

**Structural racism and the indigenous struggle for
land, justice and autonomy
in Chiapas, Mexico**

A Thesis submitted to the University of Manchester for
the Degree of Doctor of Philosophy in the Faculty of
Social Sciences and Law

2005

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Abstract

This thesis explores the issue of “justice” as experienced by indigenous people in Chiapas. It starts by reconstructing the memories of the “ancient injustices” as recalled by some of the inhabitants of the Tzeltal community of San Jerónimo Tulijá. The work also traces the permeation of state institutions as an alien political culture into indigenous institutions, through the consolidation of their *ejido* and their entrance into development state-sponsored projects in the region. I argue that problems of political factionalism, as experience today in San Jerónimo, are the product of conflicts that developed as a consequence of the entrance of the state into the community. These political divisions are exacerbated today by the practices of counterinsurgency that the state has deployed in Chiapas in its war against the Zapatista Army of National Liberation (EZLN). This is the context of my ethnographic and filmed documentary study of the Community Human Rights Defenders’ Network in his efforts to bring “fair” justice to the cases that are brought before judicial institutions in a highly politicised environment in which the real basis of the charges brought against individuals are seldom transparent, and indigenous defendants and their legal advocates face deeply rooted structural racism. The Community Defenders’ conception of justice points to the urgent need to reform the judicial system in Mexico, which has failed to convince its citizens that it provides access for everyone on an equal basis.

The thesis demonstrates that the meaning of “autonomy” for these members of Zapatista autonomous communities does not lie in the demand for respect for indigenous judicial practices as represented by local “usos y costumbres” but in practices that empower indigenous people to defend themselves more effectively within the framework of official law and legal institutions, thereby strengthening their capacity for self-determination within the larger national society.

DECLARATION

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Glossary

Amparo: a legal injunction.

Achual: the maize plantation after harvesting it.

Agente rural: rural judge.

Agave: American aloe from which Tequila is produced.

Cacique: local boss.

Cacicazgos: areas of influence of caciques.

Capataz: overseer, foreman.

Cargo: service to the community the indigenous men [and lately Zapatista women] should fulfil along their lives.

Casa ejidal: main building to hold ejidal meetings and other politically relevant events or celebrations.

Caxlán (pl. caxlanes): non indigenous person.

Clientelismo: patronage system.

Compadre: godfather of someone's children.

Compañero: companion, partner, comrade.

Compa: local abbreviation for compañero [comrade] of struggle.

Cooptación: cooption.

Comisariado Ejidal: Ejidal commissioner.

Ejido: communal land.

Encomienda: trusteeship.

Fiscal: tax collector.

Finquero: landlord, merchant and rancher

Forestales: agents from the Ministry of Agriculture in charge of the forests.

Jornal (pl. jornales): day's work.

Latifundios: private big land extensions.

Mecate: strips of palm fibre.

Mestizaje: a post revolutionary state ideology which aimed to create a sense of homogeneity amongst the Mexican population by making people aspire to become a mestizo, or a mix blooded individual.

Milpa: maize field.

Ministerio Público: public prosecutor.

Melasa: molasses.

Paraje: compound.

Partido Revolucionario

Institucional (PRI): The PRI is not a 'political party' in the democratic liberal tradition but a party of the state formed to consolidate the power of the victorious revolutionary caudillos. It was a vehicle for that state's hegemonic project of remodelling civil society by authoritarian means – through imposing secular education, for example – but also for responding, flexibly, to the resistance this process provoked. It maintained itself in power through an electoral process that was persistently marked by fraud as well as by manipulation of the electorate and exchange of resources for votes. Mexicans accordingly tended to define their 'democracy' in terms of freedom of speech and the press, whilst recognizing that the basic rule of the system was that

the PRI wins.

(Gledhill 2000:114)

Peon acasillado: resident peon.

Procuraduría de Justicia:

Attorney General

Ministry

Rancherías: a few huts built in the same place.

Reglamentos ejidales: internal agreements recognised by law.

Rociador: mosquito eradicator.

Seguridad Pública: local police.

Solar: place where the house is built.

Telesecundaria: rural secondary school.

Trago: alcoholic drink.

Trapiche: sugar mill.

Tzeltalero: someone who is identified as a Tzeltal indigenous person.

Usos y costumbres: indigenous usages and customs.

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Foreword

Five years from the beginning of this journey I am still asking myself why did I chose to study the political system in Mexico, that celebrates legality and democracy while denying it in reality at every turn. Developing clear ideas about a system that promotes confusion has proved to be a difficult and exhausting task in my case.

In trying to make sense of the logics of power that underlie and configure Mexican society (or shall I say societies?) I shared with many people at this time an urgent need to understand and to act (in my case discursively) in order to feed ideas into an imagined “public sphere” in the hope that they would start processes of social transformation.

Ironically, witnessing the events that I present in this work made me sceptical about believing that changes at a broader scale are achievable in Mexico. However, the work that I got to know through my relationship with of the Community Human Rights’ Defenders brought me hope –and energy– to keep on working for changes at a local scale, on which they have proved that it is possible to make a difference.

For all these reasons, this work is dedicated to, and written in the first place for, the Community Defenders, their advisors, the people of San Jerónimo Tulijá, and to those *smololtik ta lucha*, in the hope that this study brings some inspiration to them to continue to act strategically to shape a better time in which to live.

Acknowledgments

During the time that I have been asking the questions that gave shape to this thesis, many people have shared their worlds with me and guided me with care through enriching experiences. Each of the persons I need to thank has shared with me precious time, inspiration, ideas, and insightful conversations that have helped me to shape the arguments that I develop in this work. They all have supported me throughout the different stages of the research and I am really proud that many of these relationships have now become friendships.

First I want to thank people in San Jerónimo Tulijá, in particular Francisco Cruz Pérez who introduced me to his Tzeltal culture and language. He patiently allowed me to follow his work as a Community Defender and offered invaluable help during the research and support when the cases he was dealing with turned out to be emotionally overwhelming. Don Nemesio, Jorge, Maria, Teresa and Doña Carmela, made me the aunty of their children, Jose Luis and the two little daughters of Teresa.

Jtatic Mariano Méndez kindly hosted me in his house during my stay in the community. Nantik Antonia, Socorro, Emilia, Josefa, Manuelita, Rosa, Angélica and Chepita allowed me into their kitchen and hearts and taught me to be patient while dealing with hot *comales*, tortilla making and fire lighting. Don Esteban and Doña Soco kindly shared their knowledge about to use local plants to cure some of the illnesses that deeply affected my body while adapting to the tropical heat of San Jerónimo. Doña Soco demonstrated to me how difficult it still is to be a woman with consciousness in contemporary Mexico and shared with me insightful conversations on her daily struggle to cope with the consequences of living amongst womaniser men. Manuelita also shared with me her experiences on this hot topic and invited me to meet her family in Marqués de Comillas. I deeply identified with her and she became one of my

smolol ta lucha when discussing men's behaviour in San Jerónimo Tulijá. Gabi, one of the voluntary high school teachers and Oriana, the nurse and dentist, also became friends with whom I could discuss issues about the *t'see* people [people who laugh a lot], which we thought a nice concept from which the term Tzeltal may have been originated. Esteban shared some of his enthusiasm about mechanics with me and was really patient while my curiosity led me to bombard him with questions about his plans for the future. He decided to leave the community to continue his high school in Puebla and we all were a bit sad when he was no longer around with us at dinner time.

Don Narciso and Doña Manuela also caringly allowed me into their house, introducing me into the delicacies of roasted and ground pumpkin seeds that go so well with baked black beans, and a variety of hot sauces and other delicious foods; they also took me for day trips to work in their sugar mill, and Lulú, their eldest daughter, gave me one of my best memories of my stay in San Jerónimo when she took me to gather small fish with traditional tapestry baskets in the shallow waters of the *Can-canha'* river. Narciso, *el flaco*, and his brother working as health adviser trainee, introduced me to cattle raising and cattle transporting! Ramiro, Nadia, Eloisa, Lisandro and Alexander taught me Tzeltal while playing board games at night, after work and school, in the fresh balcony of their wooden house.

I am also indebted with Don Pancho, Don Rafael and his wife, Don Juan Méndez and Don Pedro, all of who were always willing to sit down and chat to me when the sun was setting after their long working days.

Don Vicente, his wife and their children, offered me shelter in Bachajón and took me to Chilón to meet "the other side of the story".

I also thank the families of all those involved in the cases where Pancho was acting as Community Defender, in particular to the families of the 5 men that spent two months under unjust house arrest, and the family of Pancho's *helol* and that of Don Ramón in

Arroyo Granizo. There are many people that also helped me in San José Patihuitz, La Culebra, El Tumbo and Crucero Piñal.

In San Cristóbal I met and learned from the invaluable work in which Miguel Angel de los Santos is involved. He kindly let me join and witness the processes through which knowledge is made a tool to empowerment through action. Shannon Speed was always helpful and always willing to answer any of my questions as an unconfident newcomer into the world of Chiapas politics and abuses of the law.

Kathia Nuñez and Abelardo Méndez opened their house and hosted me during one of the many crises I experienced in San Cristóbal. In their company I not only received care and support, but also inspiration and an example to follow in their commitment to solve their differences. They have embraced a struggle together and make a great team to keep it going.

I especially need to thank all the Community Defenders, Clemente, Ramón, Nico, Víctor, Rubén, Herón, Marcelo, the two Manueles, Domingo, Alex, Marcos, Julio, María Victoria e Isabela. Most of the arguments in this thesis first started going around my head after our late-night conversations, at meal time in the breaks or at night before going to sleep. Lisa, Alvaro and Ale del Valle were also always very helpful.

All of the following people know the reasons why I need to thank them: Rocío, Mariana, Amaranta, Carlos Lucio, Paco, Carlos, Adolfo, Ana, Toño, Gigi, Manuelito, Gabi, Marce, Carmen chica and Carmen grande, Irene, Ximena, Erik, Carlitos, Leslie, Lisa, Ivan, Rosa Luz, Eva, Grazia, Jess, la colocha, the two Melissas, el colochito, Caralampio, Nico, los compas en el proyecto de medios, Timo, Laila, Carlota, Angel, Mathias, and many others whose help proved invaluable.

My conversations with Monique and Noemi provided me with important insights. I first met them when they arrived in Mexico as part of the International Commission for the Observation of Human

Rights and have had the chance to keep exchanging conversations ever since.

In the *Encuentro por la Diversidad Biológica y Cultural* that took place in Quetzaltenango I found inspiration in sharing the struggle with Donají and Sansón Jiménez.

While being away from “home” I found great inspiration sharing ideas with Sophie, Thandiwe, people participating in the Chiapas-Bristol Support Group, Martin from Kebele, Nick and Martha and the great people who keep the Latin American Solidarity Centre in Dublin running. Through them I got to know Jesse Mumm, and his important job doing research trying to fight racism against African people in Ireland and Puerto Rican people in the United States.

In New York, Faye Ginsburg introduced me to Gabi Zamorano, Marcela and Arjen Berghouwer, with whom I most grateful for keeping their ideas feeding my work. In Boulder I had the opportunity to meet Ilisa Barbash and Lucien Taylor, whose work inspires mine. They introduced me to Veronique Doumbe and Zachary Fink who are also working with film as a medium in research.

I owe a special thank you to Agustín Escobar, Guillermo de la Peña and Rossana Reguillo, who encouraged and supported me to follow this path. During the time of the research I had the opportunity to discuss my work with them and other researchers in CIESAS Sureste (that hosted me as *Estudiante Huesped*) and CIESAS Occidente. I am grateful to Xochitl Leyva, Araceli Burguete, Susan Street, Renee de la Torre, Mercedes Gonzalez de la Rocha, Jorge Aceves, Maru de la O, Gerardo Bernache, Gabriel Torres, Humberto González, Axel Kholer and Tim Trench. I also benefited from my time as *estudiante visitante* in El Colegio de Michoacán, and I am especially thankful to Gail Mummert, who that made it possible for me to have a great discussion on issues on visual anthropology with other PhD students and researchers. Many thanks for the great

enthusiasm and the feedback that I received from Andy Roth, Antonio Prieto, Carlos Antaramian, Nahayeilli Juárez, Francisco and Lore, Ana Cristina Ramírez.

In Manchester I am most grateful to Paul Henley from whom I have received very insightful comments during the editing of the video material. I also thank the great and support that Rupert Cox has provided me during the last stage of the writing up. I also benefited from acting as a teacher assistant to Ian Fairweather, Cecilia McCallum, Richard Werbner, Rupert Cox and Lisa Adkins. I am especially thankful to Raminder Kaur who was always very supporting and open to discuss issues with me. I am also indebted to Elena Calvo-González, Gema Juárez-Allen, Eva Villalón, Emily Wamsley, Maria Alejandra Sánchez-Vázquez, Richard Sherrington, Keir, Alejandro Agudo-Sánchez, Niels Barmeyer, Jose Luis Escalona, Lorenzo Cañas-Boto, Penny Moore, Alexandrine Fournier, Alyssa Grossman, Raul Zevallos, Carlos Flores, Isabel Romero, Carlos Ziri6n, Wendy Coxshall, Tiffany McComsey, Terence Edwards, Sussane Lagner, Nichola Ellis, Goufu Wu, Heike Schaumberg, Joceny Pinheiro, Ruth Levin, Mattia Fumanti, Javier Taks, Cecilie 6ien, Carlo Cubero, Ilana Mountian and Maki from whom I learned to receive and provide constructive feedback.

