

## ***Indigenous Transcommunalities: Human Rights and Globalization***

*(work in progress, November 30, 2000)*

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### Abstract

The paper is inspired on the notion of 'transcommunality' and historicizes the relevance of this term to interpret the internationalization of the Indigenous Peoples movements against the backdrop of globalization, neoliberalism in Latin America, and the struggles for collective Human Rights.

### Setting

Situating myself in the California of the late 1980s, the following scenario appears. In the background there is Reagan-Bush and the infamous governor Pete Wilson, Republicans, and ready to dismantle previous 'gains' obtained by 'minorities.' 'Hispanics' in particular lost bilingual education and Affirmative Action in California (in several cases such lost has been interpreted as the only case of a Latino/Chicano people voting against their own language). It is also the time of *utopias* made obsolete, but where militaristic prowess could be shown *atrece vultu* in Iraq, actually the first televised war. Naturally, the picture is that God is on the side of the U.S. protecting it (along the 'American way of life') against the evil empire of Hussein. As an awkward reflection, the Left is dispersed inhabiting its own ontological crisis, trying to re-establish a counter-hegemonic project against the 'End of History' choir but without much luck. After all, 1989 marked the collapse of the Soviet Union and the Fall of the Berlin Wall and, messianically, Francis Fukuyama chanted a requiem for socialism, and hosanna! to the triumph of capitalism.

## Transcommunalism and Decolonization

Current forces of globalization can be interpreted as renewed attempts at erasing cultural particularities, biodiversity, and Indigenous Rights to Self-Determination. The homogenizing forces that provoke the direct and indirect disavowal of Indigenous and other socio-cultural forms of being, thinking, and ‘protecting what is ours,’—as Native American activists hemispherically agreed upon—need our full attention in order that we might strategize effective oppositional responses and viable political alliances. Such opposition has been as persistent and varied in the past as have NSs programs of genocide, dispossession and assimilation.

Oppositional struggles persevere against the relentlessness of the allegedly new transnational corporate power. In this paper I would like to reflect on the progress demonstrated by Indigenous Peoples’ organizations in their struggle to implement notions pertaining Human Rights against the backdrop of globalization. Two concepts are useful to illustrate the case: transcommunalism and decolonization. The term ‘transcommunalism’ has been coined by sociologist John Brown Childs who has studied interethnic conflict and resolution; ‘decolonization,’ on the other hand, is a term frequently referred to by Indigenous transnational movement members. Both will help me articulate this paper.

I understand *Transcommunalism* as having heuristic and political dimensions. It illustrates the possible agency of concrete communities and SMs for social justice and social change. It provides a solid foundation on which to build alliances based on cultural specificity or self-knowledge and within the politics of self-respect. Seeking to solve actual human strife, *Transcommunalism* embodies the predisposition of people to bear specific cultural histories, gender or sex identities, class origins and ethnic backgrounds by going beyond constraints imposed by such specific histories. Such constraints hinder our ability to interact within what Childs calls ‘the Ethics of Self-Respect.’ In several ways *Transcommunalism* rejects ethnic nationalisms that understandingly flourished after the 60’s. Rather than only *tolerating* each other, the transcommunal conversation means to procure *understanding and ‘respect’*—emphasizes my colleague Sonia Alvarez—of the minority historic-specific Other. I thought about how *culture* could be constraining, but I came to understand as Gramsci had previously stated, that culture—now appropriately de-essentialized—could also act as a spring-board to encourage and to trigger *counter-hegemonic* alliances in a *transcommunal* way. This, I take, is John Brown Childs’s main contribution. In a sense, the concept is directly linked, and rethought in a sharper way, to an early text entitled “From the 1960s into the Future.” (Childs 1989: 123-148)

I would like to reflect further on this particular concept, since concepts tend to be overlooked in the field of international and interethnic relations. This neglect is related to previous emphasis on “realist” paradigms and, as a consequence, recent forms of peace-seeking strategies based on the innovative projection of concepts—such as *Transcommunalidad*—are disregarded. The concept, nevertheless, can be considered as the result of concrete situated engagement and should be seen as an important contribution of an organic intellectual.

