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ARTICLE: CLUSTER VII: RACE, GENDER, AND SEXUALITY: Indigenous Issues and the Ethics of Dialogue in LatCrit Theory

Ofelia Schutte*

BIO:

* Professor Ofelia Schutte is Professor of Women's Studies and Philosophy at the University of South Florida. Her areas of research and teaching are feminist theory, Latin American social thought, philosophy of culture, and continental philosophy. She is the author of *Beyond Nihilism: Nietzsche without Masks* and *Cultural Identity and Social Liberation in Latin American Thought* as well as numerous articles and essays on feminist Latin American, and European continental philosophy. Her current interests include all of the above with a focus on theorizing Latin American, postcolonial, and transnational feminisms.

SUMMARY: ... " This panel looks at the construction of identity among indigenous activists in Latin America and its implications for critical theory and activism relevant to Latinas/os in the United States. ... Rigoberta Menchu states that it is not easy, in the context of all the world's peoples and their specific historical circumstances, to define the concepts of "indigenous," "ethnic," or "minority. ... She points out - and this is of interest to Latinas/os in the U.S. - that many of the struggles of minority groups share much in common with those of indigenous groups. ... Yet, despite our differences, one thing we have in common with indigenous peoples is our critique of and struggle against systems of oppression that violate the rights of the vulnerable. ... If we rely exclusively on Western conceptual frameworks to validate the claims of indigenous people to their own culture and to the land, we may never understand the ways in which indigenous peoples look at the universe or the way they think of us. ... Many Latinas/os, as other ethnic and racial minorities, have felt the burdens of racism or other forms of discrimination. ...

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The Sixth LatCrit conference asks everyone to inquire critically into ways that shed light on and explain "the North/South character of Latino/a transnationality." n1 This panel looks at the construction of identity among indigenous activists in Latin America and its implications for critical theory and activism relevant to

Latinas/os in the United States. One might say then that our discussion takes place in an international or transnational conceptual and political framework. Although conceivably one could carry on this discussion transnationally, without the mediation of references to national states, I propose to proceed first using an international framework in which identities and the rights claimed with regard to them are claimed with respect to national states (the United States or Mexico, for example). Even when indigenous activists work at a transnational level, their proposals are often brought to the United Nations, a body made up of representatives of national states. Legal reforms regarding the legal status of the groups in question must be executed and approved by national states. Human rights claims, as well, are brought against particular states, even if these concerns are voiced by transnational associations or communities. While the identities that we are dealing with transcend national borders and seek solidarity across the hemisphere and beyond, it is important to situate at least some of the processes of indigenous and Latina/o empowerment vis-a-vis the states governing the laws applying to such groups.

In approaching the issue of how Latinas/os in the United States might engage across national borders with the ideals of indigenous [*1022] peoples, my first question is: insofar as neither Latinas/os in the United States nor indigenous peoples in the various countries of this hemisphere constitute the dominant voices of power in any state, to what extent are our concerns either similar or different in kind? On what basis might there be cooperation between us?

My second question is: insofar as many Latinas/os in the United States are connected in various ways to our countries of origin in Latin America, and to the extent that our countries of origin so far either have participated in the historical oppression of indigenous peoples or have neglected to promote their access to basic economic, social, and political rights or freedoms, are there special ethical or moral considerations that should bind our interaction with the indigenous peoples of the continent or with those popular movements intended to enhance indigenous rights?

In dealing with victims of oppression and/or discrimination, it is reasonable to hold that they should be active agents of their empowerment. One of the things cherished by individuals and groups seeking

empowerment is the capacity to name their own oppressions and not to have these named and categorized by outsiders to their plight and suffering. Another is for groups to name themselves rather than be named by others. In this spirit, I believe it is not for me or for other non-indigenous persons to develop theoretical positions on ethnicity that we would then apply to indigenous people as objects of our analysis. Even if well intended, such an approach fails the test of reciprocity when dealing with persons and groups that may be equally, if not, far more marginalized than ourselves. Rather, I will begin with their positions as a first consideration for engaging in a relationship of mutual respect on both sides, as two democratically oriented constituencies either seeking reforms or radical transformations in the spheres of justice and rights.