I owe a special thanks to Terence Edwards, Cecile 6ien, Aya Homei, Susanne Lagner, Carsten Timmermann, Gema Juárez, Juan Palerm, Niels Barmeyer, Andy Roth, Daniel Medina and Alyssa Grossman, who carefully read chapters of this manuscript spotting typos and providing me with insightful and encouraging final comments.

Also, I need to recognize all the help that I received from people that have supported me administratively and with technical advice. In El Colegio de Michoac6n I got access to the mapping area and computing services that made my life so much easier when I had to insert them in the text. My thanks for the invaluable help of

Aureliano Moreno Rodríguez, Beatriz Guadalupe Navarrete Peña, Marco Antonio Hernández Andrade, Jorge Edgar Rojas, Miguel Pulido Lázaro, Enrique Sánchez Gallardo, Esteban Sánchez Rodríguez, María Del Rocío Sánchez Saavedra and to Erika Gabriela Palomar García. In Manchester I need to thank Mark Woolstencroft, Andy Laurence and Bill Brown for their technical advice. In CIESAS Sureste Imelda, Rosita, Jaime, Doña Cristi [who sadly is not here to see this work completed] and Nena have always been very helpful and patient with my numerous requirements. In Manchester I need to thank Joyce Wolfson, Angela McLachlan, Shahnaz Ibrahim, Karen Egan, Pat Jones and Lynn Dignan for their great help in navigating the bureaucratic procedures in England.

To Blanca, Checo, Héctor, Lola and Alejandro Inda for offering me their unconditional support in the difficult process of being away from home trying to become a better person —furiously struggling to overcome the barriers of a foreign language and culture that warmly hosted me— during the 6 years that I have spent trying to academically understand other's people's struggles.

I owe a special recognition to John Gledhill who not only supervised and fed me with challenging ideas during the entire process of this research, but also shared his experience of struggling and living in the unsettling world of irrational wars and rampant economic policies that seem unstoppable no matter what actions citizens use to make governments hear their disagreements. In his example I find the inspiration to keep on working to perform what I imagine to be the task of a socially relevant academic practice. Thank you John.

Finally, I owe thanks for the economic support of the Consejo Nacional de Ciencia y Tecnología (CONACYT) which funded me throughout and made this research possible and to the CONACYT staff responsible for the administration of the grants program,

Guadalupe Intriago Coronel, Andrea Elizalde de Jesus, Manuel Manterola, Victoriano Pagoaga and Marta Lisbeth González. I also used part of the grant that Becas Brockman kindly offered me for the previous year to this research to cover some of the travel and material expenses. I hope that this research fulfils their expectations and encourage them to support more projects like this. Thank you in particular to Adolf B. Horn and Minerva Plazola who have carefully followed the development of my work.

Introduction

(...) en las finanzas de la desmemoria, el que gana cobra al contado,
el que pierde paga a crédito y a largo plazo.
El sistema bancario del Poder sólo ofrece a los de abajo crédito para la derrota.

Mientras más crezca la cuenta de nuestras caídas,
más fastuosa será la bienvenida que recibamos
en el sistema bancario de la desesperanza.

Sin embargo, algo no embona.
Como si fueran piezas de rompecabezas en un tablero equivocado,
la resistencia a la domesticación y la rebeldía contra la cadena de mando/obediencia,
rompen con la lógica de una historia impuesta
y se niega a adquirir el póster tridimensional del hermoso ángel caído.

Cuando el Poder escribe la palabra "FIN",
la resistencia agrega el signo de interrogación que no sólo cuestiona el fin de la historia,
sino que, también, se niega a aceptar un mañana que sólo la incluye como derrotada.

De esta forma, apostando a transformar el futuro, la resistencia apuesta a cambiar el pasado.

SupComandante Marcos
Extracto de *El bolsillo roto*

http://www.radioinsurgente.org/index.php?name=pagetool_news&news_id=35

This thesis is about the ideas of justice among indigenous peoples in Chiapas. It is also a study that recovers memories including those of their relations with non-indigenous peoples; through oral history we get to know about their *jornales* [*unpaid day wage labour*] under the authority of the big landowners for whom they worked in the *rancherías* [*ranches*]; we are also given accounts of their interactions with different agents of the emerging “state” in this region. Through this historical account we follow some of their experiences under the economic policies of the paternalistic state —controlled by the regime of the PRI [Institutional Revolutionary Party] which monopolised government policies in Mexico for 70 years— and learn about their disastrous consequences. Over time, the idea that no outsider would defend indigenous people from exploitation and oppression is formed, and a project of judicial self-defence is born in this context. At a broader level, then, this thesis documents the differentiated access to justice and the structural racism that has permeated bureaucratic

procedures within Judicial institutions in Mexico. Here, the notions for class and ethnicity are key concepts to understanding how justice is selectively applied and why there is a struggle to obtain a “fair” justice within these judicial processes, which are permeated by which I will term structural racism as institutionalised discrimination on the basis of class and ethnicity (see De Oliveira s.d.).

Although this study emerged from my involvement with the “Network of Community Human Rights Defenders” —which covers a number of different micro-regions and communities— the concrete cases that I am analysing here come from the region of the Autonomous Municipality *Ricardo Flores Magón*, and particularly from the community of *San Jerónimo Tulijá*. I attempt to illustrate how the roots of the structural racism that permeates the interactions between indigenous peoples and the state has been built up historically and can be traced through four different periods. **Chapter 1** reconstructs the first period (-1940) that is marked by the labour exploitation that the *caxlanes*¹ [non-indigenous people] and *finqueros* [big land owners] impose on the indigenous population living at the margins of the Lacandón Forest when they worked as labourers with no wages or very low wages (el indígena como peon acasillado). **Chapter 2** looks at the second period (1940-1960) marked by the migration of the indigenous peoples into the Lacandón Forest, where they sought to gain their own land, and the freedom to organise their time according to their own needs and not those of the landowner. In **Chapter 3** the state enters the picture in the form of the Agrarian Reform, to both grant lands and to impose restrictions on the type of use of the land. This chapter also illustrates the way the communities organised and adapted themselves to ‘official’ forms of organisation for their own

¹ This is the word used by the indigenous peoples in Chiapas use to refer to someone who is not indigenous. The word is probable a transformation of *castellano* (*Castilian*), native language of the Spanish conquerors. *Caxlán K'op* means *Kaxlán word*, or *Castilian*, if we continue with the hypothesis. All these terms continue to be used until today in the everyday language of indigenous peoples in Chiapas.

purposes. In this process of adaptation the communities themselves were transformed (see also Leyva 2001; Leyva and Ascencio 1996; Lobato 1972, 1992 and 1997; Rodés 1999; Van der Haar 2004). In this period indigenous peoples established compliant interactions with agents of the state to *solicitar* (to ask for) lands to form *ejidos*. In this period, the state's role could be seen as "paternalistic" in the sense that it responded as a benefactor to peasant demands for land (see Stephen 1997). The chapter therefore explains the process through which state institutions permeated the organisation of the communities that settled down in the colonised territories in the North of the tropical rain forest, where land was expropriated from big landowners and then granted to those peasants that succeeded in completing the bureaucratic procedures to demand it to create *ejidos*. In other parts of Chiapas, other procedures were used to get land, including purchase and formation of co-properties such as the formation of *Colonias* (see Rodés 1999). The most important point about the region of my ethnographic study is that it was a zone of colonisation—the focus of official land reform policy after Cárdenas— so that people had more prospects of getting land in places like the Lacandon Tropical Rain Forest than they did of getting more land redistributed in the highlands during the same period. **Chapter 4** is located in the third period (1980s) of renewed state intervention in the land reform agricultural sector, when state policies shifted to an attempt to divide the peasant movement and make further demands for land reform less effective, by focusing on stimulating new forms of commercial agricultural production by offering more support to existing land reform communities (Villafuerte-Solís *et al* 1999:113; see also Fox:1992; Otero 1999). Within this state-defined framework of 'development' tensions arose within the communities as a result of the failure of projects to commercialise cattle and cash crops. The state's "paternalism" now took the more interventionist (and cynical) form of knowing what was best "for its peasant clients" and defining the ways in which they would achieve "development". This was the high point of the *relaciones clientelares* [indigenous people as clients of the state]

established by the *PRI* in order to obtain votes for their candidates [indigenous people as votes]. The last three chapters ethnographically document the last period of this study that starts with the Zapatista uprising in 1994 and is marked, on the one hand, by indigenous demands for cultural, economic, political and judicial self-determination and autonomy from the state, and, on the other hand, by the low intensity warfare that the state chose to use in response to those demands². **Chapter 5** gives an account of the struggle for power in the community of San Jerónimo Tulijá as a result of the political factions linked —either through coalition or antagonism— to wider regional and/or national groups of power. The chapter also aims to provide explanations of the exacerbation of factionalism in San Jerónimo Tulijá and the reasons that led to the justification of the use of violence, as experienced by people trying to obtain solutions to local problems of social justice. **Chapter 6** explores how an organised

² After 10 days of frontal confrontation between the EZLN and the Federal Army — during which the latter bombed alleged Zapatista territory, hurting and killing members of the civilian population— president Salinas de Gortari gave way to the pressures posed by the massive demonstrations that took place throughout the nation to demand a political solution to the conflict. At the end of January 1994, the EZLN already had established an agenda with four points to start negotiating peace, including economic, social, political demands and a cessation of hostilities against its civil bases. In February the peace talks took place in the cathedral of San Cristobal de las Casas. The government agreed and signed a document with 34 undertakings and 32 proposals to bring solutions to the problems of indigenous peoples in Chiapas. These accords later became known as “los acuerdos de San Andrés” [San Andrés Treaties]. The government failed to implement any of the agreements it signed. Meanwhile, in the national political scene, the presidential candidate Luis Donaldo Colosio was coldly murdered in daylight during a political rally in Tijuana, an event that set the alarm to condition red amongst members of the EZLN. In Chiapas, tensions continued to grow, as big cattle raisers, a group of conservative local elite elements known as the “auténticos coletos” and government institutions saw their interests endangered by the Zapatista demands. Aggressions against Zapatistas intensified, along with those against peasants in general and also against the Dioceses of San Cristóbal, which was acting as intermediary in the peace dialogues. Different civil groups arrived in Chiapas to help communities under repression and denounce violations of Human Rights. In December 1994 Ernesto Zedillo took possession of the presidency. In January 1995 he deepened the hard line policy against the Zapatistas initiated by his predecessor when he ordered a massive new deployment of federal soldiers in Chiapas. According to CIEPAC, 60 thousand troops were transferred to strategic places in Chiapas, a number that represents 30% of the Federal Army in the country (CIEPAC al día, No. 49). The number of paramilitary bodies also increased and violence against Zapatista autonomous municipalities continued to grow. All these events took place while at the same time the Mexican Federal government tried to convince the rest of the Mexican population that they were working to solve the problem in Chiapas. For more details on the development of events in Chiapas see Laguna 2004.

group of indigenous men and women struggle to change the relationship of submission that indigenous people have historically experienced in their relations with state institutions, whose contours were explored in the previous chapters. The structure of the organisation they formed—the Community Human Rights Defenders' Network—incorporates the notions of autonomy forged in the pro-Zapatista autonomous municipalities in resistance in Chiapas. The Community Defenders' practice of defence of human rights points to the existence of an indigenous conception of autonomy, not in relation to the discussion of *usos y costumbres* [indigenous usages and customs] that has been the focus of most debates documenting constitutional multiculturalism (see, for example, Van Cott 2002) in relation to, and emerging from, the practice of human rights. Their work stresses the need to support indigenous people in developing agency to bring about constitutional changes based on their own needs, desires and intentions, on the basis of achieving a deeper understanding of state institutions and of the justice system institutions that affect their lives. At a broader level, these actions are drawn into demands for a reform of the whole national Justice System and the elimination of structural biases against indigenous peoples. **Chapter 7** provides evidence of the political use of law to persecute the enemies of state sponsored models for “development”. I explain in detail the context, facts, actions—undertaken by Francisco Cruz, the Community Defender—and outcomes of four cases that I had the opportunity to witness while I accompanied him doing his work. In this context, counter-insurgency strategies are part of a set of ambiguous state practices through which the Federal Government promotes constitutionally and discursively the multiethnic composition of the nation, but continue to attack militarily the initiatives of indigenous governments in Chiapas.

The seven chapters in this thesis attempt to show—through the concrete case of the history of San Jerónimo Tulijá—the history of the changing and contradictory policies of the Mexican state towards its indigenous population. This thesis also shows evidence of the

mature civil awareness of indigenous people and the determination that underlies their struggle for self determination as they defiantly resist state intervention to unilaterally impose a dominant culture that continues to profoundly disrespect them, to the extreme point of allowing –and even encouraging– the continuation of an ever deeper political factionalism that lead to unnecessary death and suffering.

The context of the research

In December 1997 I was teaching in a private university in Guadalajara, the second biggest city in México, when a group of 47 non-armed indigenous people, mainly children and women, were massacred in the indigenous *Tsotsil* community of Acteal, located in the highlands of Chiapas at 1600 kilometres South-East from Guadalajara. I was shocked not only by the outrageous tragedy itself, but by the fact that the techniques that were used to kill were so similar to the ones employed in what is now sadly remembered as the Guatemalan ethnocide period (1983-1993), in the context of the war of the Military Government against indigenous native populations³. I was part of a group of teachers deeply concerned with analysing the non-transparent networks of economic and political power intertwined in the complex situation of both indigenous and non-indigenous people, particularly of those living in the state of Chiapas, at that moment.

