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# The Emergence of Indigenous Movements in Latin America and Their Impact on the Latin American Political Scene

## Interpretive Tools at the Local and Global Levels

by  
Salvador Martí i Puig

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*The past two decades have seen the emergence of various political actors in Latin America for whom indigenosity is their basic social identity. The appearance of indigenous movements at this time can be attributed to a change in the structure of political opportunities in response to globalization, which has created a situation in which policy making is no longer controlled by governments but increasingly the result of the interaction of a wide variety of actors. Indigenous peoples have been empowered by alliances with actors that have provided them greater capacity for applying pressure through relationships, including churches, anthropologists, and international advocacy networks. The emergence of indigenous movements has created an international regime on the rights of indigenous peoples, the adoption of a new jurisprudence with regard to indigenous peoples, and the creation of autonomous territories, though there is still no agreement on the best way to articulate these territories. Some of these movements have been more successful than others; the indigenous peoples of the lowlands have benefited from the greater participation of their movements in the international environment, but their triumphs tend to be local. While progress is tangible, the events of the past two decades indicate the limits of the permeability of Latin American polyarchies.*

**Keywords:** *Indigenous peoples, Social movements, Governance, Structure of political opportunities*

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The past two decades have seen the emergence of various political actors in Latin America for whom indigenosity is their basic social identity. The appearance of the Zapatista movement and the discourse developed by Subcomandante Marcos from the Second to the Sixth Declaration of the Selva Lacandona, the marked multicultural accent of the peace accords in Guatemala in 1996, the active role of the confederation of pan-Andean indigenous organizations in Ecuador, the intense mobilization of Aymara and Quechua organizations in Bolivia via the Movimiento Indígena Pachakutik and the Movimiento al Socialismo, the new demands of the Caribbean communities of

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Central America, the organized presence of the Mapuches in Chile, and the media impact of leaders of various Amazonian peoples in Brazil, Ecuador, Guyana, Venezuela, and Colombia reveal the importance of this phenomenon. This sudden appearance of new actors on the political scene has taken very different forms and had different degrees of success in different countries. Many analysts have wondered about the origins of this phenomenon and about its effects on the political scene in the various countries. This article aims, on the one hand, to explain the emergence in the region of ethnic political actors and, on the other hand, to outline the impact of these new actors both on the international arena and on national political systems.

Attempting to answer these two questions is of particular value because the basic objective is to examine both what made the appearance of new actors possible and the response of Latin American polyarchies to the newly articulated demands of groups that have historically been oppressed, ignored, and silenced. For the analysis of the emergence of actors, I shall draw upon the contributions of social-movement theory with regard to the *structure of political opportunities* and of *governance* theory. For the analysis of their impact, I shall examine the effects of the creation of an international regime on the rights of indigenous peoples and of the incorporation of the rights of indigenous peoples into national constitutions and the development of policies on land tenure and self-government.

### THE EMERGENCE OF INDIGENOUS MOVEMENTS: AN INTERPRETATION

Faced with the question of why this political appearance occurred during the 1990s and not before or afterward it is necessary to take into account two elements: time and allies.

To understand the significance of "time" in the indigenous world, it is helpful to consider a conversation between two presidents that took place during a summit of Latin American heads of state (Naim, 2003): The former trade union leader and current president of Brazil, Luiz Inácio "Lula" da Silva, commented to his colleagues that "his people," Brazilian workers, had waited for decades to reach power. In reply to this, Alejandro Toledo, the first Peruvian president of indigenous origin, said, "My people, in contrast, have been waiting for 500 years." Although it is difficult to consider Toledo an indigenous leader (apart from his origins), this exchange with Lula may be some indication of the importance of exploring the reasons for the emergence, 500 years after the conquest, of indigenous people in the political arenas of various countries in the region. Why has the most ancestral element of Latin America emerged from silence to situate itself in the center of the political arena in the majority of countries in the region? It seems unlikely that the explanation is simply a supposed civilizing "awakening." Something else has happened in the political landscape to allow this to take place.

To outline a plausible hypothesis it will be necessary to investigate the changes that occurred in the years just before the political resurgence of ethnicity. One of the main theorists of collective action, Sydney Tarrow (1997), argues that *when* a mobilization occurs largely explains *why* and *how*. This is a

reference to what scholars have called the *structure of political opportunities*. While acknowledging that factors related to actors and movements themselves can produce changes and open up opportunities,<sup>1</sup> I shall concentrate here on the consistent (although not necessarily formal, permanent, or national) dimensions of the political context that encourage or dissuade people from undertaking collective action.

This approach focuses on the external resources that reduce the costs of collective action, reveal potential allies, and show where the authorities are vulnerable to demands and pressures.<sup>2</sup> In general, these resources can be classified as belonging to (1) the *system* or political regime—the political rules that make mobilization more or less costly; (2) *time/space*—a favorable location in the life cycle of protest on the domestic and international scale (in a favorable international context, for example, there may be a sort of domino effect); and (3) *relationships*—instability of the positions of elites regarding collective action, relative ease in reaching these elites, and the presence of influential allies. Thus, in examining the emergence of ethnic movements in Latin America we can begin by considering what must have changed in the various political arenas with regard to one or another of these dimensions. In this article I shall concentrate on the changes in two of them, time/space and relationships, both connected to the effects of globalization on the way in which governments operate.

