the population. The remedy to backwardness was, of course, economic growth. A number of different strategies were thought up and applied in different contexts to further economic growth. Some would underline the need for natural resources, others maintained that the key element was capital, still others favored technology, and others stil1 placed their bets on education. It soon became apparent that even all of these factors together were not able to solve the problem of backwardness. Growth, it was said, is a question of stages that countries must necessarily go through and which can hardly be by-passed.

An important distinction was made between economic growth as such (rise of GNP and per capita income) and development understood in a wider, more institutional perspective. Social and institutional development became an important ingredient. The assumptions of the modernization paradigm and the challenge posed to it by dependency theory are well known.

Soon the debate spread out from academic circles into the public arena. By the middle seventies the United Nations system had become the forum of the Third World's demands for a new international economic order. Underdevelopment

could not be overcome and development could not be achieved, it was held, unless drastic changes were made in internationa1 trade patterns, pricing of commodities and manufactured products, capital flows, financing of technology transfers and so on. The industrial countries were now held responsible for the situation in the Third World, and the onus of change was now placed upon them. Certainly, none of the industrialized countries has admitted this historica1 responsibility, even though a number of careful voices have expressed concern about its implications (for example, the Brandt report). As yet, the specia1 assemblies of the United Nations, the North–South dialogue, various unsuccessful attempts at global negotiations, have not provided any significant results. The international system—at least as far as North–South relations are concerned—seems as firmly entrenched as ever, even as it is gradually slipping into an ever-deepening crisis.

When I speak of the world system, I mean, of course, the capitalist system. And the development theories I have been dealing with concern world capitalism. The Marxist approach couches the development *problematique* in rather different terms, but is, certainly, concerned with the same issues. Earlier Marxist thought considered that the extension of the capitalist economy to the backward areas constituted historical progress of a sort (no matter how barbarian, cruel and oppressive the colonial regimes were). In Latin America, for example, Marx considered the American invasion of Mexico in 1845, which cost this country one half of its territory, a historical step forward, given the progressive nature of American capital ism at that time. And well known are Marx's opinions on the positive role of British imperialism in India as against the supposedly static and immutable pre-colonial Asian mode of production. It has been held that Marx's view of pre-British India does not correspond to historical fact but that it is, in methodological terms, an important aspect of his historical system.[2]

Later Marxists considered that imperialism, by furthering capitalist development in the whole world, would hasten the demise of the capitalist system through the deepening of its contradictions. Marxist analysis predicted that social ism would first become established in the advanced capitalist countries. That socialist revolutions have taken place in some under developed countries has required some serious Marxist rethinking about these questions.

Dependency theory is sometimes considered the reverse side of the theory of imperialism. Whereas the latter addresses itself to the problem of the world capitalist system from the viewpoint of the industrialized countries, the former does so from the standpoint of the Third World.

The approach is not that new. The exploitative role of imperialism was clearly seen by a number of Latin Americans in the nineteenth century, as well as by Indian scholars even before Gandhi. Several theoretical and practical questions arise in both the dependency and the imperialist perspectives: whence comes the driving force for the overthrow of the world capitalist system? Leninist theory of

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[2] Bipan Chandra, 1980: "Karl Marx, his Theories of Asian Societies and Colonial Rule", in: *Sociological Theories*: *Race and Colonialism* (Paris: UNESCO).

imperialism would favor the contradictions within the capitalist industrialized countries, which presumably lead to the proletarian revolution. Maoism, in turn, emphasized the revolutionary role of Third World peasant wars. Dependency theory would seem to favor some sort of withdrawal from the world system in order to accelerate independent national development, whether of a capitalist or a socialist nature.

At the beginning of the 1980s, neither perspective has been able to prove its feasibility. The capitalist industrialized countries are not about to turn to socialism, and not a single Third World country has been able to break loose or 'delink' from the world system, in order to embark upon an independent course of development. China, after having attempted it, is relinking at the present time.

Thus, at present, development theory seems to have lost its bearings. Dependency theory has injected a further complication. Once it fell into the public domain, it has been wielded for their own purposes by governments and leaders of the Third World. In practical terms, this has meant that many Third World spokesmen find it easy to blame the international system in general and the industrialized countries in particular for all of their ills and to exonerate themselves from any responsibility for the situation in their countries. External dependency is more often than not invoked as an excuse, if not actually a justification, for military dictatorship, corruption, the concentration of wealth in the hands of privileged minorities, the hunger and poverty of the rural and urban masses, and the lack of political will to effect real profound changes. In this process, national and local responsibility for the implementation of development strategies appears to recede into the background. It is intriguing to think that a new international economic order in which more real economic power were actually to be transferred to the Third World, would further strengthen in these countries the role of the bourgeoisie and the state at the expense of the popular masses, in the absence of real social revolution.

There are social scientists that have also fallen into this conceptual trap, at least in my part of the world. To the extent that the various ills of underdevelopment may be traced back to the international system, social scientists of the so-called dependency school have neglected the analysis of local and national factors in underdevelopment and are not much concerned with the problem of national development strategies.

In recent years persistent critique of development theory has led to yet another approach. Recognizing that the imitation of the developed countries is neither possible nor desirable, the search for alternative development strategies has been carried out persistently by a certain number of Third World governments, by social movements of various kinds, by small groups of researchers and planners, as well as by people in different international organizations. This search has basically implied the rejection of externally imposed developmenta1 models and the need to reduce the dependency syndrome.[3] This 'alternative development' approach contains various elements, which are however not always found together.

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[3] See, for example, Marc Nerfin (Ed.), 1977: *Another Development*: *Approaches And Strategies,* (Uppsala: Dag Hammarskjöld Foundation); and the work of the International Foundation for

It implies a basic-needs oriented strategy, that is, a strategy designed to satisfy the fundamental necessities of the largest number of people rather than economic growth for growth's sake. The alternative development approach seeks to be inward-looking or endogenous, rather than outward or export and import-oriented. Next, it hopes to be respectful rather than destructive of the environment, that is, it is ecologically sound. Development would be based, whenever possible, on the use of local resources—whether natural, technical or human—that is, it is oriented towards self- reliance, at the local, national and regional levels. This new, alternative approach wishes to be participatory rather than technocratic. Finally it hopes to use and build upon existing cultural traditions rather than reject them off-hand as obstacles to development.

It is not my purpose here to go into a deeper analysis of the implications, possibilities and limitations of the alternative development approach. The point I wish to make is, simply, that it arises in current thinking due to a shift in emphasis, due to the permanent questioning of formerly accepted paradigms. This approach competes currently with the other approaches, not because it has already empirically proven to be more successful, but because it addresses itself to issues and concepts which have hitherto been ignored by the other approaches, yet which are of basic concern to millions of people around the world.

Up to this point, I have been referring to some global or macro approaches to the problem of development. Let me now turn to some more specific questions that development theorists and planners frequently deal with, and which may illustrate again how certain social phenomena are either taken into consideration or else ignored, more as a result of prevailing theoretical orientations than because they actually exist or not. I will refer to the important question of agricultural development. The major emphasis in development thinking over the last three decades has been on the conditions and factors of industrial growth. Agricultural development has played, so to say, second fiddle to the siren-song promise of industrialization. Clearly, this approach has led in many countries to a decline in agricultural output and to serious problems in the supply of foodstuffs and other agricultural products.

The agricultural model which Third World countries have been asked to follow is that of the industrialized countries. Agriculture must be modernized and this means changing from subsistence to cash crops, usually for export. Farms and plantations become mechanized, industrial inputs (fertiliser, pesticides) were generously applied, technical aid and extension services were provided, large-scale, economically viable units were organized, entrepreneurship was fostered, the dynamic, efficient farmer (according to the Western model) was supported, aided, trained and adequately rewarded. New seeds and varieties were introduced, palatable to the Western consumer. How to raise the productivity of the farmers

(Footnote 3 continued)
Development Alternatives. See also the contributions in the journal *Alternatives. A Journal of World Policy*, edited by Rajni Kothari.

became the subject of international concern. The Green Revolution, the introduction of high-yielding varieties of cereals (wheat, maize, rice), was hailed as the answer to the Third World's agricultural problems.

Agricultural development theory, based on the experience of the industrialized countries of temperate climates, has practically ignored the existence of peasants, of the peasant economy and its associated social structures. Yet in most of the underdeveloped countries the peasantry still constitutes the majority of the population, and certainly the largest single social category, agriculture still being the principal occupation. This inescapable fact notwithstanding, agricultural development theory rather lightly dismissed the peasantry as uninteresting, the traditional farmers as marginal and concentrated its attention on the modern sector. However the food crises of the 1970s have led to a dramatic rediscovery of the peasantry. Contrary to the prognosis of so many development theories, the world's peasants have not only not disappeared but they seem to have settled in for a long siege, albeit in the most unfavorable conditions. So now everybody is actively searching for peasant-oriented strategies of agricultural and rural development. Specialists and planners are now everywhere concerned with the problem of how to produce more food, how to raise the productivity of the peasant economy, how to employ more labor in agricultural pursuits in order to raise rural living standards and achieve food self-sufficiency. Up to now, neither monetary incentives nor centralized state planning has done the trick. Behind such helplessness we usually find complete ignorance by most planners and specialists of the nature of peasant economy, culture and society.

Ä more recent example of the use of a concept to help explain important social phenomena, but which earlier theory had not incorporated, is the domestic or household economy.

In fact, classic development theory is not concerned with households; it deals with labor, capital, technology; with entrepreneurship, with firms, plants, farms; with wages, profits, savings, investments and productivity. But households are nowhere to be found. In fact, however, households are the fundamental basis of the economic and social system. Households constitute the basic units of the so-called informal or marginal sectors of the urban economy; and extended or joint families provide the basic framework for the rural economy in many regions of the Third World. But not only there; the 'submerged' economy of Italy or the underground parallel economies of the socialist countries such as Poland, turn around household strategies for survival. Their discovery of the household as an important part of the economy is linked to the reappraisal of the role of women in social and economic dynamics, and this, in turn, is the direct outgrowth of the ideological and political demands of feminist movements in recent years. A male-oriented social science was unable to grasp the significance of the domestic economy, and development theories were accordingly handicapped.

A similar fate as that concerning peasants and households in development thinking, has befallen what I consider to be a major social issue in the contemporary world, namely, the phenomenon, or rather the interrelated set of complex phenomena, that go by the name of ethnicity or the ethnic question.

5.2 The Ethnic Question

Concern with the problems of ethnic groups, particularly with minority groups, is of course not new. Politicians have to deal with them frequently. Two world wars have begun over these issues. Civil wars are fought over them. Millions of people the world over have been killed because of the way other people thought about them in ethnic terms.

Yet except for particular specialized branches of the social sciences (such as the study of race relations in the United States or the United Kingdom) or cultural anthropology (which concerns itself with the study of particular cultures or peoples), economic, socia1 and political theory—and particularly development theory—have practically ignored the ethnic question and have not yet been able to integrate it meaningfully into their analytical frameworks.

I submit that the neglect of the ethnic question in development thinking is not an oversight, but a paradigmatic blind-spot. For it can certainly not be said that ethnic phenomena are unimportant and do not deserve attention. To go no further back than the end of the Second World War, the world has witnessed a number of often murderous conflicts in which the ethnic question has played a major role. The whole contemporary history of the Indian sub-continent (India, Pakistan, Bangladesh) cannot be understood without it. The Biafra war in Nigeria had a major ethnic component. The conflict between Hutu and Tutsi in Rwanda and Burundi constitutes a particularly poignant case in point. The simmering Kurdish rebellion in Iran, as well as in Iraq and Turkey, continues to be an explosive issue in Western Asia. The tragedy of Lebanon is not only related to the Israeli–Arab conflict and superpower geopolitics in the region, but can hardly be understood without reference to religious- political and ethnic factional strife. In Arab Algeria the Berbers demand respect of their cultural identity. In Europe, Yugoslavia, being one of the few truly multi-national federal states in the world, recently faced a revolt by Albanians in the Kosovo region. The future of Spain's democracy probably hinges in part on the solution of the Basque and Catalan regional autonomy question. Belgium has not been able to solve the problem of its two linguistic communities. Catholics and Protestants face each other in Ulster. Francophone Quebec threatens secession in Canada. Currently a major concern in India, where linguistic and religious strife is common, is the Akali movement of the Sikh religious minority. And then, of course, there is Apartheid in South Africa, racism in the United States, the Palestinian question, the fate of the Australian aborigines, the Indian populations in Latin America, and so on. The list could go on indefinitely.

So ethnic problems and ethnic conflict are there for everyone to see. Yet in our social and development theorizing very often we appear not to be aware of them. A likely reason for this, in my opinion, is that the paradigms of modern social theory have not included the ethnic factor as relevant to the questions they have asked of reality. Let us take a few examples. Economic theory, for instance, deals with supply and demand, the market, the factors of production and so forth, in their

'pure' state, that is, uncontaminated by social and cultural, that is to say, by so-called' non-economic factors. Development economics, to be sure, is more 'institutional' or structural in its approach; however, the unit of analysis is usually the individual, the firm, or perhaps the state. It is not the social group, not the community, except insofar as cultural values are said to influence economic behaviour of individuals. For example, as regards consumer spending or entrepreneurial behavior or labor commitment. But then the economist tends to consider these as exogenous variables.

Anthropologists, for instance, have described numerous cases of prestige economy in peasant societies, and not only there. That is, of expenditures on feasts and ceremonies for prestige purposes. But many economists have tended to dismiss this simply as non-rational economic behavior. Let us recall simply the Western economists' appraisal of Hindu cow worship, which anthropologists have adequately explained within the context of Indian social structure and rural ecology.

When we look at economic history, we find numerous references to cultural, religious and ethnic factors. Tawney and Weber, for instance, each in his own manner, linked the rise of capitalism to religious factors, namely the Protestant ethic.[4] Weber also suggested that Hindu religious values would be inimical to capitalist development.[5] Some contemporary authors, following the Weberian tradition, recognize similar factors at work elsewhere, for example, the role of religion in the modernization of Tokugawa Japan.[6] Sombart linked the Jews to the development of capitalism in Europe,[7] and other authors (following both Marx and Weber) have spoken of the Jews as an 'ethnic class'[8] Sikhs and Parsis have played a particular economic role in India and so have Asians in East Africa and the Chinese in Southeast Asia. The role of Levantine merchants in some African countries south of the Sahara is frequently underlined. Despite so many references to ethnic and religious factors in economic development, most economic theory (and particularly development theory) is not equipped to integrate such factors as relevant to its purposes.[9]

[4] For a good summary of the controversy surrounding Weber's theses and its possible application to extra-European contexts, see S.N. Eisenstadt (Ed.), 1968: *The Protestant Ethic and Modernisation*, (New York, Basic Books).

[5] Max Weber, 1958: *The Religion of India: The Sociology of Hinduism and Buddhism* (Glencoe: The Free Press).

[6] Robert N. Bellah, 1957: Tokugawa Religion (Glencoe: The Free Press).

[7] Werner Sombart, 1951: *The Jews and Modern Capitalism* (Glencoe: The Free Press) [First German edition, 1911].

[8] Abraham Leon, 1968: *La Conception Materialiste de la Question Juive* (Paris).

[9] This has been recognised by some contemporary economists, such as Fred Hirsch, 1976: *Social Limits to Growth* (Cambridge: Harvard University Press. A Twentieth Century Fund Study): 138, who writes: "Modern economic analysis has kept religion firmly outside the economic sphere and has thereby obscured the role it has played in the economic system."

We find a similar situation with regard to political science. Liberal political theory is based essentially on the relation between the individual and the polity: and here the individual is shorn of his various social and ethnic attributes. Liberty, equality, fraternity; one man, one vote; these are the watchwords of the modern liberal democratic political systems. Indeed, these watchwords represent a major achievement in human history, they are the result of endless struggles, conflict and sacrifice of many generations.

The struggle for, and the achievement of, equal rights, as against earlier forms of exclusion and discrimination of different kinds of social groups, has, in a way, inoculated modern political theory against dealing with such groups qua groups, and has placed the individual citizen squarely in the centre of the limelight. This has certainly had an impact on the actual dynamics of such groups. A case in point is Latin America. Under the influence of the Enlightenment and the French and American revolutions, most Latin American countries granted full equality to their Amerindian populations after political independence from Spain. This led in most cases to increased exploitation and oppression of the Indians, who were no longer protected by earlier tutelary legal statutes. This is certainly not an argument against the granting of equal rights to oppressed groups.

Simply it points to the ambiguities of individual as against group rights. Contemporary political science, to be sure, does not ignore groups. On the contrary, it has developed important theories concerning political parties, interest articulation, coalition behavior and so forth. But these are more related to functional aggregates such as occupational groups, consumers or class-based parties, than to ethnic, racial or religious communities. In some countries, political parties based on racial or religious criteria are not legally recognized.

Various theories of social and political development specifically stress the evolution from groupings and loyalties based on consanguinity, affinity, religion and so forth to more functionally oriented and instrumental groups; from ascription- to achievement-orientation. Tönnies, Maine, Durkheim, Weber, Parsons and their followers have all produced important work along these lines.

Within this functionalist–structuralist viewpoint of development, there is little place for the role of ethnic groups. They are dismissed as remnants of the past, as obstacles to modernization. Here again, ethnic attachments would be considered as non-rational, traditional, even conservative.

Marxist political economy represents a break with liberal political philosophy. Here it is not the individual that counts, but the group. It is the social class which becomes the main political actor, the historical force. Bourgeoisie and proletariat fight out their historical contradictions on the world scene. To the extent that the modern world is dominated by the capitalist mode of production in which bourgeoisie and proletariat are the principal classes, modern history is permeated by the relationship between these two classes. The individual is only a representative of his class or else is defined in terms of his relationship to the fundamental class struggle of our time. Intellectuals, petty bourgeois or peasants can hardly ever be taken as independent political actors but must be considered in their relation to the other, principal classes.

In Marxist analysis, the state and the political parties (as well as such apparently independent corporate institutions as the army and the church) are but instruments of certain classes or reflect class power relationships. The modern nation-state is the crystal1isation of the hegemony of the bourgeoisie. Nations, in general, represent the consolidation of the power of a single dominant class over a given geographical, economic and social space.

There has been a long-standing discussion among Marxists about the nation, the national question and nationalism, a discussion which points to the difficulty of integrating these concepts into a Marxist class analysis of modes of production. This discussion, has been theoretical but also, and mainly, political. It began during the 1ifetime of Marx and Engels in relation to the Irish question; it was carried further by the German, Austrian and Russian revolutionaries (regarding, among other issues, the Polish question), and it continues to this day. It will be remembered, for example, that the French Communist party did not at first support the

Algerian national liberation struggle. In the United States, the American Communist party in the thirties proposed a national liberation strategy for American blacks, which was later withdrawn. Jewish Marxists were anti-Zionists in the nineteenth century. Later however, Zionism included a militant Marxist wing.

5.3 Nation, Nation-State, Nationalism

These are concepts of extreme importance in the modern world. We live in a world of nations in which nationalism as ideology and political movement has been a major driving force ever since the French and American revolutions. The United States has been described as the first new nation.[10] Latin America followed suit in the early nineteenth century. The French revolution consecrated the nation as the sovereign basis for all political power. Italy and Germany, during the last century, carried out national unification. In our time, anticolonial national liberation movements have resulted in the establishment of dozens of new nations in Africa, the Caribbean and Asia. A major political concept arising out of the First World War was the self-determination of nations. Yet, as so often happens with essential concepts, the definition of 'nation' is elusive. There must be literally dozens of definitions, and they all reflect the theoretical, political or ideological preferences of their authors.

Most scholars stress commonality of language and culture. Some add territory and economic life. A common history and what is called a 'collective memory' are considered by many authors to be an essential ingredient of a nation. Still others emphasize national character, and others yet speak of a common will to live

[10] Martin Lipset, 1963: *The First New Nation* (New York, Basic Books).

together or to form a government. The nineteenth century German idealist romantics spoke of a long suppressed national spirit or '*Volksgeist*' which would find expression in the constitution of the modern state. The French philosopher Renan considered the nation to exist by virtue of a permanent daily plebiscite. Jawaharlal Nehru, at the occasion of India's independence, spoke of this event as the time "when the soul of the nation, long suppressed, finds utterance".

Other scholars are more materialistic. They hold that nations do not exist before states, and that it is the state, as a political and legal institution, as an ideological apparatus which actually creates the nation where only ethnic groups existed before. This might be the case of France, in which over the centuries the French kings extended their power from the Centre, and in the process created a nation where none had existed before. It is certainly the case in Latin America after independence from Spain? And in independent Africa, where if we may speak of nations at all, they arise in the wake of state-formation and not as a pre-condition to it.

This distinction is important, because it questions, on the basis of empirical evidence, the commonly held assumption that nation and state are identical, or should be. In fact, there are nation-states (such as Japan), but there are also multinational states (such as the Soviet Union and Yugoslavia). And there are nations without states (such as the Palestinians; but some would deny them the concept of 'nation'), as well as nations divided among several states (such as the Germans and Koreans). Perhaps we might add the Basques and the Kurds. Yet most of our current thinking is based on the concept of the nation-state.

We live in an era of nation-states; they are the building blocks of the international system. As individuals we may be many things, but we learn early in our lives that first and foremost we are nationals of this or that country. A common insult is to accuse someone of not having a country. Development, and I come back here to my starting point, is now considered to be a task of nation-building. Indeed, nation-building is a key concept in contemporary political science, particularly when it refers to political development. It includes a number of essential elements (such as social mobilization, interest articulation and others), but of particular relevance to our purposes is 'national integration', which some authors consider to be of even greater importance and urgency than economic development. Thus, Rajni Kothari, writing about India, affirms the pre-eminence of 'the politics of integration', where the problem of development is taken as a necessary and urgent objective but one that is not sufficient for effective nationhood and must always be balanced against potential disintegrative consequences that rapid change involves for the political system in any long-entrenched and highly diversified society.[11]

Most definitions of 'nation' include the idea of common language and common culture. In most instances the concept of a nation is predicated upon the idea of the ethnic homogeneity of its population. At any rate, the majority or dominant ethnic

[11] Rajni Kothari, 1970: *Politics in India* (Boston).

group identifies itself with the nation, or conversely, identifies the nation with itself.

In ethnically heterogeneous societies (which are in fact the world's majority) this leads sometimes to the dominance of one ethnic group over the other or others. Such a system has been called 'ethnocracy'.[12]

Where the dominant ethnic group is also a numerical majority, relations among ethnic groups are couched in terms of 'minority problems'. Thus, in the United States there exists a WASP (White, Anglo-Saxon, Protestant) majority which provides the dominant cultural ideological model, and all others are minority groups (whether immigrants, descendants of former slaves or conquered aboriginal inhabitants). Currently, the WASPs are worried because the minorities (Blacks, Latinos or Hispanics and Orientals) may actually become a demographic majority in the future. In India, Hindus constitute a very large majority, but even in that country, some Hindus appear to possess what one author calls a 'siege mentality', because they fear of becoming a minority in their own land.[13]

In some ethnocracies, the dominant ethnic group is a numerical minority. When this occurs in the classic colonial situation, we have a clear-cut case for national liberation struggle. But such is not always so, the most tragic contemporary example of an ethnocracy being South Africa. In some Latin American societies (notably Bolivia and Guatemala) the minority dominant ethnic groups are the Mestizos or descendants of the Spaniards, and the majority are the native Indians.

The former identify the nation with themselves whereas the latter are increasingly questioning the prevailing model of the ethnocratic national state.

The concept of the nation tends to reject the idea of ethnic pluralism. National struggles tore asunder the Austro-Hungarian Empire and led to the Balkanization of South-Eastern Europe. The fear of Balkanization hounds nation-builders around the world. The Soviet Union, however, and later Yugoslavia, recognized the existence of various nationalities within their national borders, a distinction this (between nationalities and nations) which is current in the socialist countries but not generally used in the West.

In general, however, national integration, meaning the cultural and ethnic homogenization of the population, has been the driving force of nation building. Clear examples of this, in Europe, are France and Spain. In the United States, a country of immigrants, national integration took the form of assimilation, the famous melting-pot concept of nation building, which is now being increasingly questioned. Assimilation or incorporation of the native Indian cultures has also been the stated purpose of government policy in Latin America for many decades, as part of the process of nation-building.

Nationalism, considered in this context as the movement towards national integration on the basis of the ethnic homogeneity of a population, has frequently

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[12] Theodor Veiter, 1977: *Nationalitätenkonflikt und Volksgruppenrecht im 20. Jahrhundert*, Vol. I (Munich).

[13] Nirman Mukerji, 1982: article in: *Seminar* (Delhi, January).

led to racism as a national ideology. A case in point in recent history, with disastrous consequences for Europe and the world, has been Nazi Germany. But other countries and other nationalisms are not, alas, immune to racism, though we must be careful not to confuse these two 'isms'.[14]

We live in an era of nation-states. There are over 150 independent countries, members of the United Nations Organization. There may be some more in the next few years (Namibia, perhaps Palestine and others) but there is a limit, surely, to the number of nation-states in the international system. There are, however, many more ethnic groups or 'ethnies' than nation-states. In fact, there must be around three to six thousand, depending on the criteria used for defining them.