In her memoirs, *Crossing Borders*, Nobel Peace Laureate Rigoberta Menchu narrates the struggles of her many years of activism before the United Nations on behalf of indigenous peoples. n2 She states that after the Berlin Wall fell in 1989, the United Nations faced a difficult issue. "It concerned the difference between 'indigenous peoples' and 'ethnic minorities.'" n3 The ethnic minorities from Eastern Europe were demanding a voice. Rigoberta Menchu states that it is not easy, in the context of all the world's peoples and their specific historical circumstances, to define the concepts of "indigenous," "ethnic," or "minority." n4 "If we mix the issue of indigenous peoples with groups that are considered minorities within their territory," [*1023] she warns, "we get into a debate that has no solution either in the short or the long term" n5

These are very strong words. Menchu points out that the concept of ethnic minorities is very broad, in that it includes the "religious and cultural diversity" of peoples around the world. n6 She takes the concept of indigenous peoples to be far more specific and distinct in character. n7 The origins and characteristics of indigenous peoples include "ancient cultures with very deep roots," such as the peoples in the Americas whom Christopher Columbus confused with the population of India. n8 Indigenous peoples in the Pacific, Australia, and New Zealand have also been colonized. In this regard, it is relevant to speak of them as "original peoples," "founding peoples," or "peoples from regions of ancient cultures." n9 Menchu charges that some governments confuse the issue by throwing together the concerns of indigenous peoples and other minorities. n10 This distorts the rights and claims of indigenous peoples as well as those of minorities, she adds. n11

Rigoberta Menchu holds that minority groups arise not only due to historical reasons, but also because of the

fragmentations found in modern capitalist societies. n12 In her view, minorities can be any vulnerable group - ranging from AIDS sufferers or war victims to people from different ethnic groups. n13 She points out - and this is of interest to Latinas/os in the U.S. - that many of the struggles of minority groups share much in common with those of indigenous groups. n14

Both dream of living under a new and fairer judicial system. I see their struggle and ours as one. We suffer the same racism, exploitation and distortion of our reality... . In these circumstances, women, indigenous peoples and minorities must join hands and fight for their common interests. While aware of our differences, we must embrace this cause together. n15

One important thing to learn from indigenous peoples' struggles for justice in this hemisphere is that they base their claim to land on the fact that, of all peoples residing in the Americas, their ancestors were the first to inhabit these lands. Those of us in the Latin American diaspora who face racism, ethnic prejudice, and other forms of [*1024] discrimination cannot claim that we belong to "first peoples" or that we have a right to land. Some of us in the island of Puerto Rico or in the southwestern United States have ancestors who were colonized in their own lands, but even then only a fraction in the Southwest would be related to first peoples. Yet, despite our differences, one thing we have in common with indigenous peoples is our critique of and struggle against systems of oppression that violate the rights of the vulnerable. Although we have common goals, to understand the specificities of indigenous peoples' concerns with respect to the world we share with them, we need to ask, in the spirit of dialogue, what are some of the values of indigenous peoples from which we and others in the West can learn?

As has been widely acknowledged, indigenous peoples can enrich the societies they interact with by contributing alternative perspectives on the relationship between culture and nature. For example, Rigoberta Menchu mentions that the Mayan world considers three basic elements in its vision of the universe: society (including individuals, families, communities); nature (including environment, space, territory); and the sacred (including divinities and ritual). n16 Because indigenous peoples have a special relationship to the land and to the earth, the Western world may learn more balanced ways of treating the earth if it learns to appreciate indigenous contributions to culture and civilization. Indigenous peoples' sense of closeness to the earth also helps them to build balanced communities. Menchu states: "Mother Earth, for us, is not simply a symbolic expression. She is the source,

the root, the origin of our culture and our existence." n17 She believes the cause of so many wars and inequalities lies in forgetting our dependence on the earth and on the nurturing elements of a community. n18