The concept of *governance* has been employed since the 1990s to describe not only the types of institutions that emerged in Latin America because of the wave of transition to polyarchic regimes but also the erosion of their sovereignty due to globalization (Pierre and Peters, 2000: 163–166). It refers to the gradual disappearance of politics developed in terms of the parameters of the classic state society,<sup>3</sup> characterized by processes of government and policy making based on clear limits.<sup>4</sup> It reflects a new scenario in which the way of dealing with public matters and satisfying social demands is no longer controlled by governments because policy making is increasingly the result of the interaction of a wide variety of actors (Vallès, 2001: 429–430). In this sense, the term “governance” (which was initially used in the sense of “political management”) reflects a new style of government characterized by interaction between the state and nonstate actors. Therefore, it has been a helpful metaphor for understanding (and legitimizing?) the profound changes experienced by political systems and the public sector in most areas of the world in connection with territorial decentralization, new public management, the market economy, and, in some cases, outsourcing and privatization of services.<sup>5</sup>

This process has produced, as Pierre and Peters (2000: 77) point out, a displacement of power and state control *upward* (to international organizations, transnational networks, and big global companies), *downward* (to local governments, departments, and regions), and *outward*, to communities and nonprofit organizations of the tertiary sector such as nongovernmental organizations (NGOs) and quasi-autonomous nongovernmental organizations (quangos). The impact of this displacement of power on the governments of Latin America has sometimes been very difficult to direct and orient and therefore has manifested itself as a loss of institutional capacity.<sup>6</sup> This new form of politics has had both planned and unanticipated effects.<sup>7</sup> My hypothesis here is that the emergence of political actors based on ethnicity has been,

to a great extent, the result of the structure of political opportunities produced by governance, which has crystallized alliances that have given these actors greater capacity for applying pressure through relationships. These alliances with actors who do not generally belong to the indigenous communities themselves have provided the material, symbolic, and institutional resources that form the basis of the movements that we know today. The presence and support of outsiders might be said to be an element of the social capital<sup>8</sup> that was necessary for the empowerment of indigenous movements.

As I have suggested, this empowerment began with the windows of opportunity that opened from below, above, and outside as a result of the impact of globalization on the way in which governments have operated since the 1980s and 1990s. Those from "above" appeared with the impact of transnational actors on national political arenas. Those "from below" and "from outside" were a product of the new pastoral doctrine of the Catholic Church and the beginning of religious competition in the region and of the tertiarization and communitarization of services by the state, in which networks of NGOs and anthropologists began to design development programs.

#### ACTORS FROM BELOW AND OUTSIDE: CHURCHES AND ANTHROPOLOGISTS

Of the actors that drove this process, the first were the churches, particularly the Catholic Church, which, while one of the most severe enemies of indigenous peoples ever since the conquest, became one of the main defenders of their rights. As Xavier Rubert de Ventós (1987: 37) explains, from the very start the conquest and evangelization found their counterpoint in what José Lezama Lima called the "counter-conquest," a process that soon began to produce conversions in the other direction of those who simply changed sides. This is the case not only of Bartolomé de Las Casas (bishop of Chiapas), Diego Medellín, and Antonio Valdivieso but also of groups of "deserters" such as the Spanish Dominicans, who, betraying the interests of the crown, in 1573 managed to get Paul III to promulgate the *Veritas Ipsa* and *Sublimis Deus* bulls, which condemned the thesis of the irrationality of the Indians as heretical and the use of slaves as sinful.<sup>9</sup> Certainly, the Church has been from time immemorial the transnational organization with the greatest impact on civil society in the subcontinent. However, although it is possible to establish a line of continuity in the defense of indigenous people from the work of the Dominican Las Casas to the present, it is necessary to highlight the intensity with which the Church has defended the least privileged sectors since the Second Vatican Council and the second synod of the Conference of Latin American Bishops in Medellín, which marked the beginning of liberation theology.<sup>10</sup> This became the basis for the Indigenous Pastoral.<sup>11</sup>

It can in fact be argued that, from the 1970s on, the Church has been one of the greatest allies of indigenous peoples. The Conference of Bishops organized the pan-Amazonian conferences in which the first demands for indigenous rights were articulated and from which the first contacts with what would later be that movement were established. Something similar happened with regard to the articulation of links between highland indigenous communities.<sup>12</sup> One of the most important examples of this was the First Indigenous Congress, convened by the Diocese of San Cristóbal de Las Casas on October 13–15, 1974

(the five hundredth anniversary of the birth of Fray Bartolomé de Las Casas). During this congress representatives from indigenous communities commented in their vernacular languages on their situation regarding land, commerce, education, and health, creating something like the French Revolution's *cahiers des doléances* in Ch'ol, Tzotzil, Tojolab'al, and Tzeltal.<sup>13</sup>

In the same way, during the 1970s, the World Council of Churches (a Protestant group) supported and financed the journeys to regional meetings of indigenous leaders from the most remote jungle communities, particularly in Brazil. Furthermore, Brazilian Catholic bishops effectively contributed to the training and organizing of more than 200 groups between 1971 and 1980. It is precisely thanks to these bishops that one of the groups that has done the most to promote respect for the indigenous peoples of the Amazon Basin—the Conselho Indigenista Misionario (the Missionary Indigenous Council—CIMI)—was founded in 1971. It was the CIMI, led by Bishop Pedro Casaldáliga, that established guidelines for work with indigenous people that constituted a revision of the traditional missionary vision.<sup>14</sup> Something similar to the events in Brazil and Mexico took place in Ecuador, where nearly three-quarters of rural organizations were developed by the Church, among them the Shuar Federation, founded in 1964 by Catholic missionaries, the Indigenous Movement of Chimborazo, stimulated by Bishop Leonidas Proaño, and the Confederación de Pueblos de la Nacionalidad Kichwa del Ecuador (Confederation of Peoples of Kichwa Nationality—ECUARUNARI).

According to various sources, the presence of the Church in Latin America during the 1980s included 160,000 missionaries, 47 percent of them foreign and mainly concentrated in indigenous areas (Cabra, 1994: 125). Therefore, the presence of religious leaders was very significant in the development of ethnic organizations and the mediation of conflict with governmental authorities. It should not be surprising that important sectors of the ecumenical conferences of the subcontinent participated in the development of the organizational and ideological bases of the campaign against the fifth centenary of the conquest in 1992 (Botasso, 1990: 7).