The nationalist ideologies that underpin the constitution of nation-states and that are the driving power behind the process of nation-building represent a unifying and mobilizing force. Nationalism provides political purpose and will, it helps organize the economy and the administration, it harnesses the loyalties of individuals to the purposes of the state, it legitimizes the domination of the national ruling class, most frequently, in our time, of the bourgeoisie. But also, in many newly independent countries, nationalist ideology is a powerful instrument in the hands of revolutionary coalitions, or new power groups which do not necessarily represent the interests of a single ruling class. 'National interest', 'national unity', 'national security', these are powerful concepts used by ruling groups and governments as rallying cries to mobilize support for their policies or to ward off real or imagined aggression from the outside—or to suppress dissent from within! But nationalist ideology is also used to justify the hegemony of a dominant ethnic group which may or may not be a numerical majority. Other, different, ethnic groups are often considered a danger to national unity.

There are few countries in the world which have accepted ethnic pluralism, as part of their nationalist ideology. In Western Europe, Switzerland, Belgium and now Spain, do so. India, this giant mosaic of religions and languages, is attempting, not without difficulty, to cope with the problem.[15] Generally, however, governments carry out different kinds of policies in the name of nationalist ideology, which tend to actually eliminate, marginalize or else assimilate the non-dominant ethnic groups.

There exists frequently an uneven, exploitative relationship between the dominant ethnic group which identifies its own interests with the national interest, and the minority or non-dominant ethnic groups (which may sometimes constitute numerical majorities). This may take the form of unequal regional development (when ethnic groups are geographically localized) or of differential access to positions of privilege or power, or different forms of segregation and

[14] Anthony D. Smith, 1979: *Nationalism in the 20th Century* (London: Martin Robertson).

[15] See, for example, T.N. Madan, 1982: "Coping with ethnic diversity: a South Asian Perspective", Address to the 104th annual meeting of the American Ethnological Society, Lexington, Ky., April; also Jyotirindra Das Gupta, 1975: "Ethnicity, Language Demands, and National Development in India", in: N. Glazer and D.P. Moynihan (Eds.): *Ethnicity* (Cambridge, Harvard University Press).

discrimination in social, economic and political life. In fact, usually ethnic groups are integrated into a system of social stratification. Sometimes, this unequal relationship takes on the form of internal colonialism, and it is not limited to the countries of the Third World, but perhaps it is here that it appears most acutely.[16]

The physical elimination or genocide of entire communities of ethnic minorities in the name of nationalist ideology (such as the Armenians or the European Jews or South American Indians) is surely an exceptional situation, but genocide in history is by no means rare on other grounds (particularly for religious purposes).[17]

The usual process, however, is not genocide but ethnocide, the cultural assassination of ethnic groups in the name of national unity. Ethnocide may be defined as the policy of destruction of an ethnic group's cultural identity and should thus be distinguished from natural or spontaneous processes of acculturation and cultural change. Many examples of ethnocide can be found all over the world. France carried out such a policy until very recently in relation to Brittany, Corsica and Occitany. The Spanish government during the Franco dictatorship practiced ethnocide upon the Catalonians. So has England in relation to the Irish, the Welsh and the Scotch. The policies of most Latin American governments regarding their own native Indian populations, which are known as '*indigenismo*' and are couched in the best of intentions and in developmenta1 terminology, are ethnocidal in their content and their expected results. The eradication of non-Arab minorities in some Middle-Eastern and North African countries produce similar results.

Whereas genocide is roundly condemned all over the world and has been pronounced an international crime (though it continues to be practiced with impunity from time to time)i ethnocide has no legal status whatsoever. To be sure, high-sounding international resolutions proclaim the cultural rights of individual members of minority groups, and many of the world's nationa1 constitutions prohibit discrimination on the basis of race, religion, language or national origin.[18] But only very few countries do no dominant ethnic groups have legally established cultural rights qua ethnic groups. There is scope here for international and national legislative action.

Thus nationalism, which can be a revolutionary force, particularly in struggles for national liberation, may also become a force destructive of the multiple ethnic groups and cultures that people the world. And we may well ask whether the nation-state as it evolved during the nineteenth century, and as it has been taken over as a legal and political institution with its attendant nationalist ideology by so many Third World countries, has not outlived its usefulness.

This question has, of course, been frequently posed also from another angle, namely, that of supra-national regional integration and world federalism. From the

[16] Cf. Rodolfo Stavenhagen, 1975: *Social Classes in Agrarian Societies* (New York: Doubleday Anchor).

[17] Leo Kuper, 1981: *Genocide* (London: Penguin).

[18] See Francesco Capotorti, 1979: *Estudio sobre los derechos de las personas pertenecientes a minorías étnicas, religiosas o linguísticas* (New York, Naciones Unidas, E.CN.4/Sub.2/384/Rev. 1); and Felix Ermacora, 1978: *Nationalitatenkonflikt und Volksgruppenrecht*, Vol. II (Munich).

standpoint of the workings of the international system, the nation-state as presently conceived is coming under frequent criticism as is nationalist ideology. I submit that equally valid criticism of the nation-state ideology may be formulated from the point of view of the world's multiple ethnic groups.[19]

These issues point to the difficulties of integrating nationalism with development theory if one goes beyond the concept of the nation-state. In fact, ethnic demands for self-determination, which in many cases—but by no means generally—have been at the basis of the formation of modern nations, are usually considered as closed, terminated, with the constitution of the nation-state. But as so much recent history demonstrates, this is by no means the case.

5.4 The National Question and the Class Struggle

After the consolidation of the modern nation-state, emphasis shifted, and perhaps rightly so, to the social and economic question. Class identification took precedence over the national question. The class struggle occupied the centre of attention, at least in the advanced capitalist societies. The struggle for industrial democracy, for economic equality, for social welfare and, in some cases, for socialist revolution, concentrated the attention of social scientists, ideologists and political militants. Social class divisions were said to cut across ethnic and racial ones, and the politics and ideology of social class were considered to be the essence of modern society.

In the developing countries also, once independence had been achieved, economic and social development was related (by analysts and policy-makers alike) to the dynamics of socio-economic groups. Entrepreneurs, middle classes, industrial workers, peasants and other groups all received their share of attention. The multiple demands of national minorities or of ethnic groups, whose interests had not been met by the constitution of new states, were considered to detract not only from the relatively abstract tasks of nation-building but also from the concrete tasks of the class struggle: such demands were at times considered divisive.

The bitter arguments that have taken place among Marxists on this issue are particularly revealing of the difficulties involved. Already before the First World War, the battle lines were fairly well drawn. Some of the Austrian socialists demanded an end to what they called the national oppression of minorities within the Austro-Hungarian Empire. This was of course a political demand of these minorities themselves. On the other side stood those who maintained that the socialist revolution could only be carried out by a unified proletariat and a single revolutionary party in which national (i.e. ethnic and linguistic) differences were glossed over. Those who demanded the constitution of 'national' sections within the social democratic party were branded as counter-revolutionaries. A similar fate

[19] See for example, Mario Albertini, 1978: *L'Etat National* (Lyon: Federop).

befell the Russian Jewish Marxists who wanted to set up a revolutionary organization of their own. A commonly held Marxist maxim was to contrast bourgeois nationalism with proletarian internationalism.[20]

Lenin and Stalin contributed to the debate and the right of national self-determination was incorporated into the programmed of the Bolsheviks. After the revolution, however, the issue was considered as settled. The Soviet model of a nationalities policy was later followed by Yugoslavia and China, and in general all the countries of the socialist bloc make provisions in their legislation for the respect of minority cultural rights.[21]

Among Marxists in the West and in the Third World, the debate has continued unabated. The primacy of the class struggle over all other kinds of social conflict and mobilization is generally affirmed. National, ethnic, linguistic, religious or cultural demands by minority groups are either ignored as unimportant, rejected as reactionary or denounced as counter-revolutionary. The paradigm that sees the main lines of cleavage in modern society as running along class lines is not theoretically equipped to handle other cleavages, which may be just as important, if not more so, in political and social terms.

Just as in the case of the former ignoring of the revolutionary potential of the peasants, this has led in some instances to monumental and costly errors of judgment.

In Guatemala, for instance, several earlier attempts at armed struggle by Marxist revolutionaries were easily suppressed by the military dictatorships because they had no roots among the Indian peasant majority of the country. This is no longer the case now.

In Africa, generally, Marxist analysis denies the importance of ethnic pluralism in the new states and concentrates its attention upon social class formation on the one hand, and the nation state on the other. In Africa, as well as in the Caribbean, theorizing about ethnic pluralism is being carried out more by 'functionalist' social scientists than by Marxists. In fact, the concept of the plural society (first developed by Dutch sociologists in the colonial context), or of pluralism as an essential ingredient of most complex and heterogeneous societies is being put forward by one school of thought as an alternative to Marxist analysis.[22]

Marxists tend to see the problems inherent in ethnic pluralism under two alternatively possible angles. Either it is considered a survival of pre-capitalist days, bound to disappear with the development of capitalism and the preeminence of the cash nexus, as Marx said, in all its nakedness.

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[20] For a good introduction to the Marxist debate, see G. Haupt, M. Lowy and C. Weill, 1974: *Les Marxistes Et La Question Nationale, 1848–1914* (Paris: Maspero).

[21] See, for example, *L'Etat Sovietique Multinational* (Moscow: Editions du Progres, 1975); *China's Minority Nationalities* (San Francisco: Red Sun Publishers, 1977); Horace B. Davis, 1978: *Towards a Marxist Theory of Nationalism* (New York: Monthly Review Press).

[22] L. Kuper and M.G. Smith (Editors), 1971: *Pluralism in Africa* (Berkeley, CA: University of California Press).

Or else, ethnic pluralism, and particularly ethnic political demands, are seen as some kind of ploy contrived to divert attention from the essential task of the class struggle.

This is most unfortunate, in my opinion, because Marxist analysis, which is essential for an understanding of capitalist development, could make a major contribution to the study of the interrelationships between class, nation and ethnic groups.

5.5 Ethnodevelopment

We cannot but recognize that in recent years there has been a resurgence of ethnicity as a mobilizing force all over the world, in underdeveloped as well as in developed countries. It has become a very complex, politically explosive issue. It is related to the burning questions of war and peace, of social harmony and civil strife, of political stability or conflict, and of course, also to fundamental human rights.[23]

What are the bases for ethnic mobilization in our time? Can we clearly recognize ethnic demands as against other kinds of demands on the political system? In what way is ethnicity related to the process of development? Many authors consider that the individual's identification with his ethnic group is some form of primordial (even non-rational) group attachment of a universal nature.[24] And some have gone so far as to posit that such primary group links constitute an obstacle to nation-building and political development, which require the breaking down of these links and the transfer of loyalties from the primary ethnic group to the larger civi1 society.[25] Others would consider that such primordial attachments are not inimical to the building of a larger society but can perfectly well coexist with the requirements of a modern nation. We have here echoes of the old debate on the contrast between '*Gemeinschaft*' and '*Gesellschaft*'. Perhaps we could go one step further and suggest that ethnic identification and loyalties are again becoming relevant in the modern society where the individual is increasingly alienated, whether in the work-place or in the political bureaucracy. This would, of course, hold more for the industria1 societies than for the Third World. It may help explain the resurgence of ethnicity in, say, the United States and Western Europe. In many instances, the ethnic community becomes a functional intermediate organization

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[23] These issues may be seen in the discussions of the United Nations Subcommission on Prevention of Discrimination and Protection of Minorities. .

[24] See, for example, Harold B. Isaacs: "Basic Group Identity: The Idols of the Tribe", in: N. Glazer and D.P. Moynihan (Eds.), *op. cit*.

[25] The literature on modernisation is vast. A classica1 introduction within the functionalist–structuralist paradigm is David E. Apter's, 1965: *The Politics of Modernisation* (Chicago: The University of Chicago Press).

(either structured or non-structured) between the individua1 and the polity, such as is the case, at other levels, with trade unions and similar institutions.

For some authors, the activation of ethnicity represents more of a rational choice for political action, rather than a return to primordial sentiments.[26] Ethnic demands are said to be used by certain social groups to achieve satisfaction of economic or political interests which would otherwise be more difficult to obtain. This would presumably be the case in clear-cut ethnic majority–minority situations in liberal democracies, in which cultural minorities wi11 never be able to break majority rule. Here ethnic politics or ethnopolitics as it has also been called, becomes pressure politics, and may be used by the politica1 elites of minority groups in their attempt to redress grievances or obtain a 'larger part of the pie'.

It is generally accepted that at the root of many contemporary ethnic demands we find economic grievances but it would be too simplistic to reduce the whole problem to a form of economic struggle. Wherever we find territorial minorities, such as Indians in Latin America or perhaps scheduled tribes in India, the demands are often for greater control over resources or for greater local autonomy (including, of course, at times, political self-government or independence).[27] Wherever ethnic groups do not have a territorial base but are scattered among the larger society, ethnic demands may be couched in more cultural or economic, rather than in political or territorial terms. Here we often find the struggle of the ethnic group for recognition of its cultural identity as a group. This would be the case of the nationalities in the Soviet Union which lack a geographical basis (such as the Jews) or of ethnic groups in the United States.

The activation of ethnic demands as rational choice for political action may serve the interests of a wide segment of the political spectrum. It would be a mistake to identify ethnic movements with any one political ideology. First it must be determined under what concrete historical circumstances such movements arise and how they relate to the major social and economic conflicts of their time and place. Between the two world wars, in Europe ethnic movements had a distinct right-wing colouration. Today, similar movements tend to be considered rather leftist. In the Third World ethnic movements are usually of a progressive nature, if only because they arise out of a reaction against oppression and exploitation. However, this does not prevent them from being used or manipulated, at times, for purposes other than those they apparently serve. Such might be the case of the Sikh Akali movement in India currently. Another example: the legitimate concerns of the Miskito Indians in Nicaragua which are being used by counter-revolutionary forces, aided by the U.S., against the Sandinista government.

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[26] See, for example, Milton M. Gordon, "Toward a Genera1 Theory of Racial and Ethnic Group Relations", in: N. Glazer and D.P. Moynihan (Eds.), *op. cit.*

[27] For India, a good synthetic report is Ghanshyam Shah: "Ethnic Minorities and Nation Building: Indian Experience" (Paper presented at the workshop on Native Ethnic Minorities and Nation Building, Centro de Estudios Economicos y Sociales del Tercer Mundo, October 1982, Mexico City). For Latin America, see G. Bonfil et al., 1982: *America Latina: Ethnodesarrollo y Etnocidio* (San Jose, Costa Rica: FLACSO).

When in the course of political development, certain ethnically defined elites become displaced or lose previous positions of power and privilege, they frequently react in ethnic terms. This may lead to strife and community conflict, as is often found in India and other Asian countries. It is important to understand that even when this is the case, there are underlying 'primordial attachments' which are always mobilizable in certain situations.

If at the root of so many ethnic demands we find basic economic grievances, why are these not always expressed in class terms? If tribals or native American Indians or Blacks in the United States or Catholics in Ulster are economically underprivileged or exploited, should not the class struggle and organization along class lines be a better vehicle for political action than ethnic mobilization? This is indeed what some analysts maintain when they suggest that ethnic demands are either a clear-cut instance of 'false consciousness', or else are simply the object of manipulation by self-interested elites, used to divert the attention of oppressed groups from their real (even if unperceived) class interests. There is certainly a great deal of truth in this approach, but again I hold that it would be too simple to reduce ethnicity to class, just as it is equally simplistic to deny the class factor in so many forms of ethnic struggle. Sometimes, indeed, class interests are better served through ethnopolitic s than through socia1 class organization. Blacks in the United States, for example, believe that they may improve their situation more efficiently through political struggle along ethnic lines than by subordinating their ethnic demands to general class interests.

This of course is not to deny the basic unity of class-based demands, but it would be a mistake to ignore ethnic and racial cleavages within social classes, in the United States as elsewhere. And then, of course, we must not forget that ruling classes throughout history have tried to justify their rule and privilege by invoking supposed ethnic superiority.

In Latin America, most native Indians are poor peasants. They suffer double oppression as colonized Indians and as exploited peasants. It would be as erroneous to deny their ethnic identity as it would be to ignore their position in the class structure. And this is so not only for analytical reasons, but also for its policy implications.[28]

Are ethnic bonds stronger than class interests or vice versa? If so, why and under what conditions? Ethnicity, class, politics and the nation-state are inextricably bound together. There is certainly much room here for basic research. Policy makers and politicians the world over have to deal with ethnic factors in development. Yet many of them prefer to ignore the issue precisely because it may question the premises of the nation-state. This has been the case in Africa where ethnic questions are considered to be politically highly sensitive, because they are basically related to the artificiality of national borders as inherited from colonial times and to the question of the legitimacy of state power. Yet the 'ethnic

[28] Cf. Rodolfo Stavenhagen, 1982: "Indian Ethnic Movements and State Policies in Latin America", in: *Praxis International*, Oxford, 2,3, October.

question' keeps cropping up, sometimes in violent forms. It is sometimes argued that to raise the ethnic question in Africa is to weaken the fledgling national state and to hinder the task of nation-building. However, there have been many recent calls for a revaluation of ethnic pluralism within the framework of the state, and Benin, for example, has constitutionally established ethnic and cultural pluralism as an essential element of state organization.

Ethnic movements, ethnica1ly-based organizations, have acquired a new relevance in our time. Ethnic demands are again coming to the forefront. Faced with the monumenta1 tasks of nation-building and economic and social development, more and more development thinkers have rejected the 'technocratic' approaches to development and are re-evaluating the role of cultural values and social systems in development.

The Third World has ra1lyed around the demand for respect of cultural identity, for a development process in harmony with cultural traditions.[29] But whose cultural traditions are to be respected when, as we have seen, it is very difficult in so many of the Third World countries to actually identify a single national culture? Very often the demand for the respect of cultural identity is limited to that of the dominant ethnic group, but the same respect is not accorded to minority groups or to the oppressed cultures within nation-states. The situation of Latin America's Indians in that respect is dramatic. When Latin Americans affirm, for instance, the primacy of their cultural values over those of materialistic Anglo-Saxon consumer culture, and complain of excessive Americanization of their societies, they frequently tend to show at the same time complete disregard for the cultural identity of the native Indian societies which inhabit their countries.

I submit that ethnodevelopment that is, the development of ethnic groups within the framework of the larger society, may become a major issue in development thinking, both theoretica1ly and practically.

There is no unequivocally unilinear evolutionary process that leads from the existence of a multiplicity of ethnic groups to a single world culture, just as there is no unilinear evolution from an underdeveloped society to a developed one. There is no reason why 150 nation-states (which range in size and complexity from Santa Lucia to China, from Tonga to the United States) should be naturally more feasible and viable units for development (economic, social, political, cultural) than the several thousand ethnic groups that are estimated to people the world. There is no reason why the Kurds or the Basques should have any less right to self- determination than the Palestinians or, for that matter, the Dutch. In my opinion, a major theoretical task in coming years is to integrate our admittedly partial knowledge of ethnic dynamics into development theory.

The size and number of nations in the international system is a practical political matter. Nobody seems to be satisfied with the 150 or so nation states that exist currently. One cogent argument for world federation favors the constitution

[29] See the proceedings of the UNESCO world conference on cultural policies, held in Mexico City in the summer of 1982.

of twenty or twenty-five more or less equally sized and equally powerful states in the world.[30] But what will happen to the thousands of ethnic groups? I am certainly not arguing that every ethnic group in the world should have its own state. On the contrary, my critique of the nation-state or the ethnocratic state leads precisely in the opposite direction, that is, to the multinational, multicultural, multiethnic state (if state there must be at all), in which ethnic communities may find equal opportunity for social, economic and cultural development within the larger framework.

This is easily said but, surprisingly, not very widely accepted. India has faced up to the problem by the creation of linguistic states, the three-language formula in education, and other measures.[31] It has learned that it is less costly in human and social terms (no matter how acute the conflicts involved), to deal with the problem squarely than to ignore it. In Western Europe there is a growing call for regional cultural development of Europe's oppressed cultures within the framework of administrative decentralization, devolution (as it is called in the United Kingdom), regional economic planning and supranationa1 integration.[32] In Latin America ethnodevelopment of the native Indian populations means a complete reversal of government '*indigenista*' policies which have been followed up to now by most governments. A new, militant brand of Indian social movements has arisen which demands a reaffirmation of Indian cultural values and a revaluation of the position of Indians within the social structure.[33]

I use the concept of ethnodevelopment in contrast to those of ethnocide and ethnocracy, defined earlier. I realize that it may be open to criticism on several accounts.

I have already mentioned the ideology of the national state which is usually inimical to the idea of ethnic development, except on its own terms. There are of course powerful arguments in favor of strengthening the nation-state, but it is just as difficult to accept the 'raison d'etat' for violation of collective cultural rights as it is for violation of individual human rights. I have also mentioned the dogmatic interpretation of class dynamics which has led to the unfortunate neglect of the ethnic dimension in Marxist analysis. A more pernicious critique might suggest that the idea of ethnodevelopment wi1l tend to isolate ethnic groups from the cultural mainstreams in order 'to keep them underdeveloped'. Ethnodevelopment, so it might be argued, could be used as an excuse to maintain segregation and cultura1 oppression, by refusing the possibility of 'national integration', and in fact strengthen the position of the ruling ethnocracy. An extreme example of such an approach could be Apartheid and the so-called 'separate development' of the

[30] Rajni Kothari, 1974: *Footsteps into the Future*: *Diagnostic of the Present World and a Design for an Alternative* (New York).

[31] J. Das Gupta, *op*. *cit*.

[32] J. Krejci and V. Velinsky, 1981: *Ethnic and Political Nations in Europe* (London: Croom Helm).

[33] G. Bonfi1 et al., *op*. *cit*. and R. Stavenhagen, 1982: *op. cit.*

Bantustans (euphemistically called 'homelands'), in South Africa. However, such a critique would be completely unwarranted, for ethnodevelopment is conceived as a dynamic, creative process, which will liberate collective energies for development rather than limit them. And after all, what is a cultural mainstream if not the confluence of multiple separate streams. Yet if these separate streams are not allowed to grow, then the mainstream will dry up.

Chapter 6
Human Rights and Wrongs: A Place for Anthropologists? (1998)

This chapter is based on a revised version of a paper presented at the Society for Applied Anthropology meeting in San Juan, Puerto Rico, April 1998.[1]

In their fieldwork around the world, anthropologists have long encountered situations that raise human rights questions, although it is only in recent decades that they have dealt with these situations in the language of human rights. While in earlier times, anthropologists concentrated their attention on societies different from their own and emphasized the singularity of cultures and communities that they studied from the outside, in later years they turned their attention increasingly to asymmetrical relations within complex societies, economic exploitation, and various forms of inequality. This perspective has opened the door to concern with human rights issues.

In this article, I examine anthropological encounters with human rights concerns with special attention to Latin America and indigenous populations. The paper is divided into two parts. The first deals with international human rights standards, anthropology's contribution to associated debates, and how these standards affect the struggles for indigenous human rights. The second part focus on the evolving relationship between the discipline of anthropology, as practiced in Latin America, and the human rights issues facing indigenous peoples in the region.

6.1 Building New Human Rights

From the beginning, anthropologists have been well placed to witness first-hand the numerous human rights abuses to which indigenous persons have always been subjected, and to feel moral indignation. Their first shocked and angry reactions

[1] Published in: Carole Nagengast and Carlos Vélez Ibañez (Eds.), 2004: *Human Rights: the Scholar as Activist*, Society for Applied Anthropology, 237 pages. The permission to republish this text was granted on 19 July 2012 by Melissa Cope, Society for Applied Anthropology, Oklahoma City, OK, USA.

R. Stavenhagen, *Pioneer on Indigenous Rights*, SpringerBriefs on Pioneers in Science and Practice 2, DOI: 10.1007/978-3-642-34150-2_6, © The Author(s) 2013

sometimes led them to publicly express, in the mass media, their outraged criticisms as well as their solidarity with the victims, or sometimes, to try more discreetly to obtain justice in specific cases. Prior to 1948, however, hardly any human rights defense organizations or mechanisms existed through which such indignation could be channeled, and after signing a petition or writing a letter to a newspaper, most anthropologists returned to their regular activities. Later, once the initial international framework for human rights was established, social scientists working in the field often acted in defense of victims of human rights abuses and took part in building the organizations that were to characterize the human rights movement in the subsequent years.

6.1.1 Individual Human Rights, Culture, and Discrimination

The contemporary era of 'human rights talk' can be said to have begun when the United Nations General Assembly, in 1948, adopted the Universal Declaration of Human Rights. Two major human rights conventions, the *International Covenant on Civil and Political Rights* (ICCPR) and the *International Covenant on Economic, Social and Cultural Rights* (ICESCR), as well as other international legal instruments followed the Universal Declaration. The institutional mechanisms to ensure these instruments are implanted and that they effectively protect human rights within the international system have been slowly taking form; the latest step in this process has been the creation of an International Criminal Court, which entered into force in July 2002.[2]

In the late 1940s, the states of the Western hemisphere began to develop their own regional human rights instruments, first with the American Declaration of Human Rights in 1948 and, a few years later, with the *American Human Rights Convention*, which created the *Inter-American Commission of Human Rights and the Inter-American Court of Human Rights*. These institutions have become a fairly effective regional mechanism for the protection of human rights on the continent. The Inter-American Commission of Human Rights, for instance, has looked at the human rights violations against Indians in Guatemala and Nicaragua and has also been concerned with indigenous land rights (Davis 1988). In August 2001, the Inter-American Court of Human Rights decided a land right case in favor of the Awas Tingni Indian community against the government of Nicaragua (Inter-American Court of Human Rights 2001).

