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How are Indigenous Political Groups Challenging Ideas of Citizenship and Practices of Democracy in Latin America? Will They Deepen or Destabilise Democracy?

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JOELLE MATRAK, AUG 29 2008

During the last two decades, Latin America has experienced a wave of democratization (Yashar, 2005). This development runs parallel to the spread of neo-liberalism, which had its onset in the early 1980s. These political and economical transformations have led to the surfacing of issues which throughout the 20th century had largely been concealed by nationalist rhetoric or repressive government policies (Warren and Jackson 2002:22). One issue that has claimed attention both in Latin America and internationally, is the increasing presence of indigenous political movements, which “challenge the Latin American state and the disadvantageous terms of contemporary citizenship” (Yashar, 1998:23). These movements are not only internationally noticed- indigenous peoples are also intellectually framing their cause and lobby it successfully (Warren and Jackson, 2002:2-3). They generally demand the granting of collective rights, respect for their individual democratic and constitutional rights (Yashar, 1998:23) and their recognition as an actual people and not as a minority (Warren and Jackson, 2002:13).

This essay explores how this challenges the idea of citizenship and practices of democracy in Latin America and it assesses whether these challenges deepen or destabilize democracy. This requires firstly a definition of the concepts ‘citizenship’ and ‘democracy’. Upon setting these into context with the realities in Latin America, the wide disparities between liberal democracy and its implementation in Latin America become clear. By addressing the prevalent concept of clientelism and the effects of colonial legacies on indigenous peoples, their situation regarding citizen’s rights and political identity is outlined. The essay then argues that what indigenous movements demand from the Latin American state challenges liberal democracy in general, and that a radicalization of democracy might be required to accommodate indigenous demands. This point is illustrated by case studies from Mexico and Columbia. The essay concludes that while deepening citizenship by undermining clientelism, by confronting liberal democracy with the challenge of pluralism indigenous movements open the debate about reforming democracy and expanding the liberal notion of citizenship.

Both ‘democracy’ and ‘citizenship’ are deeply contested concepts. Their interpretation and content depend largely on their political context and objectives regarding society (Mouffe, 1992:225). This requires the essay to choose a definition as a reference point against which the situation of Latin American indigenous peoples and the implications of their movements can be assessed. Most Latin American democracies seem to fall short when measured against the yardstick of liberal democracy. While democracy guarantees free and fair elections, a liberal democracy is constituted of more, encompassing also the basic civil and political rights of its constituents (Zakaria, 1997). This component is “historically distinct from democracy” and is grounded in Western liberal philosophy (ibid).

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It is also frequently bypassed by those who have been democratically elected into power in Latin America (ibid.). This essay adopts liberal democracy as its reference point because it believes that of all major political philosophies only the principles of political liberalism truly allow ideas about active citizenship to develop. As citizenship is a vital component of liberal democracy, its condition could indicate the depth and stability of a democracy.

The definition of 'citizenship' used throughout this essay draws on both Marshall's (1998) and later on Mouffe's (1992) work. Though Marshall's account of citizenship is criticized for being too ethnocentric and lacking a view on passive or active citizenship (Turner, 1992:46) it thoroughly outlines the three components the essay considers vital for citizenship: civil, political and social rights. While civil rights comprehend the "liberty of a person, freedom of speech, thought and faith, the right to own property and the right to justice" (Marshall, 1992:8), political rights grant an individual's right "to participate in the exercise of political power" -for example through standing for or voting in elections (ibid.). Social rights grant a person economic welfare and security (ibid.). A society where those possessing the status of citizenship count as equal regarding the rights and duties of citizenship, reflects "an urge towards a fuller measure of equality" (ibid.:18). Marshall's concept of citizenship is important here because it clashes with the concept of "class", since a class system is associated with inequality (ibid.). Class disparities in Latin America run deeply, and the success of patronage politics with which authoritarian regimes used to operate and with which many democratic regimes still operate (Jelin, 1996:107), seems to be grounded in these social cleavages. Thoroughly implementing citizenship would challenge this continuation of practical inequality and move closer to liberal democratic ideals of equality and justice.

Indigenous peoples are not a class per se; however, due to historical and ideological reasons, they have generally been the poorest members of society (Stavenhagen, 1996:143). Thus, they are particularly dependent on offering their political support to political leaders for material benefits (Taylor, 2004:224), which renders them "clients" rather than citizens of the state. Hence, asking how indigenous movements challenge citizenship in Latin America could be misleading, as they are in fact challenging what Taylor calls "client-ship" (2004:214-15). Client-ship cements inequality as patronage 'naturalizes' dominion over the poor (ibid); it is "not about rights, but about favours", since successful deals with political authorities determine an individual's possibilities; and it is "not about democracy, but about negotiated authoritarianism" (ibid.). It is therefore justified to suspect citizenship to be "poorly anchored in the reality of Latin American social relationships" (ibid). By actively demanding respect for their individual and constitutional rights, Indians challenge the practice of client-ship and are therefore re-claiming citizenship.