The Catholic clergy's development of a theological discourse that revalued vernacular languages and cultures as well as pastoral strategies that favored the social organization of indigenous communities was due to the appearance, for the first time in history, of a type of religious competition due to the penetration of Protestant churches into the indigenous world (Trejo, 2000: 219). Faced with this threat to its religious monopoly, the Catholic Church organized ecclesiastical base communities and cooperatives and promoted the emergence of what later became community leaders (Le Bot, 1995).

The other great ally of the indigenous movement that came from above and outside, particularly from the 1970s on, was a group of professional anthropologists.<sup>15</sup> Anthropologists, who have often been presented as mediators for indigenous communities because of the legitimacy arising from their knowledge of different cultures and vernacular languages, came to enjoy considerable power in the development of public policy on ethnicity from their positions in state agencies or foundations. It was they who generally designed, evaluated, or criticized the programs of administrations or the communities themselves.<sup>16</sup> Furthermore, it was they who produced studies and chronicles of the indigenous communities that created a definite perception of and knowledge

about them. They also established interpretive frames including respect for these communities and concern for their survival, linking cultural diversity with biodiversity.

From the end of the 1980s on, with the displacement of the state's responsibilities in offering services from the public sector to other methods (associative and informal) there arose the possibility of the appropriation of resources by indigenous networks for the implementation of "development programs." This process of opening up and off-loading the state's political capacities, the consequence of the emergence of governance, dismantled the model in which the central government had a preeminent role in the production and distribution of services. As a result, other service providers appeared, in the case of the indigenous communities not from the market but from the informal and voluntary sector. In this process anthropologists played a very important role in designing the new forms of service provision via NGOs and agencies that came to be known as *ethnodevelopment*.<sup>17</sup>

#### ACTORS FROM ABOVE: INTERNATIONAL ADVOCACY NETWORKS

The other type of actor that contributed to the emergence of indigenous movements was the various international networks of humanitarian-aid NGOs. Activists from different parts of the world who were interested in development, human rights, and ecology and embraced the cause of the self-determination of indigenous peoples sprang from these networks and had a significant impact on the configuration of the indigenous movement.<sup>18</sup> The dialectic between identity and international intervention often led to active mobilization. One indigenous leader has reported, for example, that the creation of the Russell Tribunal in 1980 and the discourse that was developed afterward made many indigenous people see that their problems were global and that they had to participate in politics rather than folklore (Evaristo Nugkuag, quoted in Brysk, 2000: 65). The construction of a solid web of contacts made up of indigenous organizations, coalitions, and celebrities was crucial in placing the issue of the rights of indigenous peoples on the agendas of national and international institutions. By the late 1980s this transnational issue network<sup>19</sup> was lobbying international organizations and national governments in defense of indigenous peoples.

Thus, surprisingly, as Rodolfo Stavenhagen (1988: 153) points out, in a few years a movement with local roots expanded on the international level before establishing itself at the national level. The reasons for this have been identified as both structural and cultural. On one hand, the movement had difficulty in gaining access to national political arenas (largely because of the lack of openness of national authorities to these issues) and therefore had to look for allies beyond them. On the other hand, the fact that indigenous movements often did not share a feeling of national identity (or even rejected it) generated complicity with political actors from other nations. As a result, the indigenous activist networks became so intensely internationalized that it was sometimes difficult to distinguish among its various different actors. Furthermore, some movements have begun as local and international expressions at the same time, with the latter offering resources and contacts and disseminating information to other local groups within countries in order to articulate an organization

at the national level.<sup>20</sup> Thanks to this process, international networks have become an indispensable intermediary in designing, establishing, or implementing policies related to indigenous issues because of their expertise and the quality of their contacts.<sup>21</sup> This has meant an increase in social capital for the indigenous rights movement, making it possible for them to operate in the international political arena.

The creation of the Working Group on Indigenous Populations (WGIP) of the UN's Sub-Commission for the Prevention of Discrimination and the Protection of Minorities was particularly important.<sup>22</sup> As a result, the indigenous network began to have its own voice in the international system. It was from that point on that the indigenous movements (now with representation in the international system and supported by the previously mentioned lobbying and diffusion) generated a general perception that it was necessary and urgent to create international instruments for the protection of the rights of indigenous people.

## THE IMPACT OF INDIGENOUS MOVEMENTS

### THE CREATION OF AN INTERNATIONAL REGIME

The international advocacy networks were successful in creating a set of principles, rules, and procedures for decision making on the rights of indigenous peoples and even an *international regime*.<sup>23</sup> Undoubtedly, a fundamental element of the appearance of the rights of indigenous peoples on the public agendas of Latin American countries was the pressure of advocacy networks on multilateral agencies and, therefore, the transnationalization of the phenomenon. Once the issue was on the agendas of international bodies, it was very difficult for governments to ignore the demands of indigenous movements.

The transnational networks gave indigenous peoples, as Brysk (2005) notes, five Cs: cash, courage, contacts, consciousness, and campaigns. As a result, the indigenous movement gained an impressive presence in agencies and influence on the development of global norms. Among the areas of transnational power that were conquered were the WGIP, the Permanent Forum on Indigenous Issues, and the Special Rapporteur.<sup>24</sup>

The WGIP has since 1985 been one of the most important international forums in this field. Each year, the representatives of indigenous organizations, governments, specialized agencies of the UN, intergovernmental organizations, and NGOs that are recognized as consulting bodies meet each year to examine events relating to the promotion of the human rights and fundamental liberties of indigenous populations.<sup>25</sup> And although the WGIP does not have the power to bring suit, it has generated international awareness via its coverage of the situation of indigenous peoples, making important progress with regard to the international regulations related to them. It also played a fundamental part in making 1993 the UN's International Year of the Indigenous Peoples of the World (in which the Nobel Peace Prize laureate Rigoberta Menchú Tum also had a key role) and later in the International Decade (1995–2004). Furthermore, the WGIP promoted the UN's Declaration on the Rights of Indigenous Peoples, which recognized indigenous peoples' collective rights to a degree unprecedented in international law.