I would like to think that *Transcommunalidad* is a reply to indiscriminate aimless violence in U.S. inner cities, devoid of constructive projects, self-defensive and territorialized, all well documented in Childs’s opus. It coincided with a noticeable period of change in the economic system in the U.S. (Childs 1994: 49-51) Such change was known as the ‘Republican Revolution.’ Reaganomics, neoliberalism and globalization prompted strategies of self-defense amidst the U.S. urban poor in response to the Republicans dismantling of the welfare state. Childs documented the impact as it seeped on dejected individuals and communities.

By 1994, inhabiting the ‘entrails’ one could be digested and excreted by capitalism gone globalized. However, the implied triumph—we know now—has been cosmetic, anonymous and constrained to the few Silicon Valleys replicated as satellites around the world. The Janus’s other deaden face is represented by poverty, wars, deforestation, maquiladoras, neo-militarization (as in Colombia) radical displacement and sharper levels of poverty and State corruption (such as in Perú and Ecuador). These have been persistent tropes throughout the Twentieth Century that especially worsened towards the end of the millennium, castigating specific peoples, specific minorities, but specifically Indigenous Peoples.

My own paper illustrates the idea that, as an activist and supporter of Indigenous causes, I was also seeking to establish not only inter-ethnic communication, but also intra-Indigenous hemispheric dialogue to oppose racism from a ‘decolonized perspective.’ I took the concept of *decolonization*, as it had been retrieved by the transnational Indigenous movement, and had been discussed in several intra-and inter-Indigenous meetings throughout the Americas. Briefly, according to Satya P. Mohanty, *Decolonization* is: “defined as the process of unlearning historically determined habits of privilege and privation, of ruling and dependency—such a difficult intellectual matter that we cannot acknowledge our past or present location and simply get on with the business.” (1995: 108) My point was that there is a need to *decolonize*

history relentlessly. I was inspired by this term used for the first time by Silvia Rivera Cusicanqui in a seminal article entitled: “*El Potencial Epistemológico y Teórico de la Historia Oral: De la Lógica Instrumental a la Descolonización de la Historia.*” (1988)

From the hemispheric perspective of Indigenous activism, Indigenous peoples of the Condor came to understand the impact of colonialism on the Indigenous Peoples of the Eagle, the Jaguar, and the Quetzal. The communication process of alliance building and revisionism, all needed to carry out the praxis of *decolonization*. To shorten this example, we should say that decolonizing is today an on-going process that may never be fully completed. Yet, this project serves to reinforce notions of individual and communal liberation, based on ancient wisdom, re/invented traditions, re-narrativized mythophilosophies, re-articulated identities and political philosophies, as the continuous challenge we pose for ourselves and to civil society in general.

There exist strong determinants to demonstrate that, after all, democracy—at least in LAm—has not been a perfect system; better yes, but not perfect. Richard Rorty thinks that ‘democracy is still on the making—*la democracia todavía está en construcción.*’ (Courtoisie 2000: 4) Leftovers of structural discrimination inhabit the minds of people that culturally reproduce a terrible distinction based mostly on constructions of race. According to Steve Martinot who wrote a sharp introduction to a forgotten work of Albert Memmi: “The structure of racism has four moments: First, there is an insistence on difference, whether ‘real or imaginary.’ It can be somatic, cultural, religious, etc.; what counts is the discernment of its existence, rather than its nature or content. Racism will add what content it needs for its purposes. The second aspect is that a negative valuation is imposed upon those seen as differing, implying (by the act of imposition) a positive valuation for those imposing it. Third, this differential valuation which renders the difference unignorable, is generalized to an entire group, which is then deprecated in turn. And fourth, the negative valuation imposed upon that group becomes the legitimization and justification for hostility and aggression”. (Memmi 2000: xvi-xvii) If you noticed, the world events of the 1980s and 1990s have all been mediated by race, ethnicity or gender issues, including the Zapatista rebellion.

