

STILL BITING THE DUST?
***INDIGENOUS GROUPS AND GLOBALIZATION,
MEXICO'S DILEMMA AND LATIN LESSONS***

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Introduction:

Just as the Cold War dramatized the schism between communism and capitalism, the post-Cold War blatantly exposes an even older, but suddenly more urgent, discontinuity: between indigenous lifestyles and modernization. One permutation or another of this chasm litters every corner of the world, from the aborigines of Australia, Micronesians, Polynesians, and Indonesians spanning two oceans, ethnic clusters across the Himalayas, the even more numerous tribes criss-crossing Africa, to the multiple Indian groups in the Americas. It is in Christopher Columbus's New World where the hope of surviving globalization seems most promising today. Why so is the subject I address.

Even as they are trapped in the cross-winds of globalization, liberalization, and democratization (GLAD), Amerindians increasingly utilize these forces to search for exits. Globalization generates the *empty-box syndrome* (Korzeniewicz & Smith 2000:7-23), under which expectations are raised but rarely fulfilled; liberalization privatizes collectively-owned ancestral lands (Harris, 1998:77-98); and democratization buries minority claims (Yashar, 1999:76-109). Yet, indigenous groups find in globalization processes the means to concatenate with each other across national boundaries, that too for the first time, and also enter networks with urban and foreign activists. Three sets of consequences demand attention: The most localized of concerns now reaches the widest of global audience; a variety of legislations are being spun out to protect indigenous rights; and a legacy of military confrontation is giving way to negotiation, sporadic and glacially slow though the conversion may be.

These dynamics are not only advanced in Mexico, but the country's experiences in Chiapas also serve as a microcosm of other Latin societies. Home to more than 40% of the hemisphere's Indians, Mexico has for long been making waves--first when Article

27 of the 1917 Constitution created *ejidos*, or communal lands, for indigenous groups; then when Lazaro Cárdenas corporatized them from 1934; and more recently with the *Ejercito Zapatistas Liberación Nacional* (EZLN) uprisings in Chiapas in 1994 against GLAD forces. Under the shrewd Subcomandante Insurgente Marcos, the EZLN subtly shifted the tools of their protest from military hardware to computer software. Remote Chiapas not only joined the list of well-established global hot-spots, like Baghdad, Belfast, or Beirut, but also became some sort of a Mecca of global socialists, left-over anarchists, perennial peace activists, opportunistic politicians, salvation-seeking preachers, and what the Mexican government once called the *third army*, insatiated journalists. What we today dub the *Seattle-effect* started in fits and starts in Mexico's Lacandón jungles. It is here the march "from sub-human to political subjects" became a symbol (Brysk, 2000: 26.).

Through a combination of guerrilla, conventional, and *Internet* warfare (Rich, 1997: 84), the *Zapatistas* transformed resentment against GLAD forces, which had been accumulating since 1983 when the EZLN was established, into the Law on Indigenous Rights and Culture. Although passed by the Mexican Senate in April 2001 (Communiqué, 2001), the final product did not please the *Zapatistas* (Rodríguez Lasano, 2001). Even as a spotty legislation, though, it legitimizes various concerns, actions, and players hitherto found only on the fringes of society. As it reflects the ricocheting effects of transnational and localized pressures upon each other, Latin countries will be closely following its fortunes!

Navigating through a sea of developments, this paper asks three questions: Why does this legislation fall short of EZLN demands? What makes the indigenous issue the *sine qua non* of Mexican liberalization and democratization? How do we find policy-

making relevance for the rest of the hemisphere from a Mexican case study? Once addressed, I draw some conclusions and project implications along hemispheric lines!

Emerging Demands:

Although consistent with the campaign promises Vicente Fox Quesada made, the Indigenous Bill is not popular with indigenous groups. Their dissatisfaction stems not from the imposition of additional threats, but from not going far enough, which raises questions about the original expectations. Four analytical dimensions of the demand-supply nexus shed light on the current dilemma, how it evolved, and where it may be headed: (a) politicizing the San Andrés Larráinzar Agreements of February 1996; (b) the marriage of convenience between urban romanticists/revolutionaries and increasingly agitated indigenous leaders; (c) the tactics of media-savvy, enigmatic Marcos; and (d) the EZLA strategy over the years. I treat these in reverse order.

EZLN Strategy:

Central to the EZLN strategy is land ownership: to not just keep ancestral land in indigenous hands, but to use it as the wherewithal of preserving indigenous culture. How the term is interpreted gets to the heart of the problem.

What modern society calls *land* is seen by indigenous groups as *territory* (Brysk, 61-62). To the former, land is treated in economic terms--as a means of production, prosperity, fame, and fortune. Private ownership becomes the standard of measurement. Viewed as *territory*, however, land goes beyond economic identity into cultural identity (García-Aguilar, 1999:79-89): Ownership is collective property; the division of labor it breeds assigns every man and woman a well defined role regardless of what in modern parlance would be dubbed gender inequality; and environmental preservation is so automatic as to make today's society look too mechanical for its own good. This symbiotic relationship was broken by Spanish invaders through the *first conquest*

affecting *lowland* Indians; then when the state emerged from the nineteenth century down to the present-day extraction of resources from the remote countryside, a *second conquest* targeting *highland* Indians got underway (Maybury-Lewis, 1984: 129-33).