Following the thoughts that Rigoberta Menchu lays out in this book, I also believe she brings an important perspective to our debates on identity. In the West, identity is all-too-often thought of as something fixed. It is something attributed to individuals and thought to be co-existent with the life of each individual. In Menchu's view, which she attributes to her Mayan heritage, identity is larger than the individual self. I will quote her words in full, since their poetical quality cannot be summarized easily:

Identity passes through the community, it passes along pavements, it passes down veins, and it exists in thoughts. Identity is the pride I have in my roots and in creating something new. Each day it provides the chance to be reborn, to flower again, [*1025] to be rejuvenated. Identity is not studied in a dark room. It is like the nawaal, the shadow that accompanies you. It is the other, the one beside you. n19

This other beside you, she goes on to explain, can be another living being or an element of nature: "an animal, a sheep, a deer or a coyote. It can also be a hill or a tree. Or it can be a mere shadow transported on the wind or scurrying along paths." n20 Identity beyond this life is imagined in terms of the communities and the natural entities that survive the individual, and that, to some extent, provided the person's ancestry. The shadowed identity - for example, the hill or the tree - can live longer than the person. n21 For someone of Rigoberta Menchu's beliefs, shadowed identities convey elements in life forms allowing something invisible to become "visibly incarnate." n22

If we rely exclusively on Western conceptual frameworks to validate the claims of indigenous people to their own culture and to the land, we may never understand the ways in which indigenous peoples look at the universe or the way they think of us. We may miss out on the wisdom their ancient cultures convey. Though I consider this a loss for the West, failure to understand indigenous cultures is no excuse for violating the dignity or rights of indigenous peoples. Indeed, if sympathetic to the indigenous demand for the recognition of their human rights, the Western mind is fully capable of recognizing the exploitation perpetrated against the indigenous peoples of the world by the nations that conquered them and their territories.

Critics of indigenous peoples' exploitation in Latin America note that the official policy of modern Latin

American states has been to "integrate" the indigenous population into the nation's social and economic goals, as defined by the national ruling classes. n23 The effects of these policies have had "catastrophic" effects for indigenous peoples. As the sociologist Rodolfo Stavenhagen observes, "every kind of violation [of indigenous peoples' rights] has taken place: from genocide to political exclusion and social and economic discrimination." n24 To the record of genocide, exclusion, and discrimination I would add a further problem: the West controls the conceptual framework of [*1026] rights, contracts, and obligations according to which it judges the merits of indigenous peoples' claims. In principle this constitutes an epistemic violation of indigenous peoples' self-generated views of the universe. Yet even within this Western-dominant framework there are two internationally accepted principles that seem to be instrumental to furthering indigenous peoples' claims. One is the principle of the autonomy or self-determination of peoples. The other is the international consensus regarding human rights. n25 As Berta Hernandez-Truyol and Sharon Rush demonstrate in a recent article, it is not enough to apply the concept of human rights as agreed to globally to intervene in a local context; we must also let local contexts (including issues of race, ethnicity, and sexuality) transform and expand our understanding of human rights. n26 Or, as Latin American theorists have argued, the very thought that indigenous peoples and ethnic minorities have rights shows that the abstract notion of human rights is dependent on culturally specific situations to inform its meaning. n27