When I raised the issue in the classroom I could not believe it when one of my students argued for the killing of "all those rebellious indigenous people that are leading the country's economy to bankruptcy". I suggested that such an argument justified ethnocide on the basis of the macro-economic interests of the nation on the basis of class and racist assumptions that needed to be reviewed more critically. The information I provided did not, however, convince the 18 year old student of the need to understand the situation from the point

³ According to the Mexican newspaper *La Jornada*, the attackers used machetes to open the wombs of pregnant women to extract their fetuses and this kill the "seed". This technique was commonly used in Guatemala by the *Kaibiles*. For a detailed chronicle of the events see Bellinghausen, Hermann (1997).

of view of the amount of suffering and the unbearable degree of violence exercised against a group of co-citizens.

At that moment I made sense of this student's unwillingness to engage in the discussion I was proposing in terms of what can be called hegemonic narratives, that order events and relationships according to the logic of the interests of the group that produce them. In this sense, the student was replicating the narrative produced from the point of view of Mexican entrepreneurs that were pressing president Zedillo's government to create attractive conditions for foreign capital investment, e.g. low taxation, high revenues and political stability. The *Zapatista* uprising was certainly not contributing to the latter, and thus was seen as endangering the former.

Therefore, when I started working on this project I was aware that the research findings would be read by non-specialist audiences in relation to such hegemonic narratives explaining the armed conflict in Chiapas, and the violent events linked to it. These were being produced by powerful social actors such as entrepreneurs and government officials, and were circulating in the public sphere of the mass media, in particular on television news programs. Within this set of power relations I was to produce a counter-narrative in which text would be the main code. In an exercise to diversify the codification of the research findings my use of the camera should be understood not only as a way to present a series of events in which the people with whom I developed the research were involved but also as "first hand" information on the people and the situations that I would be trying to understand during the writing of the thesis. It is in this latter exercise that the use of ethnographic film became a tool for research. The key question here is how an ethnographic film, alongside or independent of the text, produces a different understanding of the same events (see Henley 2004).

The initial point of departure of the research was to understand the reasons that motivate someone to take the enormous risk of rebelling and to want to change the order of things, along with the strategies and problems involved in such a struggle for social change. My objective was to be able to construct an explanation that would bring together people's visions, with my ethnographic accounts of their daily interactions and conflicts. It was also important to include the socio-historical background that would reveal people as historic subjects with historic struggles within particular sets of power relations⁴.

Defining the “valuable” categories for research

I arrived in August 2000 in San Cristobal de las Casas with the intention of gaining an understanding of the process of low intensity war against the support bases of the EZLN, the political opposition to the party in government, the PRI, which was in fact, about to lose the national elections for President, although time has shown that this defeat may have been less significant than it initially appeared, while the new President was, from the outset, clearly committed to

⁴ It is evident that when I am writing this text, I am remembering my initial interests and adapting them to what I could actually achieve in the fieldwork, so as to produce a coherent piece of writing. When I was reviewing my original research project, I was impressed by the clarity with which I expressed the same idea two years ago: “The construction of representations is one of the social phenomena that interest me both as a student of anthropology and a filmmaker. As a researcher, I am concerned with the hidden power of naming the world (Bourdieu, 1987). Everyday one can witness how reality is shaped according to the way different institutions—or their agents—describe it. As a filmmaker, I am interested in constructing a representation, not only for the academic purpose that underlies the aim of connecting different worlds to make them understandable to each other but also as a description of different ways of living and thinking. I am interested in exploring a way of making films that could reveal non-obvious issues in the social world through the exploration of concrete social issues and the use of cinematic metaphors.

I compare the construction of representations and their circulation to a war in which the victory is gained through recognition. In this field of struggle, discourses—the vehicles of representations—are the most powerful weapons. The field of analysis in this project is the practice of producing discourses that could be accepted as a valid explanation for whatever aspect of reality they refer to. Recognition might lead to the power of imposing a voice over all others that coexist in the same space and/or time. But paradoxically, at the present time the powerful people get their discourses circulating massively more frequently. It seems that the way out to this labyrinth is closed to non-hegemonic perspectives on the social world”.

maintaining the neoliberal economic model against which the Zapatistas had rebelled six years earlier. I was also hoping to develop skills to communicate within Mexican society the complex processes, relationships and conflicts lived in Chiapas, the kind of violence experienced there, and how this violence was related to the lack of social, economic and cultural benefits for indigenous communities, addressed by the EZLN in 1994. I was also aiming to identify and observe interactions between the different parties involved in the conflict, while also enquiring about the interests underlying the different strategies of struggle. At a methodological level I wanted to work with film not only observing, but also by engaging with people within this complex political situation. I only needed to find a *locus* from which to look at these events.

Taking the defence in your own hands

Before travelling to Chiapas, I had established contact with a group of indigenous people called the *Community Human Rights Defenders' Network*, whose members were being trained in jurisprudence and human rights defence. They had expressed an interest in developing their skills using video cameras and I was expecting to develop a collaborative research project with them.

The community defenders had been provided with video cameras and instructed in their use. They use this device mainly as a tool to record evidence to support their cases. On my arrival, I proposed to them that we could develop a collaborative film. Its content was going to be defined in the course of workshops where the defenders would discuss the main problems related to their work in their communities. But as I would discover later, this process became difficult since the sixteen community defenders that formed the group on my arrival came from eight non-homogeneous regions⁵. To try to

⁵ When I left San Cristóbal in December 2002, there were 30 community defenders, including those of the second generation that were about to finish the compulsory year of training that would provide them with the basic knowledge to start dealing with particular cases. In spite of this, if the regional authorities asked the trainee to

cover every region that each of them was representing would have been impossible due to my restricted time and economic resources⁶. Given the approach of my research, the study of each region would have required me to understand both their different cultural and historical backgrounds, and then to draw in the relations that linked each geographical region to the rest. It was also difficult to develop a collaborative project with them as a group, given my initial ignorance of everything that had to do with the work that they were doing, and the legal framework in the state in which they were working, such as the use of law to punish political opponents and its relation to particular cases of unjust imprisonment, not to mention the particular cases and circumstances they were working in.

The collaborative relation became problematic also because their main objective when travelling to San Cristóbal was to work for the people they were defending, not to collaborate with my research. As conditions were not favourable for developing a collaborative research project with all the people in the group, I decided to learn more about the strategies of Human Rights defence practices while spending time in the office to which they travelled from their communities every month. I also made short trips to different regions following particular cases and trying to decide how I was to adapt and continue the research project. I also learned about the ways in which these defence practices were taught to indigenous peoples by a non-indigenous lawyer, Miguel Angel de los Santos.

Lawyer and human rights activist Miguel Angel de los Santos—founder of this group—was born in Chiapas and has witnessed the abuses that have always been committed against poor people, indigenous and non indigenous alike. In 1994 he participated in the

take action in an urgent case, he or she would do so with the help and advice of the lawyer Miguel Angel de los Santos and other members of the group.

⁶ The eight different geographical regions in Chiapas included five different ethnic groups: Ch'oles, Tzeltales, Tsotsiles, Tojolabales and those who had lost the indigenous language and identified themselves as *mestizos*.

legal defence of the Zapatista political prisoners. After collaborating with different Human Rights NGOs he decided to invite the communities in resistance to send people to participate in workshops where they would learn how to "take the defence in their own hands".

The 16 indigenous people that attended the courses in 1998 began to learn, among other things, how to mount a direct legal defence to take immediate action when someone was imprisoned, due to the high impact on the morale of the family and community this kind of incident has. They also began to read about their constitutional rights, and became familiar with other international treaties regarding their rights as indigenous peoples.

This teaching project is recent, celebrating its fifth year since its foundation in 2004. In spite of this, the *community defenders*, the term with which indigenous people participating in the project identify themselves, are prosecuting legal cases successfully.

During a six months period I was able to gain an understanding of the ways in which the concept of Human Rights is understood within the space of the Community Human Rights Defenders' Network and the related problems arising from what they identified as a context of low intensity war against them.

The entrance to the community: the identity of the researcher

I first arrived in San Jerónimo Tulijá with the intention of meeting the families of the five men of the region that were unjustly detained and put under house arrest in 2002 (see chapters 6 and 7). I then decided to stay there and try to portray a particular community defender and the type of cases he was following during the period that I could work with him. We agreed I was to document his work both in a written text and by producing a film focused on the cases he was following and his own interactions with agents of the state and members of his community.

Ideally, I would have liked to make a broader film including different political positions within the community, but internal political divisions made that project almost impossible without first gaining the trust of the different parties. From previous experiences I knew it was going to be hard to overcome the barriers that my arrival in the company of the Zapatista human rights defender would imprint on my person.

Problems of access in a tense environment of political factionalism

The first practical problem I faced was that of working in a highly loaded political atmosphere. I could not avoid entering any community without being qualified as being part of one side of the political struggle or the other. There were some “neutral” grounds from which I could have introduced myself into the community, such as a teacher of a Federal Rural School or as a helper to the nurse at the Local Government Clinic. But even those grounds were now politically marked⁷. Given that since 1994 a great number of foreigners⁸, visiting indigenous communities were associated with work related to Human Rights observation, I was going to be a suspicious person anyway. Therefore, I assumed that it was unavoidable to be seen and associated with priístas or Zapatistas, and hoped to at least gain a deeper understanding of one of those political factions. Nevertheless, although I was sympathetic with the Zapatista struggle, I could not ignore the suffering of other people irremediably involved in the conflict. I was aware that this entrance to the field obliged me to dig into the past of the community in order to avoid reinforcing manicheistic dichotomies of the political sides playing a part within the

⁷ In particular the clinic is associated with the monthly compulsory health checks that women receiving social benefits should have in order not to have their monetary allowance suspended. There has been much discussion about the political use of this social benefit introduced by Carlos Salinas de Gortari in 1986 as PROGRESA and re-labelled as CONTIGO under the government of President Fox.

⁸ “Foreigner” here is understood as people from outside the indigenous region and culture, as opposed to its reference to nationalities, e.g. Mexican, U.S. Citizen, French, etc.

research. The challenge was to find a way to overcome the stereotypes already working for and against people with particular political positions. The result of this concern gave shape to the first three chapters in this thesis.

Following the emphasis Scheper-Hughes (1995) and Nordstrom (1995; 1997) on the importance of challenging the practice of scholarly knowledge production, I take the view that one should not ignore the fact that the knowledge produced about highly politicized issues where violence, low intensity war and political persecution are part of the context of the research might circulate in broader spheres than just the academic. I feel it extremely important to acknowledge that the information produced in these research cases may be de-contextualised and used in totally different contexts from those of its production. Although one cannot possibly be in control of all the uses of the information released, at least one can be critical in the analysis, and contextualise and historicise the subjects of the study⁹.

On Methodology

I want to move on to give an account of the questions and methodological problems that have constituted the motor of this enquiry, such as the need to develop collaborative relationships in research about Human Rights defence in the context of low intensity war, violence and political oppression. Due to this context and my interest in incorporating traditional anthropological methods with film-making, I propose a frame of reference that renders problematic the

⁹ Tim Trench's study (2001) showed how the construction that anthropologists produced of a group of Mayan people in the Lacandon forest has influenced the perception they have about themselves. What is problematic here is that these people, who are migrants as much as any other group living nowadays in that area, have a corpus of authorised knowledge on which to base their claim the lands as their property, as "the original people from the area". However, recent historical research has questioned this idea and some of the Lacandon Mayas have been obliged to rethink their origins as migrant people as well. Some of them have gone so far as to question the fact that they could be descendants of Mayan people at all, as the reconstruction of their past is contested by different sources. (Trench, personal communication).

issue of relationships established between anthropologists and their subjects of study in the context of power relations and the construction of knowledge. I also give an account of the way in which the practice of filming affected my conception of the research and its development.

In order to do so, I will contextualise these topics within broader debates. I also position my interests in relation to my research and give further discussion of my entry into San Jerónimo Tulijá, the main place where people hosted and guided me into their conceptions of life.

Many practices of anthropology

The many and often contradictory practices of anthropology are grounded in divergent goals and have developed different methodologies, interpretative strategies and explanatory procedures (Crapanzano, 1995:420). This thesis has been shaped from a very productive disagreement with the concept of *distance* and with what I see as an unsatisfactory kind of objectification of the “other” as a culturally different subject of study. In my argument I will explain how an engaged relationship with a “coeval” interlocutor (Scheper-Hughes, 1995:417) with whom one establishes a relationship of communication, based on “a mutually open, courageous, and honest debate” (Crapanzano, *Ibid*:421) could humanise both the research process and the products of anthropology. But I want to go further in proposing that a collaborative relationship with the informants may open a space for them to intervene in and shape the questions and results of the research.

The different traditions or schools of anthropology around the world have shaped and reshaped their goals according to the history of their relations with the peoples of their studies. The English speaking tradition of anthropology “was guided by a complex form of modern pessimism rooted in anthropology’s tortured relationship with the colonial world and its ruthless destruction of native lands and peoples [...] who stood in the way of Western cultural and economic

expansion” (Scheper-Hughes, 1995:418). In consequence, one goal of this anthropological project was that of being “primarily transformative of the self, while putting few or no demands on the other” (Ibidem). Yet to suppress the critical questioning of the subjects of study does not change the inherited position of the researcher of working on the side of the colonial powers and legitimating them. Instead, it reduces people informing the research to its mere instruments when denying them their communicative agency, dehumanising the research in consequence. Here, theoretical categories guide the agenda of the observer, instead of the preoccupations of people about their own worlds. However, this position poses the problem of dealing with situations that seem problematic or partial. This issue is central to, say, gender and human rights. The fact that ‘people’ in different social settings have different preoccupations and interests adds another layer of complexity to the point.