Until the adoption of the UN Declaration on September 13, 2007, the only instrument that regulated the rights of indigenous peoples at the international level was the International Labor Organization's Convention 169 on Indigenous and Tribal Peoples, signed in 1989<sup>26</sup> and ratified in Latin America by Mexico (in 1990), Bolivia (in 1991), Colombia (in 1991), Paraguay (in 1993), Costa Rica (in 1993), Peru (in 1994), Honduras (in 1995), Guatemala (in 1996), Ecuador (in 1998), Argentina (in 2000), Dominica (in 2002), Venezuela (in 2002), Brazil (in 2002), Chile (in 2008), and Nicaragua (in 2010). Convention 169 promotes respect for the cultures—ways of life, institutions, and traditions—of indigenous peoples as enduring peoples with identities and rights derived from their historical and current presence in the countries that they inhabit. Furthermore, it makes consciousness of identity a fundamental criterion for determining the groups to which its principles apply. It maintains that these peoples have the right to determine the methods for and to exercise control over their social, economic, and cultural development. In contrast with previous instruments, it clearly establishes general principles for consultation and consent. It also refers to special rights of indigenous peoples with regard to the land that provides them with sustenance,<sup>27</sup> respect for their customary laws,<sup>28</sup> and the need for governments to establish institutions to administer programs and policies for them (see Bronstein, 1998; Dandler, 2002; and, for more on international legislation on indigenous peoples, Anaya, 1996). It does not, however, give indigenous peoples decision-making power (through law or veto) or make any apparent reference to indigenous autonomy.

Clearly, there is still a long way to go with regard to the international presence of indigenous peoples and their demands, because of the enormous gap between nominal rights and effective rights and policies designed to put them into practice. However, considerable ground has already been covered, given the absence of an international regime on the rights of indigenous people a little over two decades ago.<sup>29</sup>

#### NORMATIVE INCORPORATION, LAND, AND AUTONOMY

Analyzing the impact of the emergence of indigenous movements on the political arenas of each country and on the indigenous communities themselves is difficult, and therefore I shall concentrate on certain aspects that I consider central: the adoption of a new jurisprudence on indigenous peoples and the performance of the authorities with regard to two of the key demands: the regulation of indigenous territories and autonomy.

All indications are that the existence of an international jurisprudence on indigenous issues has had a clear impact on various Latin American countries. The reforms that resulted from the liberalization of regimes during the 1980s and 1990s were used quite successfully by representatives of indigenous peoples. The political context presented by public debates in constituent assemblies offered an opportunity for organizations that represented the interests of indigenous peoples to articulate their demands. The drawing up of constitutions is a symbolic act in which the population of a country consents to new institutions and values and defines the terms on which it is going to govern itself. And while throughout the history of Latin America indigenous peoples have been excluded from state construction, during the past decade indigenous

representatives have had the opportunity to participate. The presence of members of indigenous organizations in the constituent assemblies of Colombia, Ecuador, Nicaragua, Panama, and Guyana has given these institutions a legitimacy in the eyes of these populations that they lacked in the past. The participation of this new group in the design of institutions has led Van Cott (2000) to identify a new type of constitutionalism in Latin America that she calls "a multicultural model." She describes this model as including at least three of the following elements: (1) the formal acknowledgment of the multicultural nature of societies and the existence of indigenous peoples as distinct substate groups; (2) the recognition of indigenous common law as official and public law; (3) the acknowledgment of property rights and restrictions on the alienation and division of communal land; (4) official status for indigenous languages in the areas in which these peoples are located; (5) the guarantee of bilingual education; and (6) recognition of the right to create autonomous territories. The fundamental laws of Bolivia, Colombia, Ecuador, Peru, and Nicaragua belong to this model, and Mexico and Guatemala could so be classified if they were to ratify the agreements they have subscribed to. Moreover, the new constitution of Bolivia goes a step farther than the multiculturalism described above.

However, despite the formal acknowledgment that can be seen in juridical documents, the legal development and reach of the policies implemented by the state vary widely.<sup>30</sup> In any case, it is evident that the "ethnification" of constitutional texts has meant the end of a long period of invisibility at the same time as offering institutional incentives that stimulate the creation of collective indigenous identities at the heart of the state and giving their demands due attention. As a result of all of this, it is possible to infer a gradual strengthening of actors based on identity and mobilization.

The legal order that prevails to this day has been limited to offering an unlimited right to individual property in land that has a registered owner and conferring ownership of "unused land" on the state. In Part 2 of the convention it is stated that governments should

respect the special importance for the cultures of indigenous peoples of their relationship with the land or territory they occupy or use, particularly the collective aspects of this relationship [and] the mechanisms of transmitting rights to land between members of the peoples concerned. . . . In the same way, individuals who are not part of these peoples should not be allowed to benefit from the customs or the lack of knowledge of the laws in order to take on property, possess or use land that belongs to them.

However, during the 1990s agrarian legislation was reformed to individualize property, registers, and titles with the aim of promoting an increase in productivity in landowners exposed to the competition of the market.<sup>31</sup> This contradiction has been very pronounced among indigenous-peasant communities in Mexico and Peru.<sup>32</sup> Various studies have suggested that it may lead to an increase in rural-urban migration of 1.5 million people in the next 10 years.