Invoking the notion of human rights in such a contextual sense, Stavenhagen argues that human rights criteria allow us to see that Latin American states' "desired 'integration' largely has meant the destruction of indigenous cultures and identities through assimilationist policies, with ethnocidal consequences." n28 He observes that while "ethnocide" does not appear as a violation of human rights in juridical documents, nevertheless it is regarded as such since it contradicts "the right to culture" referred to in Article 15 of the United Nations' International Convention on Economic, Social and Cultural Rights. n29 According to this view of human rights, indigenous peoples are entitled to preserve, transmit, and bring new life to their cultural traditions even if these seem "backward" or "useless" to the dominant West. The meditation on Rigoberta Menchu's Mayan notion of identity, so unfamiliar to the West, belongs in this category. While it is reassuring that an important Western principle can be employed to protect the Mayans' right to profess a non-Western view of identity, it is disappointing that the

legitimacy of indigenous people's rights does not proceed directly from their own cultural categories and traditions. Still, Westerners must endeavor to secure and expand the concept of human rights so that it will indeed protect those who are [*1027] truly vulnerable - and may have been so for centuries - on account of their identities, beliefs, or lifestyles.

Some Latinas/os in the United States may perceive that we do not fit the cultural norms expected of Latinas/os within our own communities (as may happen due to political, gender, sexual orientation, or other deviations from the norm), or perhaps more generally that we do not fit the cultural norms or expectations of the Anglo majorities (in terms of lifestyles, family patterns, religious beliefs, or other factors). Many Latinas/os, as other ethnic and racial minorities, have felt the burdens of racism or other forms of discrimination. For these reasons, we may feel a special affinity with the plight of indigenous peoples whose social participation and relevance is silenced because they deviate from a dominant social norm. We need to remember our predecessors in Latin America who developed inclusive concepts of political and cultural identity, acting in solidarity with the indigenous peoples of the continent. Examples include the Cuban, Jose Marti (1853-1895), who developed the ethnically and racially inclusive notion of "nuestra America" and the Peruvian, Jose Carlos Mariategui (1894-1930), who supported an indigenista transformation of Peruvian values. n30 We also need to see, in contemporary indigenous struggles for dignity and recognition, politically worthy causes whose urgency must be addressed. Understanding the danger of abjecting that which is different from the status quo, and the injustice suffered by those who become the targets of such abjection, LatCrit Theory revindicates the rights of marginalized and underrepresented groups struggling for a more just and balanced world.

With regard to the principle of the self-determination of peoples, used by indigenous activism to claim the restoration of lands usurped from them by colonizers, international norms accept the right of peoples but not necessarily of ethnic minorities to self-determination. n31 Indigenous groups from Latin America have insisted on identifying as "peoples," while North American groups have referred to themselves as "nations" (e.g., first nations). n32 These claims are set against specific Latin American states, and Latinas/os in the United States are, relatively speaking, politically distant from this situation. Yet insofar as we relate to these Latin American countries as our original homes or the homes of our ancestors, we must guard against becoming complicit in the historical racism and exploitation exercised by the ruling classes of Latin America against the indigenous peoples of the

continent. Indeed, many Latin Americans today support progressive [*1028] measures of social and political inclusion regarding indigenous rights and the just treatment of indigenous communities. Moreover, either on their own or through collaborative research, some have contributed to a better understanding of both indigenous and mixed-raced peoples in racially hierarchical and masculine-dominant societies, where ethnic and racial discrimination are commonplace. n33 In Bolivia, for example, the Taller de Historia Oral Andina (a working group documenting Andean peoples' oral history) has issued a number of working papers based on the direct interaction with indigenous groups. Among the working papers published, one is devoted to presenting the voices of Quechua and Aymara women, in their original languages, as they narrate their memories of women's participation in early twentieth-century indigenous rebellions. n34 From these types of studies undertaken out of an ethical and political vision of a world where ethnic, racial, and gender discrimination will cease, it is possible to see how transnational alliances may be built among Latina/os, Latin Americans, and indigenous peoples seeking relief from discrimination and oppression. In addition, such studies support, at the national level, legal reforms and public policy aimed at achieving at least the basic conditions of equity and respectful standing in the broader community deserved by indigenous people.