Mexico's *Mayans* belong to this second group (Nash, 1995:7-41), as do the *Nahuas* in Guerrero, among others. The case study of Chiapas offers insights on Mexico's other embattled *indios*, as well as their Latin American counterparts. Central American *Mayans*, for instance, are distant cousins of *Chiapanecos*, and face even harsher conditions. Guatemala, the Latin country with the highest proportion of indigenous peoples in the overall population, has also persecuted more natives than any others--an issue currently being revisited under GLAD pressures for criminal investigation. South American highlanders include the *Sendero Iluminoso* in Peru and *Yanomami* in Brazil (Ramos, 1998), among others. Many tribes are mixed or distributed across national boundaries, including the *Shuars* in Ecuador (Korovkin, 1997:89-110), *Aymaras* in Bolivia and Peru (Stavig, 1999), and the *Miskitos* in Nicaragua. Intermingling, in turn, not only weakens the indigenous population from within, but also strengthens assimilation into national cultural patterns, which then imposes an external constraint on *indígena* perpetuation. This is significant because transnational groups seem more interested in preserving and revitalizing highland culture than lowland, in part because the former is less diluted, in part because it offers a more fertile playground to investigate human rights violations and the consequences of GLAD.

Land is not a new source of political controversy in Mexico. Table 1 chronicles how it catalyzed many movements and revolutions. Emiliano Zapata's name stands out among all others for championing indigenous claims against plantation-owners at the start of the last century. Although murdered, his legacy lives on in Article 27 of the 1917 Constitution, which restored the *ejidos* lost to the Lerdo Law of 1856. Lazaro

Cárdenas corporatized the *ejidos* after 1934. He became Mexico's most beloved president not just for nationalizing oil, which restored Mexican pride, or for shifting to import substitution industrialization (ISI), which shaped Mexican culture for half a century, but also for integrating Mexico's indigenous states into the federation through corporatist *ejido* networks. Interestingly, for as long as the Indians had claim to their land, they cared tuppence for the grinding, ever-expanding, bureaucratizing machine called the state! As soon as they were denied land ownership, they not only became restless, but also found in transnational actors a partner to challenge the state with.

Table 1 about here

Economic crisis was to rock this harmonious relationship even before Mexico embarked upon its free trade crusade. Beginning with the oil crisis of the late 1970s and fueled by the simultaneous exhaustion of import substitution, Mexican officials went to Washington abegging one bail-out after another, each of staggering proportions--this for a country that averaged an astounding 7.0% annual growth rate for twenty-odd years under ISI until the 1970s (Thorp, 1998:328). The Baker Plan of 1983 set the standards that the Brady and Clinton plans of 1988 and 1995 would respectively follow (US, OTC, 1992): liberalize, privatize, marketize! Suddenly exposed indigenous lifestyles gave revolutionary-minded, university-educated, urban middle-class citizens, who were themselves on a thin ideological diet at the time, a cause to champion. Driven also by the increasing economic hardships, some of them fanned out across the disenchanting countryside to revive the stuttering crusade against capitalism. In this maelstrom, Zapata came alive again: To be sure, concern over land became an issue again; and it was just

one step from there to converting a motley group into the EZLN, the national liberation army of Zapata created in 1983.

Between 1983 and the 1994 uprisings, the land issue moved from the proverbial frying pan to the fire, with the free trade agreement as catalyst. Carlos Salinas de Gortari proposed a free trade agreement with Mexico's *colossus of the north* at the Davos World Economic Forum in February 1990. Against Canadian reservations and indigenous opposition (Mayer, 1998:39-50), George Bush accepted it at the San Antonio summit of June that same year. The rest shook Mexico out of complacency: From gestures of privatizing nationalized sectors, Salinas introduced legislation to privatize *ejidos* at the end of 1991, which became effective in early 1992.

Not by accident, these developments and their perpetrators were already being villainized by Marcos and his cohorts through the Internet. Circumstances could not have been more conducive for the EZLN: The United Nations declared 1993 to be the Year of the Indigenous People; and NAFTA would be implemented from January 1, 1994. Those celebrating the New Year, and indeed, the general public, got a rude awakening that day as the masked EZLN stormed into four Chiapan towns: Altamirano, Las Margaritas, Ocosingo, and San Cristóbal de las Casas.

With land as centerpiece, the EZLN demands coalesced around ten points by then. These included, in no necessary order: work, housing, food, healthcare, education, independence and freedom, democracy, justice, and peace. Even a casual purview would identify this as the laundry-list of the *have-nots*. Chiapas was, in fact, *Mexico's basement* (Rich, *op. cit.*, 80, but see 72-84)--a deprived and abysmally-positioned province, with a vast majority of its 3.5m inhabitants, almost all of indigenous origins, living below the margin. Land put meaning into all those demands.

As if writing the epitaph of Chiapas sixteen months before the uprising, none other than the eloquent, pipe-smoking Marcos characterized the province's predicament in bold profile (Marcos, 1992:1-2):

". . . Chiapas loses blood through many veins: Through oil and gas ducts, electric lines, railways, through bank accounts, trucks, vans, boats and planes, through clandestine paths, gaps, and forest trails. This land continues to pay tribute to the imperialists: petroleum, electricity, cattle, money, coffee, banana, honey, corn, cacao, tobacco, sugar, soy, melon, sorghum, mamey, mango, tamarind, avocado, and Chiapaneco blood flows as a result of the thousand teeth sunk into the throat of the Mexican southeast. These raw materials, thousands of millions of tons of them, flow to Mexican ports and railroads, air and truck transportation centers. From there they are sent to different parts of the world . . . to feed imperialism."

Typical though such comments are of left-leaning urban sympathisers, they also represent reality in Chiapas. As Paul Rich, himself a Freemason Fellow at the Hoover Institution, argues, "the Chiapas guerrillas are not exaggerating when they claim that NAFTA is associated with disaster for the Mexican underclass . . . their revolt asks just what happens in a country during the free market transition period when social programs are being dismantled (Rich, 80).