In order to be able to understand the preoccupations that arise in the contemporary discussions in anthropology, for example in respect to the body of literature produced around the idea of “anthropology at home” presented as an innovation within the anthropological the Anglo-American tradition¹⁰, —and not so new to me since “anthropology at home” is what has constituted most of the anthropological project in Mexico¹¹— or in the discussion on how to put anthropological knowledge at the service of the people under study¹², one has to know the historical context in which particular traditions of thought within anthropology have been shaped. In this

¹⁰ See Michaela Di Leonardo (1998). She argues that anthropologists forget older preoccupations. For example, the preoccupation of doing research “at home” in England was preceded by the tradition of urban anthropology within the U.S. in which a critical analysis of their own society was made.

¹¹ Therefore it has been problematic in the sense that its constitution was closely – and dangerously– linked to the construction of *mestizaje*. The history of Anthropology and indigenous populations in México is not exempt from problems and contradictions.

¹² This discussion goes back to 1960 and that has been extensively documented (see, for example, Bennet 1996).

sense, what could be called “genealogies of anthropology” engender particular approaches and discussions. Therefore, one can only expect that Scheper-Hughes’s proposals could be applicable in some circumstances, but we need to know what such circumstances are and what range of circumstances are relevant so that other researchers can adapt them within their particular framework of study¹³.

It could be argued that the attitude that the researcher assumes towards the “researched” and the relations she establishes with them during fieldwork remains a personal option. The problem with this approach is that personal choices produce different kinds of knowledge and power/knowledge that generates different sorts of effects. For example, there is the basic issue of how ‘the people’ have access to the knowledge produced about them.

It is interesting, however, that Scheper-Hughes identifies what she calls a comfortable research position placed “above and outside” the experience of the people of the research. Above and outside, at the same time, are the locus of power in semiotic terms. Maybe the interesting point here is to reflect on the relations of power and the reproduction of social differences embedded in the structure of academic institutions and in the dynamics of its reproduction (Bourdieu, 1970).

An interesting ground on which to link critical social research and action is proposed by a group of anthropologists in Texas. They say that the body of work produced from research in social sciences “is marked by its potential for generating analysis that moves from

¹³ Some relevant questions in this respect are: How do different traditions or schools of anthropology happen to be driven by certain theoretical orientations? Is there a dialogical relation between the making of theories and the problems these theories try to explain? Should these theoretical approaches be shaped by the problems experienced by “their” subjects of research? How are methodologies adapted in consequence? Due to the dimension of these questions, I can only attempt to provide an explanation of how this dialogical process has worked out in the process of my own research.

critique to the ability to inform strategic thinking and direct action on a given issue or problem”¹⁴.

Other academics, for example Charles Hale, have employed what some had called a method of activist research that is aligned with movements of social change while at the same time contributing to critique “and even struggle from within” (Hale 1994:220). Canadian journalist Naomi Klein also suggested that left wing intellectuals should be working in three directions, linking isolated social movements while acting as transmitters of information instead of expertise, relating useful knowledge to the movements’ expressed needs, and acting as shields of protection in the face of state repression within the spaces where these social movements construct and maintain their struggles (Klein 2003). In Klein’s opinion, as intellectuals we should support emergent social movements by using legal support and political pressure and also by using our physical presence when necessary.

Towards a conceptualisation of an anthropological project in a context of low intensity war, violence and/or political oppression

a) Committed relationships

This study was developed in an area of armed conflict in South East Mexico. There are a wide range of proposals with regard to the position that the researcher should assume in the course of work carried out under circumstances of intense human suffering, low intensity war, violence and/or political oppression. A very provocative one is the “militant anthropology” proposal that argues for the development of alliances with those “whose vulnerable bodies and fragile lives are at stake” (Scheper-Hughes 1995:409). Nancy Scheper-Hughes proposes an ethically compromised practice of

¹⁴ Taken from <http://www.texas.edu/cola/depts/anthropology/activist/concept%20statement.html>, 01/09/03.

anthropology that leads to direct action in the course of the research in favour of those experiencing unbearable suffering. She criticises what she calls “anthropology’s bluff” (ibid:410) and calls on anthropologists “to expose its artificial moral relativism” and to try to imagine forms of politically committed and morally engaged anthropology. She suggests that cultural relativism, which has to be understood as moral relativism, has created a situation in which anthropology no longer corresponds to the world in which we live. In the work she studied infant death and the moral thinking and social practices of women and elites in a poor shantytown in North East Brazil, she states that “If we cannot begin to think about social institutions and practices in moral or ethical terms, then anthropology strikes me as quite weak and useless.” (ibidem). But her previous experience as an activist in the region where she was later going to carry out fieldwork for her *Death Without Weeping* (1992) had placed her in a certain relation with the people of *Alto do Cruzeiro*. There, she had previously participated in the Freirian discussion groups that most shanty dwellers attended. Women that already knew her from this previous work resented the distance that she was now taking from their lives: while she wanted to play the role of the researcher she was no longer a *companheira* but a detached observer. It is from this event that Sheper-Hughes proposes that the researcher cannot pretend “a false neutrality in the face of the broad political and moral dramas [...]” (ibid:411). She goes on to pose the question, “What makes anthropology and anthropologists exempt from the human responsibility to take an ethical (and even political) stand on the working out of historical events as we are privileged to witness them?” (ibidem).

The problematic part of her argument is in the notion of moral judgement against certain practices and to the people that make them possible. She points to the case of the “routinization and medicalization of hunger” in which neither doctors, politicians, patients nor medical anthropologists, were able to develop a political discourse on the deadly effects of tranquilizers and appetite stimulants that

hungry people were being prescribed (Ibid:416). Critics of this moral stance suggest that even in situations of inequality and power relations “some of the ‘bad guys’ are also victims of the power of others” (Gledhill 2002:450). Along the same lines can be read Deleuze and Guattari who argue that “[l]eftist organisations will not be the last to secrete microfascisms. It’s too easy to be antifascist [...], and not even see the fascist inside you, the fascist you yourself sustain and nourish and cherish with molecules both personal and collective” (1988:215). It seems that even some of those that could be identified as the “good” guys can oppress others.

However, the main problematic in the action-oriented proposal is the question of how to ground our ethical judgements as anthropologists (Gledhill Ibid:446). In order to blame someone for somebody else’s problems it is “of immense importance [...] understanding the political and social history of [the] region to appreciate how people are normally related to each other across class divisions [...]” (Ibid:448). Although Gledhill considers it important that applied anthropology’s practice should put anthropological knowledge to work in addressing practical social problems, e.g. when an “injection of ‘knowledge about culture’ can ameliorate some of the consequences of ethnocentrism and racism” in areas such as social work and social medicine (Ibid:442), taking a moral stance in favour of an oppressed group of people, and therefore restricting oneself to judgement rather than understanding/analysing the actions of the oppressors, in itself does not necessarily offer any great help to the first group of people (Ibid:448).

There are a series of critiques that other anthropologists elaborate on Scheper-Hughes’ argument. Vincent Crapanzano points out the danger when anthropologists “should become morally and politically engaged in their informant’s struggles and throw out an interfering moral relativism. This danger is not necessarily a fault, for in any moral positioning there is always the danger of knowing better and being wrong. We have to temper our moral convictions with at least a temporary relativist stance, which, I hasten to add, does not

preclude commitment” (Crapanzano, 1995: 421). Making the previous argument even more complex, Aihwa Ong suggests that in this case, Scheper-Hughes use the term “moral” in a universalizing sense, “without pausing to consider whether other cultures might take different positions” on this subject (Ong, 1995:429). She goes on to argue that “[a]n anthropological hegemony seems to be at work here (see Ong n.d.), as the cultural others on whose behalf we anthropologists are [...] taking moral stands are silenced or ignored except as obstacles and bit players in yet another Western debate over making knowledges about those same others” (ibidem). Moreover, Ong suggests, the actions that Scheper-Hughes herself undertakes and urges anthropologists to follow,

reinforce her personal power as a white woman as well as the very structure of geopolitical power she seeks to subvert [...] Isn't the kind of moralizing strategy Scheper-Hughes proposes a deployment of intellectual power that depends on "liberating" the poor and hungry of the Third World? Isn't this the kind of modernist anthropology (dating to the colonial period) that has to be rethought in our postmodern world where old divisions have to be subverted, redrawn, or collapsed and where we are all multiply positioned in a range of ideological formations and where the West-Rest relationship has yet to be reworked? (Op. Cit. 430)

Ong's conclusion is that the problem of cultural relativism is too simple and what is really at the centre of the debate is the issue of academic ethnocentrism. Ong's suggestion is that anthropologists should be “acutely conscious of geopolitical forces and cultural differences” and look at the question of how people make their worlds in their own terms without the interference of Western political domination (ibidem). Ong's argument poses the question of how one goes about “Western” ways of defining “problems”. This seems very relevant to Chiapas, where entire research agendas have been posed in terms of human rights, democratization, etc. without pausing to think about the meanings these terms might have for “people” on the

ground; even if they have appropriated these agendas, we need to know on what terms they have appropriated them. Nevertheless, Ong's position still reproduce the West and its others rather than producing a more socially complex "West/North" that may not be so easily juxtaposed to a "Rest/South" that is separate and compartmentalised rather than interlinked, interpenetrated and hybrid.

Directly related and central to my argument is the notion of the hierarchical relationship the researcher establishes with the people who are the subjects of her research and the knowledge she produces in this context of power relations. Scheper-Hughes notes Paul Farmer (1994) reflections, in his discussion of "structural violence", on how culture has often been used to obscure the social relations, political economy, and formal institutions of violence that promote and produce human suffering. Cultures do not, of course, only generate meanings in the Geertzian sense but produce legitimate explanations for institutionalising inequality and also produce justifications for exploitation and domination. The culture concept has been used to exaggerate and to mystify the differences between anthropologists and their subjects, as in the implicit suggestion that because they are "from different *cultures*, they are [also therefore] of different *worlds*, and of different *times*" (Farmer, 1994:24). This "denial of coevalness" is deeply ingrained in our discipline, exemplified each time we speak with awe of the impenetrable opacity of culture or of the incommensurability of cultural systems of thought, meaning, and practice. Here culture may actually be a disguise for an incipient or an underlying racism, a pseudo-speciation of humans into discrete types, orders, and kinds- the bell jar rather than the bell curve approach to reifying difference. (Scheper-Hughes, *ibid*: 417).

Scheper-Hughes calls for a "barefoot anthropology" and to challenge the safe detached position that the institution of production of anthropological knowledge —as "neutral" and "objective" (*ibid*:419) science— provides to its practitioners. In so doing, she is also

questioning the privileged position of authority in which the researcher is located. But when she avoids the discussion of power that this implies, her argument is directed to individual practitioners of anthropology, rather than to the epistemological basis of their work. It also provokes a series of reactions against her proposal for implying that researchers willing to take sides and action in favour of the peoples they are working with are morally superior to those colleagues that would not do the same. Hence, the question of power should be directly addressed in the relationships the anthropologist establishes with the subjects of the research at an epistemological level. Power and authority are structural elements of the process of knowledge-making within social sciences, and in the relation of knowledge to society. This is especially true if the anthropologist comes from what has been constructed as “the First World”, the world of development to which people of the “Third World” have been made dependent, which is, of course, where Scheper-Hughes herself is located¹⁵.

Despite the strong criticism that Scheper-Hughes has received, I want to extract from her argument the powerful metaphor of the anthropologist as spectator of social events. In her argument she renders problematic the public role of anthropologists, and therefore, proposes a goal for anthropology beyond the frontiers of the discipline and academia itself. She believes that we have the responsibility of being “public intellectuals” practicing a “politically engaged anthropology” that does not overlook the great importance of chronic hunger, massacres, and disappearances. Following Farmer again, she recalls the example of “[a]ndeanist anthropologists whose selective blindness to the ongoing war in Peru allowed them to go about business as usual” (ibid:419), whose studies were focused in ecology and ritual. In so doing, these anthropologists made

¹⁵ But even if the anthropologist belongs to the “same” society, read nationality, notions of class, race, education, gender or age could still place the anthropologist in a position of dominance.

themselves complicit “in the structure of violence and space of death that the ongoing war left in its wake” (ibidem). Clifford Geertz is another example, for it took him three decades to mention the massacre of almost three-quarters of a million Indonesians that took place in the larger context of national political emergency when he was studying the Balinese “cockfight” (Ibid:437). And even when he did so, there are considerable grounds for which criticising his framing of the issue (cf. Reyna 1998)

Scheper-Hughes proposes that a change of attitude is necessary in relation to what she perceives as the “passive practice of waiting” produced when anthropologists choose to position themselves “above and outside the political fray” (Ibid:414). She proposes to transform “waiting” into an active practice of “witnessing”.

b) The researcher as a witness of war: a proposition for a politically engaged practice of anthropology

The discussion addressed above has a particular relevance in the situation of low intensity war in Chiapas, Mexico, where this research took place. This warfare has been developed in comparable conditions to those addressed in the body of literature produced during the “counter-insurgency” war in Central America, which at the same time constitutes a particular anthropological tradition in Latin America (Stephen 2002:24). My academic interest in doing anthropological research in situations showing evidence of repression exercised by Nation States over their citizens is that of documenting how this repression takes place. In war contexts, there is a need for the researcher to engage with people far beyond their role as informants. From her experience of research after the genocide in Burundi, anthropologist Liisa Malkki suggests that the researcher should be a witness who acts as “an attentive listener, recognizing the situatedness of one’s intellectual work, and affirming one’s own connections to the ideas, processes, and people one is studying” (Malkki 1995:94-95). It is precisely the researcher’s social awareness which shapes his/her intellectual interests and that lead people to

carry out research in situations where human suffering, pain and fear are so nakedly exposed. This position poses some theoretical and methodological problems for the researcher.