Latin American Indians have been excluded in terms of citizenship due to their marginalized or non-existent place in the ideology of the Latin American state (Stavenhagen, 1996:142). A case from the 1960s, where a few Columbian men who had murdered an indigenous family were acquitted by the court because "they did not know it was a crime to kill Indians" (Ramos, 2002:261) illustrates how deeply ingrained and accepted the discrimination of Indians was in society. Stavenhagen (1996:142) sees this attitude rooted in the colonial era, when Indians were slaughtered, exploited and robbed of their land for centuries- first by the Spanish conquerors and then by the newly constituted nations of the nineteenth century (Ramos, 2002:257). The social, political and legal institutions of Spain were "absolutist and centralized", and they were simply transferred to Latin America (Pedraja, 1996:48). This system either ignored that indigenous peoples existed or it aimed to exterminate indigenous identity by assimilating Indians with other marginalised groups, such as peasants (Ramos, 2002:257). The essay agrees with Yashar (2005:6) that states significantly shape the terms and boundaries of citizenship. Thus, it argues that even the alleged ethno-cultural neutrality of contemporary liberal states is not making individuals more equal, but has served to make Indians invisible by ignoring their cultural differences. Furthermore, imposing the nation state and territorial boundaries, which

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from an indigenous perspective were drawn arbitrarily created a significant “mismatch” between the ideology of the state and the ethnic identity of indigenous people (Ramos, 2002:257).

This has crucial theoretical implication for Indians' access to citizenship when citizenship is not merely seen as a body of legal rights, but as a concept constituted of active political participation. According to Mouffe (1992:235), citizenship can be understood as “the political identity that is created through identification with the republica”. She notes that the liberal focus on “individuals and their rights” (1992:230) has failed to give guidelines and content regarding the practical application of political, civil and social rights, as a citizen cannot be seen properly in isolation from her political community (ibid:4). Marshall's definition is therefore limited in addressing questions of citizenship in countries that have to accommodate aboriginality and ethical complexity (Turner, 1992:59), such as Latin America. Here, the “common political identity” which Mouffe (1992:225) finds indispensable for democratically accommodating indigenous demands is difficult to achieve: indigenous peoples are historically alienated from what then became ‘their country’; in fact, the legacies of colonialism and the domination of the ruling class in terms of culture, ethnicity and race are still prevalent today (Jelin, 1996:107). Practically exercising their political and civil rights proves difficult for indigenous individuals as well, since malnutrition, poverty and detrimental health conditions continue to be “endemic” to indigenous communities (Stavenhagen, 1996:142). Additionally, the media and government policies in Latin America still operate with clichés and stereotypes regarding indigenous peoples, causing the “failure to see contemporary communities (...) as citizens” (Warren and Jackson 2002:20-21). Thus, despite formally possessing the same constitutional rights as all members of society, Indians are not only in terms of identification but also practically often unable to claim their rights or to exercise their responsibilities (Stavenhagen, 1996:145).

Out of the three categories of liberal citizen's rights, it is usually social rights that Indians have been granted. That Latin American States have traditionally provided social services to Indians is easily reconcilable with the patronage system as it is partly relying on the “gratitude” (Taylor, 2004:215) of the poor. Furthermore, the concentration on social services is not necessarily linked to the achievement of political and civil rights, but rather it has served to marginalize issues concerning civil rights and political democracy (Jelin, 1996:108). For example, until the 1960s the majority of Latin states rarely respected civil or political rights of indigenous peoples but provided welfare by summarizing them in a corporate sector with the peasants (Yashar, 1998:33). Though this conflated indigenous identity with peasant identity, the institutionalization of corporative forms of interest granted Indians some access to the state (ibid.). It nonetheless reinforced the patron-client relationship between the state and the indigenous, pacifying Indians with “piecemeal access” to their basic rights (ibid.:34). The emergence of organized and strong indigenous movements whose demands go significantly beyond welfare issues (Warren and Jackson, 2002:2-3,13) is a more recent development. Their explicit focus on indigenous identity is a further break with tradition, as Indians had usually been the “reserve of peasant unions, political parties, churches and revolutionaries”(Yashar, 1998:23).