The EZLN demands sought to broaden the original concern over land, and add a revolutionary charge to the changing circumstances. The first reflected a legitimate localized deprivation, the latter conveyed the degree of imported ideas and interpretations. Together they exposed how opposition to the matrimony between localized exploitation and a capitalist world economy could be pursued more convincingly through the Internet. It was a remarkable rejuvenation of the dying school of *dependencia* thinking (Amin, Arrighi, Gunder Frank, & Wallerstein 1990). It also

reconfigured the urban-rural coalition from a government-*ejido* to an intellectual-indigenous format: By inviting a global audience to pressure the national government, the EZLN hoped the external world would, paraphrasing a famous comment made within a different context, redress the imbalances of the domestic. In the process, the coalition linking peasants to the capitalist world economy found at the heart of the *dependencia* theories, also gave way to transnationalized social movements. Marcos's tactical successes epitomized the most effective strategy of the age of GLAD: The ability to hop, skip, and jump over the *national* arena to connect the *local* arena with the *international* through *societal* actors rather than the historical pattern of *economic* actors.

Marcos and the Media:

Widely believed to be Anthropology Professor Rafael Sebastián Guillén at the *Universidad Nacional Autónoma de México*, Marcos carries the indigenous message eloquently. His genius lies in making the Mexican state look hapless and helpless by comparison. To accomplish this, he broadened the specific *Chiapaneco* grievance into at least a *southern* Mexico concern, if not *national*; and initiated a *CD-ROM revolution* in the *Mayan* highlands to arouse world-wide consciousness (Rich's term, *op. cit.*, 82.).

Marcos relied on at least four tactics to broaden the specific *Chiapaneco* grievance: (a) capture quick public attention; (b) manipulate the heaven-sent opportunity of 1994 being an election year; (c) win public approval by concluding an accord with the Congress Commission on Concordance and Pacification (COCOPA), established by the Law on Dialogue; and (d) take his band of *Zapatistas* on the road to publicize the resultant legislation the way a rock band would to introduce a new album.

Marcos explicitly stated the uprising of January 1994 was to capture public attention: *Chiapanecos* had neither the resources for a sustained conflict, nor the

intention of threatening Mexican statehood. What strengthened this position, as supported by ample evidence, was that the uprisings were very localized, had virtually no outside connections, especially with fellow *Mayans* in neighboring Guatemala, and relied mostly on weapons exchanged for locally-produced crops, including drugs. In that it did not try to replace the national government or challenge Mexican sovereignty, Marcos may have been less anti-establishment and more disgruntled with specific policy directions than his popular connotations as a rebel would suggest.

A ceasefire by January 14 and initiation of negotiations from February provided the stepping stones for Marcos to connect his local concerns with national politics. Again he caught the government off-guard: It being an election year, Salinas de Gortari refrained from hounding or hindering the *Zapatistas*, with the result that Cuauhtémoc Cárdenas's PRD, which significantly threatened the PRI in the 1988 elections, explicitly took up the support of indigenous groups on the basis of *Zapatista* demands. Although connection with a political party legitimized the *Zapatistas*, it polarized the public and politics on the Chiapas issue, and would mark the beginning of what looks like a long-term decline of popular domestic support for the *Zapatistas*. When the indigenous legislation was introduced in the Mexican legislation in March 2001, evaporating popular support came back to haunt the *Zapatistas*, and Marcos in particular.

The peace negotiations dramatically exposed the *Zapatistas* as not revolutionaries or secessionists, but Mexico's Robin Hood and his Merry-men. Conducted from February 21, 1994 under COCOPA, it was headed by Bishop Sam Ruíz, whose local upbringing and sympathy for indigenous causes made him either a hero or a villain. Those negotiations culminated in the San Andrés Larráinzar Agreements in February 1996. By projecting their demands, the *Zapatistas* became less

mysterious or enigmatic to the public; and when the government refused to accept the accords, Marcos skilfully diverted public heat towards Zedillo's administration!

Capping these ploys was the shrewdly-timed March of Indigenous Dignity, appropriately dubbed the *Zapatour*, in March 2001. Laying down arms and escorted by domestic and international sympathisers, Marcos and the *Zapatistas* traveled through the critical indigenous-populated provinces before entering Mexico City. It was a fruitful finale for the six-year *indígena* struggle for recognition, highlighted the suddenly fading PRI as the stumbling block, and capitalized on Fox's campaign pledge to get an early indigenous legislation.

Through his tactics, Marcos institutionalized the indigenous movement from the grassroot-level up--not a mean accomplishment given the intensity of the GLAD forces. During August 8-10, 1994, the EZLN sponsored the National Democratic Convention in Chiapas to compensate for three setbacks: rejection of negotiations with the government by the National Electoral Convention of Indigenous Peoples in March for not going far enough; division of the State Council of Indigenous and Campesino Organizations (CEOIC) into pro-government and pro-EZLN factions; and the forgone rejection of the PRD at the polls! The EZLN even withdrew from negotiations on October 10, 1994. On Columbus Day, October 12, many indigenous groups established Autonomous Indigenous Regions, to reiterate not only their *national* rights, but to also make clear they were the *first nations* in the hemisphere (Brysk, *op. cit.*). By the time of the San Andrés accords, 15 Regional Indigenous Forums were in existence; and together they convened the National Indigenous Forum, which created the more permanent National Congress of Indian Communities in October 1996 (Almazan, 1997: 50). The emergence of the EZLN captured headlines in the news, the institutionalization of indigenous rights received less attention but grew more durable.

Turning to the second strategy, of initiating a CD-ROM revolution in the Lancandón jungles, Marcos again made full use of every tactic available. These included: (a) mobilizing international public opinion, especially through vocal sympathisers; (b) staging international conferences in Chiapas; and (c) making any resolution to the local conflict an international obligation.

For two reasons, *timing* gave the *Zapatista* movement international salience. First, coming as it did on the heels of the communist collapse in East Europe and the former Soviet Union, the *Zapatista* uprising provided one of the first platforms for ideologically-marooned sympathisers of both socialism and communism in especially West Europe, but also within North America and the rest of the world generally. Second, coinciding with the outburst of grassroots campaigns against neo-liberalism, and in favor of such issues as environmental protection and gender equality, the *Zapatista* uprising, especially as explained by Marcos, appealed to other broader, non-ideologically-oriented groups of activists. In both cases, the indigenous groups came across as underdogs, especially since the conversion of Mexico into liberalism also brought the reputation of the country being filled with corrupt officials and an easy transitway for drugs. The world awaited a capstone cause like Chiapas to ventilate its overflowing cup of concerns. In the European Union, a democratic pre-condition made it virtually impossible to conclude a trade agreement with Mexico until Ernest Zedillo instituted some of his political reforms; but members of the European Parliament still imposed more surveillance measures on Mexican democratization.