Up until now the measures included in Convention 169 with regard to land tenure have been implemented almost exclusively in the Amazon region, a substantial part of which is formally reserved for indigenous peoples (Table 1), and in the lowlands of Central America, where it is possible to find systems

TABLE 1  
**The Amazon: Territorial Distribution and Indigenous Population (1973–1997)**

Country	Number of Ethnic Groups	Estimated Indigenous Population	Total Population	Area (km <sup>2</sup> )	Percentage of National Territory in the Amazon	Land Reserved for Ethnic Groups (km <sup>2</sup> )
Bolivia	31	171,827	344,000	824,000	75	20,530
Brazil	200	213,352	17,000,000	4,982,000	58.5	744,661
Colombia	52	70,000	450,000	406,000	36	185,077
Ecuador	6	94,700	410,000	123,000	45	19,187
Peru	60	300,000	2,400,000	956,751	74.444	38,223
Guyana	9	40,000	798,000	5,870	2.73	–
Suriname	5	7,400	352,000	142,800	100.0	–
Venezuela	16	38,670	90,000	53,000	5.78	–
Total	379	935,949	21,763,000	7,493,421	–	–

Source: Tresierra (1997).

such as the *comarcas* of Panama.<sup>33</sup> According to various calculations, around 1 million square kilometers in the Amazon have been transferred under different systems to indigenous peoples, benefiting 485,135 people or 53 percent of the region's indigenous population (Roldán, 1996). However, the disparity of amounts of land granted is enormous; in Brazil, for example, the average is 547 hectares per person while in Peru it is just 29 hectares. This figure reflects differences in transfer systems; Peru's native communities have been conceived according to the model of Andean communities, and the policy of legalizing land offers only limited areas, whereas in Brazil and Colombia the transfer occurs under a system of reserves. In any case, protection of the new indigenous territories is still very weak, and in the vast majority of cases they are exposed to invasions by colonists or, as in the case in Bolivia, the holders of forest, mineral, and other extractive concessions (Assies, 2000; 2005). Furthermore, states show little interest in protecting areas that contain strategic resources such as wood, gas, minerals, hydrocarbons, or biodiversity (Assies, 2007: 277).

In the past few years the discourse of indigenous leaders has increasingly linked territoriality, self-government, and jurisdiction as expressions of the right to self-determination. This context has produced the pursuit of autonomous regimes (Plant, 2002) including the *comarcas* of Panama, which cover nearly 20 percent of the country, over 600 protected areas in Colombia, which occupy a quarter of the national territory, and the indigenous municipal districts in Bolivia, which are equivalent to municipalities and can therefore receive intergovernmental transfers of funds. Furthermore, the constitutions of Colombia (with its indigenous territorial entities) and Nicaragua (with its autonomous regions of the Atlantic North and the Atlantic South) include multiethnic subnational territorial entities with a representative chamber and definite executive and financial capacity.

However, there is still no agreement on the best way to articulate autonomous areas. Within the indigenous movement itself views range from "communalist" to "regionalist." The former argue that the local community is a vital space and the place where autonomy should be created. The latter reply that the supracommunity level of regional autonomy is a requirement for the

coexistence of local pluriethnic communities. So far very few advances have been made in this direction. Given the stalemate on the Law of Indigenous Autonomy in Mexico's legislature, the increasing intensity of armed conflict in Colombia, the application of neoliberal policies that have emptied indigenous entities of resources, and the lack of power and resources in Nicaragua's autonomous regions, the only active experiences of autonomy are the local communities in the Amazon basin (generally used for environmental purposes), the lowlands of the Central American isthmus, and the municipalities of Bolivia. Medium-range forms remain theoretical. In any case, reflection on this topic means rethinking the notions of citizenship and democracy, given that the forms of tenure and management of land are central not only for the survival of indigenous peoples but also for the reproduction of their cultures (Assies, 2000).

### BY WAY OF CONCLUSION: LIMITED IMPACT IN THE CONTEXT OF GOVERNANCE

Now that we have analyzed the actors involved in and the results of indigenous mobilization, it is necessary to ask whether some movements have been more successful than others. It is particularly difficult to give an accurate answer because of the diversity and the large number of cases as well as the relative novelty of the phenomenon. From what we have seen up till now, however, it is possible to outline a hypothesis that can help us to understand the reasons for some successes and failures. For this purpose, it is first necessary to differentiate indigenous groups into two large categories, referring in part to the work of Alison Brysk (2000: 71–86).<sup>34</sup> This classification excludes guerrilla organizations, since, with the exception of the armed organizations of Nicaragua's coast (MISURA [Miskitos, Sumos, y Ramas] and YATAMA [Yapti Tasba Masraka Nanih Aslatakanka, literally "Sons of Mother Earth]), which were closely linked to the funding and support of the U.S. government and activated during the Contra war (see Hale, 1994; Vilas, 1990; Martí, 1997; 2002), "ethnic guerrillas" have had no real impact. (The Ejército Zapatista de Liberación Nacional is difficult to classify as a guerrilla organization in the strict sense, and Sendero Luminoso cannot be so classified despite the fact that, according to data presented by Peru's Truth and Reconciliation Commission [CVR, 2003], 70 percent of its victims were indigenous.)<sup>35</sup> It also excludes ethnic political parties,<sup>36</sup> since up until the 1990s parties organized around ethnicity were few and none of them have enjoyed sustained electoral success or had a significant impact on party systems.

The first type of movement, representing a tiny percentage of the total population of the subcontinent, can be described as "tribal" or "self-defense." It has mainly been mobilized from the outside and has obtained a great deal of help from international networks and therefore managed to collect considerable resources, generally in the form of development projects. While movements of this type have very rarely had any effect on the national political agenda or on the design of national institutions, they have achieved numerous "victories" in terms of making their demands visible, receiving official acknowledgment of delimited territories (generally in the form of reserves),

and recognition of their existence as original peoples with their own rights and customs. Clear examples of this type of movement are those of the tropical rain forests of Brazil and the Pacific or Atlantic lowlands, such as the Garífunas of Honduras, the Tawahkas of Mosquitia, the Sumos, Ramas, and Miskitos of Nicaragua, the Ashaninka of Peru, the Kunas of Panama, and the Shuars of Ecuador.