Racism is rampant in Latin American societies, rooted in historical legacies of Spanish and Luso origin, but specifically noticeable among Indigenous Peoples. Yet, the internationalization of Indigenous Peoples (*IPs hereafter*) struggles have opened clear ‘moral’ spaces—recently have been

called 'communes of resistance' (Havemann 2000: 26) with the help of the cosmopolitan civil community. Another similar initiative circulates among NSs (*N-S hereafter*) affiliated to the OAS, also prompting the discussion over a specific Chart of HR for Indigenous Peoples.

From the perspective of recent academic contributions, papers and publications that consider IPs a 'menace' calling the movement 'defiant again', to political scientists fond of charts and percentages, are innumerable. But as is the case in the circulation of ideas, it seems to me that, events are always ahead of time. Two specific IPs movements in Ecuador and Bolivia, have demonstrated that NSs are extremely vulnerable. IPs in both countries, as well as in Mexico have significantly shifted political dynamics showing that our ability to interpret developments lag behind, and sometimes are even confusing, (e.g. the inability to distinguish 'indigenista' policies from 'indianista' positions). Likewise, NSs continue to treat Indigenous problems from an assimilative angle, rather than from a perspective of dialogue or effective recognition of IPs rights in a concrete background of effective multiculturalism. Such NSs and policy making stubbornness tends to re-establish clientelistic strategies, retrieving old systems of political patronage, not a good sign of democratic ideas being nurtured.

Another visible mean of the internationalization of IPs struggles has been the use of media by NGO and IPs activists themselves. Here it seems that NGO division of labor works well, coordinating and democratizing access and delivery of information. The international community as civil society is definitively visible. The access of NGO to constantly changing media technology of communication provides a critical leverage to back up demands posed by IPs. Despite the fact that few IPs have constant access to the use of (computers) Information and Communication Technology (*ICT hereafter*), in stressful cases information has been delivered and has informed a wide angle of supporters challenging state control. This has been clearly articulated by the IPs movements when it requested a new communication between academics and IPs urging them to *accompany* the struggles in an effective manner, rather than objectifying or essentializing IPs in their studies. But access to ICT varies, almost parallels different levels of poverty experienced by IPs. Paul Havemann tells us that: "IPs continue to occupy the black holes of both industrial and informational capitalism." (2000: 20). I would say, that such a situation exacerbates racism. Havemann states that 70% of host computers are located in the US, and 80% of the world's population lacks access to basic telecommunications. (Ibid 26)

The perspective of IPs in this regard is meager, unless a given Indigenous nation has the capital to be able to participate in the cyberspace. Largely the IPs movement lacks economic power to be able to answer in kind since: “Little has yet been done by IGOs (International Global Orgs) to develop normative human rights codes to guarantee access to the web, to regulate it or to de-commodify it. Only limited intellectual property rights or censorship paradigms, with their conceptual framework based in earlier centuries, inform current debates about governance of the ICTs which are, as yet, primarily seen as a private technology for private gain.” (Ibid 28)

Multiculturalism at this point meant leaving behind anachronistic expressions of unidirectional *nationalism* and *class* as sole agglutinative determinants to trigger social mobilizations, and instead proposed the *understanding* of ethnic, class and gender historical processes and dimensions that, without prevalence, focused instead on trans-communal arrangements. Still and all, “peoples—if they are so—conform communities on the way”—Mexico City Chronicler Carlos Monsiváis observed, after the 1985 major earthquake that made visible entire communities of people that surpassed the top-down government’s ability to manipulate.

Naturally, the multicultural picture was also complicated by our own capacity to *understand* (rather than to tolerate) the contributions of feminist and post-colonial theoreticians. To ‘tolerate’ is associated to the notion of “laissez faire, laissez aller; hold a loose rein, give rope enough, give free rein to” and, to make a case here, I see the term implying colonial prejudice, authority over the unruly. Naturally, there are situations when ‘toleration,’ associated to the terms “leniency, mildness, gentleness, indulgence, mercy, clemency, etc.,” can be enacted, but note its subservient implication.