Simultaneously, Marcos engineered one conference after another in Chiapas, inviting foreign observers, delegates, and journalists to see first-hand the conditions obtaining. For example, the First Intercontinental Encounter for Humanity and Against Neoliberalism, held in 1996, brought over three-thousand mostly foreign socialists to

Lacandón; and in that same year, more than two-thousand prominent international individuals pushed the reluctant Mexican government to allow Subcomandante Ramona to attend the National Congress of Indigenous Organizations (CNI) meeting in Mexico City. Unlike Marcos, Ramona was an indigenous EZLN leader, and her frailty owing to advancing cancer, further boosted the image of indigenous people as helpless underdogs (Brysk, 160-62).

Finally, on the basis of this international connection, Marcos and the EZLN promoted one of their fundamental purposes further: Exert international pressure on the Mexican government to protect indigenous groups from GLAD processes. Not necessarily a clear-cut success, since the government frequently deported foreign journalists *en masse* from Chiapas, some argue that it actually prevented military action against the *Zapatistas* (Ribiero, 1998: 334, but see 325-52), others that it actually facilitated negotiations (Ronfeldt, *et. al.*, 1998: 63).

Marriage of Convenience:

As alluded to previously, the Zapatista movement was ignited by a marriage of disgruntled urban romanticists, many of them socialistically inclined, and increasingly agitated indigenous groups. Since the two groups originated from diametrically opposite positions of revolution and preservation, respectively, and therefore sought their common goal of change through contrasting means, the union was expected to be neither fluent nor permanent. Whereas some analysts believe their incompatible interests led to a divorce by 1995 (Lee Van Cott, *op. cit.*: 78-85), at the start of the new century, enough of the matrimony remains as to sustain their core common demands. As an offspring of that marriage, and no matter how irregular its growth and present status, the EZLN still functions and commands attention today. After all, it cannot lose popularity if it does not exist in the first place! But that all is not rosy is fairly evident.

Three coincidental developments culminated in that marriage. First, the migration of socialists and revolutionaries from the metropolitans beginning in the early 1970s to the country. Second, the simultaneous transnationalization of indigenous issues. Alison Brysk traces it to the 1971 Barbados Conference of Anthropologists, where indigenous groups were seen as being endangered, and two of the resolutions adopted sought self-determination for these groups and to politicize their plight to raise wider conscientiousness (Brysk, 18-19). Third, the World Council of Indigenous Peoples was established, comprising of groups reaching out to each other across national boundaries.

Circumstances facilitated the marriage. Tight economic conditions made both groups more interdependent; and intensifying Cold War rivalries across Central America introduced a militancy with much broader ramifications. Both fed into the very thinking of the urban revolutionaries; and they simultaneously highlighted gaps in indigenous lifestyles. The results: *indígena* mobilization, even when access to land had not yet been denied; and partnership between *indios* and disgruntled urban intellectuals.

San Andrés Larráinzar Accords: Politics and Dissent

In spite of hoopla, EZLN's March of Indigenous Dignity did not immediately produce desired results: Subcomandante Marcos did not himself address the legislators, indicating deep disagreement over the reconstructed legislation. Originally accepted as the San Andrés accords by the *Zapatistas* but rejected by the Zedillo administration, then revived by Fox's PAN government to fulfill his campaign promises, the legislation provided an opportunity for Marcos and the EZLN to come out of the jungles. This they availed of, but by not leaving their ski-masks behind them, they sent the wrong message towards the most democratically elected legislators in Mexican history. Transparency, after all, is a two-way street!

Adding more zing, Marcos even imposed new conditions on negotiating with the new government. Fox's election victory led to a honeymoon with the *Zapatistas*, which paved the way for the *Zapatour*. It was popularly believed Fox and Marcos had struck a private deal, and the appointment of a prominent indigenous woman to head that secretariat also contributed to making the hitherto supercharged atmosphere more conducive. He demanded a release of the 100-odd EZLN prisoners, withdrawal of 7 military bases from Chiapas, and the approval of the San Andrés accords. Ever the consummate poker player, Fox responded with incremental concessions: Today only about a dozen of the prisoners remain behind bars, and the last withdrawal of military bases was on April 21 from Guadalupe Tepeyac and Río Euseba (Carrillo, 2001: 2). But implementing the accords may become Fox's Achilles Heel: When the legislation was reformulated by his own party, the *Zapatistas* broke contact with Fox; and since Fox needs support from not just his own party, but also his opposition, his conciliatory approach towards Marcos raised expectations, but delivered little!

Fox is a usurper inside PAN, embraced as a candidate in the penultimate minute and with plenty of misgivings. As a party representing business interests, the Catholic Church, and the right-wing, PAN's philosophies collide with the EZLN's: In a nutshell, they support the GLAD forces, which the EZLN largely opposes. In fact, the San Andrés accords was reformulated by PAN's own leadership in the vision of party itself, and in collaboration with a prominent PRI leader, Manuel Bartlett. Curiously, Bartlett represents the die-hard old-timers, not the *tecnocrats*. Marcos reference to them as the *unholy trinity* says much of the general Mexican mainstream resistance to reforms.