The researcher as a privileged observer: a theoretical problem

Carolyn Nordstrom in her ethnography of the war in Mozambique positions herself as author for her audience by stating that “we have reached the stage of theoretical development where we can no longer throw out such uncomfortable contradictions as well as worrying about the abuse of privilege in speaking for another and simultaneously recognizing the need to speak against the injustices another is subjected to” (1997:26). She argues that the origin of this dilemma is located in the colonial origins of anthropology, and since then has continued to nourish and shape what has been constructed as western thought (Ibid:26-27). On this line of argument the anthropological endeavour cannot be separated from the hierarchy it has created —and that is reproduced through the use of certain research methods— where “our speaking has some meaning [...] (and) “we” are associated with a power supraordinate to the other:

“their words may be important, but theirs are not the threat to us that ours are to them. In the final analysis, this message creates a hierarchy, imbues it with privilege, charges it with unequal power relationships, and places ‘us’ on top” (Ibid:27).

The problem seems to be either “researchers [...] responding to the critiques of occidental scholarship or [in relation] to the profound dilemmas of our research experience” (Ibid:28). Ordering is a result of the research, and ordering creates a narrative. Writing on human behaviour is inscribed in moral contexts (Ibid:28-29). Constructions of morality, ethics, or theory are likely to be more ideological than accurate (Ibid:29). In the face of these problems, Carolyn Nordstrom concludes that the making of knowledge from anthropology and the process of crafting the discipline with respectful ethnographies cannot

be an uncontested process in the face of the contradictions faced by the researcher.

c) The aim of the project: producing counter-narratives to hegemonic explanations of violence

Nordstrom's call for attention to the creation of narratives is important in the sense that through the selection of certain observable categories to describe the social world, social scientists, —including anthropologists, create *valuable categories* that bring phenomena into sight. The statements that construct research objects could be analysed as systems of statements that together form *academic discourses*. Following Ian Parker in his work in social psychology on discourse dynamics (1992) “[a] strong form of the argument would be that discourses allow us to see things that are not ‘really’ there, and that once an object has been elaborated in a discourse it is difficult *not* to refer to it as if it were real. Discourses provide frameworks for debating the value of one way of talking about reality over other ways” (Parker, Op. Cit.:4-5). According to Foucault (1972:49), Parker continues, discourses are “practices that systematically form the objects of which they speak”. The relevance of identifying the dynamics that structure texts should be thought of in terms of “the ways that discourses reproduce and transform the material world” through their characteristic to produce representations of the world (Ibid:1,8). Anthropologists cannot afford to ignore the fact that language is structured mirroring power relations. Language “structures ideology” making it difficult to speak using it and at the same time against it while consciously speaking against the connotations, allusions and implications that certain discourses evoke (Ibid:1,7). As I see it, the challenge of my research is to work with the *theoretical language* that produces descriptive knowledge of other cultures, while at the same time trying to elaborate alternative “valuable” categories to describe the worlds of the research. In this sense it could also be argued that my work is producing a counter hegemonic discourse of the studied events.

To exit from the dilemma sketched by Carolyn Nordstrom, that of the privileged position of the researcher, and following the idea that narratives as explanations of the world are socially constructed, I propose that results produced from this perspective are valuable because they are most likely to give alternative accounts of the events narrated by mainstream media or government representatives. In these cases the need to produce counter narratives to the legitimised versions of the conflict under study becomes of more than academic interest. It is not only important for academic reasons to seek to understand the many different historical, political, economical, cultural dimensions that underlie the actual conflicts in which the people informing research experience, but to try to get the researcher's view incorporated into the public debates as an informed voice about the issues under discussion. In my own case, going public is an opportunity to share the information that made me sensible to realities I ignored before getting to the places where these conflicts are occurring and listening to the people involved and living with them.

The fact that academia produces *authorised discourses* backed up by academic institutions is unavoidable. The two problems that arise in this context are 1) the problems produced by certain academic visions in themselves —such as the millennial culture of the “primitive” Lacandonese as proto-Maya living fossils, which can be challenged academically— and 2) the appropriation of selected elements of academic discourse —such as “tribes” — by the state, the media, NGOs and the “people” themselves (sometimes as politically useful strategic essentialisms in Spivak's sense). Therefore, I propose that a political stance is necessary and possible by asking oneself what kind of knowledge production one wants to get engaged with. I also found it necessary to make explicit this unavoidable dimension of power in the production of knowledge within the framework of my own research.

Parker suggests that the focus on institutions, power and ideology that he proposes as a tool to analyse discourses implies a

moral/political concern (*Op Cit:1*). At the bottom of the discussion lies what Rossana Reguillo proposes when she reflects that teaching students is a matter of transmitting how we do research and the kind of researchers one wants to produce to inform the development of a particular kind of society (Reguillo, 1998). In contributing to the production of knowledge researchers need to find a balance between the accounts of people and academic debates. This, together with positioning the issues of research in the wider context of political economy relations, is what I would consider a “politically engaged” practice of anthropological research, and have sought to put into practice in this thesis.

Distance and the development of collaborative relationships: a methodological problem

A methodological problem that I faced was located in the context of the type of “politically engaged” research that I wanted to do and with my own understanding of conflicts and unequal social relations among indigenous and non-indigenous people in Chiapas. Looking back, I did not feel comfortable with methodologies that would reproduce only the disengaged-“objective” notion of science. That would not only not allow me to get as close as possible to the people amongst whom I was to find myself living, but would also reproduce my position of privilege as a *mestizo-educated-urban* person. From this perspective, my struggle with the notion of distance and disengagement that is implicitly required by some research techniques created a desire to do a kind of research that would confront the certainties that my *persona* represented in the class structure of Mexico in the eyes of my informants. Theoretically, I was about to confront the cosmology of the middle class, that I represented, with a particular indigenous cosmology that I was not familiar with; at the beginning I realised that my own ignorance of their culture was also a common element in the class relation between urban middle class mestizos and indigenous people in Mexico. Later on, when I started reviewing the rushes to edit

my film, I found a particular sequence where I discovered that there was a mutual lack of/ or limits to our comprehension of each other's cultural backgrounds. In the sequence, Jtatic Mariano is weeding his one month-old *milpa* [maize field]. We had arrived there —with all his family and some close friends— to make the *fiesta de la Cruz*, a hybrid ritual blessing to ask for a good crop of maize that incorporates notions of Christianity and elements of a more ancient indigenous religious sensibility. While we were waiting for the food to be ready, I started filming Jtatic Mariano in the hope that he would explain to the camera the meaning of the ritual. Contrary to my expectations, what our conversation revealed was a series of questions that we posed to each other while trying to grasp the meanings of the questions themselves!

Video Clip 1 Jtatic Mariano weeding his milpa before celebrating *la fiesta de la Cruz*



The concern of this encounter was particularly important in relation to the technique of “observational cinema” that I wanted to use for the making of the film that accompanies the

written ethnography of my research. In this section I will explain how I used an adapted version of the observational cinema¹⁶ approach that allowed me to develop collaborative engaged relationships during the research¹⁷.

¹⁶ For a better understanding of the principles of this method and the particular approach of the Granada Centre see the clarifying article on Observational Cinema as practical anthropology, Henley, in press.

¹⁷ Although the method of observational cinema is one of the main axes in this discussion, I found difficult to weave it in the main text. However, I just would briefly say here that the method of observational cinema attracted me because of the

I perceived it as a methodological contradiction to decide to use the observational approach to film-making while at the same time nurturing relationships based on trust. The problem was the objectifying “gaze” that the observational method imposed over people when implying that the film-maker should not talk to the subjects while filming them, unless they spoke directly to him or her. Although this rule makes sense on the grounds that the acts of communication triggered by the filmmaker would affect people’s behaviour towards what they would think the researcher/filmmaker expected from them¹⁸, it did not fit very well with the project I wanted to develop.

David MacDougall, one of the first practitioners of the observational cinema method, discusses the issue of the distance maintained by the filmmakers in relation to the people filmed. He points out that filmmakers are in the first place part of an audience, and that they carry part of that attitude with them when not talking to people during the filming. By doing this, filmmakers

challenges it presents to the researcher. The idea is to be able make a film in which people’s experiences are revealed through some sequences filmed in the course of their everyday life. The need to make a film that is coherent in terms of the time and space in which the events take place is radically different from the method of montage which gathers together and juxtaposes pieces and fragments of film. It is through the editing process that a false continuity of time and space is created in the latter. In addition, in the observational cinema approach the tension of the narrative is built on details of the development of events that, when isolated and/or juxtaposed with other “sequences” of the everyday life, instead of building tension with “external elements” such as music. In filming long sequences and letting events develop before the camera, observational sequences are capable of revealing the importance of the themes explored through the actions and interactions they contain. The challenge of making this kind of film presupposes an accurate knowledge of what is going on. This knowledge is gained through participating and observing in people’s everyday activities.

Hence, my problem with the observational approach as it as developed in the 1960s lies in the rule of “not speaking to the subjects of the film unless you are spoken to”. This rule is a part of a kind of a Decalogue that purists of the observational approach developed to guide those interested in practicing this method. The idea behind this rule was that the filmmaker should distance herself from the role of the “director” in the sense of not guiding the subjects of the film through acts or comments before the camera rolled. Instead, the people in the film decide what to do or say while being filmed, and the filmmaker’s presence is revealed through the interaction proposed and guided by the people being filmed (see MacDougall 1998:125-139, Henley 1996; in press).

¹⁸ See Henley 2004.

exclude themselves from the world of their subjects [and] also excludes the subjects from the world of the film [...] there is no need to communicate with the subjects on the basis of the thinking that organizes the work. There is, in fact, some reason for the filmmaker not to do so for fear it may influence their behaviour. In this insularity, the filmmaker withholds the very openness that is being asked of the subjects in order to film them (1998:133).

It is, he concludes, “a form in which the observer and the observed exist in separate worlds” (Ibid:134). This distance that the researcher-filmmaker maintains from the subjects of the research allows her/him not to be asked questions about her/his own life-world and experience and therefore relates in an interesting way to the issues underlying Stephen’s proposal that we should rethink our “handbooks for fieldwork” (Stephen 2002:9). In both cases the authors make reference to and criticise what they perceive as a safe, detaching distance that implies that only the researcher is in the position of asking questions.

MacDougall suggests that the most interesting fact about filming in another society is that the camera is:

held by a representative of one culture encountering another [and that the ethnographic film is then not] merely a record of another society; [but] it is always a record of the meeting between filmmaker and that society (1998: 133-134).

I found myself identifying with this ideal of making a film a register of that encounter. It seems natural to me that the researcher should be ready to share as much as she is expecting the people to share with her, as it seems reasonable that “one cannot expect others to share life stories, thoughts, hopes, opinions, and observations without being ready to do the same” (Stephen 2002:11).

The idea to research in dialogue and collaboration with indigenous peoples in Mexico may also be a result of the civic work initiated by

the Zapatista bases. They have been asking us to listen and to understand. In both the research and the writing, I intend not to act as an expert, but as a critical interlocutor with my informants. For this is what I am doing: discovering an unknown reality that profoundly concerns me in my position as a common citizen.

Text, image and knowledge

Alongside my concern with the embedded ethics of research relationships and the relations between theories and practices, I have also been interested in the use of filmmaking in the process of generating knowledge in social research. In my conclusions I provide further reflection on this point, in order to think about the possible articulation between anthropological filmmaking and the ways in which it may influence anthropological research projects, fieldwork and text-making. Following Henley, “it is necessary for those working within the observational cinema approach to demonstrate what film can do for text-making anthropologists, not just as a second-order visual aid in the classroom, but as a primary medium of research” (2004).

I now will move on to explain the particular conditions under which this project was developed.

The development of a suitable methodology: the development of an observational collaborative filmmaking relationship

The collaborative film project consisted in planning all events to be recorded in the region where Pancho, the Community Defender, worked. I proposed to him that a film about his work could be interesting, and I emphasised that his interactions with both defendants and judges should be recorded.

During the nine months that I followed him, he dealt with four cases. Two of them involved murder, one was about unjust detention and the fourth had to do with local disputes over the damaging effects of

alcoholism in the family and in the daily life in the community. Every time before travelling to courts or to the defendants' homes, he explained to me the type of situation that was to be found, then we discussed the interesting points that should be observed, the strategy to guide the filming, (e.g. whether we wanted to ask for permission or not before recording, how the camera was going to be used, how the sound was going to be recorded, etc.), and the general relevance the case had to his work as a community defender. In most of the cases when we walked into public offices, he was playing his ordinary role as defender, but with the difference of having someone following him around with a camera. Once he got used to the situation, he behaved as if it was part of his job to have that extra eye behind him, and I may assume that the naturalness of his behaviour led even people behind desks in governmental offices to pretend that they did not notice the electronic registration of their interactions. One example is found when a policeman entered the office of the public persecutor where I was filming his interaction with Pancho. Instead of enquiring about my presence, the policeman decided to ignore me and the camera altogether! Noticing that, I quickly proceeded to introduce myself without ceasing to film the situation:

Video Clip 2 Policeman enters the office of the public persecutor and ignores the camera and the film-maker.