Population displacement during the late twentieth century went along greater transformation in land use, industrial reconversion and continuous processes of de-peasantization and deforestation around the world. It meant the historical expulsion of populations that re-accommodated themselves via migrations, grafting themselves to the dominant system of core world areas. What we often fail to explain is that those great waves of displacement respond to geopolitical re-arrangements often provoked by core countries. A few examples constitute the results of previous East-West divide well expressed during the height of the Cold War. It affected the so-called Third World becoming ‘Developing countries,’ euphemism to hide persistent inequalities and

illusion of modernization. Economics Nobel Prize Muhammad Yunus poignantly illustrated this issue in his book *Banker to the Poor* (1999).

The next great wave has been expressed in the imposition of neoliberalism and globalization. However, both can be interpreted as capitalistic repositioning *stricto sensu*, rather than focusing in better forms of wealth redistribution. To see the effects closer to home, the new “benefits” of NAFTA agreements signed between Canada, the U.S. and Mexico, prompted capital movement but not labor. It indirectly accompanied the over consumption and the oversupply of drugs that directly ended up affecting the so-called ‘minority’ neighborhoods in the U.S.

In Latin America, the receding strength of Cold-war military mentality gave way to a new process of ‘*re-democratization*,’ as if democracy had been a truly working system there. The 1990’s register staggered social movements (*SMs hereafter*) of women, Indigenous Peoples, rural inhabitants, environmentalists, gays, industrial workers, teachers, retired men and women with their struggles over: water, housing, employment, better wages, social services, territories, against racism, xenophobia, domestic violence and racial and gender discrimination. Expelling transnational corporations with great records of pollution, and sharper communal activities of self-defense never seen before occurred relentlessly. Community activists gave meaning to the notion of *Transcommunalidad*, because they were operating from newly thought positions in which class, gender, and ethnicity mixed with no obstacles. Likewise, the Indigenous Hemispheric social movement has been clearly waging relentless criticism against the WTO. This newly created institution is seen as acquiring unprecedented powers threatening on the way: “basic freedoms of democratic societies and the rights of communities to control their environments, health, cultural and social conditions.” (Barker and Mander 1999: 42). Obviously, probably the most vulnerable of such societies are to be found amidst Indigenous Peoples.

Globalization and cultural homogenization triggered forms of *Transcommunalidad*, of *descentralized coordination* of SMs that paralleled the failure of political parties that could no longer be seen as privileged, nor as sole mediators (or manipulators) of civil society. Concrete adoptions of the notion of *Transcommunalidad* can clearly be seen in the practices of the independent Mexican Indigenous National Congress, CNI (Congreso Nacional Indígena) that according to Eugenio Bermejillo it has served as a: “a national referent in order to produce consensus and to summarize future activities. Representatives of member organizations

determined that rather than an organization it should be a space for encounters...We are a network when separated, and when together an assembly.” (2000: 3) The 1990s have been the ‘communications’ decade as well, and despite uneasy access to interactive computer technologies and communications by civil societies (in the peripheries) it—mutatis mutandis—served to facilitate the circulation of important information that proved the notion that civil society enabled itself to reach the world’s audience.

Up to this point, however, *Transcommunal* has been thought of as a strategy that entails face-to-face dynamics, since it proposes to cure concrete communities of individuals that require coming together, curing the excesses of mutual ignorance. We must take the notion of ‘community’ in a postmodern sense, rather than being fixed or territorialized, the postmodern community is made up against the backdrop of deterritorialization. It is the community that chooses to be one, not only the traditional fixed community of the first part of the twentieth century, nor the historically territorialized community such as a tribe of the Amazonian Basin still united via complex kinship systems (unless Texaco has already taken over their territory).