In conclusion, to return to the two questions posed at the outset: there are no simple answers, but there are some precedents of respect, dialogue, and reciprocity that promise mutual relations of solidarity and understanding for those ready to undertake this inclusive vision. First, as Rigoberta Menchu recognizes, ethnic minorities, women, and others who see current systems of oppression as limiting their lives and freedom have common objectives in uniting. However, Menchu advises us that we must not forget the integrity of each group's claim and must not collapse them all into one. Second, there is a need for an ethical reconstruction of our identities as Latinas/os in such a way that the Latina/o identity embraces, rather than abjects, the indigenous peoples' struggles against institutions, structures, and policies that have oppressed them for centuries. There is no reason for those of us who were not part of the conquest and colonization of the Americas to become contemporary accomplices or instruments of the historic exploitation of indigenous peoples. The support for indigenous rights requires a transvaluation of colonial values and a restructuring of social and economic relations in Latin American [*1029] societies, including a restructuring of the value given to ecological and gender issues. In return, we need to communicate to indigenous peoples

why we in the West fight for various liberatory causes, such as feminism and women's rights. The first step is to build trust so that there can be meaningful dialogue.

FOOTNOTE-1:

n1. Substantive Program Outline, Latinas/os and the Americas: Centering North-South Frameworks in LatCrit Theory, Sixth Annual LatCrit Conference 1 (1991) (on file with author).

n2. Rigoberta Menchu, *Crossing Borders* (Ann Wright trans., ed., 1998).

n3. *Id.* at 148-49.

n4. *Id.* at 149.

n5. *Id.*

n6. *Id.* at 150.

n7. *Id.*

n8. *Id.*

n9. *Id.*

n10. *Id.*

n11. *Id.*

n12. *Id.* at 150-51.

n13. *Id.* at 151.

n14. *Id.*

n15. *Id.*

n16. *Id.* at 151-52.

n17. *Id.* at 152.

n18. *Id.*

n19. *Id.* at 226.

n20. *Id.* at 227.

n21. *Id.*

n22. *Id.* at 226.

n23. Rodolfo Stavenhagen, *Indigenous Rights: Some Conceptual Problems*, in *Constructing Democracy: Human Rights, Citizenship and Society in Latin America* 141, 142, 144, 147 (Elizabeth Jelin & Eric Hershberg eds., 1996).

n24. Rodolfo Stavenhagen, *Caracas: Nueva Sociedad*, in *Construir la Democracia: Derechos Humanos, Ciudadania y Sociedad en America Latina* 151, 157 (Elizabeth Jelin & Eric Hershberg eds., 1996) (author's translation).

n25. Stavenhagen, *supra* note 23, at 146-57.

n26. Berta Esperanza Hernandez-Truyol & Sharon Elizabeth Rush, *Culture, Nationhood, and the Human Rights Ideal*, *U. Mich. J. L. Reform* 233, 253 (2000).

n27. Elizabeth Jelin & Eric Hershberg, *Introduction*, in *Constructing Democracy: Human Rights, Citizenship and Society in Latin America* 1, 7-8 (Elizabeth Jelin & Eric Hershberg eds., 1996).

n28. Stavenhagen, *supra* note 23, at 147.

n29. *Id.*

n30. Ofelia Schutte, *Cultural Identity and Social Liberation in Latin American Thought* 57-71, 122-23 (1993).

n31. Stavenhagen, *supra* note 23, at 154-55.

n32. *Id.* at 156.

n33. Silvia Rivera Cusicanqui, *Los Desafios para una Democracia Etnica y Generica en los Albores del Tercer Milenio*, in *Ser Mujer Indigena, Chola o Birlocha en la Bolivia Postcolonial de los Años 90* (La Paz: Ministerio de Desarrollo Humano) (Silvia Rivera Cusicanqui et al. eds., 1996).

n34. *Taller de Historia Oral Andina, Mujer y Resistencia Comunitaria: Historia y Memoria* (La Paz: Instituto de Historia Social Boliviana 1986).