In the cases when we visited the defendants' homes, we would always explain what I was doing as a record of *Pancho's* work that could later be used as

a video with educational purposes to illustrate how a human rights defender works, and the particular problems faced by the people that he was helping. In every case we asked for the defendants' consent to

be filmed, and that sometimes included a petition to follow them for a little while in their everyday work.

The main problem for the film was to establish the context involved in every case, and that meant not only the particular circumstances of the alleged crime, but also to provide the viewer with a general sense of who the people that *Pancho* was defending were. *Pancho* and I were hoping to bring in some of this contextual information while interviewing the defendants by allowing them to tell the story of what had happened. Sometimes he would conduct the interviews, especially when people only spoke *Tzeltal*. In those cases he always chose the direction of the interview and I only discovered the route it had taken some months later, after he had typed out and translated the dialogue.

I was most of the time video recording his interactions, but he recorded some other events relevant to his legal cases, in particular in a case involving the murder of two autonomous authorities. When we went back to his community after having recorded some episode in his cases, we visited a house where we were allowed to watch our rushes on their TV. Then the family, relatives and neighbours gathered in the room and the screening started for all of us. These were noisy and lively projections, as many people would offer comments or raise questions about what was being shown. I sat down next to him, and I would make technical comments on the stability of the camera, the use of the zoom, the light and sound in the film. Then he would roughly translate some of the dialogues, pointing to me certain attitudes or faces of people in the rushes. Through his commentaries he allowed me to see the way he saw the recorded events. But more importantly, through his explanations of why people behaved in a particular manner, or of the usage of certain phrases in his own language, a particular cultural sensibility became observable by me. All these events were useful additional inputs for the research.

Pancho also typed the interview transcripts in *Tzeltal*. This was the first time he had written in his native language. Except for the bilingual school's grammatical exercises, people rarely need to write anything in *Tzeltal*. Every official paper or document is written in Spanish.

In synthesis, our collaborative relationship developed on the basis of making joint decisions about which events should or should not be recorded¹⁹, the way they should be recorded, and the mutual feedback we had on the rushes, the interview making and their transcript and translation. But we also did some work not directly related to the filmmaking process, consisting in reading the Mexican Constitution and other legal documents, in which case I would explain difficult Spanish terms that he did not understand, and that I sometimes had to look up in the dictionary myself. We also drafted public denunciations concerning local problems. We exchanged our appreciations on the framings and type of photographs that we both took at different moments. While we travelled to *San Cristóbal* to attend the workshops, I taught him how to use the Internet.

Pancho also got me involved in his legal advisory work. He would speak first and then he would ask me to relate the events as I perceived or had witnessed them. Or he would pose me questions related to the way they should proceed in a give case. I many times felt that he knew better than me what to do in courts or in giving legal advice, but he nevertheless expected me to know the answers to his questions and to those of the people being represented before the law.

¹⁹ At certain stage, around the middle of the time I spent in his community, I realised that none of his personal background was part of the film. I communicated to him what I perceived as a need for the viewer, to know a little more about the everyday life of this defender of human rights. I proposed to him to record a bit of his life private life in the community, and that he should decide what could be recorded. In response to this proposition he answered that we had agreed to make a film about his work, and not about his private life. I assume he felt uncomfortable with the idea of having me following him around in the community. He expressed the view that his everyday life was of no importance in comparison with the work he was doing.

In spite of trying to develop a collaborative relationship with the Community Defender with whom I worked closely, I cannot claim that the contents of the research were developed collaboratively. Although I always tried to consider Pancho's opinion and advice, I was nevertheless interpreting them and proposing guidelines for the interviews. Therefore, I was guiding the research towards my own interests and interpretations rather than working from his preoccupations and interests as well. It would have taken more time to build up a common ground from which we could have participated on more equal terms regarding the aim of generating inputs to the development of the research. This situation has made me think more deeply about the kind of communicative acts through which a filmmaker may unwillingly direct the path of the film, even when observing the mandates of the observational cinema methodology.

Before my arrival in *San Jerónimo Tulijá*, I was anxious that my critical questioning might be interpreted as threatening or antagonistic to their political positions, and that I would be constrained in my research or even evicted from the community on this basis. On the other hand, I was always self-aware of which people were on the side of the *Zapatistas* and who were not, and I did not feel safe walking at night in the non-*Zapatista* territory, especially near the Federal Army base established on one edge of the community. Contrary to these expectations, our chats about politics were relaxed in practice. It turned out to be relatively easy to build relationships based on my genuine interest and curiosity about their lives and in the people in general as individuals with particular histories and relations, whether they were pro-*Zapatistas* or not. However, once in the community, the issue that I found more problematic and challenging was that of understanding the indigenous system of values which was the basis of many explanations and everyday references. I started learning *Tzeltal*, and began to grasp more of their understanding of the world as expressed in their native language through certain expressions and words. It is not surprising that their appropriation of the Spanish

language has shaped and influenced it according to *Tzeltal* notions and grammar. The same appropriation of the language has happened with other Mayan-derived languages still spoken in this part of South East Mexico.

On conceptualising collaborative relationships

My relationship with Pancho started with my interest in his work. He told me later that he was interested in finding out why an unmarried educated woman from the city would want to go through the hassle and discomfort to which he was exposed while doing his work. He posed me personal questions to which I did not hesitate to reply, as one of my preoccupations has been that of actively working to build close relationships with the people I have worked with. Pancho moved from being merely the human rights defender into being my guide into his world. And I truly fulfilled the role of the apprentice, as I was totally ignorant of law procedures, regional socio-political configuration, conflicts, and the Tzeltal, the native language of the region. Pancho understood my “blindness” and, without asking, began socialising me into particular practices, beliefs and values. In this process of guidance, I sometimes felt pleased and privileged to be guided with such care. But sometimes I felt useless and oppressed, in particular in the situations in which I had to play gender-related roles. Yet in every case I gave myself up completely to the situation, and ended up either learning something new or with uncomfortable questions going around my head. In cases of extreme discomfort I looked for people with whom I could share my thoughts, who might provide me with some explanations.

In these situations of vulnerability, theirs are cases of unjust persecution or death; and mine is at a different level. We took good care of each other. At a distance in time and space, I identify these moments as highly important in the development of significant relationships that did not end when I had to leave their community because the time of my research was over.

Once people knew that I wanted to document their struggles, I stopped worrying about appearing intrusive or disrespectful while critically questioning their political struggles. Our disagreements made us engage in insightful conversations. They referred to me as “smolol”, or companion, in Tzeltal. They used this word instead of friend, as the term as such does not exist in their language. But my “accompanying” them is certainly what brought us close. We found ourselves accompanying each other on the roads, and in the jobs we had to do. They are “smolol atel”, companions in work or “smolol ta lucha” companions in struggle. In accompanying each other we learnt from each other and shared experiences. Some of these companions are the main informants of my research. This closeness implied a compromise I established with them. My concern to provide a close account of their lives motivated me at the time to find out about the meaningful aspects of their lives. These strong ties still motivate me now that I am writing and editing a film with their histories and their relations with a wider framework of regional and national politics.

Despite the conscious exercise of getting people to provide me with developed explanation of their ideas or actions, allowing them to use examples and other references that were “experience near” from their point of view, the barrier of language and cultural differences surely excluded me from understanding some key notions in everyday events, intrinsically related to the localised and culturally mediated dynamics of politics in the community. Due to the fact that most men are fluent in Spanish, I was able to overcome this barrier to a limited degree when they explained me what was going on. In contrast, older women only spoke to me in their native language and I was most of the time dependent on translations to understand them, to reply, and to ask them questions. However, despite of these difficulties, my intention to develop collaborative relationships did transcend the making of the film and invaded the ground of my relationships in the community. I found myself discussing lines of my enquiry with both men and women in the community. They helped me to ground my

interests in the direction of particular situations. And the events that I witnessed, and sometimes filmed, during my stay in *San Jerónimo Tulijá* became a guide to build up the structure and argument of this work.

First Section

Debt contracting and peonage

Chapter 1.

Ancient injustice remembered

Through oral histories and other related methods, anthropologists may help define the situation in which people find themselves. [...] By creating forums for the discussion on these issues and making these forums available—including information— anthropologist may challenge stereotypes and cultural categories which constrain options for individuals and communities.
Penny Van Esterik

Los relatos acerca de eventos o periodos del pasado no son fijos, sino cambian de acuerdo a nuevos elementos y nuevas experiencias. Uno de los procesos más interesantes que observamos con cierta frecuencia es que “el pasado” cobra significado o recibe significancia a la luz de problemas actuales. Así, entendemos que no es posible entender relatos históricos sin tomar en consideración cómo las representaciones del pasado están relacionadas con las luchas políticas, procesos de formación de identidad y manifestaciones culturales de la actualidad
Monique Nuijten



Photo 1 Don Nemesio with Doña Carmela, his wife, outside of their kitchen

Don Nemesio Cruz slipped down the ladder against the wall of his barn. He was left unconscious after his head hit the ground. Carmela, his granddaughter aged nine, waited until he opened

the eyes and could walk back home across the maize plots. For a week after, Don Nemesio stayed on the wooden surface of his bed, recovering from the shock of the fall; his wife and daughters-in-law prepared him infusions and creams with rosemary and other local herbs, to help his pains and bruises.

Don Nemesio is a *Tzeltal* indigenous native from Yajalón (see map 1). He is 80 years old and has had six children. He works every day of the year

growing the food that will feed his family. It does not matter if it rains or if the heat is unbearable, he has always worked his land since he arrived at San Jerónimo Tulijá 40 years ago. He only makes an exception on Sundays, when he goes to mass.

The toughness of the work for his people has changed with time. When he was born, the work his father did in the *ranchos* was even harder. And before his father, his grandfather had to work as a muleteer, an occupation that implied a great amount of suffering, as he recalls. Don Nemesio speaks from the indigenous conception of life/force when he asserts that “our force was exhausted using it in the *ranchos*. It was sucked out of us by our *patrones*, and that is why we grew old easily when we were there. We suffered many illnesses in those places”. And yet, he still seems stronger than most of elder people I know in the cities.

In this chapter, Don Nemesio and other founders of the *Ejido* San Jerónimo Tulijá talk of the life they led before they conquered the lands where they now live. They also relate the experience of the journey and talk about the people they met when they build the first houses by the river Tulijá. Elderly people speak of the kind of work they performed in the *ranchos* or in the *fincas* exploiting the stands of mahogany in the Lacandon Forest. Through their account we can learn of the recruitment process, the journey, living and sanitary conditions in the places where they worked, the food they ate, their access to formal education, their wages, etc. Directly relevant to the general argument of this thesis, we can also hear accounts of the kind of relationships established between the employers, in all cases non-indigenous, and themselves. Other non-indigenous people appear in their stories, but there are always people to whom they relate from a lower position in a scale of power. The effects of these power relations figure in the accounts that they give of their reasons for migrating. Some accounts of cultural change after the migration are given as well. Along with these memories, this chapter also brings the voices of younger members of the community. A younger generation of

men gives an account of the formation and consolidation of the *Ejido* (communal land).

Oral history combined with historical documentation are the methods used to gather the stories and establish the historical context of the material discussed in this section. The exploitation suffered by the indigenous population in the ranchos and the consequent migratory process to the Lacandon Forest has been widely documented in other regions of the State of Chiapas (González y Palma, 1977; Lobato, 1979; Benjamín, 1981; Leyva and Ascencio, 1996; Socios de la Unión "Tierra Tzotzil", Guzmán y Rus, 1990; Rus, Jan, Rus y Hernández (comps.) 1990). Nevertheless, this is the first history that has been put together based on the life histories of the people in this particular region. In this sense, the collections of memories of the inhabitants of San Jerónimo Tulijá constitute the main narrative in this brief history of their past as experienced by them.

In this ethno historical perspective, the meaning attributed by people in this area to their present political reality is contextualised by historical research that has been carried out in the wider area (de Vos 1980, 1988a, 2002). Of particular relevance for this study, is the tracing through history of the relations established between indigenous and non indigenous peoples, the latter being either landlords, merchants or employees of the State, and to describe how these relations are developing in the conflictive times of the present where open and some times violent political antagonism has emerged between indigenous of different political affiliations, and between the indigenous people and different police groups, the Mexican Federal Army, and non-indigenous landowners. Through tracing the historical formation of the power relations between indigenous and non-indigenous people, and their integration into the political configuration of the nation, we arrive at an understanding on how this region became a provider of unconditional votes to PRI candidates¹. Of

¹ The inhabitants of San Jerónimo Tulijá themselves remember that there was nothing else but the PRI before Xi'Nich and the subsequent struggle for the political ideals broadly spread through the communities by the base supporters of the EZLN.

central importance is the task of understanding how a region that had been such a longstanding supporter of the party of the State changed to become such an important centre for the recruitment and reproduction of the Zapatista ideals and forms of organisation after 1994. In this chapter I will explore the background to a series of events that underlay that shift of political stance.

My account of community memories starts with Don Nemesio, who was a *peon acasillado* [debt contracted peon] himself in a ranch in Yajalón; cultural changes are observed by Don Pedro Guzmán, who was the first to arrive in the region of settlement and met the rancher Atanasio López, a famous local boss or *cacique*. Don Pancho Gutiérrez, Don Mariano Méndez and Don Narciso Gutiérrez, all complement the history of the arrival to San Jerónimo Tulijá. These three men have all been *comisariados ejidales* [ejidal commissioners], and together with Rafael Gutiérrez, give accounts with their interactions with people from outside the community. In telling the story of their relations with outsiders, members of the elite or the government (or both), we learn about the system of economic exploitation to which they were subject.