Protected by foreign and domestic sympathisers, the *Zapatour* caravan went out of its way to rekindle memories of Zapata. Unfortunately for Marcos, his countrymen were in a different mood--then, and in fact from 1995: To them, the indigenous issue

was only *one* of many urgent issues, such as the devaluations of 1994-95, reaping rewards from NAFTA, especially in the upwardly mobile segment of the population that Marcos belongs to, celebrating the unprecedented democratic elections of 2000, and so forth. Marcos miscalculated enormously: His only concern was the indigenous issue; and he failed to recognize the limits of pushing violence in democratizing societies. While recognizing the evils of GLAD forces, he overlooked their blessings!

Any civilized society is expected to respect indigenous rights! The key seems to be mixing and mingling them with the demands of modern society, not imposing them through *either-or* propositions, nor denying them altogether. Living with his computers and cohorts in the Lacandón jungles, Marcos might be losing touch with reality!

How did the legislation differ from the accords? Table 2 profiles the different positions on indigenous rights. Though not an exhaustive list of the differences between the major actors, Table 2 lists six issues commonly discussed in the media and literature. How they were treated by COCOPA sets the standard against which the governmental responses are measured. As previously noted, the EZLN supported the original COCOPA proposals, which were not accepted by the Zedillo administration, and the subsequent PAN administration of Fox also disagrees on several points. Table 3 provides a perspective by summarizing the EZLN opposition to the legislation.

Table 2 about here

Table 3 about here

Party positions largely reflected long-term party philosophies. Whereas the PAN articulates interests of business groups, the Catholic Church, and those on the right of the political spectrum, the PRI became a catch-all party during its unbroken 71 years of governance, which is only consistent with its corporatist and nationalist orientations. The PRI has supported free enterprise and nationalization, free trade and protectionism, isolationism, *north americanization* and *latin americanization*, at different times. It has become conservative over privileges but liberal over policies, whereas the PAN is inherently conservative over principles, privileges, and policies. Whereas the former believes in a strong state, the latter advocates decentralization. These orientations collide with the San Andrés accords.

Party positions are examined along six policy issues in Table 2. The first of these deals with Indian rights. Both the COCOPA accords and the PRI support self-determination and autonomy for Indian communities, but the PAN subjects these to municipal laws and the constitution of the respective state in the federation. The PAN position is consistent with its philosophical support for decentralization, but challenges the core demand of Indians by depriving them of their own identity.

In terms of the forum to be used to resolve disputes from social readaptation, as the second issue illustrates, PAN's position is identical to COCOPA's, and both are different from the PRI's. Both are more flexible than the PRI and support resort to the penal establishment *preferably closest* to the residence. On the other hand, PRI favors resort only to *the closest* penal establishment to the residence. The freedom of choice extended by PAN is consistent with its laissez-faire attitude, while the denial of that freedom by the PRI is consistent with its own form of corporatism: Legal establishments, after all, were either established or approved by the PRI as part of

creating one central authority; and to permit Indian groups to turn to their own penal systems would challenge this system.

The third issue shows a general identity between the COCOPA proposal and positions of both parties. Whatever mechanisms of development were to be established were authorized to reflect the cultural peculiarities of the Indian groups. One notices here the PRI support for cultural heterogeneity, evident also on the issue of Indian rights, is not matched by its opposition to legal heterogeneity over the third issue.

Should Indian groups be guaranteed equalities in accessing the distribution of national wealth, as the fourth issue asks? Both the COCOPA proposal and PAN position support the proposition, and uncharacteristically, the PRI leaves it to individual efforts. Interestingly, the PRI assumes a position consistent with PAN-philosophy, and PAN does likewise with PRI-philosophy. This cross-over is significant: Both COCOPA and PAN see Indians as endangered groups worth preserving, but PRI sees them as no different from other citizens, which is consistent with its *one strong Mexican state* orientation. The PRI position collides with the indigenous belief that natives belong to different nationalities.

The fifth issue is controversial, addressing as it does how Indian groups are to be adjusted to electoral districts. Every position is different. COCOPA proposes basing all considerations on the location of Indian communities, utilizing uninominal or plurinominal Indian communities. Although the PRI agrees with COCOPA on the location aspect, it only accepts uninominal electoral districts. Although the mechanisms of plurinominal districts are not elaborated, they involve quotas of one kind or another for Indian representation, which flies in the face of the *one strong Mexican state* philosophy of the PRI. Even the PAN is dogmatic over electoral districting: Given its philosophical belief in decentralization, it supports geographical *distribution* of Indian

communities for representation rather than concentrate them in their individual locations, which essentially places them under the purview of each state in the federation, and subjects them further to the same demographic standards upon which ordinary citizens get their own electoral rights and representation. In essence, Indians are not given any special treatment politically as they were culturally by the PAN. From this perspective, both PAN and PRI share a similar approach.

This is accented further by the sixth issue. The COCOPA proposes leaving to the state the form of government to be established, so long as the notion of municipality autonomy is not undermined. Both PAN and PRI delegate various authorities to the municipalities, thereby validating their claims to be autonomous, but essentially leave the most important governmental authorities at the state's discretion.

Table 3 highlights the EZLN reaction to the party positions along four dimensions of the COCOPA proposals. With regards reference to indigenous communities, COCOPA sees them as entities of public *rights*, both PRI and PAN as entities of public *interest*. The difference is significant. As the EZLN retorts, Indians are seen "in a similar fashion to a Conasupo store," referring to the federal government relief agency distributing commodities (Rodríguez Lascano).

In terms of accessing, using, and enjoying natural resources of the lands and territories, both PRI and PAN subject these to constitutional provisions and other laws. PAN goes further by subjecting them to the preferential rights given third parties, a reference to the *first-come, first-served* principle. Again, this gets to the heart of the problem: What Indians see as territory with collective proprietorship, is given a private enterprise flavor by both PRI and PAN.

This same approach defines the third issue--the exercise of self-determination freely. Both PRI and PAN agree to this but subject to larger, external rules and

provisions. For the PRI these rules and provisions belong to the state, for the PAN to the municipality.