During the first two decades of international human rights work, UN activity centered on what some scholars call 'first-generation' rights, that is, civil and political or universal individual human rights. The basic principles underlying individual human rights are equality and non-discrimination. In the post-World War II years, after the Holocaust, while European colonialism was still widespread, when

[2] See the International Criminal Court's web site, at: <http://www.un.org/law/icc/>.

apartheid still reigned in South Africa and segregation in the United States, when women had not yet achieved political rights in many countries, these principles were not universally honored, even in the West. They spelled out then, as now, a message of hope and new beginnings. In fact, the drafters of the Universal Declaration admitted that human rights should be seen as a 'standard of achievement' to be attained, rather than an established fact. Thus, when states party to the human rights conventions sign and ratify these treaties they do not ipso facto become full guarantors of human rights, but rather signal their intention to move in that direction. It has taken many decades for universal individual human rights to take hold in the political cultures of the world. These ideologies of fundamental liberties and freedoms grow out of the liberal tradition of the West, and they have been progressively accepted, sometimes not without difficulties, by other societies.

While it is widely recognized that universal human rights are not in fact enjoyed by everyone, common wisdom holds that, in some places, conditions might not be propitious for the general implementation of these rights, or that there are flaws in the institutional and legal mechanisms for their application, not that there might be something inherently flawed in the conception of universal individual rights. Critics, however, argue that the ideas and practices associated with universal individual rights are not necessarily compatible with the ways persons are considered in some other societies, where even the concept of the 'individual' as a free agent may be lacking.

The Western bias in the concept of individual human rights did not go unnoticed by American anthropologists. In 1947, when the *United Nations Commission on Human Rights* was discussing various drafts of the Universal Declaration, the Executive Board of the *American Anthropological Association* (AAA) submitted a statement to the commission, questioning how the proposed Declaration could be made to apply to all human beings. The Universal Declaration should not, said the American anthropologists, be conceived only in terms of the values prevalent in Western Europe and America. The association argued, firstly, that the individual realizes his personality through his culture; hence respect for individual differences entails a respect for cultural differences. They argued, secondly, that since no technique of qualitatively evaluating cultures has been discovered, respect for differences between cultures is scientifically validated. Thirdly, they said, standards and values are relative to the culture from which they derive so that postulates that grow out of the beliefs or moral codes of one culture cannot be declared to apply to humankind as a whole. Finally, the American Anthropological Association suggested that "only when a statement of the right of men to live in terms of their own traditions is incorporated into the proposed Declaration, then, can the next step of defining the rights and duties of human groups as regards each other be set upon the firm foundation of the present-day scientific knowledge of Man" (American Anthropological Association 1947).[3]

[3] Note the pre-gender conscious wording of the text.

In later years, similar criticism has come from Third World countries, some of which argue that individual human rights are being used politically by Western countries to impose their own worldview on other peoples—that declarations of human rights are instruments of imperialist intervention. This certainly appeared to be the case during the years of the Cold War, when the West used human rights issues as a political instrument against the Soviet regime, while grandly ignoring violations in countries allied with the U.S., particularly on the American continent. Not until the Carter administration did the U.S. government attribute political significance to human rights issues in Latin American military dictatorships.

The struggle against racism is another arena in which anthropologists have encountered human rights issues. In Latin America, a myth persisted for many years that racial discrimination did not exist, and Latin American delegates to international human rights conferences always argued that racial discrimination was not a problem in their countries. Brazil, for example, was always officially proud of its 'racial democracy'. In other countries, black populations were simply ignored, and indigenous peoples, it was held, were not subject to 'racial' discrimination (Hasenbalg 1996). That myth has vanished, as social research has uncovered all kinds of subtle and not so subtle discriminatory practices in Latin American countries, and as emerging human rights groups have begun to organize their struggles for rights (Sikkink 1996).

Racial discrimination was a widespread phenomenon at the middle of the century, and it has made a comeback in recent years, in the guise of ultra-nationalism, xenophobia, and extreme right-wing political activities. The United Nations actively promoted three international decades (during the 1970s, 1980s, and 1990s) to combat racism worldwide and organized a worldwide conference against racism in 2001. While in earlier decades, Western human rights discourse associated racism mainly with apartheid and colonialism, a 'new racism' has emerged in industrialized countries as a result of massive migrations within the framework of the newly globalized economy, as Vélez-Ibáñez describes in this volume.

During the 1950s, anthropologists took an active part in drafting a number of UNESCO statements and declarations on race and racism, which underlined the hollowness, as well as the dangers, of attempts to justify racial rankings scientifically (UNESCO 1960). While it was thought that the demons had finally been laid to rest, it is more than worrying that some recent scholarship has tried to resuscitate them. Two international journals, Mankind Quarterly and the Journal of Social, Political and Economic Studies, regularly carry articles on racial differences in intelligence and achievement, attempting to support the idea of a superior white race, and the publication of The Bell Curve (Herrenstein and Murray 1994) fueled numerous scholarly and media debates on the issues of race and intelligence. Similar controversies surround the discipline of sociobiology, often accused of providing support to racist interpretations of racial and ethnic differences (Montagu 1980).[4]

[4] For a survey of scientific racism and its fortunes, see Barkan (1992).

Racial discrimination is frequently indistinguishable from ethnic, national, and religious discrimination. When specific racial or ethnic groups are singled out for discriminatory treatment in some countries, or when it can be shown that the full enjoyment of human rights is restricted to some groups and not conceded to others, then human rights advocates argue that renewed efforts must be made to extend such rights to all persons, regardless of their social or legal status, until full equality is achieved. This argument has been put forward in international campaigns against racism, racial or religious discrimination, xenophobia, and intolerance. Critics point out, however, that the achievement of 'full equality' is an illusion in societies in which dominant cultural models traditionally have excluded other, subordinate cultures and ethnic groups. The questions will be asked: Full equality of whom with whom? Does not the concept of equality imply that the subordinate groups should become indistinguishable from the dominant ones or the majority? Is this not what used to be called Anglo-conformity in the United States or the supposedly irreversible process of *mestizaje* in Latin American countries? The difficulties inherent in this approach have led scholars and human rights specialists (as well as politicians) to posit alternatives to the classic postulates of universal individual human rights.

6.1.2 The Rights and Protection of Minorities

The League of Nations, after the redrawing of state borders at the end of the First World War, concerned itself with the protection of religious and national minorities. While the League attempted to set up a minority protection regime, which generally failed, states signed a number of treaties regarding the protection of national minorities in their respective territories. When discussing human rights in the UN two decades later, however, Western leaders insisted that the 'minorities question' was not of universal significance. Despite some Eastern European countries' attempts to include the rights of minorities, the subject was left out of the Universal Declaration and received only passing acknowledgment in the *International Covenant of Civil and Political Rights* in 1966. Most member states considered that, if universal individual human rights were guaranteed, there was no need for special minority rights. In fact, most states actually denied the existence of such minorities within their territories. This dominant position in the UN prevailed until the political upheavals in Eastern Europe and elsewhere in the 1980s and 1990s.

Thus, the Latin American delegates were adamant that no minorities question existed on their continent. Likewise, the newly independent states of Africa and Asia largely insisted on their 'national unity' and downplayed or denied the presence of culturally distinct minorities. Indeed, the emphasis on 'nation building' during this period led to the calculated neglect of ethnic groups who did not fit the mainstream pattern or who asked for recognition of their own group's identities. In African states, scholars and statesmen alike blamed colonialism for

having whipped up artificial 'ethnicities', and in some of them the term 'ethnicity' itself became almost a dirty word, fraught with ideological and political threats to the national state.

Since the collapse of communist regimes and the rebirth of ethnic nationalisms, the problem of minority rights has become a politically explosive issue in a number of countries. Scholars have identified over two hundred ongoing ethnic conflicts in various parts of the world. Actually, it is surprising that more such conflicts do not exist, given that the two hundred odd nation-states which make up the current international system comprise several thousand (eight to ten thousand seems to be a widely accepted estimate) culturally distinct ethnic groups (Gurr 1993; Gurr and Harff 1994; Stavenhagen 1996).

What role has social science, and particularly anthropology, played in the debate over minority rights, with its emphasis on ethnic differences, boundaries, and identities? How important have anthropological texts been in framing political debates over cultural pluralism and national identities in post-colonial societies?[5] A number of dramatic examples come to mind when such questions are raised. The genocide of Hutus and Tutsis in Rwanda and Burundi in recent decades owes much of its savagery to the mutual images these ethnic groups held of each other, stereotypes that were built up over the years by scholars and intellectuals (including historians, anthropologists, political scientists, etc.) (Lemarchand 1994). In Sri Lanka, historians still wrangle over two thousand years of history of Tamil and Sinhalese settlement on the island, to justify their respective claims to nationhood (Abeysekera and Gunasinghe 1987). The break-up of Yugoslavia may find its justification in a long-standing and bitter polemic between linguists about whether Serb and Croat are two distinct languages or one (Necak Luk 1995). Examples like these abound.

Scholars do tend to agree, however, that universal individual human rights do not do justice to the claims and demands of minority groups. Thus, Article 27 of the I*nternational Covenant on Civil and Political Rights* (ICCPR) states: "In those states in which ethnic, religious or linguistic minorities exist, persons belonging to such minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language." While still framed in very careful legal wording which maintains the idea that only 'persons', that is, individuals, are bearers of rights, Article 27 places the discussion within the wider framework of collective or group rights. Article 27 was, for a long time, a dead letter, however, while the *UN Sub-Commission on the Promotion and Protection of Human Rights* (an offshoot of the *Human Rights Commission*) debated at length about further international legal activity in favor of minority groups. In the end, the debate resulted in the General Assembly's adopting, in 1992, the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic*

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[5] For a fuller treatment of the minorities issue, see Stavenhagen (1990).

Minorities (Resolution 47/135), and the Sub-Commission has recently set up an additional Working Group to deal with minority rights.

The Minorities Declaration, as it is known, proclaims: "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories, and shall encourage conditions for the promotion of that identity." Article 4 speaks about measures to be taken by states "to create favorable conditions to enable persons belonging to minorities to express their characteristics and to develop their culture, language, religion, traditions and customs," in short, to express their identity. Yet it adds this restrictive caveat: "… except where specific practices are in violation of national law and contrary to international standards". Thus, while recognizing minorities qua groups, the full rights of minorities are still subject to state laws, which may in turn restrict minority rights in the name of an overriding 'national interest'. States often exploit this loophole; the situation of the Kurds in Turkey provides a case in point (Chaliand 1992).

But who are these minorities? How are they defined? How is membership in a minority group established? Who decides whether minorities exist at all in a given state? The United Nations has not answered these questions. Furthermore, what are the specific human rights of ethnic (or other) minorities, which go beyond the classic individual human rights, and how can or should they be protected? These are debatable and difficult topics to which not only legal scholars but also social scientists can contribute.

Over the years, anthropologists have been involved in the attempt to understand and clarify many of these issues. The identification and classification of indigenous groups in Latin America, for instance, is usually based on linguistic criteria, provided by the work of anthropologists. Why do official institutions in Mexico recognize fifty-six different indigenous ethnic groups (referred to commonly as *las etnias*) and not more or less? Because in the 1930s, academics decided to create a linguistic map of the country, and their work is now the standard by which the census bureau and other government agencies guide their work. Similar processes took place in other Latin American countries.

As we know well, colonial regimes used the skills of anthropologists to better administer the natives under their care, and applied anthropologists have lately carried out similar tasks for more progressive and socially concerned administrations. After working to advance the social and economic needs of subordinate populations, some applied anthropologists have become involved in advocating and defending the cultural rights of such groups, many of whom might be labeled ethnic minorities in the legal and political sense. Recent post-modern tendencies in anthropology focus on issues such as the invention and construction of ethnic identities, the imagined communities (Anderson 1983), rather than, as used to be common a few decades ago, taking these for granted.

6.1.3 The Problem of Cultural Rights

At international conferences the right to cultural development and identity has been proclaimed time and again, but cultural rights have not received much attention within the framework of the international human rights charter. The *International Covenant on Economic, Social and Cultural Rights* (ICESCR), adopted by the UN General Assembly in 1966, mentions them briefly. Article 15 mainly refers to the right of everyone to take part in cultural life, to enjoy the benefits of scientific progress and its applications, and to benefit from the protection of scientific, literary, or artistic works. Article 13 posits the right of everyone to education, which “shall be directed to the full development of the human personality and the sense of its dignity”. Cultural rights are related to other fundamental liberties such as freedom of expression, of religious belief, and of peaceful association and the right to education. Just as it has been unable to agree on a definition of minorities, in these and other documents the UN does not define what it means by culture.

There are at least three implicit meanings of culture in international legal instruments. The first is the idea of culture as capital—that is, the accumulated cultural capital of humankind as expressed in monuments, museums, and various cultural artifacts, referred to as the common heritage of humanity.[6] Everyone is deemed to have the right to enjoy this heritage and to have access to it, and states have the obligation to preserve it for future generations. Recent discussions have moved in the direction of the ‘living cultural heritage’ of humanity, including its non-material aspects such as language, music, oral history, and literature (Pérez de Cuéllar et al. 1995; Niec 1998).

A number of interesting issues have arisen in relation to cultural rights defined in this way, such as the case of a collection of ancient textiles that were surreptitiously removed from an Indian community in Bolivia and ended up in private ownership in the United States. Years later they were identified, thanks to the intervention of a savvy anthropologist, and returned to their legitimate owners, thus safeguarding the right to cultural identity (Conroy 1992; Lowenthal 1992). The illicit traffic in cultural artifacts is considered to be an affront to the enjoyment of cultural rights. Similarly, the extension of the concept to the ‘living cultural heritage’ can be seen in the UN Working Group on Indigenous Populations' considerations of the issue of intellectual property rights of indigenous peoples.

The second implicit meaning of culture in international human rights instruments is the activities and products of the individual cultural creators: the artists and writers, the researchers and performers. There is little disagreement, at least in the West, about the rights to freedom of cultural expression, but this concept was not always accepted in the West and is not universally accepted today. The situation of Salman Rushdie whose novel, Satanic Verses (Rushdie1989), earned him a death warrant issued in Iran and similar predicaments of many other artists come

[6] UNESCO has catalogued a roster of sites around the world that deserve this label.

to mind. The freedom of the cultural 'creators' and innovators is rightly cherished by many as a fundamental human right, yet it is often limited or restricted in the name of broader cultural values, national interest, or communal identity. While freedom of expression in this sense may be directly pertinent to a relatively small group of cultural creators, it also has much wider implications. Many see in the global market hegemony of the cultural industries (television, cinema) and the dissemination of a supposed if misnamed 'universal culture' a threat to the cultural identity and cultural values of societies worldwide. We find here a conflict between different rights (collective and individual) that relate to the issues of cultural development and cultural policies, surely a field that is not alien to anthropologists.

A third implicit meaning of culture in the human rights debates is the wider concept commonly used in anthropology: culture as the vast and multifaceted pattern of values, meanings, symbols, narratives, behavior, practices, and outcomes which characterize specific social (ethnic) groups and provide a framework for individual action and the feelings of belonging that link the individual with a group. Discussing a Latina in Los Angeles, a Rasta in Liverpool, a Beur in Lyon, or a Chamula in Chiapas refers us to the dynamics of collective identities; if cultural rights in this sense mean anything at all, they must provide protection to the full range of cultural expressions that ensure the existence and reproduction of culturally distinct human groups. The major ambiguity in applying this definition of culture is the often tense relationship between a 'national culture' (however defined) and sub-national cultural units. Whose cultural rights are invoked when educational curricula or linguistic policies are debated? And what happens to trans-national (more accurately, trans-state) or diasporic communities? The few international legal texts on cultural rights are not explicit on these issues, and at the national level, countries have taken different approaches to deal with them (Eide et al. 1995). Most Latin American countries now have constitutional arrangements or national legislation whereby the rights and cultures of indigenous populations are recognized, at least on paper. The Guatemalan constitution even speaks of 'native dress' to be protected by the state, and others include language, handicrafts, and local 'uses and customs' to which indigenous populations have a right. As much of this legislation is relatively new (passed mostly in the 1980s), little systematic information exists on how it has been applied and what effect it has had on the daily lives of indigenous peoples. Moreover, since law schools have not generally concerned themselves with cultural problems of indigenous peoples, neither public officials nor the courts have much experience or specialized knowledge in these matters. Anthropologists, among other social scientists, have been working with both governments and grass-roots organizations to make sense of this new legislation. In the Mexican state of Oaxaca, for instance, a recently adopted law on Indian rights was widely discussed by indigenous organizations as well as anthropologists before it passed in the state legislature (Sierra 1993; Oaxaca 1998).

Clearly, the issue of cultural rights is not of minor concern to anthropologists and their theoretical and practical activities, nor are anthropological discourses on

culture and its diverse manifestations irrelevant to the practical problems faced by human rights activists and legal specialists. Indeed, anthropologists have long argued that cultural identity helps constitute social groups and human bonding. Even without looking for ethnic identity in our genes, as some would have us do, we can comprehend the power of culture over the behavior and relationships of individuals in groups and the essential role that culture plays in any individual's life span. Recent research on cultural or multicultural citizenship reveals the connection between culture, ethnic identity, legal regimes, power relationships, and human rights. It is likely that in the future the various strands in this debate will become more closely intertwined (Kymlicka 1995), a challenge to the discipline which should not be cast aside.

Let us move then beyond advocating equality, tolerance, anti-racism, and the end of discrimination, which are important objectives to be sure, to recognize that the full enjoyment of human rights will only be attained if the cultural, social, and economic rights of ethnic (or national, religious, linguistic, etc.) groups are respected. Such recognition is not easy, however. What if collective rights should clash with individual human rights? How should such problems be dealt with? What of cultural norms and mores that oppress women and particularly girls in so many societies? Is the abuse of women's rights justified by an appeal to the (patriarchal) group's cultural identity? Does the cultural relativism which many anthropologists hold dear, as the AAA statement of 1947 indicates, lead to some sort of moral relativism regarding human rights? Under what circumstances do individual human rights trump collectively held cultural rights? Who decides and on what grounds? These topics are in the forefront of some current legal and political debates. As Nagengast in this volume suggests, anthropologists, who are not unfamiliar with the substantive issues (e.g., detailed ethnographic descriptions of puberty rites, marriage customs, witchcraft, sanctions of socially disapproved behavior, inter-family feuds, and so on), need to be more explicit concerning the controversial human rights questions involved.

6.1.4 The Right of Self-Determination

The most controversial human rights issue facing indigenous advocates concerns the right of peoples to self-determination, which is established identically in Article One of each of the two International Human Rights Covenants. This right has been invoked principally in favor of anti-colonial liberation struggles, and the UN has steadfastly refused to extend this right to minorities within established independent states. The right of self-determination is nevertheless claimed by numerous indigenous organizations around the world. Indeed, they argue that indigenous peoples were subjugated by external powers in colonial times, and that, as the original inhabitants of their countries, the right to self-determination is logically theirs. This argument is not acknowledged by most states in which indigenous populations live, and for this reason the draft UN Declaration on

Indigenous Rights has been held up in the Human Rights Commission. A similar draft declaration within the framework of the Organization of American States, in which reference is made to indigenous 'peoples', has still not been adopted (as of the beginning of 2003) by the American governments for the same reasons. Governments fear the Balkanization of their territories if the right to self-determination and the concept 'peoples' is conceded to the indigenous.

At the 1993 *Vienna Conference on Human Rights*, non-governmental organizations were disappointed that, in the final statement, reference was made only to 'indigenous people' and not 'indigenous peoples'. The 's' had vast political implications, which both advocates and adversaries of indigenous rights recognized clearly. The more traditional proponents of human rights argue that human rights include only individual rights, and they refuse such rights to 'peoples'. The term 'peoples', for that matter, is nowhere defined in the relevant legal texts, and it remains for social scientists to work out the definitions and criteria whereby certain ethnic groups might be so considered. Not surprisingly, no consensus on this matter has been achieved at the international level, where the term 'peoples' is usually conflated with 'nations' and 'states'. As is so often the case, the matter boils down to who has the power to decide.

Claims for some kind of territorial autonomy for sub-national units, including issues such as local self-government, control over natural resources, development policies, legal pluralism, and political representation, have mushroomed in recent years. While, in some cases, regional autonomy for indigenous groups (for example, for the San Blas Kuna in Panama) was established long ago, elsewhere the debate is more recent. Let us remember the conflict between the Miskitos and the Sandinista government on Nicaragua's Atlantic Coast during the 1980s, or the struggle of the Yanomami people for a territory of their own in Brazil (which they have achieved, at least on paper), or the unresolved conflict between the Zapatistas and the Mexican government, the latter refusing to accept the right of indigenous peoples to autonomy. In all three of these cases, as in many others, anthropologists were or are involved actively in setting the agenda and providing theoretical background on the issues negotiated between the indigenous organizations and the respective governments (Lizot 1976; Vilas 1989; Burguete 1999).

6.2 Latin American Anthropologists Discover Human Rights Violations

Beginning in the 1940s, Latin American anthropologists became advocates for indigenous peoples, and, true to the then-fashionable tendency of applied anthropology, many of them became actively involved in *indigenismo*—government programs and policies designed to promote community development and incorporate Indians into the nation-state. The Inter-American Indianist Institute, founded in 1940 by Manuel Gamio, Mexico's first academically trained anthropologist,

furthered anthropological research and the involvement of anthropologists in government programs, as did the Mexican National Institute of Anthropology and History, the *Instituto Nacional Indigenista* (founded by well-known archaeologist Alfonso Caso), and the various national *indigenista* institutions in other Latin American countries (principally Bolivia, Brazil, Ecuador, Guatemala, and Peru).[7] In fact, the training of anthropologists in some Latin American countries came to be closely linked to government programs, and almost the only jobs available for anthropologists were in government bureaucracies.

At the core of *indigenista* policies was the belief that cultural differences, particularly with regard to indigenous peoples, are inseparable from socioeconomic inequality and social and political exclusion. In order to improve the socioeconomic situation of indigenous communities, the long-term objective of *indigenismo* was the 'integration' or 'incorporation' of indigenous communities into the national mainstream, represented by the hegemonic mestizo culture. *Indigenista* policies brought new generations of Latin American anthropologists into close contact with the social and economic problems of indigenous populations (referred to in public discourse as *el problema indígena*) as well as with *indigenista* core ideas. These policies constituted the framework through which anthropologists theorized the modernization and acculturation of indigenous populations. In countries such as Guatemala, Mexico, and Peru, the idea of social anthropology became coterminous with *indigenismo*; the perceived interests of the nation and of the state thus became the theoretical and practical guiding principles of anthropological activities.

By the 1960s, a number of scholars in the field expressed growing doubts about these government policies. They became increasingly critical not only of specific government programs and projects, but of the state's strategies regarding indigenous populations (Warman 1970). At the same time, some anthropologists became more closely involved in the emerging indigenous movement in Latin America. As various currents of Marxism, expressed in the writings of the New Left in Europe, spread through academic circles, anti-colonial struggles in the Third World and various guerrilla movements in Latin America also effected a re-conceptualization of indigenous peoples that transformed anthropological perceptions and practices. Human rights issues, having been referred to only sporadically during the preceding years, soon became the center of the new discussions. In the 1970s and 1980s, the horrors of the civil wars in Central America and the burgeoning public indignation, both nationally and abroad, about massive human rights abuses committed against indigenous populations further impelled anthropologists to take critical stands regarding established policies.

The trek from academic research to applied anthropology, to indigenous advocacy, to human rights activism brought many scholars into direct contact with the complex world of government bureaucracies, politics, the legal system, military security, big business, revolutionary movements, and international organizations.

[7] See Caso (1971), Gamio (1972), and Marroquin (1972).

Social scientists were expected to provide their first-hand knowledge of community life and their understanding of indigenous cultures: to serve, in a way, as 'honest brokers' between the indigenous world and that of the *mestizos*. A number of these mediators, however, soon became spokespersons for the excluded and the marginalized, giving a "voice to those societies refused to see or hear" (Bonfil 1970). Such advocacy required making personal choices, getting involved in sometimes conflictive and dangerous situations, and taking personal risks that are not usually considered in graduate school. This change in perspectives and roles not only tested personal commitments, it also helped field researchers to rediscover historical context (which earlier generations of practical anthropologists had thought they could do without) and the need to account for local, regional, national, and international power structures.