An important point to stress here is the fact that Childs’s *Transcommunal* is inspired by the Haudenosaunee (Iroquois) strategy, a detail that speaks to the positionality of the author. Childs comes to acknowledge that previous human behaviors of peace building can still lend themselves to offer alternatives to current peoples in conflict. The fact that colonialism undermined viable forms of community building and conflict resolution does not hinder the ability of rooted individuals to inspire themselves on the practices and legacies of previous ancestors. In this sense, Childs is involved in the task of decolonizing, by bringing back disregarded notions that contributed to peace making, long before US democracy. Anthropologist Jack Weatherford studied Native American contributions that inspired the U.S. Constitution in his book *Indian Givers: How the Indians of the Americas Transformed the World* (1988). Of course, there is no reason to believe that if Native American thought inspired good deeds then, it has the power to do the same nowadays. The issue needs to be confronted from the perspective of decolonization, from the perspective of Western democratic limitations and imperfections.

In any case, *Transcommunal* is about concrete issues and real people with tangible problems, viable proposals and unequivocal solutions. As Child states: “a Transcommunal approach to distinctive ‘Emplacements of

Affiliation' will be premised on some degree of self-transformation of participants as they learn to accept the fact that allies can have quite different concerns and outlooks." (Childs unp ms). There cannot be *Transcommunality* if one is not situated, "positioned," "rooted in a particular history," within the context of community that wants to be community, or community that has become community. There cannot be community within the context of colonialism or neocolonialism, of racism, homophobia and/or misogyny. The transcommunal practitioner needs to decolonize, sh/e cannot just tolerate, nor patronize, but sh/e needs to go beyond, sh/e needs to understand and to forge transcommunal alliances. Consulting the Thesaurus, and coming back to my earlier thoughts on it, I came to decipher the epistemic distinction between "tolerance" and "understanding." *Transcommunality* is about understanding, and it goes beyond liberal tolerance.

### Indigenous Peoples and Human Rights

Despite the fact that IPs representatives approached the League of Nations (predecessor to the UN) since the early 1920s no visible example of a Chart that guides the protection of IPs Human Rights have been known to exist previously. It is possibly that today the Declaration on the Rights of Indigenous Peoples, can be considered as a tangible expression that acknowledges the conflicts between NSs and IPs around the world. Naturally, the document's axis rests upon the concept of *self-determination*, that according to Ted Moses of the Grand Council of the Cree is: "a concept of sweeping scope that encompasses all aspects of human development and interaction, cultural, social, political and economic...where no one aspect is paramount over any other...The right of self-determination contains the essentials for life...The demand for the self-determination of IPs can not be abandoned or softened or modified, anymore than we can afford to give up our right of self-determination as peoples under international law." (1999)

In the case of the Americas, IPs have been able to introduce the notion of Indigenous Collective Rights. As it is known, Human Rights, after the UN Chart was approved in the 1940s, assumes an individual character—not the collective aspect—of the notion of Human Rights. Again, as positive advancement in the debates over HRs, we must stress the need to implement also the notion of 'Collective Rights,' since the continuous renewal of IPs 'communities' provide the bases to consider them—when applicable—as entitled enough to this available possibility.

Since 1982, and under the coordination of the UN Sub-Commission on the Promotion and Protection of Human Rights, the Working Group on Indigenous Populations (*hereafter WGIP*) along with IPs' representatives has drafted and revised yearly—for the last twelve years—one the most important documents to guarantee the protection of Human Rights for IPs around the world, but yet to be consider but the General Assembly. It is known as: The Declaration on the Rights of Indigenous Peoples.

The WGIP has been established as a sub-branch of the HRC, informing it constantly about the relationship between IPs and NSs. The WGIP was established originally as an organization to hear complaints from the part of IPs against NSs that overwhelmingly imposed its institutional legitimacy to deal unfairly with IPs. Abuses committed against IPs up to that point did not have the space or the means or structures to contemplate better treatment of IPs against the relativity of diverse cultural practices. Due to the NSs's assumption that IPs have “assimilated to civilization” or were “on their way to be civilized,” and ignoring IPs specific demands (usually over territorial and land rights), NSs treated indigenous peoples as individuals, but not as members of collectivities. Probably the most tragic examples symbolic of the relation NS-IPs have been the linguistic barriers within the legal systems that ended up always mistreating IPs. Given the lax juridical systems (especially in LAm) that failed to treat IPs' HRights considering different perspectives, persistent abuse can be said to have plagued the relationship NS-IPs. In general we can state that: The NSs paradigm implied in the Latin Am state not only hinders the attainment of justice for IPs. But according to Franco Mendoza: “it actually negates it and the state fails to fulfill its obligations through acts of omission; despite its duty to guarantee justice for all. It is for this reason that as an act of justice the model of the State must be changed; from the NSs to a plural State.” ([2000]: 57)