The second type of movement is made up of indigenous peasants. This type is represented by those of the Andean area and Mesoamerica, which, although they have suffered considerable assimilation, have since the 1970s developed a type of ethnogenesis that has given new meaning to the classic demands for land and work. It includes organizations such as Guatemala's Comité de Unidad Campesina (Committee of Indigenous Unity—CUC), Colombia's Asociación Nacional de Usuarios Campesinos (National Association of Borrowers—ANUC), Bolivia's Confederación Sindical Única de Trabajadores Campesinos de Bolivia (Single Trade Union Confederation of Peasant Workers in Bolivia—CSUTCB), the Movimiento Indígena Tupaj Katari (Tupaj Katari Revolutionary Movement—MRTKA), and Ecuador's Federación Nacional de Organizaciones Campesinas (National Federation of Peasant-Indigenous Organizations—FENOC-HI). These movements were initially mobilized around socioeconomic demands with the aim of confronting practical shortages, but as of 1985, because of the dissolution of solid ideological identities (Albó, 2007) and the state's reduced capacity to use patronage networks via the distribution of material resources, they began to include in their repertoire demands based on identity. As a result, they were able to generate new elements of solidarity as well as to create a discourse that dignified their material demands and presented opposition to neoliberal policies. They have therefore had fewer links with international networks than movements of the first type and obtained less response from governments.<sup>37</sup> In contrast to the lowland ones, however, their mobilizations have had a definite impact on national political life, as has been demonstrated in the recurrent political crises in Ecuador and Mexico and particularly in Bolivia since the victory of the Movimiento al Socialismo in 2005.

Latin American polyarchies have been more inclined to satisfy the demands of the indigenous peoples of lowland areas (the Amazon Basin and the Caribbean) than those of the indigenous peoples of the highlands, despite the fact that the latter have a much larger population and a much greater capacity for political mobilization and social pressure and that the majority of countries in which there are highland indigenous groups have "multicultural" constitutions. From this we could conclude that the lowland indigenous peoples have benefited from the greater participation of their movements in the international environment because of their capacity to capture the attention of the public in the most advanced countries and, as a result, obtain resources. Furthermore, their geographic isolation has allowed them to present themselves as unique and thus to link their cause with the preservation of their environment. Moreover, they tend to be viewed sympathetically because of their lesser capacity to threaten the status quo. However, they have also suffered sizable setbacks because their triumphs tend to be local. Isolated in their respective countries, they may become little more than anecdotes dependent on external contacts and supporters that are subject to international fashions.

In contrast, the indigenous people of the highlands, who have a greater capacity for mobilization and potential for disruption, have found it more difficult to materialize their demands in the political space offered to them in times of governance. This is reflected in the reports of the persistence of poverty in indigenous communities at the start of the twenty-first century (Patrinós and Hall, 2006).

The aim of this article is not to reach a definite conclusion, since the progress observed over the past decade with regard to the rights of indigenous peoples is certain and tangible but the events of the past two decades seem to show the limits of the permeability of Latin American polyarchies. Certainly, indigenous movements have never before been so successful in mobilizing their members, but the difficulty that they have had in creating a space for representation in their countries reveals the lack of responsiveness on the part of national authorities with regard to the issue of indigenous rights. Furthermore, international attention to the rights of indigenous peoples is waning because of the increasing criminalization of non-Western identities and the view of elites that the (purely) formal acknowledgment of “indigenism” is sufficient. Under these circumstances, it is possible that two decades after the emergence of “the indigenous” their demands may be rejected as divisive or even dangerous.<sup>38</sup>

We can conclude that in all countries in the region except Bolivia the degree of permeability of polyarchies has been limited. Implementation of the acknowledgment policies adopted on the nominal level with the signing of the ILO’s Convention 169 has met with great resistance.<sup>39</sup> The tendency for governing elites to adopt the doctrine coming from the international regime of indigenous peoples’ rights but to limit its impact suggests that the visibility of indigenous movements over the past decade has been an unwanted consequence of governance and not the expression of the political will of the new polyarchic elites. Furthermore, since 9/11, the window of opportunity that appeared two decades ago to defend the demands of indigenous peoples has been closing.<sup>40</sup> If we add to this the fact that two of the indigenous communities’ main allies, the Catholic Church and the NGO network, are changing, respectively, their position and their focus, the future of these movements appears rather troublesome. Therefore, it is unpleasant but necessary to ask whether the cycle may be coming to an end.

## NOTES

1. The literature on social movements contains high-quality studies on the repertoires of collective action developed by the movements themselves, their capacity to articulate discourses, and their ability to organize to reach their objectives, among them McAdam, McCarthy, and Zald (1996).

2. According to this perspective, these changes in opportunities offer incentives for the collective action proposed by social movements. For example, studies by David Snyder and Charles Tilly have revealed that the peaks of mobilization in France in 1830 were more closely related to electoral opportunities and regime changes than to deprivation and difficulties, and the same can be said with regard to the relationship between poverty and deprivation in the case of indigenous peoples and their mobilization (Gros, 2000).

3. In Latin America, such a society is called “state-centered” (Garretón, 2003).

4. Among these are (1) the clear division between a public sphere based on the vote as the mechanism for generating political representation and a private sphere involving social relationships

(such as consumerism, family, and gender) that are opaque to politics; (2) the establishment of public agendas articulated almost exclusively in socioeconomic terms through the logic of growth and (re)distribution; (3) the channeling of political activity exclusively through political parties and trade unions (generally linked to parties) in the form of expressions of the homogeneous interests of large social groups based on class; and (4) the centralized and vertical organization of the exercise of state power in the territory in terms of regulation, production, and the provision of goods and services (Ibarra, Martí, and Gomà, 2002: 57–58).

5. In 1992 the World Bank began to employ the concept of governance as one of its criteria for offering capital to developing countries.