The agrarian reform issue, the peasants' struggle for land, first brought many researchers face to face with human rights issues in Latin America. While economists and lawyers were debating the relative merits of land distribution schemes, the nature and dynamics of the various land tenure systems, the implications of land-holding and ownership patterns on agricultural productivity and growth, the pros and cons of individual and collective proprietorship, the legal concomitants of land reforms, and so on, anthropologists and other practitioners increasingly learned about, and involved themselves in, the struggles by rural populations for redress of ancient grievances and against the indignities and injustices long suffered by indigenous and peasant communities. By the 1960s, the emerging political critique of official *indigenista* policies, with which many anthropologists had long been associated, as well as the defense of specific individuals and communities against human rights abuses, solidified anthropologists' involvement and advocacy.

While the most obvious cases of human rights violations are associated with civil and political liberties, the denial of due process of law, flaws in the system of administration of justice, abuses by local government officials, and similar abuses, extreme cases of human rights violations occurred in situations of armed conflict and military counter-insurgency programs which were established in a number of countries as a result of the cold war (Doughty 1988). Indians and peasants are not, of course, the only victims of such violations in Latin America, but they are overrepresented among such victims, as was the case in Guatemala (Comisión para el Esclarecimiento Histórico 1999). Anthropologists have had too many opportunities to denounce cases of such abuses; frequently their efforts have helped victims gain redress or compensation, and sometimes they have even ended abusive practices.

Cases such as the genocide of the Ache Indians in Paraguay, the oppression of the Mataco in Argentina's Gran Chaco, the struggle of the Mapuche and Pehuenche of Chile against encroachment by multinational corporations, the defense of the territory of the Yanomami and other indigenous peoples in the Brazilian Amazon, the massacre of Maya peasants by military governments in Guatemala, and others were denounced and brought to public attention by anthropologists who had intimate knowledge of such situations. During the 1980s, anthropologists were

active on both sides of the Miskito question in Nicaragua. Some defended Sandinista policies (the defense of the revolution against the counter-revolutionary activities supported by the Reagan administration), while others denounced perceived Sandinista abuses. Networks of international non-governmental organizations have helped publicize and reinforce such anthropological intervention and wider human rights consciousness. These include the International Work Group on Indigenous Affairs in Copenhagen; Cultural Survival in Cambridge, Massachusetts; Survival International in London; and *Gesellschaft für Bedrohte Völker* in Germany, all of which publish newsletters, journals, yearbooks, brochures, monographs, and other documents and can readily be reached on the Internet.

Whenever the official ideology refuses to recognize marked cultural differences within the borders of a state, cultural rights tend to be ignored and violated. Since the 1960s, anthropologists have launched a full-scale ideological assault on *indigenismo* from two major vantage points: structural class analysis and the emerging multiculturalist poststructuralist approach. Critics labeled *indigenista* policies, which promoted the integration of indigenous populations into the national mainstream and their adoption of *mestizo* culture, as 'ethnocidal' in their intent and their results. Many anthropologists took up the banner of 'cultural survival' of indigenous peoples, which led them to consider cultural rights qua human rights, and to recognize culture as a contested space in power politics.

By the late 1960s and during the 1970s, more and more research focused on the historical and structural determinants of cultural differences, socioeconomic inequality, and political exclusion. Scholars doing such work wanted to explain the nature and dynamics of the 'system' rather than the particularities of the underdogs. Concern with economic exploitation and power structures, moreover, drew attention to the existence of peasant, urban, and indigenous social conflicts and social movements. Studies of the peasant leagues in Brazil, agricultural workers unions in Colombia and Chile, agrarian struggles in the Peruvian highlands and elsewhere, became well known (Stavenhagen 1970). Many of these movements suffered repression at the hands of local power-holders and the state, and some of them became involved in violent conflicts. As a result, numerous researchers, particularly among the younger generations, turned into political activists, and a few lost their lives in the process. Human rights abuses began to be seen not as isolated and occasional incidents, but as a dominant pattern, imbedded in the nature of Latin America's authoritarian and dependent societies.

By the 1980s, human rights defense associations had sprung up and mushroomed in most Latin American countries. While, at the beginning, the scholar-activists concentrated their efforts on the defense of political prisoners and the 'forced disappearances' for which the military regimes of South America were becoming notorious, they soon became involved with structural violations of human rights of peasant and indigenous communities, rural migrants, urban shantytown dwellers, and the internally displaced. Counter-insurgency tactics and low-intensity warfare practiced by military governments from Argentina to Guatemala brought human rights violations (and, especially, their social and political determinants) to increasing public attention.

As another window into human rights issues, anthropologists also paid attention to the contradiction between the national official legal system and the customary law of indigenous communities. A case in point: in Mexico, a higher proportion of Indians were and are kept in jail than would be expected from their relative numbers in the society at large because of the skewed way that the administration of justice is carried out among especially vulnerable Indian populations. Ignorance of local customs by judicial officials, the lack of interpreters of indigenous languages, and ethnic and racial discrimination against the indigenous take their toll on the justice system. The official *National Indianist Institute* and the *National Commission of Human Rights* currently sponsor a program to liberate indigenous prisoners when their legal situation warrants it. Issues such as property rights, sanctions for socially deviant behavior, family law, environmental management, and substance abuse exacerbate tensions between local customary law and the national legal system. For instance, Indian peoples often use traditional substances for religious and ceremonial purposes, but state law makes no difference between this culturally sanctioned consumption and the criminalized use of drugs.

Earlier ethnographers, if they took notice of local legal customs at all, usually described them as part of a distinct culture. More recent research has focused on the interrelationships between customary law and the official legal system, within the framework of a wider pattern of social control and power relations. To the extent that 'mores and customs' are part of a group's cultural identity, the state justice system's ignorance of local customs can rightly be perceived as undermining a group's cultural survival. This position has been taken up by indigenous organizations and their advocates, who argue that to impose state law on indigenous communities is to violate their cultural rights; they demand that such rights be recognized and respected by the state and hegemonic groups in society.

In recent years, legislation and constitutional changes in a number of Latin American countries have taken cognizance of this problem, and respect for indigenous legal systems is widely proclaimed if not always adhered to (Stavenhagen 1988; Stavenhagen and Iturralde 1990). In Mexico, for example, the initial peace agreement signed in 1996 between the federal government and the Zapatista Liberation Army included an article on respect for local *usos y costumbres* (customs and mores). The government later withdrew its commitment, however, and has argued the incompatibility between local legal, albeit unwritten, norms and the system of national law. The constitutional reform of 2001 recognizes the principle of respect for *usos y costumbres*, but as of March 2003 implementing legislation had not yet been adopted.

The right to their own traditional (albeit unwritten) laws has become one of the principal demands of many indigenous organizations. While legal scholars may still feel uneasy with this possibility, a number of human rights commissions, academic advisory groups, and some legislative bodies are taking up the challenge. In fact, some legislation already contemplates the need to respect customary legal systems or indigenous law. The technical and juridical details are difficult to work out, however, and they will have to be adapted from case to case. To be sure, no single body of indigenous customary law connects a vast array of practices and

mechanisms, which include elements of local culture and colonial and republican law. Creating a legally effective system that is protective of human rights challenges policymakers, who will no doubt depend upon the expertise of anthropologists, among others.

6.3 Human Rights and Wrongs

The violation of the human rights of indigenous peoples in Latin America occurs not only because of occasional abuse by public officials. It results from and expresses a widespread pattern of discrimination, exploitation, and repression of various sorts. This pattern of human rights abuses is rooted in structural inequalities embedded in the history of the region, the local and national power structures, the various processes of economic development, and, not least, the cultural model of the nation-state which Latin America's ruling elites established early in the nineteenth century. While formal citizenship was granted to indigenous peoples in some countries, in others they were treated as legal minors until recently. Even gaining formal citizenship rights did not mean that Indians became ipso facto full and equal partners in the national society. It has taken a long time and many struggles for Indians to become political actors in Latin America, and the gains they may have made in recent years are constantly being challenged by new developments.

A number of issues, terrains on which the struggle for human rights continues, have attracted public attention:

(1) National governments and multilateral agencies have long promoted the construction of vast economic infrastructure projects in regions mainly inhabited by indigenous peoples. These megaprojects are designed to meet specific national needs and economic interests that seldom coincide with the needs and interests of the local populations. Very often these local populations, especially indigenous communities, become the "victims of development" (Davis 1977). The ecological devastation associated with large irrigation dams, power plants, mines, oil wells, etc. also leads to ethnocide. Modernization impoverishes those who for some reason cannot climb onto the 'train of progress'. While many other examples may be cited, the megaproject on the Bio-Bio river in Chile, for example, affects the livelihoods of thousands of Pehuenche Indians, who have organized, together with human rights associations and indigenous advocates, to defend their land and territory. (See Turner in this volume; Stavenhagen 2003; Johnston and Turner 1998.)

(2) Indigenous women have struggled for many years not only to achieve equality with indigenous males within their communities, but also for their rights within the wider society. Often the only breadwinners in their families (while their men emigrate to seek work), indigenous women frequently bear the brunt of unequal development. Many such women have become articulate activists

in indigenous movements, where they are able to build alliances with other women's rights associations. Not a few of them have managed to gain political influence at the national level. The Mexican government and the Zapatistas, in fact, made a point of the situation of indigenous women during peace negotiations, and the Zapatista army adopted a 'women's rights law' in the area under their control shortly after the beginning of the uprising in 1994. Women are also active members of the Zapatista command structure.

(3) Latin America's indigenous peoples have become, within a relatively short time, players in the international arena. They are dealing with the United Nations, the World Bank, the Inter-American Development Bank, the International Labor Organization, and the Inter-American Commission of Human Rights, as well as with major transnational corporations and national governments. They have picked up a lot of experience and wisdom on the way. A number of committed private foundations, public interest associations, and non-governmental organizations in different countries have provided support. The defense and protection of indigenous rights has become a major and complex project, with all the successes and defects of such operations. Public institutions such as the Latin American Fund for the Development of Indigenous Peoples, the Inter-American Indian Institute, and the Inter-American Institute of Human Rights are developing training programs for and by indigenous peoples, the long-term effects of which will only be felt years from now. If ecologists think globally and act locally, indigenous peoples have learned to think locally and act globally. It appears to be a promising strategy (Brysk 1994).

If in the course of their activities, anthropologists have encountered human rights abuses, the international human rights community has also come face to face with problems such as individual liberties, minority group rights, cultural rights, and the rights of self-determination that anthropology has dealt with for much of its history. The cultural rights of minorities and indigenous peoples will be at the center of not a few political storms and social conflicts in the coming years. It would be surprising indeed if anthropologists and other social scientists did not become involved and make their contributions to these issues.

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Chapter 7
Indigenous Peoples and the State in Latin America: An Ongoing Debate (2000)

This paper was presented at an international conference at the Institute of Latin American Studies in London in 2000. I provide an overview of the 'indigenous debate' in Latin America drawing from different sources and academic approaches. The purpose is to introduce the reader to the political significance of the emerging indigenous movements that had become new social actors during the two preceding decades.[1]

7.1 The Return of the Natives

Indigenous peoples became the buzzword of the nineties. It started with acrimonious debates over how to commemorate the fifth centenary of Columbus' fateful voyage in 1492. There were the Hispanophiles who wished to celebrate the five hundredth anniversary of the 'Discovery of America', and the Hispanophobes who denounced the European invasion which resulted in the genocide of millions of inhabitants of the continent. Historians waged battles over the terminology at academic meetings, and the media gleefully gave them wide dissemination. The adversaries finally agreed to name the event the 'Encounter of Two Worlds', which gave satisfaction to nobody, but allowed the United Nations to celebrate the occasion with a minimum of consensus. Indigenous peoples, who had not been consulted about the matter, baptized the event as '500 Years of Resistance' and succeeded in having the UN proclaim 1993 as the International Year of Indigenous Peoples and the following ten years as the International Decade of Indigenous

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Peoples. Things had certainly changed (but perhaps not too much) since a delegation of North American Indians was snubbed by the League of Nations in 1923.

Indigenous issues had of course cropped up before on the international agenda. Francisco de Vitoria, the sage of Salamanca, argued in the sixteenth century against prevailing wisdom that the Indians could not be enslaved because they had been free peoples before the advent of the Spaniards, and that as individuals and as peoples they had the right to their own religion and customs. Still, he justified Spain's 'just war' against the natives when they refused to accept the Crown's suzerainty. He is generally considered the father of international law. Vitoria's ideas filtered into later discussions on freedom, rights, sovereignty and the power of kings, which relates directly to the fate of indigenous peoples at the hands of their conquerors.

In more recent times, and more to the point, the International Labour Office produced a voluminous tome on the living and working conditions of indigenous peoples in independent countries, which served as the basis for the adoption of ILO's Convention 107 on indigenous and tribal peoples in independent countries. The ILO study, the first of its kind by an international organisation, largely reproduced the generally accepted view of indigenous peoples at that time, stating that their most salient features are "their geographical isolation, cultural barriers—especially those of linguistic origin—considerable economic backwardness by comparison with the remainder of the population, the mythical concepts underlying their social organisation and economic activities, inequality of opportunity and the survival of anachronistic economic and land tenure systems that prevent indigenous peoples from fully developing their production and consumption and contribute to perpetuating their inferior social status…" (p. iii)

About a decade earlier, the First Inter-American Indian Conference, convened by the region's governments, had adopted a declaration of basic principles, comprising the following points:

(a) Respect of indigenous culture and personality;
(b) Rejection of legislation and practices originating in concepts of racial differences which are unfavorable to indigenous groups;
(c) Equality of rights and opportunities for all population groups of the Americas;
(d) Respect for the positive values of indigenous culture
(e) Facilitate the economic elevation and assimilation of the indigenous groups and access to modern technology and universal culture;
(f) Every action on indigenous communities should count with the acceptance of the community.

These points, says Marroquín, comprise the theory which underlies *indianist* action on the continent, but they have not been totally adhered to by the subscribing governments. While in later years, at other inter-American Indian Conferences, participating governments began to recognize the demands of indigenous peoples in terms of human rights, by the end of the century official *indianist* institutions had become less relevant to the issues increasingly raised by indigenous organizations and there have been calls for their dismantlement.

7.2 Indigenous Peoples in the International System

In the early 1970s, within the framework of the United Nations' decade to combat discrimination and racism, the United Nations Sub-Commission on Prevention of Discrimination and Protection of Minorities, charged one of its members with the task of preparing a comprehensive *Study on the Problem of Discrimination of Indigenous Populations*. The Special Rapporteur worked for several years on this report, the summary and conclusions of which were eventually published by the United Nations.

The UN's special rapporteur defined indigenous communities, peoples and nations as "those which, having a historical continuity with precolonial and pre-invasion societies that developed in their territories, are considered distinct from other sectors of the societies that now prevail in those territories or parts of them. They now constitute non-dominant sectors of the society and have the determination to preserve, develop and transmit their ancestral territories and their ethnic identity to future generations as a basis for their continued existence as a people, in accordance with their own cultural patterns, social institutions and legal systems". In the early 1980s, the UN had established a Working Group on Indigenous Populations which set itself the task of drafting a declaration of the rights of indigenous peoples to be adopted eventually by the UN General Assembly, hopefully before the end of the International Decade of Indigenous Peoples. It has been a bumpy road for the draft declaration. While numerous indigenous representatives are present at the annual meetings of the Working Group in Geneva (where they are allowed to make brief interventions on their behalf), and the full Sub-Commission on Prevention of Discrimination and Protection of Minorities (since 1999 renamed the Sub-Commission for the Promotion and Protection of Human Rights) has approved a first draft, the document now sits in the UN Human Rights Commission where government delegates cannot agree on the final wording. This is not surprising, since most governments do not see eye to eye on these matters with indigenous representatives and their advocates. The major areas of disagreement, as we shall see below, refer to the use of the term 'peoples', the concept of self-determination and autonomy, the issue of land and territorial rights, the idea of indigenous intellectual rights, the problem of legal pluralism, and the place of indigenous cultures in the nation.

While the indigenous are struggling for the recognition of their claims within the human rights organs of the UN system, progress is also taking place in other institutional settings. The International Labour Organisation adopted Convention 169 on indigenous and tribal peoples in 1989, which is intended to supersede the earlier Convention 107, and this had been ratified by fourteen states by July 2000. To the extent that this Convention is an international legal document, it is binding for states parties to the treaty, thus legally more important than the Declaration, but the latter, because it is a human rights document, is deemed to be of particular political and moral value. The regional human rights protection system in the Americas has also, somewhat belatedly, taken up the challenge, and a draft

declaration of indigenous human rights is being considered by the Organisation of American States, though it has run into the same kind of procrastination by governments as has the UN document.

The international debates on indigenous issues, which are less than 20 old, have significance over and beyond the final wording of the documents themselves. The annual sessions at the UN and all kinds of related activities, have provided an opportunity for indigenous organizations the world over to become familiar with the labyrinthine ways of inter-governmental institutions and the complexities of international law and diplomatic negotiations. They have thus become an indispensable learning process for indigenous rights advocates and representatives. Moreover, the sessions allow indigenous delegates from across the world to get to know each other and exchange information, plan strategy and acquire a truly global vision of issues that for many of them used be considered as specific only to themselves. Over the years, the indigenous are increasingly becoming new subjects of international law, an exciting development that has international legal experts sitting on edge and challenges government delegates at international meetings to face up to new issues not traditionally considered in diplomatic agendas.

7.3 Latin America: Nation-States Without Indians

Recent developments in the international arena mirror similar processes taking place at the national level, certainly as far as Latin America is concerned. The colonial history of the dispossession, exploitation and oppression of indigenous peoples is too well known to bear repetition here. When the Spanish–American republics achieved their political independence in the early nineteenth century most of them were populated by a majority of Indians, but the power holders, as is well known, were the *criollo* elites, the direct descendants of the Spanish colonial ruling class. Indians remained, as it were, at the bottom of the heap, where they had been since the European Conquest. For them, little had changed, except that in some cases they were granted formal citizenship rights in the political constitutions, whereas in others such rights would come only decades or even over a century later. Indeed, in some countries Indians were treated as legal minors well into the twentieth century.

Indian oppression in the new republics was twofold. On the one hand, the landowning oligarchies who spread out and consolidated their economic power during the nineteenth century, reaped the benefits of the privatization of Crown lands, ecclesiastical estates and traditional collective holdings that the colonial government had allowed Indian communities to keep for their own subsistence. Soon the remaining Indians were pushed into frontier areas, hardly accessible mountain ranges, arid wastelands and impenetrable jungles, while the new *latifundistas* and *hacendados* (large estate owners), and in later years waves of immigrant settlers, took over the best acreages and pastures. In some areas the land

was cleared manu militari in genocidal 'pacification' campaigns. Generations of Indian peasants were forced into peonage and servile labor, and eventually into rural migration circuits and out-migration, a process that has not yet ended. By the twentieth century, micro level subsistence holdings and landlessness had become characteristic of the Indian peasantry, leading to agrarian uprisings and revolutions and to multiple experiments with land reforms (the Mexican and Bolivian revolutions, Guatemala, Peru, the Alliance for Progress of the Kennedy years (designed to stem the appeal of the Cuban revolution), Nicaragua, Chile during the Allende years and so on. Sometimes Indian communities did indeed receive some land and benefits, in others land reforms simply passed the Indians by. Consequently, access to land has become a major claim of indigenous organizations and the subject of continuous disputes between Indian communities and the State in much of Latin America. In this respect, Indians are not much different from other land-hungry peasants, which led numerous analysts during the twentieth century to consider Indians as simply a special type of landless rural laborers whose best interest lay in their class organisation and in forming alliances with other exploited workers. This led to serious and sometimes acrimonious theoretical and political debates since the time of the Mexican revolution at the beginning of the century to post-peace accord Guatemala in the late nineties.

A second feature which definitively marked the situation of indigenous peoples within the State, was the non-recognition of Indian cultural and social identity as part of national society. The founding fathers and intellectual elites of the fledgling republics grandly ignored demographics and based the projects of their national societies on their self-perception as a Western, Catholic, racially European people. Indians and Negroes were excluded from this project, (even though the grand Simon Bolivar was an acknowledged mulatto, and Mexico's great president, Benito Juárez, who defeated the Austrian Arch-Duke Maximilian's spurious Empire, a Zapotec Indian). These ruling groups tried hard to be accepted at the court of Western civilization and to build nations in the image of Western political and economic models. They borrowed their legal systems and public administrations from Spain and France, their political constitutions from the United States, their economic liberalism from Great Britain, their military codes from Prussia. They wished to improve their racial stock in true Darwinian fashion and imported immigrant settlers from Europe. Indians and Africans were considered a burdensome obstacle to nation-building. Wherever it was impossible or too cumbersome to eliminate the latter physically, they were either segregated in the backlands to wither away or remain as an inexhaustible supply of cheap labor, or else they were forced or encouraged to shed their evil cultural ways and become 'nationalized' as it were, that is, to turn into useful citizens of the state according to the hegemonic cultural model.

7.4 Indians, Mestizos and State Policies

Moreover, the *criollo* elites were gradually challenged by the growing *mestizo* population, who came to occupy the ethnic middle ranks and frequently became identified with middle-class political parties and nationalist politics as well. By the nineteen-forties anthropologists spoke of Mestizo-America rather than Indo-America and some of them even foresaw the disappearance of Indians and their cultures by the end of the century. *Acculturation* and *Ladinoization* (terms dear to the social sciences) were seen as inevitable processes, a part of the general tendency towards modernization, and social scientists explained that 'traditional societies' were bound to disappear. The latter alternative became official *indigenista* policy in the twentieth century, when governmental programs stressed assimilation and integration of the indigenous through communications and road building, the market economy, education and community development.

Thus *indigenismo* became the domestic expression of assertive nationalism and populism in the twentieth century. It was, during the early decades, a generous, inspiring, progressive ideology. Its proponents, mainly *mestizo* anthropologists, were convinced that they were not only serving their countries well but helping the indigenous overcome their many limitations on the way to becoming modern useful citizens. Directed culture change and applied anthropology were the conceptual tools necessary for this grandiose enterprise: soon our countries would become modern and Indians would be only relics of a picturesque past. (Indeed, magnificent museums—such as the one in Mexico City—were built to pay homage to the great dead civilizations of the past and to symbolize the strong roots of the contemporary *mestizo* nation). In Mexico and some other countries, the *mestizo* myth was based on the idea of the biological and cultural mixture of Indians and Europeans (the African root was usually ignored), and for some the myth maintains all of its mobilizing power to this day. To be sure, the notion of a *mestizo* nation was quite revolutionary in the thirties and forties when racialist doctrines still inspired many a political discourse and not a few governmental policies. Yet, surprisingly, some of the traditional *criollo* elites who had ignored the Indian presence in their countries (and would still like to ignore it to this day) were equally contemptuous of the emerging *mestizo* population who threatened their status and self-esteem even as it challenged their political and economic preeminence.

To sum up, Latin America's ruling classes, unable to wish Indians away, were quite happy to build nations without Indians, and this they have been trying to do for almost two centuries. To their chagrin, as the new millennium dawns, not only are indigenous peoples still there—and their numbers are rising—, but they are actually challenging the very model of the nation-state that the ruling groups have been trying so conscientiously to build up.

7.5 Social Conflicts and Intellectual Debates

Many of the intellectual and political debates of the twentieth century in Latin America related, albeit indirectly, to the indigenous populations to the extent that they focused on the long simmering agrarian question. Peasant uprisings and agrarian unrest marked the modern history of numerous countries, from Mexico early in the century, to the Andean and Central American states in later decades. Students of economic development, international aid agencies and leaders of social movements all agreed that the break-up of the large estates and the elimination of 'feudal' labor relations on the land was a necessary step for modernization and economic growth to take place. Militant peasant movements and agricultural workers unions emerged during the 1960s, only to be repressed by the police and the military, or coopted by middle class political parties. Some of them became the breeding ground for military–political insurrections, armed defense and extended guerrilla warfare, in league with revolutionary students and other urban-based political movements, many of them of Marxist persuasion. To some extent, these movements spawned the military dictatorships and repressive authoritarian regimes that became the bane of Latin America for several decades (of which the criminal Pinochet regime in Chile was by no means the most brutal). Scholars who have focused on this period generally agree that the brutal repression of social organizations such as labor unions and peasant leagues and of oppositional political groups led to the formation of Marxist-oriented guerrilla movements, which in turn provoked state violence and terrorism, within the framework of the Cold War ideological struggle. Indian populations were not at the beginning much involved in these conflicts, but they soon became their victims.