As the WGIP became known and accessible to more IPs delegates, after 1982, specific NGOs of IPs reached a visible coordinating strategy to reject the so-called Spanish ‘celebrations’ of the quincentenary in 1992. In the Americas, sharper coordination of activities of IPs meant to retrieve the early struggles submitted to the UN in earlier years as the IPs movement was going to a radical change of leadership. The younger generations felt that previous international leaderships became stale and comfortable, as not much was known about mobilizations and international coordination, let alone the circulation of pertinent information about legal instruments to advance the rights of IPs. The early 1980s also recognized at the level of intellectual contributions the problematizing of the concepts of

'ethnicity', 'ethnogenesis,' and 'gender,' concepts that up to this point have been indirectly integrated in the monolithic and reified Marxist notion of class, and class struggle. Along with feminist theory, the resurgence of ethnicity and the environmental variable, Marxists needed to re-consider an often essentialized and homogeneous 'peasantry' devoid of subjectivity.

Latin America in particular, during the late 1960s—when an IPs movement appeared in the international scenario—coincided with the re-thinking of anthropology at several Third World universities, calling for a kind of action anthropology and urgent ethnology. This rethinking was triggered by the circulation of the infamous 'Camelot Project,' an evident US governmental utilization of social scientists such as Margaret Mead, and others. Three very important academic meetings took place during this same period as IPs were working to internationalize their movement. Spearheaded by the 1971 Barbados Group of dissident anthropologists<sup>1</sup>, a sharper dialogue between anthropologists and IPs leaders took place throughout this period. The year 1977 marked the first dialogue between anthropologists and IPs. IPs leaders pushed for a the decolonized anthropology that would be ethically responsible. This would have social scientists, accompanying the struggles of IPs.

Three main points collected at the time by Michel de Certeau in his now prophetic article "The Politics of Silence" originally published in Paris in 1976 (*Une politique du silence, la longue marche indienne*) summarized the direction of the international IPs movement: 1) "The passage from a micro-politics (of self-managing communities) to a macro-politics (federations). 2) The collective contracts with the earth, in their dual aspect as economic (cooperatives) and ecological (harmony with nature), and lastly 3) Cultural pluralism essential to the self-management perspective." (1989)

It is important to signal here, the recent debates concerning anthropologists' responsibilities in the field, as is the case of Napoleon Chagnon and Jacques Lizot, who seemed to have overstepped their notion of field ethics taking advantage of the Yanomami tribes' isolation to fulfill, in the name of science, their own needs including—apparently—sexual ones as in the case of Lizot. We have learned about the depth of the

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<sup>1</sup> "We see anthropology providing, on the one hand, the colonized peoples with data and interpretations about both themselves and their colonizers that might be useful for their own fight for freedom and, on the other hand, a redefinition of the distorted image of Indian communities extant in the national society, thereby, unmasking its colonial nature and its supportive ideology." (Dostal 1971: 278-80)

colonialist ethos and the way it survived amidst certain practitioners. Leslie E. Sponsel thinks for example that: "More than a century of anthropological research, publishing, and teaching had surprisingly little effect in changing colonial relationship between so-called civilization and so-called primitive peoples in frontier zones like the Amazon." (1995:274)

At this point it was necessary to enhance broader participation making visible the least internationally recognized struggles of IPs who were still under the manipulative influence of not so committed anthropologists, fundamentalist missionaries, and/or government indigenistas, making IPs easy targets of Western style development above all in the Amazon area. According to Maiguashca, the transnational indigenous movement has been reinforced due to "the global expansion of capitalism: the threat of displacement; the expansion of the NS: the threat of assimilation, and the development of international law: a potential resource for IPs." ((36-362)