6. Many academics have claimed that the healthy performance of governments in this new scenario is directly related to the country's political tradition, the type of state established there, and its institutions' capacity to adapt to new demands (Weiss, 1998). Pierre and Peters (2000: 163–192) say that in the case of Latin America weak states have become even weaker.

7. As would be the case with an increase in commerce, inclusion in niche markets, or the attraction of capital.

8. If we define "social capital," with Putnam (1993), as a combination of conscience, contacts, and trust that allows a community to act collectively for the common good, to a great extent it was actually external actors who, with time and effort, created the elements necessary to build the social capital that would help them to emancipate themselves and participate relatively autonomously in various political arenas: local, regional, national, or international.

9. Las Casas disagreed with Sepúlveda on the steps that Carlos V of Spain should take with regard to Peru. His project, which in the end was rejected, was to hand Peru over to the Incas "in order to liberate the Indians from the devil's [in other words, Spain's] power to which they have been submitted, give them back their original liberty, and establish natural kings and lords" (Rubert de Ventós, 1987).

10. On liberation theology as a political phenomenon, see Smith (1994); for a comparative perspective, see Levine (1988; 1986).

11. Samuel Ruiz, the bishop of San Cristóbal, was elected president of the Department of Missions of the Conference of Bishops in Medellín and in that capacity called several meetings of the Indigenous Pastoral at the Latin American level, including those held in Iquitos, Asunción, Xicotepec, and Caracas (see Ruiz, 1999; Meyer, 2000; Hernández, 2001).

12. The highland peoples of Latin America belong to the great Pre-Columbian cultures (Andean, Mayan, and Mesoamerican), and their communities are numerous and occur in densely populated areas. The lowland peoples, in contrast, are small, dispersed, isolated communities of hunter-gatherers living in small numbers in the Amazon Basin and in certain coastal areas.

13. The papers presented at the congress, together with a brief analysis of the event, may be found in Morales Bermúdez (1992: 242–370). On the impact of the Indigenous Pastoral in Chiapas, see Leyva (1998) and de Vos (2000).

14. These guidelines were (1) defending their land, (2) learning their language, (3) supporting their self-determination, (4) working with their communities and groups, (5) recovering their collective memory and culture, (6) offering them hope, and (7) stimulating alliances (Botasso, 1982: 195).

15. Anthropologists' interest in indigenous communities from a committed point of view goes back to the emergence of the so-called new indigenism at the beginning of the 1970s with the publication of a book by a group of dissidents who, influenced by the Tlatelolco massacre in Mexico City on October 2, 1968, reexamined their professional role and broke with the traditional and paternalistic vision of indigenism (Brysk, 2000). The denunciation of the massacre in the Brazilian and Colombian Amazon at the International Congress of Americanists in Stuttgart in 1968 also contributed to the development of this new role for the discipline. As a result of these events various forums appeared that reinforced a more belligerent and committed vision of the fight for the recognition of the rights of indigenous peoples and the need for their protection. The Conference of Barbados of 1971, organized by the World Council of Churches and the Department of Ethnology of the University of Bern, was particularly important and produced the "Declaration of Barbados," in which 12 prominent anthropologists committed themselves to promoting the self-determination of indigenous peoples, beginning what Christian Gros (2000: 33) calls "the indigenous awakening."

16. Two examples are that of the Yanomami community in Brazil, where, in a conflict on the Venezuelan border toward the end of the 1970s, a group of anthropologists served as mediators between the Fundação Nacional do Índio (National Indian Foundation—FUNAI), the international

community, and the media with the aim of preserving the community's interests, and that of the Kayapó, also in Brazil, where a group of anthropologists, photographers, filmmakers, ethnographers, and journalists helped to publicize this ethnic group's demands for an end to illegal mining, the establishment of a reserve, and modification of a hydroelectric project financed by the World Bank (Turner, cited in Brysk, 2000: 216–219).

17. "Ethnodevelopment" is a form of provision and management of services that involves the active participation of members of the indigenous communities themselves and their empowerment and a supply of services that is focused and in keeping with their requirements, which are always specific and unique (see, e.g., Radcliffe, 2007).

18. Organizations such as Amnesty International in the United States have increased the number of projects and the size of budgets and staff dedicated to the protection of the rights of indigenous peoples, as have the Oxfam network, the Rainforest Action Network, the Anti-Slavery Society, Cultural Survival, Human Rights Watch, and the Inter-American Foundation.

19. An "issue network" is a network of actors who share values and an interest in a specific topic and exchange information and services to defend it (Sikkink, 1993).

20. For example, the International Work Group on Indigenous Affairs (one of the networks with the most resources in Europe, along with International Survival) advised on and promoted the creation of the World Council of Indigenous Peoples, and one of its most important functions is the publication and distribution of materials on the experiences of particular local indigenous movements in Latin America to other local groups in the region via its "South-South" project.

21. Two examples are the Alliance for the Rights of Indigenous Peoples (ARIP), which coordinates 150 European organizations in pressuring the European Parliament and raising funds, and the Coalition for Amazonian Peoples and Their Environment, which coordinates support groups, indigenous movements, and U.S. environmental organizations in campaigns that are helpful to the peoples and ecosystem of the Amazon. Although these campaigns activate organizations only for a certain period of time, when they disband there remains a network of organizations that acknowledge each other because of their shared interests and experiences.

22. The WGIP was established by UNESCO resolution 1982/34 of May 7, 1982, and is composed of five independent experts who are members of the Sub-Commission, one from each geopolitical region in the world. Its mandates are examining events related to the promotion and protection of the human rights and fundamental liberties of indigenous peoples and developing international rules related to indigenous rights.

23. "International regime" is the term coined to describe the rules of the game agreed upon by actors in the international sphere (which are mainly states, corporations, and NGO networks), outlining the scope of legitimate and acceptable behavior in a specific context (Rittberger, 1993: 1). For more extensive development, see Keohane (2005: ch. 4 and 5) and Keck and Sikkink (1998).