To work in the rancho Pantelja': testimony of Don Nemesio Cruz

Don Nemesio Cruz used to work in the *rancho* owned by Don Santiago Pérez. It was located in the municipality of Yajalón, nearby the rível *Pantelja'*, from which it got its name. Don Nemesio grew up and learned to work in Don Santiago's land:

*C'alal mu'cubon ayonix wan bajel ta diez año
ochonix ta tul café tey ta rancho, tul capej. Yajwal
rancho, y c'alal bin hora ayonox bajel ta 12 año
aje, bon ta poreal c'altic, yu'un bi'til ay te c'altic,
tonce, te jpapá ya ya'bey te che'b jila, ya xtojot
tres peso, y co'tan ya jpajix te bi'til ya xha'tej te*

*I started harvesting coffee
when I was 10. When I was 12
I could get rid of the weeds
growing in the maize plots. My
father cleaned 2 furrows a day,
and he was paid 3 pesos daily.*

*jpapajé como ya xju'ix cu'un hec, ya ca'be hec te
che'b jila, jaxan ma'ba ya stojon, cincuenta
centavo jun c'ajc'al, cincuenta centavo, te jpapá
tres peso te jo'on cincuenta centavo, pe ya xju'ix
cu'un che'b jila, ya jtojat ta tres peso pero ja' to
teme laja cuch cincuenta kilo ijcatsilé xchij, te me
la a cuch 50 kilo ijcatsil ya jtojatix 3 peso xchij, te
jsantiago Pérez, tojol la jqu'eben te ca'tel te
a'tejon tey a, tonce, cincuenta centavo ji te la
stojon ta jun c'ajc'al, ja' te ya yal ta Tzeltal ja' te
toston xchij, jun tostón cincuenta centavo,
entoces c'alal mu'cu'bon la jpas ganar te tres
peso, tonse, tey a me hiné, puro tres peso tey
muc'ubonix a, mu'cubon, lijc jna' q'uinal.*

*I wanted to compete with him,
and I could actually get rid of
the weeds in two furrows as
well. But, what happened? I
was not paid as he was. I was
only given 50 cents per day. "I
will pay you 3 pesos but not
until you are able to transport
50 kgs. of weight in your back",
said Santiago Pérez. That's
why I offered him my work for
nothing! He always paid me
only 50 cents, until I grew old
enough to earn 3 pesos.*

Among the most difficult of the things they had to do, Don Nemesio remembers the trees they had to transport once they had cut them down with axes. They had to cut the wood into planks, and each man should be able to carry 6 of them at once. They transported it on their backs and walked for three hours along 6 kilometres of dirt tracks to the place where they were stored. This was the life of these *peones acasillados* —who were in effect as the evidence that follows will show— semi servile labourers— in the Chiapas of 1945.

*Ta yajalon bayel jwocolcotic tey ta
rancho, lom tulan, ay te cuch
hijcatsil, ay te cuch tabla, como
cuatro ta pejch tabla, regla ja' seis
yu'un cuatro metro, ¿namal?
Namal ay como tres lewa, lom
namal, tonce wen wocol la
jquilcotic, ja' me jhabelardo ay ta
Granizo, pu'ch ta bej yu'un yijcats
me in te'ay ta granizoje, ¿ja a
mojlolic? Jmololcotic tey ta
rancho equé, ¿yu'un mato
xju' yu'un? Ma to xju' yu'un...*

*In the ranch we suffered a lot. It was very
hard. We had to load all those planks on our
backs. They were 6 planks of 4 metres length
each of them. -Was it far where you
had to take them to?. -Very. Tres
leguas. It was very far. That's why we
suffered. Aberlardo who's now in Granizo, he
fell along the way, and he could not stand
again because of the weight he was carrying.
-Were they your work mates? -Yes.
We all worked in the same ranch. -Why did
Abelardo fall? Couldn't he carry
such a heavy load yet? -No, he still
couldn't do it.*

“The landlord seemed to have a good heart”, Don Nemesio remembers. He’s being interviewed by his son, Pancho, who is the Community Human Rights Defender of this region with whom I was making a collaborative film. They’re speaking in their native language, Tzeltal. I am only video recording. Pancho will transcribe the interview afterwards and translate it for this written version of his father’s memories. “He let us grow some maize on his land. But we could not grow our own coffee plants”, he continues. All workers in this ranch used to work 12 hours a day, at least. From 5 to 5. And on Sundays they walked with 200 corncobs for 24 kilometres, from Chilón to Yajalón. They also had to take two bundles with coffee of 50 kilograms each. All these constituted one *tarea*. “Your deceased grandfather could indeed carry 100 kgs. in one go. Those who were not able to carry them, had to make two journeys”, he tells Pancho. There was also a kind of obligatory service to the landlord called *pajina*, in Tzeltal.

<p><i>¿puersa ya sc'anbat te ya xba a wa'bey jilele o ja'atnax ya xba a wa'bey jilel? Pero como ya yal, pajina xchi ché, ya yalic pajina xchi, ta domingo ay pajina xchi, awil ja' te servicio te wa'ey pajina a yalique, servicio te wa'eye, xba a wa'bey si' chican bin ay xba a wa'bey jilel, jich te c'axic te wa'ey te cristianojetic tey aje.</i></p>	<p><i>-Were you obliged to do that for him, or did you give him that service because you wanted to? -He used to tell us(...) on Sundays there's pajina. (...) It is a service. You have to cut and deliver me wood, or anything you have. That's how those poor christians used to live there.</i></p>
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A group of people, including Don Nemesio, wanted to grow their own coffee plants. One year they had a very good harvest from the plots that they borrowed from the landlord. They got organised and decided to buy 5 hectares from Don Santiago. He accepted and sold it to them. But he offered them no documents for the land. When Don Santiago died, the land was inherited by his descendents and they refused to honour the unwritten sale agreement. There was nothing the organised peasants

could do about that. They lost their money and the plants that they had already started growing.

Pancho's grandfather arrived at the ranch *Pantelja'* after his father had already died. He got a Spanish disease, *español chamel*, as they called those diseases that they did not know before the arrival of the *caxlanes* in Tzeltal. Don Nemesio could have been better paid working in a different ranch: that of Don Eduardo Utrilla paid 5 pesos per day, and Don Gonzalo might have paid him up to 9 pesos for the same work. But he could not leave Don Santiago's ranch because he could not pay off his debts.

El trago – the drink

The landlords were the ones that started to sell alcohol to the indigenous people that lived in their ranches. *El trago* was given to men and listed among their families' debts. Ranchers also charged them for grinding their maize and sold them processed products such as salt or soap. As Don Nemesio's testimony showed, this use of the power of merchant capital to create peasant indebtedness proved an effective means of dispossessing the indigenous workers from their land.

*...sbetanic trago ya sju'chic, xcux
yo'tané jich sbet te wa'eye, jicha
bet te w a'eye ya xhutot, y ma' xju'
stojbel, c'unc'un a ma' xju' stojbelé
ja' i'chbot te squinalique, ja' yu'un
te yajaloné mu'c, y te campesinoje
pujc bajel ta ti' ja'mal, bajt la
yu'untay, puro jcaxanetic, jich hoch
te wa'ey jcaxanetic te wa'ey tey ta
yajalone, mamal enric conzal,
jpancho conzal, jheduardo utrilla,
jacobo, tso'bol, bayel ta chajp, jtali
manzanilla, jhabran martinez, ja'
tic te mero jc'ulejetic te wa'eye, ¿*

*...they sold us the drink on credit, or ground our
maize on credit. When men woke up they
realised they were in debt. You owe me this
much, they were told, and they could not pay,
they could not even pay it back little by little and
as a result their plots were taken away from
them. That is why Yajalón grew so big and
peasant people had to move to the margins of
the town. They left while other profited of the land
that was originally theirs. Only caxlanes lived
there. This is how the caxlanes entered Yajalón,
Don Enric Cozal (Enrique González), Eduardo
Utrilla, Jacobo, many different ones, Thali
Manzanilla, Abraham Martínez, these are the*

*ban talíc tey nix ayic a ?
banc'anuc, ¿ patilix la julic ? patilix
la julic talel, patilix xa talic, te tali
manzanilla heque ay laj jun nación
maxquil bin sbijil, te turco la sbijil,
ja' la turco te slumalé, ¿ turco te
ban taleme ? ja' laj, max xpas
yu'un ca jojc'oy bin ca mán, teme
la te'ayat ta sti' snajé ochan ya
yutat, pe teme la a jojc'oyé, ya
scojtesbatal pero ma' stsaquix a,
mas stsaquix a, tiene que ca wi'ch,
max xpas ca jojc'oy, lom bojl, lom
bojlic.*

*really wealthy ones. -Where did they come
from? Were they natives from there? -
¡Of course not! -Did they arrive after
indigenous people? -They arrived
afterwards. Apparently, Thali Manzanilla came
from another nation, I Don't know what that
nation's called, I think it's called Turkish.
Apparently Turkish was his country -Did they
come from Turkish then? -Apparently yes.
You could not asked them about something they
sold if you were interested. They invited you in,
come in! they told you. And if you asked for
something they took that down from the shelf and
would not accept it back. You had to pay for it.
He was very bad, they were very bad.*

Free labour force

The road to Yajalón

One of the reasons that made Don Nemesio leave the ranch of Don Santiago was the type of forced labour that they had to do for no economic remuneration, like in the case when Don Santiago managed “to convince” his labourers to clear a path to open a road from his ranch to Yajalón.

*te me ma'ba ya xbajat ta servicio je ya
xtalat ta bajel ta policia ta naj, te ta
cariteraje yu'un yajaloné, ja' cinco metro te
sjamalilé, ta stajn ca mac bajele, y seis
jichi' ya xlo'ca wu'un ta jun c'ajc'al, seis
metro? Jich, jich, spisil stajne, te ya
ca'beycotic te servicio ta cariteraje, yo tey
wen wocol la jquilcotic ay ya xc'ojon cotic
ta mero mu'cul te' mu'cul loj'p xuyuy, teme
c'ojat a me hine ma xju' ta jun c'ac'al, che'b
c'ac'al te'ayat a, oxe'b c'ajc'al te' ayat a,
¿ tarea ma'uc? Tarea, tarea diez metro,
diez metro, cuatro cinco metro te cariteraje,*

*If you Don't show up for the service the police
come to your house to take you to jail. That
road to Yajalón is five meters wide, and you
could make a six meters long stretch in one
day. -Six meters?. -Yes, yes. Width and
length. And that road was made as “a
service”. And that's when we saw it was much
suffering there. Sometimes we found great
big trees in our way. A Xuyuy tree for
example, and if you find that you cannot chop
it down in one day. You spend two days
there. You can spend three days there. -Was
the work assigned as a tarea? -*

*ja' yu'un jich te c'ax cu'un cotic tey a me
hine, yo ja' yu'un, tsajel ma' lec la jqui.*

*Tarea. 10 metres. 4, 5 metres you can see it.
That is what happened to us there, and that's
why I did not like it..*

The clearing of the landing-strip

The *caxlanes* also used the indigenous labour force to open the landing-strip for light aircraft, very commonly used to access the ranches to bring supplies or to take products into the markets of Villahermosa or San Cristóbal.

*Te jcaxanetique ya sna', ma' tojol
ya ya'c ta pasel te campoje, a'bibil
ta'quin yu'un ajwalil che, pero jjich
bi'til ja' ya yi'chic, y te campesinoje
ya xbajt ta serbicio, serbicio, tojol
tujunel, jich la spasticlan me hine,
y tojbil, jich bi'til ya yalic te, yajalón,
ban c'alal puro pueblojix me
yajalone, puro yu'un Tzeltal, puro
yu'un Tzeltal, puro yu'un Tzeltal ja'
te jalbotic yu'un te como och
smonic ta trago, jalbotic a'tel yo och
smonic ta trago.*

*It was clear that the *caxlanes* knew, it was not
random that they forced us to make the landing-
strip. They got money from the government to make
these landing-strips. But they kept the money and
so peasant people were forced to perform “a
service”. -Service? –To work for free as “a service
to them”, they organised things like that, and the
Caxlanes were granted money to pay wages
anyway! This is how the tale is told, that where is
now the town of Yajalón, there were before only
Tzeltal people, How did they manage to convince
them? With drinks! They offered them work and
meanwhile they convinced them to take it with
drinks.*

*...pero ja mu'cul papaj jil stuquel jo'on
talón, ma' la jc'an, tonse jich bi'til la
jyalbon te chawinic a mu'cul papaje, te
u'tsinel nameye ay xchi, ay bayel xchij,
te utsnel yu'un te jcaxlane la stemon
cotic ta pas campo yu'un avión xchij,
libre xchij, te campo tey ta yajaloné,
libre xchij, la jquilix te banti te bin hora
primero tal te avione xchij, la jquil te tal
te primero avione, tsaj xchij, ¿ma'yuc
xyil a? Ma'yuc, ma'yuc xyil a te avioné,*

*...your grandfather decided to stay there. I
decided to leave. I could no longer stand being
there. It was like your deceased grandfather
used to say, mistreatment to people: that's how
it was in those days! And sure there was plenty
of it around. The mistreatment on the part of the
caxlanes; they obliged us to open that landing-
strip, for the plane, he used to say. For free, he
said. The landing-strip in Yajalón, for free. I saw
when the first light aircraft came. I saw it, it was
red. -Hadn't he seen it before? -No.*

y la jqui la tal, pero ma'ba jalbot te
swinquilel te lumé xchij, la ya'eyic pas
campoje ma'ba jalbot bin stuc, ja'to la
jyilic te c'alal tal te avioné, c'alal te
cristianojetique jajchic ta o'quel xchij, la
yil te tal avione ochic ta o'quel, como li'
tal li' ta hini, tal ta monterey ban tal
ya'eyel te avioné, francisco sarabiaje,
¿ma'cha jucawan ta spasel te
campoje? Presidente ta yajalon, ja',
tonse laj la yilic te talé, ochic laj ta
oq'uel te wa'ey te Tzeltaletiqué, cojixtal
te cajwaltique xchilaj, cojix tal te
cajwaltique xchilaj, snu'pbelaj ta sc'abic
ta ch'ulchan ochic ta oquel lajla squejan
sbajic, ja' la cojix talel te cajwaltique, y
te jcaxlanetique yacalnax la stse'label,
commo sna'oj stuquel, sna'oj...