Mainstream sociological approaches during this period (the literature on the sociology of development and modernization is vast) had little to say about indigenous populations except to predict their necessary disappearance and to try to help this process along by promoting different kinds of modernization strategies. In Mexico, progressive government anthropologists considered that what kept Indians down was a pre-modern caste structure, and that the task of indigenismo was to facilitate the emergence of a modern social class system, in which Indians would find their logical place as workers, shoulder to shoulder with the non-Indian working class. This position was echoed increasingly by the numerous exponents of Marxism in Latin America, who since the days of José Carlos Mariategui in Peru (late 1920s, early 1930s) had debated the most likely roads to socialist revolution on the continent. These debates heated up considerably after the victory of the Cuban revolution and the various guerrilla experiences in other Latin American countries. For many Marxists, indigenous populations did not exist as such, they were rather considered as part of the exploited peasantry, and political strategists propounded that Indians, if mobilized at all, should be incorporated into the 'class struggle' whenever possible. Some Marxists felt that Indians were 'too backward' culturally to be of any use in the revolutionary struggle, and their specific problems—if any—should await solution until after the victory of the

revolution. Such neglect of the 'Indian question' backfired at a high political cost during the Sandinista revolution in Nicaragua and the early stages of the guerrilla resistance in Guatemala. The emerging Indian intellectuals of this period felt alienated from functionalist and Marxist approaches, rejecting both of them as Western constructs that could neither understand nor do justice to Indian cultures and demands. Some Marxist (Maoist, Guevarist etc.) guerrilla organizations and ideologues explicitly condemned Indian claims for rights and recognition as petit-bourgeois romanticism, when not downright counter-revolutionary, whereas in official *indigenista* circles claims for the recognition of indigenous identities and collective cultural rights was decried as conservative utopianism, dysfunctional to modernization and progress, when not actually intended to dismember the nation.

These discussions were usually held within two distinct but interrelated frameworks. On the one hand, at the theoretical–conceptual level proper of the academic environment, scholars debated the relationship between class and ethnie. Does the class analysis of an underdeveloped country take sufficient account of ethnic and cultural differences? Can ethnic relations be subsumed under class relations? Is class analysis at all relevant to corporate, bounded, isolated Indian peasant communities? And how isolated and bounded are these in the first place? Can inter-ethnic relations be understood at all without reference to dependent, underdeveloped capitalism and its class structure? Can class and ethnie be understood better within the conceptual framework of internal colonialism? Are not both class and ethnie artificial constructs that ignore the self-identification and cultural dynamics of Indian communities? A clear answer to these and other questions has not emerged over the years, and the debates continue, nowadays clothed in the fashionable wording of post-modernism.

At another more practical level the debate involved questions of strategy of political and revolutionary movements. These questions were debated in the press, in restricted documents and position papers of the various organizations, as well as at party congresses and workshops. Do Indians mobilize and organize themselves qua Indians, or are they mobilized and organized as members of the exploited classes? Can Indian demands be subsumed under wider class-based social demands, or are they specific to Indian cultures? Can Indians form alliances with non-Indians in national popular movements, or do they pursue their own political agendas? Do they have a political agenda at all, or are they simply part of those faceless 'masses' whose mobilizing potential can be tapped by the right kind of 'revolutionary vanguard'? If Indians are exploited by the existing power structure, why is it that they are so often co-opted and side with this power structure against the challenge of subversive movements? Most parties of the Left were unable in those years to provide a clear answer to these questions and to propose political alternatives that Indian peoples were eager or willing to accept, and because of that they often became isolated and ended up as prisoners of their own twisted ideological logic, such as happened during the 1980s and 1990s to the Shining Path movement in Peru.

7.6 Human Rights: A Contested Space

Beginning in the nineteen eighties, a number of processes and tendencies began to change the nature of the debates. At the international level, cold war ideological confrontation in Latin America came to a virtual end with the break-up of the communist world, though the US government still actively pursued it when it suited its interests (for example in Cuba and Nicaragua). Secondly, the global economy, which had never been absent from Latin America since colonial times, reaffirmed its impact on the rural areas, including indigenous territories, as in the Amazon basin, Central America, southern Chile and elsewhere, generating tensions and conflicts between Indian peasantries, state institutions and trans-national corporations. Thirdly, a cycle of authoritarian military interventions in politics (which had been linked to the 'national security ideology' of the cold war era) came to an end, and a number of Latin American polities began what has been grandly (and perhaps somewhat overoptimistically) called a democratic transition, liberating the forces of civil society for electoral competition and opening a formerly restricted political space to new or re-emerging social actors.

Thus arose in Latin America an articulate and militant human rights movement, which soon became deeply involved in the issues of indigenous peoples. The Inter-American Commission and Court of Human Rights were increasingly besieged by complaints concerning human rights abuses against indigenous people, and relevant UN committees received reports and complaints on the situation of indigenous human rights. But even more significant has been the emergence of indigenous peoples themselves as new social and political actors, through their own organized activities. While the first faltering steps at indigenous organisation had taken place sporadically since the 1960s, and even before, it was not until the 1970s and 1980s that indigenous peoples' movements really took off. It is almost impossible to chronicle the many associations, caucuses, committees, councils, congresses, conferences, symposia, workshops and meetings that activated Indian agency where none or little had existed before. Many such organizations have not survived, others changed over the years, and still others grew and developed true to the stages and cycles of the various theories of social movements. What is particularly striking in this process is the formation of an indigenous intelligentsia, the break-out in the public sphere of an increasingly articulate and assertive class of Indian 'organic intellectuals'. They have come from many sources. Some, like Davi Yanomami in Brasil, were born in the daily struggle of resistance to encroachment and for the survival of their people. Others, such as Rigoberta Menchu, were coaxed along by friends and colleagues to produce a personal testimony of their own painful process of 'awareness building', resulting in a world-wide bestseller, the Nobel Peace Prize, and from some in the North American media, a barrage of snub-nosed criticism. Still others, who graduated from colleges and universities, used their degrees and expertise in the service of their people, and by entering politics directly have become active spokespersons of indigenous causes in their countries. I am thinking, among others, of Vice-Minister

of Education Demetrio Cojtí in Guatemala; Nina Pacari, member of the Ecuadorean Congress; Myrna Cunningham, rector of an Indian university in Nicaragua and General Secretary of the Inter-American Indian Institute; Natalio Hernández, indigenous poet and writer in Mexico, and of course, the former vice-president of Bolivia, Victor Hugo Cárdenas.

The new Indian movement in Latin America has not yet produced a specific coherent ideology, and perhaps it has no need for it. But it is developing a new discourse, which has changed the way the wider society sees the Indians and the way they see themselves. Most of all, the movement and its various expressions are changing the relations between indigenous peoples and the State in Latin America. In this context must be placed the constitutional and legislative changes that were made in the last two decades of the century in a number of the region's states, legally enshrining indigenous rights, in many cases for the first time. To mention only a few: Bolivia, with a majority of Indian population, amended its constitution in 1994 and adopted special laws recognizing that the country is multi-ethnic, multi-cultural and multi-lingual. Brazil's constitution of 1988 devotes an entire new chapter to the Indians. The 1991 constitution of Colombia grants important autonomic rights to its indigenous populations, and the most recent amendment (1996) to the constitution of Ecuador states that the country is pluri-cultural and multi-ethnic. So do the constitutions of Guatemala (1986), Nicaragua (1987) and Mexico (1992). Panama (1972), Paraguay (1992) and Peru (1993) have no less important constitutional statements. The latest constitutional reform including reference to Indians was approved in a popular referendum in 1999 after lengthy debates at the constitutional assembly in Venezuela. In other countries, such as Argentina and Chile special legislation concerning Indians was adopted in the post-dictatorship years. While these legal advances are surely important in themselves, the open question is how the new legislation will be implemented and how Indian communities will benefit. The answer is not at all clear, because complaints are increasingly heard that the new laws are not being applied as they should, or that secondary legislation has not been adopted after general principles were laid down in the constitutions.

7.7 What Do Indians Want and What Can States Provide?

The struggle for indigenous rights is still in its infancy and after the promising beginnings mentioned before, the going will be rough from now on. There are several reasons for this, one being that the opponents to Indian rights have now been able to organize and mount a counter-offensive; another one, that after the first break-through on the political scene, Indians and their allies have not been able to set themselves clear short and medium term objectives, nor were they able to develop an effective political strategy to achieve their aims. This seems to have alienated a number of potential sympathizers in the general population and the political establishments. A case in point is the failed civil-military coup in Ecuador

in January 2000, in which a prominent Indian leader played a key role. In Guatemala last year, a referendum on the incorporation of indigenous rights into the constitution, as agreed upon in the 1996 peace agreement which put an end to over three decades of brutal civil war, did not receive majority approval contrary to widely held expectations. While there are increasing numbers of indigenous parliamentarians in many countries, who represent different political parties, there is no clear pattern of ethnic voting nor can any political party count on the automatic contribution of an indigenous electoral bloc. In general, it may be said that indigenous demands are channeled in other ways than through traditional electoral party politics, but this may change in the future.

A crucial issue today is the debate concerning demands for indigenous territorial autonomy. There are a number of precedents to claims for autonomy, such as the Spanish colonial regime which even as it subordinated Indian peoples into the colonial economy and power structure, allowed Indian communities a measure of local self-government under the concept '*Repúblicas de Indios*'. It was mainly during the post-colonial period in the nineteenth century that the central state took even these minimal rights away from the Indians (together with their lands). After a series of indigenous uprisings early in the twentieth century (helped along by imperialist interests, it must be added), Panama came to recognize the territorial autonomy of its three Indian peoples, as stated in the 1972 constitution. During the 1980s Nicaragua went through a bloody civil war (the contras having been armed by the CIA against the revolutionary Sandinista government), in which the Indians of the Atlantic Coast became unwilling actors. The new constitution of 1987 recognized the autonomy of the region and its indigenous communities, but post-Sandinista governments have done little to implement the new legislation. In Colombia the present constitution recognizes the old *resguardos* (Indian reservations) as the nucleus of a new kind of territorial autonomy, but practical implementation has been slow in coming. In fact, the meaning of autonomy is ambiguous and its complexities are many. Most of the issues are not resolved in the new legislations, and specialists cannot seem to agree on the details. What is the unit of autonomy and who is the subject of autonomic rights? How is self-government and decision making to be carried out? What is the resource base of the autonomous units, what are their administrative responsibilities, how do they relate to other levels of public administration and so on?

In fact, most governments in Latin America, permeated by a longstanding centralist tradition of authority are leery of autonomy, especially when related to indigenous peoples. Constitutional lawyers and politicians are usually dead-set against it and feel that indigenous demands for autonomy threaten the sacred unity of the state. Their worries are even greater when indigenous organizations insist that the right to autonomy is simply an instance of the larger right of peoples to self-determination, which ILO Convention 169 and the draft UN Declaration on Indigenous Rights have incorporated. To many critics of indigenous autonomy, self-determination suggests secession and political statehood, meaning fragmentation of the national state. While no indigenous organisation has gone on record as wanting to secede, observers point to recent events in the Balkans in order to call

attention to the dangers of ethnic demands for self-determination. These have now, however, become a point of honor for the indigenous movement, and self-determination appears at the top of the list of rights claimed in almost every indigenous political document. The ambiguous use of the term 'peoples' claimed by the indigenous and denied them by governments, let to an amusing incident at the World Conference on Human Rights in 1993, whose'), while human rights NGO's present at the Conference insisted unsuccessfully on incorporating the 's' in the official text.

It is difficult to understand the rigid resistance of some government officials to indigenous autonomy, particularly in federal states such as Mexico. One of the reasons that peace negotiations between the Zapatistas in Chiapas and the national government are stalled, is that the latter has decided it cannot accept claims to indigenous autonomy, even after it had originally signed a partial peace agreement with the Zapatistas to this effect. Many observers feel that unless the autonomy issue is resolved there can be no peace accord and no democratic solution to the conflict. The Indian movement in Mexico and elsewhere insists that territorial rights should be part of any autonomy agreement, but central governments are usually reluctant to recognize ethnic homelands distinct from existing territorial administrative units (municipios, districts, provinces, states), because in their view this might weaken the sovereignty of the state.

An even more conflictive issue than the debate over autonomy concerns the controversy over individual versus collective rights. The liberal state assures every human being a packet of inalienable individual freedoms and rights, and liberals everywhere acknowledge that indigenous persons have the same universal human rights as everybody else. If they are not in fact enjoying fully all these rights, the blame does not lie with the rights themselves, but with flaws in the judiciary, inadequate protection and defense mechanisms, and unjust and unequal distribution of wealth and power which cannot be solved by adding other rights, but by consolidating democratic politics and promoting economic development and social welfare. Countering this widespread and hegemonic position, indigenous rights advocates argue that even the best of individual rights can hardly be enjoyed by ethnic groups and minorities who are systematically discriminated against and excluded by the power structure in the prevailing system of social stratification. Something more is needed, and this would be a bundle of group rights allowing the indigenous to fully live and reproduce their cultures, organize their lives according to their own social norms, maintain and develop their own collective identities, enjoy social, political and legal status as distinct groups in the wider society, and relate to this society and the national state on their own terms as recognized and respected peoples or nations.

To be sure, the recognition of these collective rights requires a complete overhaul of the national state, of this 'imagined community', the nation, which the *criollo* and *mestizo* elites built up to serve their own interests. Arguably, individual human rights cannot be fully enjoyed by members of discriminated against subaltern groups, unless such groups are acknowledged as equal and full partners in all their distinctiveness and dignity within a nation-state. Thus the recognition of

group rights may be seen as a condition for the enjoyment of individual rights, but they are not easily acknowledged in Latin America's legal systems. Beyond the issue of autonomy, already referred to, debate has also centered on the uses of customary indigenous law as against the positive, legislated legal norms of the State. Whereas indigenous organizations demand respect for their customary legal practices, jurists usually insist that the national legal system should not be broken up and that no particular group in society should receive special legal privileges in their view. This argument has been wielded, for instance, against the approval of the San Andrés Peace Accords in Chiapas. Legal pluralism is not palatable to most Latin American jurists steeped in the Roman and Canonical origins of contemporary national legal systems. Criticism against customary law (*usos y costumbres*) also comes from a liberal human rights perspective, where it is argued that the best if not the only way to overcome discrimination and achieve full equality before the law, is by furthering individual human rights and fundamental liberties. Customary law, it is said, is not usually conducive to the full enjoyment of individual human rights, but rather limits individual freedoms in the name of traditional community solidarity. These restrictions apply mainly to women and young people, who suffer from the heavy authority of their male elders. A liberal state, it is argued, should not tolerate such limitations on human rights, even when their purpose is to preserve cultural identity.

This is a powerful argument that generally holds sway among legislators and makes substantive changes in the legal system difficult. Still, there have been some advances in recent years, to the extent that some national legislations now refer to customary laws to be respected, but Latin America is still a far way from establishing true legal pluralism within its borders. There is no single coherent body of so-called Indian customary law, no indigenous 'Sharia'. It is more likely that judicial practice will evolve various forms of hybrid solutions on particular local issues (for example, disputes over land, punishment and compensation for felonies or crimes committed in indigenous communities by its own members etc.), without formal legal recognition of indigenous customary law. In fact, during colonial times this was common practice, and it is closely related to the concept and functioning of autonomy.

7.8 Ethnic Cultures Versus National Culture?

Behind many of the controversial issues over which indigenous peoples and the State in Latin America square off, none has raised more polemics than indigenous cultures and identities. The almost bi-centenary old idea of a single national culture has been put to a severe test by indigenous demands for bilingual and intercultural education and by the relatively recent legal recognition in some states that these countries are pluri-ethnic and multicultural. The current debate in Guatemala expresses these conflicting views rather well.

During the terrible years of the civil war, in which hundreds of thousands of indigenous people were murdered by the army's counter-insurgency tactics, and many more became refugees, one of the few spaces of resistance of the Maya population were local cultural associations, which grew in numbers and activities after the middle 1980s when the military ceded formal power to elected civilian governments. Indigenous intellectuals developed a new discourse of Maya cultural identity, which was strengthened by the signing in 1996 of the peace accord between the government and the guerrilla command, one of the major agreements being the one on indigenous rights and culture. The Pan-Maya cultural movement spread rapidly and has contributed to changing both official discourse and the demands of political and social organizations. In a *Criollo* and *Ladino* dominated state, Indians, though the country's demographic majority, were always considered outsiders, and were effectively excluded qua Indians from the society and the polity. The civil war and the ensuing peace accord have changed all that. The various indigenous ethnic groups are now coalescing into a newly constructed Maya identity (including the revival of Maya religion—this in a traditional Catholic country in which Protestantism has made considerable inroads in recent years). Maya intellectuals and activists see themselves as opposing the hegemonic *mestizo* 'national' identity, and claim for their people not only a major cultural role in the redefinition of the nation, but also political representation and access to power.

One of the more articulate spokesmen of the new Maya identity writes that "Mayas have the right to be respected concretely and permanently in their cultural and ethnic identity. They have the right to reclaim and keep their original ethnic territories. They have the right not to become the victims of massacres, persecutions and living conditions which prevent the expression and development of their identity and their integrity as a people." Furthermore, "the Mayas have the right to use, preserve and own as property the artistic, historical and cultural riches of their people. And they have the right to defend themselves from the cultural impositions which are foreign to them." This is the position of Demetrio Cojtí, currently Vice-Minister for Multicultural education in Guatemala.

The Maya cultural movement has developed various theoretical and policy perspectives, and it speaks through different, sometimes dissonant, voices. For example, there is no agreement as to whether the Maya people are to be considered as only one nationality or many. Cojtí speaks of 20 Maya nationalities in Guatemala alone (there are others in neighboring countries). Should the new politico-administrative divisions in the country be based solely on Maya ethnic identities, or also include Ladinos? Should political representation in congress reflect exactly the ethnic make-up of the country? How many of the Maya tongues should be recognized as official languages, and in what way shall multi-lingual and intercultural education be implemented in the school system? Cojtí, as many others, insists that not only should indigenous languages be the medium of instruction in local schools, but the educational content of the curriculum must also reflect the culture, traditional knowledge and world-view of the local ethnic group. Bi-lingual and multicultural teachers do not naturally emerge from this new vision, but must

Elia and Rodolfo Stavenhagen in the Bolivian highlands (2007). *Source* personal photo collection

be newly trained in a manner that reflects the changed philosophy of education. Other countries in Latin America are facing similar problems, as for example Peru and Bolivia. Mexico has had an official bilingual educational policy for its 56 distinct ethno-linguistic groups for several decades, including teachers, schoolbooks and curricular content, but this is limited only to the first few years of schooling at the elementary level, and results have been less than entirely satisfactory.

The search for and the construction of a new Maya identity in Guatemala does not enjoy universal approval. The Maya culturalist positions have been attacked by, among others, a polemical journalist and former political activist, Mario Morales, from the vantage point of a self-identified Ladino. He argues that Maya 'essentialism' is no more than an artificial construct and suggests, rather cavalierly, that self-proclaimed Maya intellectuals are only being manipulated for commercial reasons by internationally financed NGO's, which have spread like mushrooms since the international community pledged 2.5 billion US dollars to Guatemala for the implementation of the peace accord. Morales maintains that there is no such thing as a Maya nation or people, that Maya activists are becoming anti-Ladino racists in turn, and that the only valid solution to Guatemala's problems is the development of an inter-cultural *mestizaje* in which Indians and Ladinos would learn to co-exist and interact on equal terms.

Polemics apart, it is true that Guatemala, just like Mexico and other Latin American countries, must come to terms with their history and memory of oppressions and exclusions, and must be ready to build new societies based on tolerance, mutual recognition, equality and human dignity. This is the challenge of the twenty-first century.

Chapter 8
Building Intercultural Citizenship Through Education: A Human Rights Approach (2006)

This paper published in the *European Journal of Education* was presented at UNESCO's World Forum on Human Rights in 2006, devoted to cultural rights and cultural diversity. The right to education and to culture is one of the persistent demands that indigenous peoples lobby for at international organizations and demand from their governments. To implement these rights requires rethinking traditional approaches to education and the need for strong arguments in favor of indigenous cultural rights, long ignored in public policies.[1]

The history of the world has been a constant process of contact between different cultures and the intermingling of peoples. Mostly, this process has been peaceful and creative as communities since prehistoric times exchanged their goods and knowledge with others, borrowed from each other and thus enriched the cultures of all. At times, however, such contact was not peaceful, when an expanding society imposed its own customs and values on a conquered or subordinated community and was able to establish economic and political hegemony on the geographical regions under its control. The contemporary world is still living under the impact of such changes that occurred during earlier periods.

In modern times, lasting cultural changes were produced all over the world by the colonial empires of expanding Europe, and many of today's culturally significant issues relate to the consequences of colonial expansion and to the later processes of decolonization and the building of post-colonial societies. In the early nineteenth century began the construction of the modern nation states, principally in Europe but also elsewhere, and one of the fundamental features of these states in their formative years was the idea that a nation had to be identified by a single culture, meaning usually one language and a single religion, or at least a dominant religion. Only later was the notion of a secular non-religious republican state developed. To this would be added in many cases the portentous notion of racial

[1] This text was first published in: *European Journal of Education*, 43,2 (2008). The permissiono republish this chapter was granted on 24 July 2012 by Ms Verity Butler, Permissions Co-ordinator, Wiley, Chichester, UK.

R. Stavenhagen, *Pioneer on Indigenous Rights*, SpringerBriefs on Pioneers in Science and Practice 2, DOI: 10.1007/978-3-642-34150-2_8, © The Author(s) 2013

and ethnic purity. States that built their identity on these concepts became increasingly intolerant of people who did not conform to their ethnic model, generating discrimination, xenophobia, persecution and, at times, genocide. Members of culturally distinct communities in what may be called the ethnocratic state often were forced by authoritarian governments to conform to the state cultural model by changing their names, converting to the dominant religion, and not speaking their mother tongue in public. The schools, the army, the civil service and the courts became vehicles for the assimilation of such 'undesirable' elements that were rejected as sociological minorities and were politically disenfranchised. Many national minorities, and also indigenous peoples, became the object of assimilationist policies which often led to the disappearance of such cultural groups, a process known as ethnocide.[2]

In more recent decades, massive world-wide migrations, particularly from the South to the North, have once again brought together in the globalized world economy peoples from many cultures, representing different religions, world-views and life-styles. These encounters sometimes produce social tensions and challenge some of the premises on which the nation state has been based for many generations. How to deal with cultural diversity without breaking the social fabric and threatening democratic political systems is one of the major challenges in today's world. Many countries have begun to see themselves as multicultural societies, a reality that is to be respected and promoted rather than ignored or denied.

Nowadays it is recognized that peoples and communities have a right to live by their own culture; the right to be different from a majority or dominant group in a nation state is considered a fundamental human right. This does not necessarily mean that cultures should be considered as self-contained isolated units, but rather in interaction and dialogue with other such units, hence the idea of intercultural citizenship that takes us beyond cultural diversity to creative interculturality.[3]

The Universal Declaration of Human Rights (adopted by the United Nations in 1948), based on the principle that all human beings are born free and equal in dignity and rights, and that everyone is entitled to all the rights and freedoms, without distinction of any kind such as race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, affirms that everyone has the right to freely participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits. This Declaration is the founding document of the modern universal conception of human rights. Almost all members of the United Nations have subscribed to the Declaration, but not all of them have in fact complied with its principles. The two international covenants on human rights, adopted by the United Nations in 1966,

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[2] See Rodolfo Stavenhagen, 1990: *The Ethnic Question: Conflicts, Development, and Human Rights* (The United Nations University Press).

[3] Cf. Javier Pérez de Cuellar et al., 1995: *Our Creative Diversity, Report of the World Commission on Culture and Development* (Paris: UNESCO). Also, Rodolfo Stavenhagen, 1996: *Ethnic Conflicts and the Nation-State* (London: Macmillan).

made these rights binding on states that ratify them, but the non-implementation of the principles set out in these international documents is still one of the outstanding human rights issues at the beginning of the twenty-first century.

Whereas the International Covenant on Civil and Political Rights (ICCPR) states that persons belonging to ethnic, religious or linguistic minorities shall not be denied the right, in community with the other members of their group, to enjoy their own culture, to profess and practice their own religion, or to use their own language, the *International Covenant on Economic, Social and Cultural Rights* (ICESR) posits that that everyone has the right to take part in cultural life and that the right of everyone to education "shall be directed to the full development of the human personality and the sense of its dignity…", which can be interpreted as the respect for everybody's cultural identities and values. The ICESCR instructs the States Parties to guarantee that these rights will be exercised without discrimination of any kind as to race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.[4]

The various issues related to the full enjoyment of cultural rights have only been considered with greater attention in recent years. The Convention on the Elimination of Racial Discrimination, adopted in 1965, considers under this term any distinction, exclusion, restriction or preference based on race, color, descent, or national or ethnic origin which has the purpose or effect of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing, of human rights and fundamental freedoms in the political, economic, social, cultural or any other field of public life. It acknowledges that special measures taken for the sole purpose of securing adequate advancement of certain racial or ethnic groups or individuals requiring such protection shall not be deemed racial discrimination. In other words, it recognizes the need, on occasion, for positive or affirmative action in order to achieve these rights.

Measures of affirmative action in favor of disadvantaged minorities are a complex and much debated issue in many countries. They mainly involve opportunities for education, equality in employment opportunities, as well as access to various social services. While nobody denies that such measures are helpful to members of such minorities, there has also been criticism that they tend to downgrade averages (for example in educational attainment), that people may strive less hard to achieve good results in school or at work, and that others who may be equally or more meritorious than those who receive support, may in turn become unjustly excluded. To my mind, such criticism is unwarranted, because the benefits of affirmative action have been widely demonstrated, yet in some countries public policy has moved away from affirmative action in recent years.[5]

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[4] See Rodolfo Stavenhagen, 1998: "Cultural Rights: a Social Science Perspective", in: Halina Niec (Ed.), *Cultural Rights and Wrongs* (Paris: UNESCO: 1–20).