24. On the state of the art with regard to agencies and international guidelines on indigenous rights, see Kempf (2007). On the impact of the Special Rapporteur and his/her synergy with the inter-American system of human rights, see Rodríguez-Piñero (2007: 184–186).

25. To make it possible for representatives of indigenous communities and organizations to attend the sessions of the WGIP, in 1985 the UN General Assembly established the Voluntary Contribution Fund for Indigenous Populations. The fund is administered by the secretary general of the UN and a five-person board of trustees that meets annually to examine attendance requests.

26. Convention 169 replaced Covenant 107, signed in 1957, which was the first international covenant to refer to indigenous peoples. The ILO's concern for indigenous peoples arose from a study of the situation of indigenous workers in the 1940s.

27. Probably one of the most controversial issues raised by Convention 169 is land tenure. Undoubtedly the best-known element of indigenous culture is the relationship between the indigenous person and his homeland. In the Mayan worldview, the sun is father, the moon is grandmother, and the earth is mother; in the Tzotzil language the word for "man" means "one who owns land"; the Mapuche people identify themselves as people (*che*) of the earth (*mapu*). The earth is a source of life and an essential part of indigenous people's identity; therefore the earth belongs to the community and cannot be privately appropriated or given to third parties. The second part of Convention 169 reminds us that governments should respect the special importance given by these cultures to their relationship to land (see Bronstein, 1998).

28. On the debate about the implementation, legitimacy, and compatibility of common law, see Sieder (2002: 184–207). Convention 169 was used by indigenous communities for the first time in 1996, when the Union of Huichol Communities in Jalisco sued Mexico over its lack of legal

recognition of its ownership of land it considered its own. This case was the first of a series of suits related to specific violations of Convention 169 against Colombia, Ecuador, Peru, and Mexico.

29. Enforcement of indigenous rights at the international level is still far from being achieved. The network of actors that continue to work for greater regulation and further guarantees for the region's ethnic minorities remains active. It is currently developing international documents on the rights of indigenous peoples such as the UN's draft Declaration on the Rights of Indigenous Populations and the Organization of American States' draft American Declaration on the Rights of Indigenous Peoples. In both documents, the explicit reference to self-determination is a controversial point that has yet to be resolved.

30. An important step in the evolution of the legal recognition of indigenous peoples in Latin America was the decision of the Organization of American States' Inter-American Court of Human Rights requiring Nicaragua to conduct an effective survey of the land belonging to the Awás Tingni community (Gómez Isa, 2003).

31. The measures developed for this have involved the passage of new legislation promoting contracts (thus generating a market and income from land), agrarian reform policies linked to the market, the creation of land banks, and the promotion of trustworthy systems of buying and selling such as titles, registers, and cadastres (Assies, 2000).

32. In the case of Mexico as a result of the reform of Article 27 of the constitution and the new agrarian law of 1992, and in the case of Peru with the constitutional reform of 1993 and the land reform in 1993. In Bolivia, the Instituto Nacional de Reforma Agraria law finally contained some indigenous-peasant proposals.

33. A 1953 Panamanian law of 1953 gave special status to the *comarca* (district) of San Blas, which is home to the Kuna people. Later laws created the *comarcas* of Embera de Darién in 1983, of the Kuna of Madugandí in 1996, and of Ngobe-Bugle in 1997.

34. Brysk (2000) identifies three categories, the ones I refer to here and a third that I prefer to omit because it is made up of umbrella organizations or confederations that develop discourse and conduct lobbying and negotiations such as the Confederación de Nacionalidades Indígenas del Ecuador (Confederation of Indigenous Nationalities of Ecuador—CONAIE), the Confederación de Indígenas del Oriente Boliviano (Indigenous Confederation of the Bolivian East—CIDOB), the Consejo de Todas las Tierras in Chile, the Consejo Indio de Sud América (South American Indian Council—CISA), and the Consejo Indígena de Centro América (Central American Indigenous Council—COPRI).

35. Manuel Castells (1998), for example, identifies the Ejército Zapatista de Liberación Nacional (Zapatista Army of National Liberation—EZLN) as the first insurgent organization to base its main strategy on the creation of messages via the Internet. In any case, beyond the armed uprising that it carried out on January 1, 1994, this group conducted military activities for only 12 days (Le Bot, 1997).

36. Van Cott (2005: 5) defines an "ethnic party" as an "organisation authorised to participate in local or national elections, whose leaders and members mainly identify themselves as part of a non-governing ethnic group, and whose electoral platform includes demands and programmes that are ethnic or cultural in nature."

37. Guatemala is an exception, since, as in Nicaragua, ethnic demands got caught up in the process of peace negotiations after a violent conflict (see Castellnou, 2004).

38. For example, the former president of Spain, José María Aznar, in an interview with the Chilean newspaper *Mercurio* (when he was visiting Latin America to receive honorary doctorates from the Universities of Lima and Santiago de Chile), accused the regimes of Castro, Chávez, and Morales of "aiming to implant communism together with radical indigenism" and of "financ[ing] instability and sow[ing] hate and division with projects that for Latin America have worrying links with regimes and organizations that support or use terrorism in order to advance their own totalitarian project" (*La Vanguardia*, May 10, 2006).

39. Willem Assies (2005) has studied the inclusion of multicultural values in Latin American constitutions and their lack of practical implementation, with special emphasis on the cases of Mexico and Colombia. He calls this strategy for demobilization "liberal multiculturalism."

40. The topic of indigenism has also suffered the perverse effects of post-9/11 terrorism and political violence, despite the fact that this phenomenon is totally alien to Latin America. Many NGOs that deal with intercultural conflicts have centered their attention on the Middle East and the Islamic world, and some governments, employing the discourse of counterterrorism, have promoted repression of any type of dissidence; in Chile, for example, various Mapuche

leaders who led protests in defense of their land were imprisoned under the Anti-Terrorist Law (Brysk, 2007).

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