Finally, with regards demarcation of electoral districts, as discussed under Table 2, whereas COCOPA proposes taking location of indigenous groups into consideration for both uninominal and plurinominal districts, PRI and PAN share the same premise, but restrict application to only uninominal districts.

According to the EZLN, the Zedillo-PRI position had accepted 85% of the COCOPA proposal, and the Senate version only 80%. Two implications are derived by the EZLN: First, what is left out in both constitutes the *heart*, or *backbone* of indigenous demands; and second, the PAN's Senate version is more regressive than the Zedillo-PRI's. The EZLN also issued a polemic 9-point denunciation of the Senate version for not answering indigenous demands, betraying the San Andrés accords on several specific issues, offending the Indians, Fox's duplicitousness, and ignoring public demands. It went on to ask both domestic and international civic societies to pressure the Mexican government, and called for a return to resistance and rebellion.

What complicates the picture further is that the legislation addresses only one *table*, out of four, in the San Andrés accords. These tables focus on: (a) indigenous rights and culture; (b) democracy and justice; (c) well-being and development; and (d) women's rights (Webster, 2001: 109).

From Battlefield to The Table and Back:

Whether seen in terms of EZLN polemics or pragmatism, the Senate version of the indigenous legislation closes the circle initiated by the COCOPA-based negotiations from 1994 to 1996: The EZLN is back in the jungles without an agreement, but with diminished public support; an indigenous legislation is close to adoption, but does not reflect the concerns of the Indians, nor is accepted by them. All that changed was the

party in power; and the new party sees indigenous issues with benign neglect as contrasted to the previous party which at least had active corporatist *ejido*-based control as a form of engagement. Peace prevailed before, but is questionable today. What intervened to bring this change were the GLAD forces--more precisely the one-sided interpretation and application of those forces by each protagonists. This twist-of-fate is important for at least two reasons: (a) It ultimately impedes the catalyzing forces of GLAD themselves; and (b) highlights a model other Latin countries might be very familiar with in their own experiences.

GLAD in Reverse Motion?

Leaving polemics aside, the indigenous legislation poses a pragmatic problem: Without redressing the indigenous issue to the satisfaction of indigenous people, it is virtually impossible to make any meaningful strides with the remaining tables: democracy and justice; well-being and development; and women's rights. Even a superficial analysis explains why.

Democracy and justice are the cries of the entire Mexico, not just the indigenous peoples within it! Both democracy and justice are new to Mexico, and Fox is the first president with the task of institutionalizing both. Experiences elsewhere are instructive for Mexico: Both begin at the ballot box, but become irreversible only after a much longer and more painful period of trials and errors in which peaceful transfers of power need to be replicated, public opinion replaces presidential preferences, leadership becomes more accountable and responsible, public laws generate more respect and fear than private laws, and institutions endure through good times and bad! What a tall order under the telescoping effects of GLAD forces! Transitional countries today not only have their work cut out for them, but their corporatist rooting rocks the boat! Particularly in patrimonial societies such as Mexico, a corporatist tradition necessitates

loosening the social order rapidly: Institutionalized man-servant relations do not have a place under democracy; and unfortunately for indigenous peoples in Mexico, this often tends to be the only route to escaping the abject poverty in the countryside. A similar relationship of domination binds women to men, a subject I address more elaborately below. Without first shaking the social order of the larger society, any treatment of democracy and justice for indigenous groups becomes superficial, at best, and strengthens social imbalances, at worst.

The *table* of well-being and development overlaps that on democracy and justice: Just as encouraging the slow but steady pluralization of corporatist behaviors would represent a giant step towards inculcating democracy and justice, and thereby enhancing political development, prioritizing the elimination of social inequalities over the pursuit of uninhibited laissez-faire would go a long way in uplifting individual well-being, social development, and eventually economic development. Mexico has no excuse to paper over stark social inequalities and economic disparities: It is the 13th largest economy in the world and a member of the OECD, the rich-country club, but also one of the most unequal countries in the world! Unless inequality is robustly tackled today, Mexico's economic growth will continue to be undermined. And in similar vein, without recognizing and preserving the social infrastructure of indigenous groups, more long-term damage may be inflicted upon the entire country than the short-term benefits of sweeping indigenous culture under the national carpet. But if this recognition was made and such a preservation sought, the very first *table* of indigenous rights would already be fulfilled with a law supported by Indians today! Mexico would have moved beyond first-base!!

Women's rights the last *table*, and is significant enough to be relevant to both indigenous groups and the larger Mexican society: Although women play a decisive

role in both, maintaining the family and earning a supplementary income, their subordination is an equally formidable feature of social life. There the similarities end. Whereas the typical indigenous woman is born into a fixed station in life, her typical Mexican counterpart enjoys greater mobility (Deere & León, 2001:31-63). Since land is at the heart of the *indígena* disenchantment, if we assume it away, the plight of the already subordinated and overburdened woman deteriorates beyond recognition: Her routine work is disrupted, and with the head of the household already in dire straits, she is more likely to migrate to the metropolitan for work, any kind of work--most likely as a maid or a prostitute, since these have fewer entry barriers. Any indigenous legislation that purports to be meaningful and substantive would have to break this chain! Even that would be only a beginning. Ultimately, unless a social legislation conjoins the plight of indigenous women, on the one hand, and that of her national counterpart, on the other, and seeks a common solution, democracy and justice will themselves remain incomplete while well-being and development only a far cry!

Predicament Multiplied:

Mexico's dilemma is not dissimilar to that in a number of other Latin countries (Seligson, 1996:140-57). Several of the dominant themes are uncomfortably common: a patrimonial order in a rigidly corporatist society; indigenous groups caged in artificially-created states like beasts; GLAD forces operating right, left, and center to bury authoritarian, nationalistic legacies, but being haunted by them at every corner; and external observers or sympathizers galore accelerating one process, decelerating another, and in the final analysis, unwittingly contributing in no uncertain terms to a twenty-first century rumble-jumble.