[5] See Yusuf Bangura and Rodolfo Stavenhagen (Eds.), 2005: *Racism and Public Policy* (London: Palgrave Macmillan).

Under the Convention on the Elimination of Racial Discrimination, States undertake to prohibit and to eliminate racial discrimination in all its forms and to guarantee the right of everyone without distinction to equality before the law, notably in the enjoyment of the right to freedom of thought, conscience and religion; to freedom of opinion and expression; to freedom of peaceful assembly and association; to housing; to public health, medical care, social security and social services; to education and training; and to equal participation in cultural activities. Furthermore, States must adopt immediate and effective measures, particularly in the fields of teaching, education, culture and information, with a view to combating prejudices which lead to racial discrimination and to promoting understanding, tolerance and friendship among nations and racial or ethnical groups.

In international law states assume certain obligations to guarantee these rights. As cultural rights are not spelled out clearly in the early documents it is useful to look closer at the circumstances and practices in which they are propounded. The debate on cultural rights must necessarily be placed within the wider context of the existing cultural diversity among nations and, especially, within nations.

The *United Nations Minority Rights Declaration* takes the international debate further by stating that "States shall protect the existence and the national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall encourage conditions for the promotion of that identity." This may include, among others, appropriate legislation and public policies in the fields of education, language, economic and cultural development, as well as the protection of traditional and customary practices when not in contradiction with international human rights standards.[6]

Cultural rights and freedoms are now considered within the wider framework established by UNESCO's *Convention on Cultural Diversity* (2005). The Convention recalls "that cultural diversity, flourishing within a framework of democracy, tolerance, social justice and mutual respect between peoples and cultures, is indispensable for peace and security at the local, national and international levels" and recognizes "the need to take measures to protect the diversity of cultural expressions, including their contents, especially in situations where cultural expressions may be threatened by the possibility of extinction or serious impairment". Principle 3 of the Convention acknowledges that "the protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples".

The rights of minorities and indigenous peoples have been spelled out in a variety of international legal documents, such as the Convention on the rights of the child, the Convention on biodiversity, ILO Convention 169, the Declaration on the Rights of Indigenous Peoples adopted by the Human Rights Council of the

[6] *The Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* was adopted by the General Assembly of the United Nations in 1992.

United Nations in June 2006, as well as in the final declarations and action plans of a number of international conferences.[7]

In modern democracies cultural liberty is highly valued and needs to be respected. The UNESCO Convention emphasizes that "Cultural diversity can be protected and promoted only if human rights and fundamental freedoms, such as freedom of expression, information and communication, as well as the ability of individuals to choose cultural expressions, are guaranteed".

In their everyday lives people always make choices, very often implying decisions related to cultural matters. Shall I sing a traditional song or should I listen to rock music? Will I attend a social activity to restore the community meeting hall or do I go to the movies with my girl-friend? Must I send my children to a religious school as all of my family used to, or should they go to the country's non-religious public school system? Shall I marry someone from my clan or caste, as my parents would like me to, or am I free to choose my partner following my own emotional preferences? If I am literarily inclined, will I write a poem in my own mother tongue, which is no longer much used, or should I try to write it in the national language so more people can read it? While many such choices are taken individually, based on personal decisions, they are often embedded in the collective life of a community that exercises influence and power over the decisions of its members, especially during their early adolescent and formative years. For many persons such choices are not entirely free nor easy to make, depending on a number of circumstances, such as legal systems, the influence of spiritual leaders or religious authorities, the structure of the community, the power of parents over their children, relations with persons belonging to other cultures, prevailing political and social ideologies and so forth.

"Cultural liberty is a vital part of human development" states the *United Nations Human Development Report* of 2004, whilst it recognizes the complexities and risks involved in managing cultural diversity in societies. As I mentioned at the beginning, numerous states adopted, throughout their history, policies to reduce the cultural diversity within their borders, policies that sometimes were successful but on many other occasions generated dissatisfaction, frustration and social tensions which at times erupted into violence and conflict. The debates concerning the advantages and disadvantages of a culturally unified state and a multicultural society continue to this day in many parts of the world. The Human Development Report makes a case for respecting diversity and building more inclusive societies by adopting policies that explicitly recognize cultural differences—multicultural policies. In the process it debunks several myths that are currently widespread in public discourse over these issues as, for example, that ethnic identities may undermine state unity, that ethnic diversity is an obstacle to economic development and leads to ethnic conflicts and violence, that traditional

[7] To cite just a few: *The Vienna Conference on Human Rights* (1993), the *Durban Conference on Racism, Xenophobia and Discrimination* (2001). Convention 169 on *Tribal and Indigenous Peoples* was adopted by the International Labour Organization in 1989, the C*onvention on the Rights of the Child* in 1989; the *Convention on Biological Diversity* in 1992.

cultural practices undermine development, democracy and human rights, and that the values of some cultures are inherently antidemocratic. Variations of these myths are sometimes presented in the public media, espoused by politicians, and even expressed by reputable academics. The Human Development Report evaluates them carefully and rejects them for what they are: myths, not facts.[8] It acknowledges that ethnic and cultural diversity within national societies is not 'good' or 'bad' per se, as some would argue, but rather an essential part of historical process and of most contemporary nation-states.

With few exceptions, most modern states have in fact been multicultural during much of their history, despite efforts by political elites to impose cultural homogeneity through State policies. These policies often led to the destruction of other national and ethnic communities and the creation of ethnically stratified societies which have left resentments of various kinds in their wake. What began in Europe in modern times (and also took place in China and Japan for centuries) was followed more recently by the decolonized states of the Third World. Here this kind of 'nation-building' from above has led on several occasions to the formulation of alternative ethnonationalist claims by excluded groups, and sometimes to demands for secession or autonomy, to political upheaval and violence.

Many countries in Africa and Asia provide examples where the state model of a culturally homogenized nation does not fit with a multilingual, multiethnic population, thus requiring political adjustments which in some cases have led to federal arrangements and power sharing, and yet others to political tensions and sometimes violent conflict.

The United Nations Genocide Convention of 1948 includes, among others, as acts of genocide those "causing serious bodily or mental harm to members of the group… forcibly transferring children of the group to another group… etc". By outlawing the destruction of national, ethnic, racial and religious groups, the Genocide Convention formally recognizes the right of these groups to exist as such, which surely must be considered as the most fundamental of all cultural rights. The Genocide Convention was the result of the horrors of the Second World War in which entire peoples were physically destroyed by the Nazi regime, such as the Jews and the Gypsies of Europe. Other cases of genocide have taken place throughout history, such as the Armenians in the Ottoman Empire, the Herero people in Namibia, the Indians of North and South America. Most recently, the Genocide Convention has been applied to the massacres committed by Serbia against Muslims in Bosnia, and those carried out by Hutus against Tutsis in Rwanda during the nineties.

The countries of Latin America that became independent in the nineteenth century excluded the indigenous peoples, the majority of their population, from the model of the nation-state. Indigenous languages and cultures were considered as inferior and not deserving of recognition. During the twentieth century, state

[8] UNDP, 2004: *Human Development Report 2004. Cultural Liberty in Today's Diverse World* (New York: United Nations).

policies required the assimilation of the remaining indigenous populations into the dominant cultural model. Community identity was to be replaced by loyalty to the nation-state. In numerous countries native children were coerced into attending missionary schools to be 'civilized' and converted to the 'true faith'. In Canada for several generations this was the purpose of the 'residential schools' until they were abolished, and recently Canada recognized the damage these schools did to native children and provided compensation for the survivors.

In the second half of the twentieth century a vibrant indigenous movement demanding the recognition of human rights and dignity began to take shape in different parts of the world. In Latin America this led to a series of constitutional reforms and new legislation, in which indigenous peoples were finally legally recognized and the multicultural, multilingual and poly-ethnic nature of many states was constitutionally established. Currently countries are faced with the challenge of turning legal principles into specific cultural rights and targeting social and cultural policies so that these rights can be achieved in practice. As yet, there is still a considerable implementation gap between existing legislation and the human rights enjoyed by indigenous peoples.[9]

A good example is provided by linguistic and educational rights, here meaning the right of indigenous peoples to receive education in their own languages, to use these languages in public life, in the administration of services, the courts and civil and penal proceedings, and to have access to the public media in their own mother tongues. These rights were long denied them, but they are today recognized as important human rights and their full enjoyment strengthens cultural diversity and enriches the cultural life of any country. Linguistic, regional and national minorities in other parts of the world have the same rights, though in some countries these are not recognized by the state.

Besides the difficulties associated with the practical implementation of education and language rights, some influential voices in government and the media believe that a country should only have a single official and unifying language and that the promotion of linguistic diversity leads to the break-up of the nation (the 'Tower of Babel' effect). They also argue that the school system should teach only the country's official language, and that minority tongues should only be spoken at home if at all, or at best in community schools under the responsibility of the parents. Usually, the teachers in the school system are not well enough trained to handle minority or regional languages, and there are insufficient teaching materials in these languages. The full enjoyment of language rights in education and at all other levels by indigenous peoples and linguistic minorities remains limited by lack of resources and of priority at official levels. Indigenous peoples and minorities do not reject the use of a national or vehicular language and they favor

[9] Cf. *Special Issue of Cultural Survival Quarterly* (Spring 2006).

full bilingual intercultural education, which is still more of an aspiration than a reality in many countries. Such problems must be solved in a participatory and democratic manner by all parties concerned.[10]

There are numerous examples of indigenous peoples and other linguistic minorities organizing themselves to preserve and promote their endangered languages. Some years ago a group of Maori women in Aotearoa New Zealand, worried that younger people were forgetting their traditional language, came together to develop community schools in which Maori was taught. Now, years later, there are hundreds of such schools at all levels receiving government support to carry out their important tasks. Similar projects exist among First Nations in Canada, tribal indigenous peoples in India, the Saami in northern Scandinavia, the Cordillera peoples in the Philippines, as well as in Latin American countries such as Chile, Guatemala, Mexico and Peru. Through the exercise of their cultural rights many indigenous peoples and socially excluded minorities (such as the Roma in Europe) are able to recover their identity and dignity, are now respected and recognized by other groups and are able to take part more fully in the cultural life of their country. But it has taken them a long struggle to achieve this goal, and it is not yet fully realized.

Adopted in 1992, the European Charter for Regional or Minority Languages, recognizes the rights of groups and their members in certain territories to maintain, use and promote these languages and requires states to adopt the necessary measures for their protection. The UNESCO Convention on Cultural Diversity enjoins states parties to encourage individuals and groups to “create, produce, disseminate, distribute and have access to their own cultural expressions, paying due attention to the special circumstances and needs of women as well as various social groups, including persons belonging to minorities and indigenous peoples”. Though it has become fashionable recently in some quarters to reject public involvement in cultural policies and to leave cultural matters to the market, only by implementing cultural rights can this objective be achieved and States must include specific cultural programs and budgets in their policy objectives to do so.

The global economy has adversely affected indigenous peoples in their traditional habitat. Following upon centuries of dispossession of their lands and territories by colonial empires, state bureaucracies, plantation owners, missionaries and settlers, in recent decades multinational corporations have added their operations to the process. Indigenous communities the world over complain about lumbering and mining activities, oil extraction, commercial forestry, cattle-raising and farming, the construction of dams, tourist resorts, military camps and other developments on their territories, with disastrous consequences on their environment, their natural resources (water, soils, forests), the health and well-being of their members, the social fabric of their societies and the vitality of their cultures.

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[10] Cf. the author’s report to the United Nations Commission on Human Rights E/CN.4/2005/88; available at: <www.ohchr.org/english/issues/indigenous/rapporteur/>.

The natural environment of indigenous peoples is not only traditionally a source of subsistence activities but also the site of the spiritual link between human beings and nature, full of sacred and revered places that add to the identity of small and vulnerable communities that are struggling to survive. The physical destruction of this world by 'modern development' has generated a process of ethnocide, implying, unless stopped by policies respectful of human rights, the eventual disappearance of entire human societies. In some places these transformations are occurring under conditions of violence and conflict that produce many innocent victims. Such is the case of small Amazonian communities in Colombia and Ecuador that are at risk of physical disappearance due to the illegal activities of commercial enterprises such as logging, internal warfare, organized criminal activities related to drug trafficking and the incapacity of governmental authorities to prevent this from happening.

Indigenous peoples and ethnic minorities have long insisted on the protection of their tangible and intangible cultural heritage, and the measures taken by international organizations such as UNESCO, as well as in bilateral treaties between States, to curtail illicit trafficking of cultural goods is a step in the right direction. The right to culture is certainly addressed by these measures as well as by the protection of national heritage sites under UNESCO's heritage of humanity program. But the cultural heritage of nations and peoples goes beyond the material remains of ancient times. Nowadays it includes not only specific areas of nature (for example, sacred mountains or natural tracts of land used for customary social and economic activities by local communities), but also arts and crafts, music and language, and traditional knowledge and wisdom concerning fauna and flora. This cultural heritage (that some would call cultural capital) cannot be simply dealt with in commercial terms. So-called trade related intellectual property rights (TRIPS) have become a burning issue in disputes between indigenous communities and business interests over control of cultural resources. In the current global atmosphere favorable to the privatization of community resources (such as archaeological and historical monuments, and areas of interest to tourism), the cultural rights of indigenous peoples and cultural minorities are at stake. Within the framework of UNESCO's various conventions and international human rights standards, States have an obligation to include cultural rights criteria in their decision-making processes. National and international non-governmental organizations can play a decisive role in this field.

Indigenous environments are being increasingly appropriated for profitable commercial purposes by others, usually disregarding the rights of indigenous peoples. The use of local plants and other resources for medicinal purposes has long been a specialty of these communities in their particular regions: tropical or boreal forests, coastal areas, deserts, mountains. Applying commercial property legislation, private companies have begun to take over the traditional knowledge of indigenous communities for their own purposes, excluding the indigenous from participating in eventual income or profits. The intellectual property rights of indigenous peoples have become one of the major international areas of dispute and concern. With the advice of specialized lawyers, indigenous peoples are now

presenting their case before international bodies and national courts. Among many other examples we may mention the San hunter gatherers in the Kalahari Desert of southern Africa, who have, for centuries, used a local plant called Hoodia to suppress hunger and provide them with energy and endurance on their long hunting treks. When commercial enterprises discovered the use of this knowledge they patented the process without so much as consulting the San people. These have now achieved a legal victory, and the courts decided that they must be rewarded and share in the profits of this business. Numerous other examples could be cited from other parts of the world.

The Inter-American Court of Human Rights decided a case some years ago in favor of the Awas-Tingni community against the government of Nicaragua which had licensed a foreign company to log timber on the community's traditional territory. The Court stated that the interest of the indigenous community in this territory was not only economic, but social and cultural as well, and that therefore they had a human right to the protection and preservation of their lands that the government was bound to respect.

In the legal tradition of the Western countries, human rights refer mainly to universal individual freedoms, that is, the liberties of the human person which can be held against the state and which the latter is legally obligated to protect and preserve. Cultural rights, in general, also belong to this category, because, for instance, the rights to education, the use of one's mother tongue, freedom of religious belief and of artistic creation belong to the individual. But cultural rights are also something more.

In fact, many of these cultural rights can only be exercised in the context of specific group life, that is, within the framework culturally defined collectivities. Thus, I may hold my own intimate religious beliefs that are of no concern to anyone else, but usually I practice these beliefs in communion with others, in special places of worship, during specially defined ceremonial occasions, under the guidance of recognized spiritual authorities. Thus the practice of my human right to religious belief and expression is also a collective, a group right. If a religious community cannot engage in these activities, the individual rights of its members are denied. Religious intolerance throughout human history has been a major source of human rights violations. For the same reason, no religious community or authority has the right to impose its beliefs on any other group or individuals.

We all learn our mother tongue at an early age, or I may be taught several languages in childhood. I may cling to at least one such vernacular language even when I live in a foreign environment, but unless I can communicate, express myself publicly and share my language with others, and transmit it openly to my own children without fear or constraint, that language may not survive for long. And if it disappears, then a whole linguistic community has suffered an important loss. Language is not only a means of communication, but an integral part of one's identity and culture because it shapes our thought-processes, our perceptions of our environment as well as our emotions and spirituality. If the members of a linguistic community are denied the public use of their language (as happened to many indigenous and tribal peoples and minorities, such as the Kurds of Western Asia,

the Amazigh in North Africa, the Ainu of Japan, the Sami in Scandinavia, the Indians of the Americas, the Catalonians in Spain), their inherent human rights are being denied. Consequently, the protection of linguistic group rights is one of the components of respect for cultural diversity. Yet for historical and practical reasons it is obvious that there are many advantages to the widespread use of certain vehicular languages. Thus when post-colonial states in Africa and southern Asia achieved their independence, they decided to continue the use of the major colonial languages in public administration, the school systems and international relations. And increasingly, states demand of immigrants that they be fluent in the official national language before they may apply for permanent residence or citizenship (an issue that is currently being debated in the United States).[11]

Multilingual states have to deal with these issues on an everyday basis and solutions are not always easy, as shown, among others, in European cases such as Belgium, Switzerland, Spain and the former Yugoslavia. Recognizing that linguistic rights pertain not only to individuals but also to language communities, the Universal Declaration of Linguistic Rights declares: the right to be recognized as a member of a language community; to the use of one's own language both in private and in public; to the use of one's own name; to interrelate and associate with other members of one's language community of origin; and to maintain and develop one's own culture. To this would be added the rights of language groups to be taught in their own language, of access to cultural services, to an equitable presence of their language and culture in the communications media, and to receive attention in their own language from government bodies and in socio-economic relations.

As a member of a cultural community, in which she was born and bred, and to which she relates spiritually and emotionally, any person shares her own cultural rights with others. And if such rights are denied to a community as a whole, then her individual rights will also suffer. Therefore cultural rights must be seen as community rights, as the rights of specific groups. In fact, unless such collective rights are recognized and respected, individual cultural rights cannot be fully enjoyed. Yet in the legal discourse concerning human rights this is not always accepted, because of the longstanding individualistic tradition in the classic human rights approach. Group rights are not simply the sum of individual rights, but also the expression of the personality and identity of distinctive human groups, of historical communities, of entire peoples, whose members relate to each other in specific cultural ways and who relate as such to other similar groupings.

When we speak about cultural diversity and multicultural societies, we are not only referring to the freedom of everyone to choose among different kinds of cultural products (just as a consumer in a supermarket may choose among different so-called ethnic foods) or activities (do I prefer to listen to a medieval Gregorian chant or an African folk song?). While I value my cultural liberties as an

[11] The *Universal Declaration of Linguistic Rights* was adopted in Barcelona in 1996 by a group of independent specialists.

individual, I also know that they are the product of my belonging to a defined cultural community that can exist only insofar as all of its members partake in its collectively held values and identities.

Indigenous peoples and ethnic communities (such as immigrants or linguistic and religious minorities) face such difficult choices on a daily basis. Will a multicultural society recognize and value different cultural communities as such, or will it only permit certain limited cultural freedoms as long as these do not rock the national boat? Or, on the contrary, will a culturally defined community allow its own members the full range of individual freedoms—including that of leaving such a community—or will it limit such choices in the name of a wider and highly valued right, that of maintaining the community's identity in the larger national society and the wider world? If so, then who decides and how are decisions on these crucial issues taken within cultural communities? Are they based on a democratic consensus? Do traditional authorities lay down the law and impose their truths? Do ethnic activists construct ideological narratives about cultural purity and claim to represent the whole group? All of these alternatives do in fact occur, and they sometimes lead to conflict and violence. Research on these issues shows us that it is not the cultural differences between groups that generate violence, but rather the way differences are used and sometimes manipulated by social actors for economic and political purposes within certain power structures. The genocide in Rwanda in the middle nineties was not the expression of some atavistic urges by the Hutu majority against the Tutsi minority but the outcome of years of political strife abetted by former colonial powers. The ongoing conflict in Sri Lanka between members of the Tamil minority and the majority Singhalese grew out of the way the post-colonial state was organized by the dominant group. Other so-called ethnic conflicts can be better understood in similar terms, rather than by referring to long-suppressed ancient hatreds as the popular media is wont to do.[12]

A truly multicultural society cannot exist simply as a collection of self-contained culturally distinct collectivities; these communities must be open to the rest of the world and their members must be free to interact with others. Without such dynamic group relationships there cannot be an inclusive society at all. Plural monoculturalism doth not a multicultural society make.[13] Therefore rather than simply preserving diversity and multiculturalism, the task before us is to build truly intercultural societies.

UNESCO defines interculturality as "the existence and equitable interaction of diverse cultures and the possibility of generating shared cultural expressions through dialogue and mutual respect."[14] This ideal can be achieved through the

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[12] See, inter alia, Ted Robert Gurr and Barbara Harff, 1994: *Ethnic Conflict in World Politics* (Boulder: West-view Press).

[13] This argument is made strongly by Amartya Sen, 2006: I*dentity and Violence. The Illusion of Destiny* (London: Norton, 2006).

[14] Convention on Cultural Diversity, Article 4.8.

conscious building of intercultural citizenship. In the Canadian context, Kymlicka has proposed the concept of multicultural citizenship as a form of differentiated integrative citizenship that is based not only on the recognition of diversity, but also on a commonly held legal status as well as a shared identity.[15] Based on UNESCO's concept of interculturality, the idea of intercultural citizenship points to the building of political and social institutions by which culturally diverse communities within a multiethnic and multilingual nation can solve their differences democratically by consensus without tearing apart the common structures and values or having to abandon their particular cultural identities, such as language, culture and ethnicity. Moreover, it also suggests that such communities have a role to play in truly democratic governance. This conception of citizenship recognizes that between individuals and states there are organized sub-national units that are important in articulating demands and interests of culturally diverse communities, and are essential for the well-being of the wider society.

Such an approach may be more suitable in some contexts than in others. Certainly countries that receive numerous immigrants from around the world are faced with issues of integration, whereas others will deal more specifically with the historical rights of territorial, religious, national and regional minorities and indigenous peoples that have long been excluded from full participation in the wider society. Some countries, of course, need to deal with both kinds of issues. The immigration issue is much debated in Europe and North America. In the former, nationalists (and extreme right wing parties) will argue that their national identities are being overwhelmed by massive immigration from culturally different regions of the world (mainly Africa and the Middle East) and that this should stop. In the United States similar positions are espoused in relation to immigrants from Latin America and the Caribbean. The debate over immigration, whilst it is often framed in racial and cultural terms, results from the growing world inequalities created by the global economy. It also challenges established nation-states to rethink and readjust their cultural identities and adapt their cultural and social policies to the changing global environment.

In any case, the group rights of culturally differentiated communities require specific policies in the cultural field that States must address in order to comply with their international obligations. These policies, as mentioned before, must relate to the provision of culturally appropriate educational practices (K through higher education), respect for and promotion of minority languages (including access to the media), respect for collective religious practices and spirituality, including of course non-religious secular identities and freedoms), as well as the protection of culturally significant heritage and intellectual property rights.

These are not merely academic or abstract questions, because they are constantly faced in daily life and relate to the exercise of human rights as a guide to living, as a means to achieve an individual's full human capabilities in freedom. The issue is often raised that the values which are sometimes held in certain

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[15] Will Kymlicka, 1995: *Multicultural Citizenship* (Oxford: Clarendon Press).

culturally defined communities may actually limit rather than further the rights of individuals in such communities. This is surely the case of patriarchal societies in which the rights of women are severely curtailed. Examples abound, from societies where marriages for young people (mainly girls) are pre-arranged, to severe limits on the public appearance and activities of girls and women, to sexual mutilation and domestic violence. Such discrimination occurs to a greater or lesser degree in many societies, and it is often upheld, mainly by men appealing to so-called 'traditional cultural values'. In these cases, do cultural rights and freedoms pertain to the community as a whole or to the individual members? These issues are difficult to resolve but one thing is certain: the solution must lie with the community itself. If an outside authority attempts to impose its own values (whether it is the state, a dominant religious or linguistic group or liberals who do so with the best of intentions and in the name of human rights and freedoms) it can do so only by curtailing the accepted cultural values of specific communities, which strictly speaking would go against the principle of respect for cultural diversity and of cultural rights.

Another current example of the tensions generated by the community versus individual liberties debate relates to the right to freedom of opinion and expression, guaranteed in Article 19 of the Universal Declaration. Some people argue that this should be an unfettered right, limited only by concerns of public safety. We all know that it is not allowed to gratuitously shout 'fire' in a crowded cinema so as not to cause a panic. In times of war, rumor spreading may be severely punished. Some countries have adopted anti-race talk legislation making it a crime to incite racial and ethnic hatred in the public media.