We must cite here, as a result of the interaction of Maiguashca's three previous points, an extremely important early document circulated by the ILO under the rubric of Convention 107 (1957), which in 1989 became the now-well known ILO Convention 169. We should consider this early text as fundamental in the articulation of an international vehicle that in/directly buttressed IPs' movement, as its first design has been to appraise the situation of labor in countries experiencing at the time the earliest forms of radical rural-urban transformation under the process called 'modernization.' Convention 169 on Indigenous and Tribal Peoples of the ILO has been rewritten and its previous assimilationist focus changed, appeared simultaneously along the Declaration on the Rights of Indigenous Peoples of the UN that has been written by special rapporteur Miguel Alfonso Martínez. They recognize collective rights; the right to self-determination; the right to maintain, practice and strengthen their culture; the right to cultural and natural patrimony (i.e. land, territory, natural resources); the right to safety and special protection in the case of armed conflicts; the right to health, education, housing, etc. Yet, it should be known that at this time only a dozen or so countries have ratified it.

Needless to say, 'development' has been characterized as a total capitalist takeover that consciously disregarded (and substituted) the viability of traditional systems of production and survival. The notion parallels current terms of 'globalization' that in other areas has been seen as 'Americanization.' Looking back, we can probably go further by saying the current state of economic impoverishment in the Americas is closely related to the early impacts promoted by the introduction of full scale

capitalistic arrangements in the rural areas and specifically on Indigenous territories, largely deepened with the implementation of neoliberal policies after 1987.

We are now, as a matter of fact, observing long-lasting consequences of such 'development' recommendations, measures that from their time of inception have consistently depleted territories, deforested areas, and impoverished Indigenous peasantries in Latin America. Their everlasting effects are so notable that about 100.000 Indigenous peoples of Mexico alone can be found working in California's agro-business. Another large percentage of Mayas from Guatemala have settled in Texas and Florida after the Central American civil war of the 80s, that expelled Indigenous Mayas from their lands and territories. What these two cases have in common is that they are victims of processes well understood by 'development' recommendations implemented by the Guatemalan military, and by the effects of the Green Revolution on a now practically depleted ecological niche in Oaxaca, Mexico. Bringing the cases to the present, the lack of agreement at the most recent The Hague conference (to find consensus in Global warming) specifically persistent greenhouse gases continues to make it difficult to image that these areas be ever reforested, housing again viable agricultural systems and self-sufficient communities.

Relentless displacement of IPs little noticed during the dictatorship periods of Latin America (1970s-1980s) can also be seen as direct contributors to the internationalization of the IPs SMs. Yet, the so-called 'Lost Decade' in LatAm, as in the case of women's movements, has been very productive for the coordinating efforts of IPs movements. These periods can be considered as important markers for the internationalization of the IPs movement, which made possible the forging of alliances with activists of the Environmentalist Movement in Europe and the US.

The alliances demonstrated beneficial results above all with the ones in Europe. "The Maastricht Treaty," signed in 1992, a.k.a. the European Union Treaty, is the first legal instrument in which there are policies related to IPs. Policies on trade, the environment, cooperation for development and the common policy on HR (within the common foreign policy and policy on security). As examples, the trade policy is considering changes, which will favor the importing of products brought from indigenous territories. The inclusion of the environmental dimension within the common trade policy has been a radical departure from

previous instruments, in that they constitute serious initiatives and proposals to provide the bases for strategic policy making.