Table 4 about here

In some of them, the indigenous proportion of the overall population represents a majority (Guatemala, Bolivia, Peru), in others a small fraction (Brazil, Colombia, Nicaragua), in yet others somewhere in between (Ecuador, Peru), indicating a wide variety (Brysk, 256). Yet in all of them there is disenchantment and instability, regardless of whether they are highlanders or lowlanders. Conflict is but a middle name for each of these societies, sometimes restricted to just the *indígena* search for identity in the modern world, at other times conjoined with other divisive issues, such as revolutionary ideas of disenchanting urbanites, commercializing drug cultivation, or territorial disputes between countries.

All of these countries are porous enough for GLAD forces to enter and leave at will, but they all have systems too rigid to adjust to those forces. In the final analysis, many Latin countries may be more qualified than developing countries elsewhere to soar into the ranks of the developed and industrialized democracies, but historically-conditioned attitudes, practices, and institutions prevent them from fulfilling the transition! Lock-in policy changes initiated, monitored, rewarded, and penalized by outside actors offer one approach to breaking the ice!

Hemispheric Lessons:

In part due to the GLAD forces, intervention is increasingly becoming a slippery term and practice. Perhaps with good reason: Sovereignty-laced sanctuaries oftentimes become havens for injustices, corruption, authoritarianism, murders, genocide, and the like. One need only recall the macabre experiences in the former Yugoslavia, Chechnya, Burundi, or Rwanda to get a sense of the extremes insulation and introversion foster. If it took interventionist policies like IMF bail-out plans, or the European Union democratic precondition for aid and trade, or the USA certification policy, then,

properly and collectively managed, interventionism might actually lever out many of the vices which remain. And no better an agency than the Summit of the Americas to serve as an instrument.

Beginning with the Miami Summit in December 1994, the SOA has both subtly and forcefully substituted for unilateral intervention in a way that no country in the hemisphere, save Cuba, can any longer point an accusing finger at any other for too long: SOA represents them all! It has been used to encourage and deepen democracy: Witness the transformations underway in Mexico and Peru, and the peaceful transfers in Argentine and Chile. It has been used to galvanize consciousness over issues often languishing on the back burner, for example, environmental protection, education, and so forth. It has been used to accelerate the liberation of women, and begin the process of *engrenage* that inter-connected every European Union member in such a way as to make withdrawal or retreat from any given issue costly. In short, policy changes across the European Union brought long-term benefits for each member in spite of short-term protests on the grounds of interventionism. The entire western hemisphere except Cuba is capable of reaping similar benefits!

No better a place to begin than with issues that might be too sensitive to address through the national policy-making process. Indigenous rights represent one such issue. What also makes it an issue of urgent attention is the opportunity cost of transnational societal actors, very much like those we see and hear about barricading the World Bank or WTO meetings, forcing countries to play their hands prematurely or inevitably. Although this issue did not rank among the two-dozen odd issues identified in previous SOAs for deliberation (Feinberg, 1997), the Québec summit this year finally gave it an overdue position on the agenda. This is where efforts need to be directed.

What must be done next? Reshaping domestic policies must clearly be among the priorities. On the basis of this paper and Mexico's experiences, a number of policy proposals initiated through the Free Trade Area of the Americas (FTAA) and sustained through a proper mix of incentives and disincentives are listed below to round off this investigation. Five are mentioned, in no necessary order, based on prior observations.

First, land needs to be treated with more sensitivity, in perhaps the way reservations across Canada and the United States have been treated. This only underscores its critical place in *indígena* lifestyles. Protecting tribal lands across Latin America might represent a significant retreat from liberalization, but the pay-off may be worth it: Rural peace, as peace anywhere, is less costly than conflict. The Free Trade Area of the Americas (FTAA) could even be used to guarantee this for a transitional period, which would then disarm many of the embattled forces today, certainly in Mexico, but all across Latin America--in indigenous communities, but also metropolitans.

Second, the place of women is not only related with the treatment of land, but also of paramount importance for future stability and progress. Here also a retreat from full-fledged liberation would be prudent, since women's liberation cannot be pushed in patrimonial societies. Slow adaptation may have greater long-term benefits, and can be encouraged by all sorts of incentives. For example, corporations and organizations could be given tax credits for recruiting more women, or sufficient of them. This is not all that much of a novelty: NAFTA already utilizes, through Chapter 11, a similar mechanism (tax deferrals) to facilitate *north americanized* investment and production. Once again, the FTAA could serve as a springboard for any such initiative.

Third, perhaps the most penetrating policy for uplifting the status and esteem of women would be to make the roads leading to prostitution and working as maids much

more costly. Breaking this formidable impediment is fundamental to enhancing the integrity of women in the work force specifically, but as part of society in general. Heavy taxes on houses of prostitution or hiring maid servants would go a long way to making society more symmetrically oriented and women more productive.

Fourth, creating more jobs is the root of many problems, especially as they affect minority groups like the indigenous peoples. No matter how modest the income, so long there is an income, the vicious cycle of poverty can be broken; then improvements can be facilitated, nudged by occasional governmental legislations, such as tax exemptions below a certain income. Even if the jobs are in *maquiladoras*, at least that is one cut above prostitution, and with facilitative legislations, incremental improvements can be institutionalized within the lifetime of any given worker. This would create the incentive to work, and the national psyche would improve in the process.

Finally, a long-term development program for indigenous communities, or the rural sector, would go a long way in promoting national integration over division. There is no clear-cut reason not to recreate the Alliance for Progress of the early 1960s, especially now that countries are much more friendly, and the United States is seen more as a working partner than a meddlesome big brother! If such projects as building infrastructure and education, especially offering access to computer technology on a mass basis, are prioritized, the rewards could be immeasurable: Social and intellectual gaps would be narrowed, and more flows of people and businesses into previously depressed areas would break the psychological barriers. Again, utilizing tax-credits, businesses could be encouraged to move to such areas. Money confiscated from drug traffickers could be pooled in a FTAA fund, from which such development programs could be financed.