This can be explained by the fact that the new political and economical development simultaneously pressed indigenous movements and made them feasible. Where Latin states implemented neo-liberal policies – which generally require the contraction of welfare, agricultural subsidies and the prioritization of business interests- the granting of liberal rights such as individual representation rarely took place (ibid:36). This creates a particularly dreadful situation for Indians: they lost what they had obtained as clients, and they also did not possess the political and legal means to defend themselves against businesses and capital planners who want to exploit indigenous territories (Holloway and Pelaez, 2002:1). The loss of access to all spheres of the political system and material

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benefits which the reversal of patronage policies entailed led Indians to turn to local forms of identity and organization to reclaim their social rights (Yashar: 1998:36). However, the political liberalization also enabled indigenous peoples to make thorough use of Human Rights Declarations and UN provisions to internationally back their plight for recognition and respect as a people. It also facilitated the creation of legal movements (Yashar: 1998:33) and pushed Latin democracies to strengthen their “fragile legitimacy” by including larger sections of society (Van Cott, 2000:208).

By demanding that the state respect and recognize not only their individual and cultural rights but also indigenous territorial boundaries, indigenous customary law and community rights, indigenous movements confront the state with the stark heterogeneity of Latin American nations (Yashar, 2005:285). When recalling the historical conditions under which the Latin State and consequently its pluri-nationality were created, the legitimacy of the contemporary nation state and its practice of tying citizenship to state-membership (Yashar, 2005) becomes highly questionable. This opens the debate of how to accommodate pluralism in contemporary liberal democracy in general. Political liberalism guarantees both “the defence of pluralism and the respect of individual freedom” (Mouffe, 1992:1), which can automatically create tensions when some national groups insist on practices that could unjustly infringe upon an individual’s liberty. This is best illustrated by the fact that indigenous customary law can “trample” on liberal principles- for example, due to the focus on collectivism, indigenous verdicts may affect not only the perpetrator of a crime, but his family (Van Cott, 2000:215), thus violating the rights of an innocent family member. This parallels the tension between the idea of universal human rights and pluralism, which implies the necessity of concessions to cultural relativism (Jelin, 1996:105). However, the essay strongly agrees with Mouffe (1992:12) that “modern democracy is not based on a relativist conception of the world” and that accepting all differences is undesirable if democracy is to be maintained. Assuming that “citizenship as well as rights are forever undergoing the process of construction and transformation” (Jelin, 1996:104) would already contest the essentialism associated with liberal democratic ideas such as universal rights. Understanding citizenship as being in flux, as being a political identity, would enable the accommodation of the ethnical pluralism Indians demand without jeopardizing liberal democratic principles (Mouffe, 1992). However, it would require a radicalization of democratic principles regarding pluralism (ibid.). This would also challenge the liberal idea of “one overarching political culture” (Yashar, 2005:286). Examples of indigenous movements in Mexico and Columbia illustrate this point:

Mexican Indians used to play an insignificant role in Mexican politics (Yashar, 1998:26) until the Zapatistas, an armed indigenous movement, rebelled in Chiapas in 1994 (Lorenzano, 2002:127). Their uprising was initiated by the reversal of patronage policies that had entitled their tribes to 54% of Chiapas’ territory and to agricultural subsidies (Yashar, 1998:33). While the movement challenged state authority through armed occupation of cities and marches, most methods were peaceful. For several years, the Zapatistas fought with the government via indigenous conferences, public dialogues and negotiations (Holloway and Pearez, 2002). They also used the media so skilfully that their movement drew immense numbers of non-indigenous supporters within Mexico and abroad (ibid.). This eventually forced the government to grant Chiapas and other indigenous regions in Mexico autonomy and to constitutionally recognize indigenous peoples and their rights (Van Cott, 2000).

This success was partly related to the unprecedented vocabulary and strategy Zapatistas employed to achieve their objectives (Lorenzano, 2002:127): Firstly, they declared they were not striving for power, as struggling for power was central to the system they despised (Holloway and Pelaez, 2002:4-5). Consequently, the Zapatistas refused to become part of the system by never institutionalizing themselves in a political party (ibid.). Secondly, they were armed, but rather than being rebels with a social base, Zapatistas were the base; a “community in arms” that

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had “assimilated (...) the community-based democratic culture.” (Lorenzano, 2002:128). Hence, decisions regarding strategy and negotiations with the government were agreed upon via direct democracy among all members of the movement (Holloway and Pelaez, 2002:8). This links into the ‘Zapatismo’ concept of ‘command obeying’, which demands that those ruling are revocable by those that are ruled (Lorenzano, 2002:128).