Laws against racial, ethnic and religious defamation are also in place in many parts. In some strongly religious societies acts defined as sacrilege or heresy may even be punished by death, when for others such acts (like publishing a cartoon) are simply a matter of free expression. Should there be limits on free expression when what is expressed may offend the profound beliefs and the dignity of a religious community? But is not such a limitation a violation of a fundamental human right? These are concerns that have not yet been solved, but which must be addressed in an open and balanced examination between the different perspectives and in a spirit of mutual respect and tolerance. Otherwise, the debate turns into a confrontation between different dogmas and furthers neither cultural rights nor cultural diversity as a positive feature of the contemporary world. That is why the currently fashionable theory of an alleged 'clash of civilizations' in the world does not reflect adequately historical reality nor does it contribute in any way to lessen cultural and ethnic tensions in the world.[16]

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[16] See Samuel P. Huntington, 1996: *The Clash of Civilizations and the Remaking of World Order* (New York Simon and Schuster). The comments on freedom of expression and the feelings of a religious community are prompted by the public outcry generated by the publication of a number of cartoons in a Danish newspaper in 2005, which some Muslims around the world considered to be offensive.

Cultures, of course, are not static nor entirely homogeneous. They change over time as a result of external pressures and internal tensions. The debate over human rights and cultural freedoms takes place more or less openly within all major cultural communities in the world. No matter what we may believe as individuals concerning certain cultural practices in our own or other societies, it is neither possible nor desirable in the twenty-first century to change cultures by force without incurring in massive human rights violations. But persons who are dissatisfied or feel discriminated against certainly must have the possibility of contributing to change their own communities from within and be able to exercise their human rights, individually or collectively, to challenge, to dissent, to innovate and to act in order to achieve a better life for themselves. The protection and promotion of human rights (whether of the individual or the group) is also an international responsibility, and that is why we have international human rights legislation and mechanisms for its implementation.

Cultural identities are essential elements for the constitution of societies and for the full human development of their individual members. We are, after all, social and cultural animals. But as individuals we may have many other identities as well, some of which, depending on the circumstances, may compete with our cultural identity. We are usually born into a cultural identity (that of our families, our community, our peers), but during our lifetime we have the opportunity to build on this identity, to construct other identities or to change them. This is a part of our cultural rights: to live by one's cultural identity, and also to change one's identity. For some contemporary analysts choosing an identity appears to be as easy as deciding on a package of cereals on a supermarket shelf. Given all the inherent tensions in the current era of identity politics, they argue, it would be convenient to downgrade the importance of cultural identities and emphasize everybody's common humanity. One such approach argues that we should all endeavor to become enlightened cosmopolitans. This is more easily said than done, because in real life, as I argued in this paper, things are more complicated.[17] A word of warning, however. Ethnic identities should not be considered as some primordial essence of human societies and their members, which can be turned on and off at will. We are dealing, rather, with labels, classifications and ideologies that can be constructed, reconstructed and deconstructed as part of a process of social and cultural change. In the modern world, as in ancient times, such identities can become powerful mobilizing forces for good as well as evil. We are witnessing this duality in many places at the beginning of the twenty-first century.

Take for example a young girl born in an Amazonian Indian community in the jungles of South America. Early in her life she learns to live by the cultural values of this small forest community, she knows her gender role, she speaks her language, she learns the lore of the forest, the stories of her ancestors, the life she will lead as a young woman, a wife, a mother and finally as a wise old woman in her

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[17] Kwame Anthony Appiah, 2006: *Cosmopolitanism. Ethics in a World of Strangers* (London: Norton).

village. To preserve this way of life, the only one she really knows, to pass it on to her own children, is one of her objectives during her lifetime. Her contacts with the outside world are few and intermittent: the occasional government official, the workers of a nearby mining company, a tourist or backpacker, a poor peasant from the highlands seeking a piece of land to make a living. She is aware of the dangers that the outside world means for her own little world, she sees the environmental damage, the destruction of the forest, she hears of conflict and violence, and she is determined to keep her community free of this 'contamination'. That is certainly a cultural choice determined by her belonging to this particular community which she makes together with others in the village. The community as a whole has decided to resist the imposition of a 'development' model that threatens its survival. For the community this is an exercise in cultural freedom.

Now let us think of this girl's cousin, who spent her early years in similar circumstances. When she was about ten years old her mother overheard a conversation about a school having been set up in a nearby settlement, maybe a day's canoe trip down the river. Wanting her daughter to learn how to read and write in Spanish, the country's official language, the mother contacted a relative in that settlement and arranged for her little girl to go and live there in order to attend the school. Not long afterward, she had the opportunity to be taken in by a kindly family in a nearby town, and in exchange for a few hours domestic work the girl was able to finish a diploma course in nursing by her early twenties. She was now faced with new cultural choices: should she return to her village and her traditional way of life, perhaps apply her nursing skills to the needs of her family and friends, or else seek a paid job in a local hospital or clinic and become a permanent resident in the town (perhaps visiting her family in the village on special occasions), and in this process changing her cultural identity.

Millions of people are faced with such choices every day all over the world. But what happens to the communities: will they survive, or change, or disintegrate? In the highlands of southern Mexico scores of Indian communities are emptied of their young men and women who have gone to seek work and livelihoods elsewhere (most likely in the United States). Only the old men and women who can no longer work remain in the village, and the small children who have been dumped here by their absent parents. Poverty and despondency mark the routine of daily life. Why did this have to happen? Not because the community wanted this to happen, but because the people in authority, those that take decisions, those that have the power to approve budgets, build schools and roads, move mountains and irrigate the fields, did not do their job when they should have. Perhaps now it is too late. Whose cultural and social and economic rights are at stake here? The dying community? The young adults who emigrate to seek a better life?

Not all is despair, however. Because among the new generations there are those who learn the skills of the modern world and who also care about their communities, their families, their homelands, their cultures. Not only do they return, when they can, with some savings to set up a small shop or invest in a productive activity, but they also care about what happens to their songs and stories, to their trees and wellsprings, to their sacred mountains, to their feasts and music and

spiritual ceremonies, to their traditional knowledge and wisdom. This cultural diversity can only be preserved in the globalized techno world of today by the free exercise of cultural rights and intercultural citizenship, where the needs and identities of culturally defined communities can coexist and interact with equal dignity in the national society, in the public *civitas* and *polis*.

The girl in the Amazon who became a nurse will maybe return and serve her people; the couple who spent years in the agricultural fields of the American Midwest or serving hamburgers in Chicago, will perhaps return to support a social movement for land and jobs in the desolate countryside they left years before. Here there are also collective choices to be made, not only individual decisions.

Many societies, not solely indigenous peoples, are faced with such collective decisions. How long will immigrant communities retain certain cultural distinctiveness in the host environment before they become assimilated in a new kind of hybrid culture?

Many post-colonial and post-imperial states are a mixture of languages, religions, nationalities and races, each one with a claim to its specific cultural identity. How can economies function and how can governments do their jobs by drawing together all these human and cultural resources without destroying the unique values and cultural wealth they carry along? Do cultural rights end when the *raison d'etat* steps in? Not if we really value cultural diversity and human rights.

Within the framework of the principles of cultural diversity there is the need for a new global ethic as UNESCO has called it, based on a truly human rights perspective, in which the alternatives facing us at the beginning of the third millennium must be examined in an atmosphere of tolerance, mutual respect and democratic debate.[18] Only thus will we be able to come together to finish building the tower of Babel, in which all of humanity will have a chance to reach for the sky.

[18] UNESCO's International Commission on Education for the twenty-first Century identifies "Learning to live together, learning to live with others" as one of the four pillars of education necessary for preparing ourselves for life in the Twenty-first century.

Chapter 9
Making the Declaration Work (2009)

In 2007 the United Nations adopted the *Declaration on the Rights of Indigenous Peoples*, which was in the making for over twenty years. This chapter appears in a book co-edited by the author, in which the story is told about this accomplishment by many of the original participants. The chapter deals with the challenge of how to make the Declaration work in the future.[1]

After more than twenty years of diplomatic negotiations, a lot of lobbying in the corridors of power, plenty of infighting among civil society organizations, many headaches and no end of heartache, the General Assembly of the United Nations 'solemnly proclaimed' the *Declaration on the Rights of Indigenous Peoples* in September 2007. This resolution marks a major step forward in the consolidation of the international human rights structure that the United Nations has been painfully building over the last sixty years. Only during the twentieth century have indigenous peoples been recognized progressively as citizens of their respective countries, and remaining restrictions and limitations on the full exercise of their rights and freedoms been removed.

The structural inequalities that led historically to the dispossession of their human rights and dignity are deeply rooted in contemporary society and their effects continue to exist and to determine the lives of indigenous peoples, despite recent legal reforms in numerous countries. In the preamble of the Declaration the General Assembly expresses its concern "that indigenous peoples have suffered from historic injustices as a result of, inter alia, their colonization and dispossession of their lands, territories and resources, thus preventing them from exercising, in particular, their right to development in accordance with their own needs and interests". It also recognizes the urgent need to respect and promote the inherent rights of indigenous peoples which derive from their political, economic

[1] This text was first published as: "Making the Declaration Work!", in: Charters, Claire; Stavenhagen, Rodolfo (Eds.): *Making the Declaration Work, The United Nations Declaration on the Rights of Indigenous Peoples* (Copenhagen, IWGIA [International Work Group for Indigenous Affairs]): 352–371. Permission to republish this text was granted on 18 July 2012 by Ms. Lola García-Alix, Executive Director, IWGIA, Copenhagen, Denmark.

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and social structures and from their cultures, spiritual traditions, histories and philosophies, especially their rights to their lands, territories and resources. Considering the persistent patterns of political exclusion, social marginalization, economic exploitation and cultural discrimination that indigenous peoples suffered during the era of national state construction, it is noteworthy that beginning in the nineteen-eighties a number of states adopted legal reforms that for the first time incorporated indigenous peoples into existing constitutional structures.

9.1 The New Multiculturalism and the United Nations

Numerous countries now recognize themselves as multicultural or multiethnic; indigenous cultures and languages have been designated as deserving of respect and state protection, indigenous communities have been given legal status, their lands and territories have sometimes been recognized and in some cases indigenous peoples have been acknowledged as collective and individual holders of specific rights. At the same time, these reforms have spelled out the responsibilities and obligations of states, regarding, among others, the preservation of indigenous lands and territories, multicultural and intercultural education, respect for traditional customs, social organization and forms of governance, and special attention has been given to the social needs of indigenous communities, for example in the field of health delivery services. In some instances, the specific rights of indigenous peoples became enshrined in the national constitution or in major legislation.

The progress thus achieved in many countries over the last quarter century or so is due to a number of factors, including the struggles of indigenous peoples and their organizations, the democratization of national polities, and the increasing relevance of international human rights instruments in the construction of more open, inclusive and just societies. Indigenous peoples have become not only socially and culturally more visible, but they are also in the process of becoming major political actors in a number of countries.

Despite these gains, a major gap between legislation and practice still exists. Not only are there serious contradictions in the laws themselves which make their application enormously complex and difficult, but we can also detect an increasing gap between legal framework and public policy. Consequently, with few exceptions the new legislation is not in fact being implemented as it should be. No wonder indigenous organizations are increasingly disappointed and often show their frustration by direct action such as street protests, sit-ins, land occupations and the like.

Furthermore, available evidence suggests that in terms of development indicators and living standards (such as the *UN Human Development Index* and similar measures) indigenous peoples find themselves consistently below national averages and behind other more privileged sectors of society. Since the creation of the mandate on the human rights and fundamental freedoms of indigenous people by the UN Human Rights Commission in 2001, the Special Rapporteur has provided

the Commission (now Human Rights Council) with data from many countries showing this to be the case.[2]

In the nineteen eighties, even as they became increasingly organized and militant in their own countries, some of the few indigenous peoples' organizations that existed at the time were able to send delegations to the United Nations to lobby for their cause within the framework of the human rights mechanisms that were daintily being sewn together by the Commission on Human Rights. With the support of a number of international non-governmental organizations and donor agencies, they met at the Working Group on Indigenous Populations with fellow delegates from other parts of the world and diplomatic representatives of the member states, and together they began to hammer out the first drafts of the UN Declaration on the Rights of Indigenous Peoples.[3] The debates in the annual sessions of the Working Group were open to the participation of indigenous people, much to the amazement and discomfort of the traditional diplomatic elite that takes its seats at such gatherings.

For the first time, the United Nations opened the doors of its meeting rooms to the Indians of the American continent, the Aborigines of Australia, the Inuit and Sami of the Arctic, the tribals of southeast Asia, the natives of the Pacific Islands, the Bushmen, Pygmies and nomadic herders of Africa. The sessions of the Working Group, which continued for over twenty years, soon turned into something akin to public hearings that were extensively covered by the international media and helped to sensitize public opinion to the plight of indigenous peoples worldwide. In the end the Human Rights Council adopted the Draft Declaration on the Rights of Indigenous Peoples in June 2006, and transmitted it for adoption to the General Assembly, the maximum organ of the United Nations, which proclaimed it on September 13, 2007.[4]

Like all other international human rights instruments, the Declaration is the result of ideological debates, diplomatic negotiations, geopolitics, various group interests and personal relations. It needs to be seen in the wider context from which it emerges and in connection with the geopolitical controversies that have characterized the United Nations human rights debates since the beginning. While some indigenous representatives who were involved in the negotiating process at several levels insisted on a stronger text, and some states did not want a declaration

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[2] See the Special Rapporteur's annual reports to the Human Rights Council, which can be accessed at: <http://documents.un.org>.

[3] The UN Working Group on Indigenous Populations met for over twenty years under the successive chairmanship of Asbjorn Eide (Norway), Erica Irene Daes (Greece) and Miguel Alfonso Martínez (Cuba). The dialogue between States and indigenous representatives benefited for many years from the guidance of UN official Augusto Willemsen Díaz (Guatemala). For a good introduction to indigenous peoples and international law see James Anaya, 2004: *Indigenous Peoples in International Law* (Oxford—New York: Oxford University Press).

[4] See chapters by John Henriksen, Erica Irene Daes and Asbjorn Eide, in: Charters, Claire; Stavenhagen, Rodolfo (Eds.): *Making the Declaration Work, The United Nations Declaration on the Rights of Indigenous Peoples* (Copenhagen, IWGIA [International Work Group for Indigenous Affairs]).

at all, other government representatives would have preferred a weaker, more traditional declaration along the lines of the *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* of 1992. The dispute between the maximalists and the minimalists continues to this day.

What we have now is surely a novelty in the annals of the United Nations human rights field, to the extent that the states that adopted the Declaration took into account the needs, arguments and desires of a highly vocal, assertive and organized collection of peoples who had been demanding the recognition of their identities and rights for several generations both at the domestic and the international levels.[5] Moreover, the Declaration clearly distinguishes between the individual rights that indigenous persons share with all other persons according to the United Nations Bill of Rights, and the specific rights enjoyed by indigenous peoples collectively as a result of their indigenous identities. Although effective protection mechanisms for the rights of indigenous peoples are still few and weak in the United Nations system the Declaration has opened the door to indigenous peoples as new world citizens.

9.2 The Challenge: How to Make the Declaration Work

To be sure, the Declaration on the rights of indigenous peoples does not actually establish any new rights and freedoms that do not exist in other UN human rights instruments, but it spells out how these rights must relate to the specific conditions of indigenous peoples. Given the historical circumstances under which indigenous human rights have been violated or ignored for so long in so many countries, the Declaration is not only a long awaited statement of redress for indigenous peoples, but must also be considered as a map of action for human rights policies that need to be undertaken by governments, civil society and indigenous peoples themselves if their rights are actually to be guaranteed, respected and protected. How to make the Declaration work is the challenge that we now face. The adoption of the Declaration marks the closing of a cycle of great historical significance, even as it opens at the same time a new cycle relating to its implementation.

If the long-term struggle of indigenous peoples for their rights helps explain the background of the Declaration, the next stage will determine how the Declaration relates to other international human rights legislation and, more importantly, in what way it will be implemented at the national level. Of immediate concern is the fact that governments do not consider the Declaration to be legally binding because it is not an international convention that requires ratification. Many indigenous people and human rights activists ask themselves what good is a

[5] The first delegation of American Indians demanding their rights sought to address the nascent League of Nations in the nineteen-twenties, but was rebuffed. A Maori chief was equally unsuccessful.

Declaration if it is not legally binding and therefore will not bring hard legal results. Similarly, state officials may consider that signing the Declaration is certainly a gesture of good-will but does not carry any real obligations for the governments concerned, and even less for those states that did not bother to sign the Declaration or actually voted against it in the General Assembly (Australia, Canada, New Zealand, United States). At best, the Declaration is considered to be 'soft law' which can be ignored at will, particularly as it does not include enforcement mechanisms.

This debate has opened up a new space for strong action by those who believe that the Declaration does represent an important step forward in the promotion and protection of human rights. On the one hand there is the opportunity, indeed the need, to begin working on a future convention on the rights of indigenous peoples. This has been the strategy in the United Nations before: the Universal Declaration of Human Rights (1948) was followed by the two international human rights covenants twenty years later (1966), and they did not enter into force until 1976. Much the same happened with other specific declarations/covenants (women, children, racial discrimination) but the waiting period here was shorter. While a number of indigenous and human rights organizations favor this route, others are more skeptical and feel that given the controversial nature of indigenous rights, it is unlikely that a UN convention on the topic would be produced any time soon, if at all. They also point to ILO Convention 169 on indigenous and tribal peoples which have thus far only been ratified by nineteen states. Thus, they are searching for other, more effective strategies.

The strongest argument for the Declaration is that it was adopted by an overwhelming majority of 143 states, from all the world's regions, and that as a universal human rights instrument it morally and politically binds all of the UN member states to comply fully with its contents. Just as the Universal Declaration of Human Rights has become customary international law, so the Indigenous Rights Declaration can become customary international law over time as well, if—as is possible and likely—national, regional and international jurisprudence and practice can be nudged in the right direction. Just as with good wine, but only given a favorable environment, the passing of time can improve the flavor of the Declaration.

One of the preambular paragraphs of the Declaration recognizes "that the situation of indigenous peoples varies from region to region and from country to country and that the significance of national and regional particularities and various historical and cultural backgrounds should be taken into consideration". While some observers might argue that the intention of this paragraph is to detract from the universality of the rights set out in the Declaration, a more constructive reading would lead one to conclude that it is precisely at the regional and country levels that the rights of the Declaration must be made to apply. And this requires interpreting every right within a particular context that may be national or regional. For example, the political right to vote will be exercised in one way through the ballot box where registered political parties compete in elections and in another way where a village assembly appoints its representatives by consensus.

Both are equally valid procedures as long as the freely expressed will of the people concerned is respected. How to implement the political right to vote in different contexts requires careful institutional management in each situation, as well as overall, and of course there may be a number of other alternatives available. Thus Article 18 of the Declaration: “Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions”.

Another example, in the area of economic, social and cultural rights, might refer to Articles 23 and 32, which state that indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development and for the development or use of their lands or territories and other resources. This important right cannot simply be applied mechanically in any circumstance. It refers, in fact, to two interlocked rights, the right to development as defined in other UN instruments and the right of indigenous peoples to “determine and develop priorities and strategies” in order to best exercise that right, particularly with regard to their lands, territories and resources. Here it will be necessary to use the various tools of the social sciences in order to come up with the right answers to a myriad of problems involved in setting priorities, building and applying strategies, conceptualizing development, focusing on objectives, measuring and evaluating processes and results, let alone defining lands, territories and resources.

Approaches to these complex issues will vary according to region and country. States must consult and cooperate in good faith with the indigenous peoples concerned–article 32—through their own representative institutions in order to obtain their free and informed consent prior to the approval of any project affecting their lands or territories and other resources. Supposing that all government authorities everywhere are equally endowed with good faith, these issues become enormously complicated in practice. I have received numerous complaints, in my capacity as *Special Rapporteur,* concerning allegedly rigged consultations carried out by officials whose good faith was being questioned. In other cases the members of a given indigenous community may be divided on the issue that is being put before them, and the exercise of the right referred to in article 32 ends up as part of a wider political negotiation, or perhaps in a stalemate.

Here, as in other issues, the rights in the Declaration can be seen as a frame of reference, a point of departure leading perhaps, among other things, to new legislation, to a different kind of judicial practice, to institution building and also, whenever necessary, to a different political culture (from authoritarian to democratic, from technocratic to participative). Each one of the articles in the Declaration must be analyzed not only in terms of its origins and provenance, neither solely in terms of its fit within the general structure of the UN human rights edifice, but particularly with regard to its possibilities as a foundation upon which a new kind of relationship between indigenous peoples and states can be built. Besides methodology and skills, this requires imagination and will. The Declaration must

be wielded by indigenous peoples and their advocates in government and civil society as an instrument for the pursuit and achievement of their rights.

The Declaration provides an opportunity to link the global and local levels, in a process of glocalization. At the beginning of this historical cycle many of the people who came to the United Nations to contribute to the debates surrounding the draft Declaration followed the rule: 'Think locally and act globally'. Now this rule can be turned around into thinking globally (the Declaration) and acting locally (the implementation process). In fact, as most everybody might agree, the major obstacle to the full operation of the United Nations human rights mechanisms (declarations, treaties, treaty bodies, resolutions etc) is their lack of effective implementation and lack of enforcement mechanisms.

When human rights declarations are followed by a convention their chances for effective implementation may increase slightly, but basically the issue has to do with national and local level political processes. At this stage the *Declaration on the Human Rights of Indigenous Peoples* carries sufficient momentum so that serious efforts to push for its implementation at the national level may produce short term results, but these will surely vary greatly from case to case. Within two months of its adoption at the UN, the national congress of Bolivia voted to incorporate the Declaration into national legislation, but the government recognizes that to make it effective additional secondary legislation will be needed. The supreme court of Belize cited the Declaration in support of its finding in favor of an indigenous community involved in a land law case.[6] In June 2008 the Japanese Diet voted unanimously to recognize the Ainu as an indigenous people and called on the government to refer to the UN Declaration on the Rights of Indigenous Peoples and take comprehensive steps to advance Ainu policies.[7] On April 8, 2008 the Canadian House of Commons passed a Motion that the Government (which had voted against the Declaration) endorse the United Nations Declaration on the Rights of Indigenous Peoples as adopted by the UN General Assembly, and also instructs that Parliament and the Government of Canada fully implement the standards contained therein. However, the potential impact of the Declaration is also being recognized by those whose interests may be affected by its implementation. A prominent and powerful member of the congress of Brazil proposed that the government withdraw its signature from the Declaration because it was contrary to Brazil's national interest to have voted for its adoption at the General Assembly. As they have been for so long, the battle lines surrounding the Declaration continue to be drawn. The worst thing that could happen now to the Declaration, in my opinion, is that it may be ignored, even by the governments that affixed their signature to it. And this can only be avoided with adequate strategies for its implementation at the national and local levels, and support for it at the international level.

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[6] Supreme Court of Belize, *Claims No. 171 and 172 (Consolidated)* (19 October 2007).

[7] The *Japan Times Online*, June 7, 2008.

Another window of opportunity for the implementation of the Declaration has opened within the United Nations system itself. In the preamble it is clearly stated that this Declaration is an important step forward for the recognition, promotion and protection of the rights and freedoms of indigenous peoples and in the development of relevant activities of the United Nations system in this field, and that the United Nations has an important and continuing role to play in promoting and protecting the rights of indigenous peoples. The first responsibility lies within the human rights structure, the Human Rights Council, the treaty bodies, commissions and sub-commissions and expert groups, ECOSOC, the General Assembly's Third Commission, which should not simply sit back and feel that their job is finished. The Special Rapporteur on the Human Rights of Indigenous People was instructed by the Human Rights Council to promote the Declaration, which means that the mandate has to work with governments and other relevant actors on the best strategies to promote the implementation of the Declaration.[8] By Resolution 6/36 of December 2007, the Human Rights Council decided, "in order to assist the Human Rights Council in the implementation of its mandate, to establish a subsidiary expert mechanism to provide the Council with thematic expertise on the rights of indigenous peoples in the manner and form requested by the Council". It is to be hoped that this new mechanism will build upon the work of the former Working Group on Indigenous Populations and devise ways and means to promote and implement the Declaration.

The next responsibility lies within the structure of the Secretariat, where different departments and units, particularly within economic, social and cultural affairs, can generate numerous activities involving the principles set out in the Declaration. In fact the Declaration (Article 42) "calls upon the United Nations, its bodies, including the Permanent Forum on Indigenous Issues, and specialized agencies, including at the country level, as well as States to promote respect for and full application of the provisions of this Declaration and follow up the effectiveness of this Declaration". This is a major task that requires the full commitment of the Secretariat at all levels, including the field of technical cooperation where UNDP country teams carry a particular responsibility. At the country team level national and international civil society organizations have often proved extremely helpful in support of a robust human rights agenda for indigenous peoples. The Declaration can now serve as a beacon to improve the coordination between numerous UN agencies and non-governmental organizations, and promote the support of international donor agencies where required.

An important call has been sent out by the General Assembly to the UN specialized agencies, many of which have over the years developed their own programs in support of the rights of indigenous peoples (with special emphasis on women and children). But much more can and should be done, especially now with

[8] The US delegate at the General Assembly in October 2007 stated his government's amazing view that the Special Rapporteur was not authorized to promote the Declaration in countries that had voted against it.

the Declaration as the major legislative authority to prompt the specialized agencies to do much more in promoting and protecting the rights of indigenous peoples. In recent years, the UN has adopted a human rights based approach to development, recognizing that there can be no real development that excludes the human rights of target populations. This is certainly the case of indigenous peoples who are often the object of specific programs in which the various specialized agencies of the UN play an important part.