The Maastricht Treaty in Europe parallels the efforts of the Earth Summit in Rio in the same year. The famous Agenda 21 is the expression of environmental commitments honored by the European Union (along with Forestry Principles, the Convention on Biodiversity and the Convention on Climatic Change). In 1994, the European Commission signed the Convention of Desertification, and finally in 1995, the Commission for Sustainable Development organized the Inter-Governmental Panel on Forests in order to promote Agenda 21 and the Forest Principles. Specifically, Agenda 21, Chapter 26, calls for the recognition and strengthening of the roles of IPs and communities. In general, one could state that the participation of IPs as strategic force in the realization of all Conventions is a visible triumph for the international movement of IPs. However, there is the danger that several of these agreements, charts and conventions, could only be considered moral stands, since there is no legal instrument to press NS on their ability to implement measures. An example of this problem has been publicized in the most recent collapse of negotiations at The Hague, aimed at agreeing on measures to curb global warming. According to TNY (Nov 26) John Prescott, Britain's deputy prime minister failed "to negotiate a compromise primarily between the United States—by far the world's largest producer of greenhouse gases—and the European Union."

It is not a coincidence that the most ardent supporters of the IPs international movement are in Europe. The persistent mobilizations of Greens in Europe have been expressed in the signing of The Maastricht Treaty, definitively a kind of first official policy on Indigenous peoples. Considered the Treaty from a distant perspective, it can be said that—in terms of finding ways of implementing HR policies against previous disregard for IPs issues—there is finally visible progress. The European Parliament (15 members States) has established official ties with IPs., and policies are drawn upon specific participation and criticism brought about by IPs themselves.

Several of these developments should be considered great achievements in the process of internationalizing the IPs movement and in the process of acquiring recognition in the international community. These strategies demonstrate that co-working relationships can be used as a viable strategy that pushes forward the need to promote and implement the notion of Human Rights. As in the case of transcommunality, the space for articulating effective changes to further new notions relative to Human

Rights, implies positions of strength and moral commitments to make viable a sustainable future for all.

The establishment of the Permanent Forum on Indigenous Issues on July, 29, 2000, represents a great step forward for IPs. This Permanent Forum is based upon the previous Working Group on IPs. It is being organized now and so far can be considered a triumph because it is set within the framework of the UN. From this Forum, IPs will be able to continue promoting the respect for their Rights at a level seldom reached by organizations not directly reporting to States. According to NGO-doCip: "It is also a legitimate advance towards the recognition of their holistic approach of their rights as expressed by the right to self-determination. This right includes the various issues specifically dealt with by the organizations of the UN system, which in most cases report directly to the ECOSOC." (Update, Vol 36:1)

## Conclusion

Doubtless, we should consider progressive these recent attempts at organizing new social pacts that replace previous vertical relations of subordination and violence between IPs and the State with more horizontal arrangements in which more equal, or at least less colonizing attitudes, are pursued. Several of the institutional instances we observe as playing positive roles in this direction can be treated as institutional safeguards. Yet, despite that fact, there are limitations. According to William Assies "Legal constructs regulating relations between groups entitled to collective rights and the wider society or the state may be as much a condensation of power relations as a normative compass." (2000) Despite the fact that IPs have achieved visible levels of transcommunal international coordination in defense of HRs, within NS themselves they ought to demonstrate that proposals, rather than only answering to their own needs, might need to respond in the future, to the rest of the society as well. So far, IPs movements have basically been defensive rather than propositive. Internationally, as information directly affecting IPs has been more accessible, new proposals articulate sharper assertiveness of IPs allowing qualitative changes in the relation NSs-IPs.

As IPs leaders enter national arenas on their own terms (i.e. rather than being colonized by popular movements and political parties), they need to extend the influence of their proposals by pointing out benefits that can affect the rest of society. If in the past IPs strength has been to discredit exclusionary legal apparatus, with changes implemented in their favor, spelled out in several LAm constitutions, they can be in a position to truly

exercise the holistic nature of their HRs. In areas where they have been visible national majority (as in Bolivia, Ecuador and Guatemala) their future might well depend on their capacity to formulate indigenous proposals in relation to national and international problems.

However, if we see these 'moral' triumphs (since signatory countries do not have the means to implement such rights necessarily) as tangible results of the international mobilization of IPs, what they point out at are gestures of good will. NSs need to confront the measures and make them viable. In several cases, better workings of the law are happening amongst Pacific Island IPs, as better arrangements aimed to solve concrete problems are in sight.

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