The pushing for the accountability of public officials through ‘command-obeying’ clearly aligns ‘Zapatismo’ with central principles of citizenship movements (Jelin, 1996:113). The desire for deep citizenship is further expressed in Zapatista leader Marcos’ (1999) explanation that the democracy demanded in their rallying cry “democracy, freedom and justice” is “a democracy that will create a new relationship between those who govern and those who are governed”. His criticism of the pervasiveness of dominion in social relationships identifies Marcos as radical democrat. His (1999) demand for “new politics” that enshrines “continual participation of the citizens, not only as consumers of electoral proposals, but also as political actors” is further proof that Zapatistas envision not only a fuller application of liberal citizenship, but a move towards a highly participatory, identity based approach which could deepen democracy if the Mexican government upheld the concessions it made.

A different outcome marks the movements of Colombia. Though Colombia’s Indians constitute only 2% of the population, Columbia is most progressive in constitutionally enshrining indigenous rights (Van Cott, 2000). This was achieved by a three decade long indigenous struggle triggered by vanishing access to land. As Stavenhagen (1996:143) notes, “the problem of land is fundamental for Indians throughout the continent.” To regain their territory, Columbian Indians organized themselves in the Consejo Regional Indigena del Cauca (CRIC), a movement that was built around indigenous identity because both the Marxist peasant movement (ANUC) and the Columbian Armed Revolutionary Forces (FARC) pursued interests contra to the Indian’s objectives (Ramos, 2002:261-262). Despite incurring heavy losses due to attacks from the government, FARC and ANUC, the Indians still retrieved much of their territory, and achieved the constitutional granting of their rights in 1991 (ibid.). However, unlike the Zapatistas, Columbian Indians integrated their force into the political and electoral system.

How far this has deepened democracy and citizenship is ambiguous. The elevation of indigenous people to citizens with special rights indicates a deepening of the pluralistic principles of democracy. However, paradoxically, the political mobilization of Indians became impeded as they were sucked into the government agenda (Gonzales, 2002:11). Furthermore, some Indian officials felt pushed to adopt methods of clientelism and corruption, which alienated them from indigenous communities (ibid.). Having to work “government-style” undermines the respect for indigenous traditions the new constitution is supposed to grant (Ramos, 2002:263). This demonstrates that simply incorporating Indians into the given structures does not satisfactorily solve the problem of exclusion and ethnic discrimination. It supports Mouffe’s point that only a more radical, plural democracy that facilitates coexistence of cultures instead of assimilating them could lead to more equality among the different groups.

Throughout this essay it has been demonstrated that oftentimes indigenous movements are not challenging ideas of citizenship but client-ship in Latin America, which actually deepens democracy. Though initially the movements aimed to reclaim social benefits and land that was lost under neo-liberal policies, their focus on indigenous identity and the demand for recognition of their cultural distinctiveness goes beyond material claims. Indigenous movements point out the irregular implementation of liberal principles throughout Latin America (Yashar, 2005) and they challenge the legitimacy of the state by revealing its ethical bias and its exclusive idea of citizenship. Fulfilling Indigenous peoples’ demands deepens liberal democracy because it substantiates its promises of unbiased equality and justice with content. However, it has also been noted that while indigenous peoples use liberal and

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radical democratic rhetoric, they will not necessarily adhere to liberal principles once their autonomy has been granted. This essay argues that limits to pluralism have to be set if democracy is not to destabilize under cultural relativism. Coordinating multi-ethnicity and legal pluralism without jeopardizing liberal principles could be achieved through radicalizing provisions for pluralism in liberal democracy and expanding the notion of citizenship beyond the liberal interpretation, as Mouffe suggests (1992). Drawing on both liberal ideals and the communitarian point about setting the individual into context to her community could create a political culture that enables large sections of society to participate in democratic processes. It undermines the notion of a nation state having to be culturally homogenous (Stavenhagen, 1996:142), implying that if liberal democracy is to be maintained, it needs to broaden its scope for alternatives. Finally, while constitutionally recognizing Indians as a people with special rights is an important step in deepening democracy, the essay agrees that "racism, intolerance and greed are not automatically soluble into the text of a constitution" (Ramos, 2002:263). Through their public struggle, Indians work to destroy prejudice and stereotypes about indigenosity and raise awareness about citizen's rights, which can transform the contemporary political culture of hierarchy and exclusion into one of diversity and acceptance. Taking indigenous propositions into account could lead towards a new politics of inclusion, which -recalling the practical inequalities between the classes- would benefit civil society in Latin America as a whole.

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