9.3 How Shall Rights be Implemented?

The UN Declaration is linked, on the one hand, to the emergence of the worldwide social and political movements of indigenous peoples in the second half of the twentieth century, and on the other, to the widening debate in the international community concerning civil, political, economic, social and cultural rights. While much has been written about these topics, there are many unresolved issues that the new Declaration addresses.

In the literature on the rights of indigenous peoples we can identify several perspectives that were clearly present in the process leading up to the Declaration, and which have become important issues of concern in a number of countries. The first perspective is grounded in the classic tradition of universal individual human rights. The preamble to the UN Declaration on the Rights of Indigenous Peoples states that "indigenous individuals are entitled without discrimination to all human rights recognized in international law". On this basis, many people and governments have asked why there should be a need for a specific declaration on indigenous peoples at all, if indeed they have the same rights as everybody else.[9]

One answer to this question is the extensive evidence showing that the universal human rights of indigenous peoples are not fully or actually respected in many circumstances. I have spent the last seven years documenting for the United Nations Human Rights Council the human rights violations of indigenous peoples in various parts of the world. Whereas their plight is generally acknowledged, the widely held idea that it can be solved by simply improving existing implementation mechanisms is less than satisfactory. States are indeed expected to deploy stronger efforts for compliance with all human rights, whereas civil society as well as the international protection mechanisms (such as human rights committees and other monitoring bodies) needs to become more effective in making States duly accountable in this regard.

Fact is, however, that indigenous people continue to suffer a serious human rights deficit. They do not in practice enjoy all their civil, political, economic,

[9] We have heard the same argument regarding the rights of women, and yet not only was there a declaration at the UN but also an international convention on the rights of women, which it took decades to achieve.

social and cultural rights in the same measure as other members of society. I have provided evidence of this in my eleven country reports to the Human Rights Council.[10] So the differential compliance with the human rights discourse points from the start to a situation of inequality between indigenous and non-indigenous peoples, which results from a pattern of differential and unequal access to these rights. While the inefficiency of human rights implementation mechanisms is surely one factor in this situation, other factors are the inadequacy of human rights policies, the obstacles that indigenous peoples encounter when they wish to exercise their rights, or the various forms of discrimination that indigenous peoples continue to suffer around the world.

In many countries public authorities are well aware of these issues, though in some parts they tend to deny them. And yet, even when there is awareness, remedial action is absent or insufficient or too late and too little. A widespread response to all of this is the belief that "improving human rights protection mechanisms" will turn the trick. In fact, however, the impulse to improve human rights protection mechanisms may entail all sorts of different actions and it is easier said than done. Numerous obstacles may be encountered in the attempt to improve human rights protection mechanisms, such as the inertia of bureaucratic systems, particularly the judiciary where attention to the specific needs of indigenous peoples is not usually of the highest priority.

One extra-judicial institution that at least in some countries has been called upon increasingly to concern itself with indigenous rights is the public human rights protection agency, or ombudsman. Frequently, national human rights institutions are thinly staffed and lack the necessary skills to provide protection to indigenous people: usually, their priorities are elsewhere. But even more serious is the widespread practice of corruption in poor societies with great inequalities. Indigenous peoples are often the victims of corruption, and sometimes they become partners in corruption as well. Unless we work out the nuts and bolts of improving human rights mechanisms, this will remain an empty word, and it has to do with existing institutional structures, legal systems and power relationships, which in turn relate to the wider social system in which indigenous peoples are the historical victims of human rights violations to begin with. Improving access to the courts, establishing an ombudsman office with special regard to indigenous peoples, setting up special monitoring agencies, adopting regulatory measures and new legislation may all point in the right direction but unless the core issues are addressed directly, progress will be slow at best.

If the classic human rights protection mechanisms (equal access to the courts, impartial justice, efficient ombudsmen) have not worked or at least not worked well for indigenous peoples, then we must look at other causes of inequality which are not formally institutional but are more deeply embedded in the history and

[10] The reports of the Special Rapporteur on the Human Rights and Fundamental Freedoms of Indigenous People can be accessed at: <http://www2.ohchr.org/english/issues/indigenous/rapporteur/reports.htm>.

social structures of the national society. The underlying root here is ethnic racism and discrimination against indigenous peoples as expressed in the context of specific social processes and at many different levels. Because discrimination is a catchall term that in fact refers to complex and multidimensional phenomena, in human rights terms it must be dealt with specifically at distinct levels.

Indigenous peoples are the victims of racial and cultural discrimination which is not only based on biological attributes, and it is not only a matter of inter-personal relations involving prejudice, and it exists at many different levels. We have institutional discrimination when social service agencies are so designed to provide services mainly to certain sectors of the population, and exclude entirely or partially, or deliver services of lesser quality to other sectors, such as indigenous communities. We see this in most countries, where a higher concentration of services is available for higher income people in urban areas, and lesser services reach outlying rural communities. These inequalities extensively in my country mission reports, showing—mostly on the basis of official indicators and statistics—that indigenous peoples are victims of discrimination in the distribution of socially valued goods, general social services necessary to maintain or improve adequate standards of living in health, education, housing, leisure, environment, benefits, employment, income etc. The World Bank recently produced a book showing that institutional discrimination against indigenous peoples in some Latin American countries has not changed much over the last ten years.[11]

The importance of counting with adequate quantitative information and reliable indicators cannot be overstated, because they are necessary to formulate the right kind of public policies and target the neediest populations. Surprisingly, in most countries such information is lacking regarding indigenous peoples. They are most often lumped together with a general category of ‘the poor’, or the ‘isolated communities’, or the ‘rural sector’, or the lowest ‘decile’ of an income scale, a practice that tends to ignore the cultural specificities of indigenous peoples and simply locates them in relation to national or regional averages, medians or minimums. It is amazing how little information about the actual situation and conditions of indigenous populations’ public officials in many countries possess. A lack of awareness that easily tends to inject anti-indigenous bias, very often unwittingly, in the design, operation and evaluation of social programs of all kinds (health, nutrition, education, housing, welfare and so on). No wonder that indigenous organizations insist that such information be produced, used and made publicly available by the specialized agencies. The *UN Permanent Forum on Indigenous Issues* has insisted on this, and I have made numerous recommendations to governments in the same sense. A number of specialized UN agencies have now begun to work on these issues. In view of the importance of the problems involved, it is hard to explain that some governments still argue that generating such information disaggregated by ethnicity would be an ‘act of racism’,

[11] Hall, Gillette; Patrinos, Harry Anthony (Eds.), 2006: *Indigenous Peoples, Poverty and Human Development in Latin America* (New York: Palgrave Macmillan).

which they, being well-intentioned liberals, would want to avoid. I believe the shoe is on the other foot: not doing it means perpetuating institutional racism against indigenous peoples. We are dealing here not with a purely technical matter, but with basic human rights.

Inter-personal discrimination can be attacked with legal measures (for example, outlawing hate speech, racist organizations etc) and with educational and communication campaigns in favor of tolerance, respect for cultural and physical differences and so on. Institutional discrimination, however, requires a major overhaul of public institutions in terms of objectives, priorities, budgets, administration, capacity building, evaluation, feedback, coordination), and therefore constitutes a major challenge for public policy and for the political power structure in any country. Why? Because political decisions in any democratic society express group concerns, economic interests and structured power systems, from which indigenous peoples are usually quite distant in geographical as well as in economic, social and cultural terms.

So indigenous peoples face many obstacles, as individuals and as collectivities, before they can reach the equal enjoyment of all universal individual human rights. That is why the classic, liberal approach to human rights has so far been less than satisfactory for indigenous peoples. This does not mean, however, that the effort to improve human rights protection mechanisms for individual members of indigenous communities should not be pursued; on the contrary, it is a long neglected task that must be promoted and consolidated, according to Article 2 of the Declaration which states: "Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity." Let me also add that even if indigenous people, as individuals, achieve full enjoyment of all universal individual rights which are guaranteed by international human rights instruments and in domestic law in most countries, some of the basic human rights issues that indigenous peoples have been struggling for over so many decades will not be necessarily resolved.

Common ideas on the effectiveness of international human rights instruments hold that human rights conventions must include the protection mechanisms that enable victims of human rights violations to seek legal remedies. Declarations, in contrast, have the drawback that they do not include such mechanisms, and therefore states are not obligated to provide legal remedies. As far as the rights of indigenous peoples are concerned, it may be argued that the prevention of human rights violations should be as much a matter of public policy as of existing legal remedies. And in that respect, the Declaration on the Rights of Indigenous Peoples points to the kind of obligations states have to protect these rights. That is why at this point strategies for the promotion and consolidation of the right kind of public policies may be as effective as the recourse to judicial remedies.

9.4 Individual and Collective Rights

Whereas the Declaration reaffirms that indigenous individuals are entitled without discrimination to all human rights recognized in international law, indigenous peoples also possess collective rights which are indispensable for their existence, well-being and integral development as peoples. The main departure from other human rights instruments is that here the rights-holders are not only individual members of indigenous communities, but the collective unit, the group, indigenous peoples as living societies, cultures and communities.

Many States refused for a long time to consider indigenous peoples as collective human rights-holders, which is one of the reasons why the Declaration took such a long time to reach fruition. It is now slowly becoming a standard interpretation that there are certain individual human rights that can only be enjoyed 'in community with others', which means that for human rights purposes the group involved becomes a rights-holder in its own right. Take linguistic rights, for example. These refer not only to the individual's right to speak the language of her choice at home, but to the right of a linguistic community to use its language in public communication at all levels, including education, the media, the judiciary and government. The use of language is not only a means of communication but a way to live one's culture. Non-discrimination is not only a negative liberty ('to have a right not to be discriminated against') but requires a favorable public and institutional environment in which to be different is not a stigma but a right and an asset.

The issue of collective versus individual human rights is an old concern in the United Nations that became particularly controversial with regard to Article 1 of the two international human rights covenants that recognizes the right of all peoples to self-determination. A recent study of the human rights in the UN observes, "it was one of the most divisive human rights issues at the UN and nearly torpedoed the covenant…. The self-determination debate affected the nature and composition of the United Nations itself and struck at the heart of the international system".[12] It did so again in relation to the right to self-determination of indigenous peoples as stated in Article 3 of the Declaration, a divisive debate that had been foreshadowed during the drafting of ILO's Convention 169.[13]

[12] Normand and Zaidi, *op. cit*., p. 212–213.

[13] See James Anaya's chapter, in: Charters, Claire; Stavenhagen, Rodolfo (Eds.): Making the Declaration Work, The United Nations Declaration on the Rights of Indigenous Peoples (Copenhagen, IWGIA [International Work Group for Indigenous Affairs]).

9.5 How Can the Right to Self-determination be Implemented?

In the theory and practice of the United Nations the right of peoples to self-determination has been strictly limited to the process of decolonization, and it has been invoked more recently in a number of instances of secession. The 1960 General Assembly Declaration on the Granting of Independence to Colonial Countries and Peoples rejects “any attempt aimed at the partial or total destruction of the national unity and the territorial integrity of a country,” and Article 46 of the Declaration makes it clear that “nothing in this Declaration may be … construed as authorizing or encouraging any action which would dismember or impair, totally or in part, the territorial integrity or political unity of sovereign and independent States”. ILO’s Convention 169 contains a similar clause. As a result of years of negotiations, and despite the opposition of a number of states, the Declaration formally recognizes that indigenous peoples have the right to self-determination, a right that the UN has not been willing to recognize in the case of ethnic and national minorities.[14]

The challenge now is to renew the usefulness of a people’s right to self-determination in the era of democratic multiculturalism when indigenous peoples claim this right for themselves. Indigenous peoples and States must now work together on the interpretation and application of the various facets of the right to self-determination within the specific contexts of their countries. How can this right—and other collective rights in the Declaration—be defined in legal terms, how will they be interpreted and by whom, how are they to be implemented, how will they be protected? But even more importantly, how is the rights-holder of the collective right to self-determination to be determined? How will the bearer of this right (a People) be defined? The United Nations has never defined a ‘people’, although it may be generally agreed that the right to self-determination is mainly a territorial right and to a lesser degree a political right. On this controversial issue, indigenous peoples have challenged States, and more than one State representative at the UN has challenged indigenous peoples. I have encountered numerous public officials in many countries around the world who would still deny indigenous peoples the right to self-determination, fearing that the exercise of this right may lead to separatism or secessionist movements, which presumably would have serious consequences for national unity, territorial sovereignty and democratic governance.

Most observers of this *problematique* appear to agree that in the context of the UN Declaration the right to self-determination should be interpreted as an internal right, that is, within the framework of an established independent State, especially when this State is democratic and respectful of human rights. The UN Declaration

[14] The *Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities* was proclaimed by the General Assembly in 1992 in resolution 47/135. It does not recognize any collective rights of minorities.

links the right to self-determination (Article 3) with the exercise of autonomy or self-government in matters relating to their internal and local affairs (Article 4).The external interpretation of self-determination would apply in case of secession or territorial separation from an existing State, and it has been said often enough that this is not what indigenous peoples have been demanding with regard to their claim to self-determination, though of course external self-determination cannot be excluded as a logical possibility.

So attention must now be paid mainly to the various forms and problems of the exercise of internal self-determination. To the extent that the legal, territorial, social and political situation of indigenous peoples varies considerably around the world, so also the exercise of the right to (internal) self-determination (autonomy, self-government) will have to take these differences into account. In countries where indigenous identities have been closely linked to recognized territories (such as might be the case in the circumpolar area, the Amazon basin, the Andean highlands) the right to self-determination will tend to present certain characteristics peculiar to these environments. Another approach might be taken in those countries that have a history of treaties, or where legal territories were established such as reserves or reservations for indigenous peoples, which would be the case in Canada and the United States. Other perspectives will be required in those countries (such as in Latin America) that have a long history of social and cultural intermingling in rural and urban areas between indigenous peoples and the *mestizo* (mixed) populations. What are to be the scope and levels of autonomy arrangements? How will they be made legally and politically viable? There are many successful examples around the world, but also quite a few failures.

In contrast to an act of self-determination during the process of decolonization, which usually implies a one-time referendum such as took place, for example, in East Timor or in Namibia, the right to self-determination of indigenous peoples can be seen as an ongoing, continuing process which must be exercised on a daily basis involving a myriad of human rights issues, most of which are included in the Declaration. Thus, Article 3 does not refer to a right which is different from the other rights in the Declaration, but rather to a general umbrella principle in the light of which the exercise of all other rights must be assessed. Let us take as an example the struggle of an indigenous community to preserve its communal territory against the onslaught of a hydro-electric development project that has government backing and international financing. The project may affect numerous specific collective and individual rights of the members of this community, and in each case perhaps specific remedies may be available. But the fundamental issue is much larger than a number of particular rights that are likely to be violated. Here the fundamental issue is the community's permanent collective right to self-determination, which encompasses all the other rights. To the extent that rights are never absolute, adequate human rights policies must be found to preserve the community's right to self-determination and to take into account the wider implications of the national development process including the rights of third parties within a human rights framework. Such is one of the many challenges that the Declaration has laid before us.

9.6 The Need for Specific Human Rights Policies

It is likely that in the coming years the focus of attention of many indigenous peoples' organizations will shift from the international arena to more local concerns. While at the UN and elsewhere (the regional African and American systems for example) indigenous diplomacy will undoubtedly continue with increasing effectiveness, at the national level attention will have to center on legislative and political activity, the formulation of social and economic policies, litigation in the courts, and varieties of local organizing. A new generation of indigenous representatives and leadership will have to begin working with the Declaration at the national level, finding ways to introduce it in the courts, the legislative organs, the political parties, academic centers and the public media. Many of the indigenous activists who worked for the Declaration at the United Nations also have had practical experience in their own countries. Making the Declaration work at the national level will surely re-energize indigenous movements everywhere. The international networks and transnational cooperation that indigenous organizations were able to set up during the process leading up to the adoption of the Declaration will surely continue across the bureaucratic separators of the United Nations, perhaps shifting more into the development and conflict-resolution fields. Putting into practice the collective right to self-determination at the local level will also be a new experience for all parties concerned.

Governments will now have to pick up where the diplomats finished their task. How should states implement their obligations emanating from the Declaration? Numerous technical and operational branches of government will have to adjust their activities to the objectives of the Declaration and become accountable to indigenous peoples as well as the UN system. Not least, academic research institutions, social science and law departments and programs are now challenged to incorporate the Declaration in their plans and activities.

A major victory for indigenous peoples are the articles in the UN Declaration referring to the rights to land, territories and resources, although perhaps not everybody is satisfied with the final text as this was approved by the General Assembly (Articles 25–29). Consequently these articles also represent a major challenge to both Indigenous Peoples and States in terms of their adequate interpretation, practical application and effective implementation. These may require new legislation, litigation in the courts and detailed political negotiations with different stakeholders. As observed in various Latin American and Southeast Asian countries, simply the question of mapping and delimiting traditional indigenous lands and territories, let alone the process of adjudication itself, requires careful, costly, conflictive and often drawn-out procedures.

Some years ago the Inter-American Court of Human Rights handed down a landmark case in which it recognized the collective property rights of the *Awas Tingni* community against the Nicaraguan state. But the lands in question had never been delimited or titled, as many other such indigenous territories, raising complex legal and technical issues between the government and the local

population. In Brazil and Colombia the law recognizes vast indigenous territories but there are no efficient mechanisms to protect these areas from invasion by outsiders. The same situation prevails regarding the territories set aside for uncontacted tribes (or rather, peoples in voluntary isolation) in the remote Amazonian regions of Ecuador and Peru, which are being coveted by international oil and timber companies (not to mention drug traffickers) and poor landless settlers from other areas. Similar processes are reported in Cambodia and Malaysia, among other Southeast Asian countries. Very often governments say they are protecting these indigenous lands on the one hand, but on the other they hand out concessions to transnational corporations for so-called development purposes in the same places. How can the UN Declaration, which is very clear on the collective territorial and land rights of indigenous peoples, be made to bear in practice on the problems faced by indigenous communities in such circumstances?

The implementation of laws is one of the principal stumbling blocks in the long, painful process of getting human rights to work for people. This will be no different regarding the implementation of the UN Declaration. In one of my reports to the UN Human Rights Council I wrote about the 'implementation gap' between laws and practical reality, which I have observed in many countries. This means that there may be good laws on the books (sometimes the result of lengthy lobbying efforts or carefully negotiated political deals), but then something happens and their implementation does not occur. Many people I talk to about this come up with a simple answer: 'there is no political will'. But what exactly does this mean? How can political will be made to appear if there is none?

At this level the full import of the collective rights of indigenous peoples can be made to bear on their empowerment, the building of multicultural citizenship and their effective participation in national society and the polity. If this is to be achieved, it will require more than improving human rights protection mechanisms, it will require institutional, economic, political and judicial reform across the board.

To be sure, this may sometimes lead to social confrontation of various kinds, as it has before, therefore new policies and new spaces for dialogue and negotiation must be designed. This will be particularly urgent in relation to issues concerning land rights, natural resources and the environment.

The issue is more complex than the absence of political will to implement legislation. In fact, I have observed in some countries that human rights legislation may be adopted for any number of political, cultural, diplomatic or other reasons, even when there is no real intent to implement it, or when the legal and political system is sufficiently complex that its implementation is almost out of the question. Meaning that politicians may be ready to adopt such legislation knowing fully well that there is no real chance of it being implemented. A good case in point is a local state law passed in the state of Oaxaca, Mexico about a decade ago on the rights of the indigenous peoples (a majority in that state). It looks like a good law on the books, many distinguished local indigenous leaders and intellectuals participated in its design and preparation. The State governor pushed hard for its passage. A decade later it is still waiting to be implemented. It turns out that most

of the actors involved in the passage of this law had other objectives in mind, and were not really concerned about implementation from the very beginning.

The United Nations has in recent years put forward a new human rights based approach to development. The basic principle underlying this approach is that the realization of human rights should be the end goal of development, and that development should therefore be perceived as a relationship between rights holders and the corresponding duty bearers. All programs designed in accordance with this approach incorporate human rights indicators for the purpose of monitoring and assessing the impact of development projects and programs. The key to this approach lies in its explicit link to human rights norms and principles, which are used to identify the start-up situation and goals and to assess the development impact.[15]

A rights-based approach identifies indigenous people as full holders of human rights and sets the realization of their rights as the primary objective of development. As documented in many best practices followed in different parts of the world, an endogenous and sustained development is possible when it is based on respect for the rights of indigenous peoples and undertakes to ensure their observance. Attested best practices in development based on the rights of indigenous peoples are to be found in social and political processes initiated by indigenous communities and organizations in exercising and defending their rights. These are empowerment processes which are predicated on the assumption by indigenous peoples of ownership of their rights and on strengthening the ability of these peoples to organize and demand the observance and exercise of their rights, and also their political participation. The rights-based approach brings with it a system of principles which may be used in formulating, applying and evaluating constructive policies and agreements between Governments and indigenous peoples. With the recent adoption of the United Nations Declaration on the Rights of Indigenous Peoples, development stakeholders now have at their disposal a clearly formulated regulatory framework for development policies and actions that target them.

The human rights-based approach stems from a concept of development that identifies subjects of rights and not merely a population that is the object of public policies. Indigenous peoples must thus be identified as subjects of collective rights that complement the rights of their individual members. A human-rights based development approach is:

(a) Endogenous: it should originate with the indigenous peoples and communities themselves as a means of fulfilling their collective needs;
(b) Participatory: it should be based on the free and informed consent of the indigenous peoples and communities, who should be involved in all stages of development. No project should be imposed from outside;

[15] This section is based on my 2007 report to the Human Rights Council, A/HRC/6/15.

(c) Socially responsible: it should respond to needs identified by the indigenous peoples and communities themselves and bolster their own development initiatives. At the same time, it should promote the empowerment of indigenous peoples, especially indigenous women;
(d) Equitable: it should benefit all members equally, without discrimination, and help to reduce inequality and alleviate poverty;
(e) Self-sustaining: it should lay the foundations for a gradual long-term improvement in living standards for all members of the community;
(f) Sustainable and protective of environmental balance;
(g) Culturally appropriate in order to facilitate the human and cultural development of the persons involved;
(h) Self-managed: resources (economic, technical, institutional, political) should be managed by those concerned, using their own tried and tested forms of organization and participation;
(i) Democratic: it should be supported by a democratic State that is committed to its population's well-being, respects multiculturality and has the political will to protect and promote the human rights of all its citizens, especially those of indigenous peoples;
(j) Accountable: the actors responsible for development must be able to render a clear account of their performance to the community and society in general.

Even if one swallow does not yet a summer make, the UN Declaration on the rights of indigenous peoples is one more building block in the international protection structure of human rights that needs now to be put to work, and one more step in the construction of the full world citizenship of indigenous peoples globally. Professor Richard Falk of Princeton University has written that "among the most improbable developments of the previous hundred years or so is the spectacular rise of human rights to a position of prominence in world politics". I would add that even more improbable was the adoption of the UN Declaration on the Rights of Indigenous Peoples. But that is precisely why it is so encouraging and why it has given rise to great expectations, which should not and must not be betrayed.

About the Author

Rodolfo Stavenhagen (born 1932) is a Mexican anthropologist and sociologist. He is professor emeritus at El Colegio de México, one of Mexico's foremost social science institutions. From 2001 to 2008 he was United Nations Special Rapporteur for the Human Rights of Indigenous Peoples. Before that he was Assistant-Director General for Social Sciences at UNESCO, president of the Latin American Faculty of Social Sciences, and he taught at numerous universities in Europe and the Americas. The University of Tromso, Norway, awarded him an honorary doctorate.. He has worked on human rights, indigenous peoples, agrarian problems, social development and ethnic conflicts. Among his principal publications are *Social Classes in Agrarian Societies* (1975), *Ethnic Conflicts and the Nation-State* (1995), *The Ethnic Question: Development, Conflicts and Human Rights* (1990), *Derechos humanos y derecho indígena en América Latina* (1989), and *Los pueblos indígens y sus derechos* (2008).

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About the Book

On the occasion of the 80th birthday of Rodolfo Stavenhagen, a distinguished Mexican sociologist and professor emeritus of El Colegio de Mexico, Úrsula Oswald Spring (UNAM/CRIM, Mexico) introduces him as a *Pioneer on Indigenous Rights* due to his research on human rights issues, especially when he served as United Nations special rapporteur on the rights of indigenous peoples. First, in a retrospective Stavenhagen reviews his scientific and political work for the rights of indigenous people. Seven classical texts by Stavenhagen address Seven Fallacies about Latin America (1965); Decolonializing Applied Social Sciences (1971); Ethnodevelopment: A Neglected Dimension in Development Thinking (1986); Human Rights and Wrongs: A Place for Anthropologists? (1998); Indigenous Peoples and the State in Latin America: An Ongoing Debate (2000; Building Intercultural Citizenship through Education: A Human Rights Approach (year); Making the Declaration Work (2006). This volume discusses the emergence of indigenous peoples as new social and political actors at the national level in numerous countries, as well as on the international scene.

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