Ultimately, the Latin countries would have to look more at what they are and represent instead of following the wealthy countries all the time. This is particularly true for governmental involvement in social programs: Instead of following the deregulation fad in the United States, Latin countries should be innovating different and more appealing ways the government can become involved. The United States does not need the government as much now as in the past, in part owing to the level of social development attained. The New Deal filled that gap by guaranteeing every citizen, no matter where in the social ladder, some minimum standards of life. Many Latin countries have not come even close to that threshold. When they do, thoughts of easing off governmental intervention would be more appropriate and effective. At present, though, without the government, Latin societies cannot consolidate the GLAD processes, and are likely to slide instead towards the cut-throat 1920s in the United States. That would be more damaging than governmental intervention for more countries than one!

TABLE 1:
LAND, INDIGENOUS GROUPS, AND MEXICO

<i>Time Periods:</i>	<i>Commentaries:</i>
1521-1820:	Shift from initial conquest to promotion of independent <i>pueblos indios</i> (indigenous communities, thus granting legitimacy: Helped minimize revolts
1821-1910:	Parcelization and privatization of indigenous land, highlighted by Lerdo Law of 1856, and growth of <i>hacendados</i> during the <i>porfiriato</i> (1876-1911): Upsurge in riots and revolts, small-scale and large; state intrusion common.
1911-1917:	Emiliano Zapata's upsurge in the south resulted in the Ayala land reform plan of 1914, which prompted Venustiano Carranza to decree, in 1915, the return of all lands confiscated since 1856: Paved the way for restoration of <i>ejidos</i> through Article 27 of the 1917 Constitution
1920s:	Continued conflicts between <i>hacendados</i> and indigenous groups amidst civil war
1934-1982:	Compromise between the Mexican state and indigenous groups by extending corporatist networks to <i>ejidos</i> : Facilitated industrialization and urbanization through expanded food production; and produced general <i>campesino</i> peace
1982-1995:	<i>Sexenio</i> crises prompted IMF/USA bail-out plans: Created <i>quid pro quo</i> for liberalization, privatization, and marketization
November 1991:	Amendment of Article 27 proposed: Sought to privatize land, allowed <i>ejidos</i> to be sold, and encouraged private investment in the rural sector
January 1, 1994:	NAFTA implementation begins; seen as <i>death sentence</i> for indigenous groups by EZLN: Violent reaction in 4 Chiapan towns stuns the hemisphere
February 1996- March 2001:	San Andrés Larráinzar Agreements made between COCOPA and EZLN, but opposed by Zedillo's PRI; adopted in modified form by Mexican Senate under Fox's PAN administration

Source: Mario A. Almazan, "NAFTA and the Mesoamerican states system," *The Annals of the American Academy of Political and Social Science*, vol. 550 (March 1997):44-48.

TABLE 2:

INDIGENOUS LAW AS PROPOSAL AND REFLECTING PROPOSALS

Issues:	COCOPA Proposals:	Zedello-PRI Positions:	PAN's Positions:
1. On Indian Rights	Self-determination and autonomy of communities to decide internal standards for social, economic, political organizations	Self-determination and autonomy of communities to decide internal standards for social, economic, political, and cultural organizations	Autonomy subjected to municipal laws and the constitution of each state; municipalities to submit charters for each state legislature to adopt
2. On forum for resolution of disputes affecting Indians as part of social readaptation policy	Penal establishment preferably closest to their residence	Penal establishment closest to their residence	Penal establishment preferably closest to their residence
3. On mechanisms of development:	Legislation to establish these on basis of cultural specificities of Indian communities	Legislation to establish these on basis of cultural particularities of Indian communities	Legislation to establish these on basis of cultural specificities of Indian communities
4. On equalities to be extended:	Mexican state to guarantee these in terms of access to distribution of national wealth	Access to distribution of national wealth on basis of own efforts	Mexican state to guarantee these in terms of access to distribution of national wealth
5. On demarcating electoral districts:	Location of Indian communities must be considered in determining uninominal electoral districts or plurinominal electoral circumstances	Location of Indian communities must be considered in determining uninominal electoral districts	Geographical distribution of Indian communities must be considered in the Lower House to guarantee representation
6. On form of government for states:	Each state to determine form of republican, representative, and popular government based on territorial division and political or administrative organization on notion of free municipalities	Each municipality to determine zonification, development, creation of reserves, use of land, and forms of administration	Each municipality to determine zonification, development, creation of reserves, use of land, and forms of administration

Source: "Political issues:the Chiapas situation," *Review of Economic Situation in*

Mexico, LXXIV, no. 869 (April 1998):114-15.

TABLE 3:

EZLN INTERPRETATIONS OF INDIGENOUS PROPOSALS/POSITIONS

Issues:	COCOPA Proposals:	Zedello-PRI Positions:	PAN's Senate Version, March 2001:
1. On reference to indigenous communities:	As entities of public rights	As subjects of public interest	As entities of public interest
2. On access to use and enjoyment of natural resources of the lands and territories.	To be collective ; lands and territories refer to totality of habitat of indigenous groups	To be collective; lands and territories refer to totality of habitat of indigenous groups, but subject to the Constitution and other laws	Subject to Constitution, other laws, and rights acquired by 3rd parties for preferential use
3. On exercise of free self-determination:	To be respected in each arena and level where indigenous groups have autonomy	As entities of public interest and subject to political-administrative division of each state in the federation	Within the municipal arena
4. On territorial demarcation for electoral purposes:	Location of indigenous groups to be taken into account for both uninominal districts and plurinominal districts	Location of indigenous groups to be taken into account for uninominal districts	Location of indigenous groups to be taken into account for uninominal districts and only when feasible

Source: Sergio Rodríguez Lascano, "Indigenous Law proposal approved by Senate:one step forward, two steps back," trans. Irlandesa, from:

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