No. He had never seen planes before. And he
saw it come, but as nobody told anything to
people in the village, nobody knew. When they
went to make the landing-strip they weren't told
what it was for. It was when they saw the plane
coming when they started crying, your
deceased grandfather used to say. The plane
came from Monterrey. Francisco Sarabia was in
there –Who forced them to make the landing-
strip? –The Major of Yajalón. He was the
one. When all those Tzeltales saw the plane
coming they started to cry, -it's God who's
descending, they said. It is our God who's
coming down, it seems they said. Apparently
they gathered their hands together pointing to
the sky, and they started crying, they kneeled
on the ground. And it was only the master who
was coming down in the plane. The caxlanes
were making fun of those indigenous people.
They knew what it was all about...

Don Nemesio opened his eyes to mistreatment

Overloaded working timetables and physical punishment

This series of experiences, explained Don Nemesio, opened the eyes of indigenous people to what he refers to as “mistreatment” from the *caxlanes*. He moved from Don Santiago's ranch to that of Don Gonzalo. On his first day of work his employer handed him an axe to go and cut wood. “I Don't know how to do it”, replied the young Nemesio. “What is that you Don't know, you are not a woman to claim you Don't know how to cut wood”, Don Gonzalo told him. The second chore he was assigned was to cut up trees with a saw. “I Don't know” was what Nemesio said again. “Come on. I'm going to teach you how to do it”, he was told, and off they went. Don Gonzalo pulled the saw across the trunk twice and he handed the tool to Nemesio and his working mate. They were both left alone. A

week later, on a Saturday, Don Gonzalo appeared again to check that the task was properly finished. The next job they had to do was nearby the landlord's house, in the coffee plantation. They had to clean the ground where the coffee plants were growing of other plants and grass. From there they had to clean up the weeds in the *yuca* plantation, then the sweet potatoes. They had hardly finished that when they were sent to Yajalón. "Go and bring eight mules", ordered the landlord. "But it was very hard to catch them, they ran away from us all the time!", remembers Don Nemesio.

Ya jam te puertajé, y ya jmac bajel ta snaj, tey to xc'ojt stsac a, tey to xc'ojt stsac a, yo hay ti'bilix a ya xc'ojon ta yajalón, ay yijcats ya xbajt, pero que' ajchal li' ca'lal ajchali', ma'yuc caritera, puro mu'cul bej nax, pe c'alal ya xcha' sujtat tale yan ijcatsil ca cha' wi'ch talel xchij, ya xjulat tal yu'un las ocho olas diez de la noche, c'alal snaj, ¿ y bin ya xcha' ya'quix ta ich'el tal a te wa'eye ? biluc a como ay stienda tey ta banti ayix banco ta yajaloné, ja' yu'un me iné ta stsejl iglesia, ja' stienda me hiné, jich te wen wocol la jquilcotic ja' me hine, lom tulan a'tel ta jyajlel, y yo'tic ya xba ca'eytic chi'c tan xchij, ca'eytic pas jorno xchij, wen toyol te orno ya jpas cotique.

I am following (the mules) until we reach the gate in the fence. I open it and I lead them up to the rancher's house. And just there I can actually catch them. As much time has passed, sometimes I arrive really late at Yajalón. The mules are taking a reasonable amount of weight, but as there is so much mud on the way they cannot walk fast. The mud reaches up to our knees sometimes. There is no road, only a wide dust track. When you start making your way back, the mules are loaded again. You get to the ranch again until 8 or 10 at night. That's the hour when you reach the landlord's house.. -And what does he want you to bring from Yajalón? -Whatever, because he owns a shop there, and the bank is also in Yajalón. All the terrain that is located nearby the church was his own. That's where his shop was. And that's part of what we had difficulty dealing with. It was a very hard job. He says, today we're going to burn cal. And today, we're going to build up an oven, he had always something to say.

Men sometimes did not get to know their own children due to the overloaded working timetables in the ranches. They saw them when they came back home at night, but when they left in the mornings the small ones were still sleeping. Women, on their side, had to work as hard as

men. They were expected to start working again in the coffee plantations eight days after they had given birth.

*Ja' te tut alal lé, anquisea wen ja'al como yora
ja'al a ta diciembre ji, yora ja'al ta diciembre,
anquisea wen ja'al pe tey xq'uec'unix ta yu'
cape te alalé ay tut amaca yu'un, chucul ta
capej tey xq'uec'unix a, ocho d'ia a te wa'eye,
tutoj ayinelto a, teme yu'un ma' bajt te wa'ey
te ta tul capejé, ya xbajt te yijnam te ajwalile
ja ya ya'bat tal chicote, ta chicote ya xtal te
ants te me ma'sc'an tul capejé, ¿y bi'un te ya
xticonot bajel ta a'telé? Pe como ajwalil ca
wa'ey ché tey ayat ta sq'uinal a, weno ganar
asta como ay sbet y majna'tic bi'til a, jich bi'til
me lum ayic ine pero teme ca c'an ca ticon
ban ca ticoné teme ay sbet'e, asta teme
yijnam ay sbeté, y como ay sbet ché, bi'til
wan c'an tojo'buc, ja' yu'un jich ya spas bi'til te
wa'eyé, y o'bol sbaj te wa'ey te antsetique, y
te jo'otic winicotique pero yacal nax quilbeltic
yacal ta majel te qui'namtique, yacal yi'chbel
chicotejé yacalnax quilbeltic, yacalnax
quilbeltic, bin c'an na wal porque teme ya
xhochat ta c'ajc'u'bel heque ja' hec te ajwalil
jcaxlan ya ya'bat eque*

*In December during the raining season you
see babies (...) despite the fact that it is
pouring, they're crying in the coffee
plantations. They have a little hammock
tied to the coffee plants. (...) They're only 8
days old. They're really small, they're just
born! If the women Don't show up to work
in the coffee harvest, the wife of the
landlord goes and bring you with her whip –
And why do they force women to work as
well? –Well, he's the boss. You are in his
land. They say he pays you. But as we
ended owing him money, we Don't even
know how. That's why if you are in debt
with him, your wife must work as well. And
they tried to justify it saying that it was paid
work. That's the reason why he did that.
You feel pity for the women. We, the men,
could only look at how our women were
beaten up. They were whipped up, and we
were only staring at them. What could we
say! If you dared to complain the kaxlán
landlord will whip you as well..*

Language divide, lack of schooling and alcoholism: social horizons for indigenous peoples

The language, Castillian or Tzeltal, marked a divide between the landlords and the workers in their ranches. Don Nemesio himself did not dare to address his landlords. He recalls that in his time there were no schools which indigenous peoples could attend. Therefore no-one among his people could speak Castillian, much less think that they could learn to read or write it. Physical mistreatment was a naturalised fact amongst indigenous people. “Of course any landlord was going to beat you up (...) he even seemed to want to kill us sometimes. He did as he pleased. He

had the power to do it. If he expels you from his land, you have to leave. You find another ranch to work, but only if you can pay your debt back before you leave”.

Como spisil wij'quix xa sitiqué, spisil ocha nopiquix juné, ja' te scontrajotiquix te ajwalilé, ja' te masc'an ya yilotiquix yu'uné, ja' yo'tanucto te jich ay te bi'til c'ax te nameyé, ja' yo'tanto jich, pero yo'tic como ma' jichuquix, algo ya xju'ix ya ca p'eix xa baj sjoc yilel, yac, ya xju'ix a p'ebelic yilel hec, ja' te banti scontra te ajwalilé, pe te nameyé wen u'tsinwan stuquel, u'tsinwan, ¿ mato ayuc escuela hec a te nameye? Mato ayuc escuela, ay escuela puro yu'unax jc'ujlejetic, ay escuela yu'un jc'ujlejetic, max ochic ya'eyel a bi'tili jo'btiqui? Ma'uc ja'nax yu'unic, ¿ banti ay escuela a te wa'eye? Mero yajalon, mero yajalon, puro yu'un jc'ujlejetic, mero yajalon teynix tey ta'banti ay parque tey ta yajaloné, tey a, te'ay escuela a, pero ya jna'ix hec a te ay te escolajé ya jna'ix qu'inal ec a, co'tan ya xhochon hec che pero ma'yuc ma'cha ya yoteson, ma'yuc, ma' ochon ta clase, pe ma'yuc ma'cha la yoteson, ma' la yoteson hec te a muc'ul papajé, yo ja' yu'un, ma' lec ya ca'ey ec te maxquil ec ya'eyel te jun eque, co'tanuc ec pe ma' la yoteson ec pe tey mu'cub bon a stuquel, ochto xan jnopxan yacu'bel ec a, ¡yacu'bel! Ya pe ja'ix a, ja' yu'un ma' lec ta jyajlel, bi'til te c'axoncotique bayel wocol.

Nowadays people have opened their eyes, everyone started to learn how to read. They now know the enemy is the government. That's why they cannot stand us. They want to keep us as controlled as we were in the past. They expect us to remain silent as before. But nowadays is different, we can almost battle against them. That's it. We can confront them now. We are against the government now, but in the past, we were badly mistreated. We were highly mistreated. -Weren't there any schools at that time? -There was school, but it was exclusively for the caxlanes. It was a school for rich people only. -Are you trying to say that people like us could not attend lessons? -No, it belonged to them. -Where was the school located? -In Yajalón. Where there's the park now in Yajalón, there's where the school used to be. But we did know that there was a school. I knew how to think already. I also wanted to go to school, but nobody took me there. No one. I did not go to lessons. Your deceased grandfather didn't take me to school. I did not want not to be able to read. I wanted to learn. But nobody took me to school. That's how I grew up. Later on I only learnt to get drunk. - To get drunk! -That's what I learnt. That's why our thoughts of that time are useless. We experienced much suffering then..

The theme of alcoholism always comes back to Don Nemesio's memories. In an unusual display of consideration, Doña Pancha Lara offered a sack

of coffee to Nemesio's father. She was the wife of Don Santiago, who apart from being the landlord, was also Nemesio's godfather when he was baptised. The coffee was offered to his parents on the occasion of the birthday of the little boy; the only condition was to keep it secret from *tata*, as they used to call Don Santiago. "Don't show it to him, otherwise he will tell us off", she warned them.

Don Nemesio's father hid the coffee sack outside the ranch. He sold it in a neighbouring village. He obtained a substantial quantity of money by local standards that he used to get drunk. Don Nemesio was with him:

*Te chawinic a muc'ul papajé, ya yu'ch trago
 hec, yan buelta a bon cotic ta chilón, ay
 sta'quin, cuarenta peso sta'quin, ja' te mero
 platawan ya yalé, jja'wan! Juju', ja'te ya
 xlujbaj stsinlujet ya xc'ojt ta lumé, cuarenta
 peso, ¿ puro ja' to ya stujunic a te wa'eye?
 Puro ja' to á, mexicano xchij, yo bajt ta
 chilon ay cuarenta peso sta'quin, pero
 como ya xyacu'b, ban ay pu'ch te wa'ey
 chawinic a mu'cul papajé, busuul ta lum te
 sta'quiné, pe quej wan jtontojil hec yacalnax
 quilbel hec te busul ta lum te wa'ey
 ta'quiné, y ja' to la quil tal winic stamel peso
 te ta'quiné, yo ja'to la jtso'bix ec a, yacalón
 ta o'quel tey a, yo ja' yu'un ma' lec jiche me
 ya xyacu'botiqué, como ay cal jni'chantic
 o'bol sbaj ta melec ta patil a, ¿ y ma' la yi'ch
 spisil te ta'quine? Ma'uc, peso nax la stam,
 pesonax la stam, yo jo'on la jq'uejix a te
 wa'eyé, yo tey la quilix a te ma' lecuc,
 yacalon ta o'quel a te c'alal no'col calbebel
 c'alal cux yo'tané, como max xpijton hec
 jich bi'tili biejiito che, ¿ y mato ca na'ec a?
 Matooj, y ma'yuc bin yan puro yacu'bel,*

*Your deceased grandfather used to drink.
 Once we went to Chilón and he had 40
 pesos. It was a lot of money –A lot indeed! -
 Indeed... and suddenly, everything was
 lying on the floor. It made a lot of noise
 when he and the money fell on the floor,
 there were 40 pesos. –What was the
 coin used at the time? –They called
 it “Mexicano”. In Chilón he drank a lot, so
 much that he fell down, and all his money
 was lying on the floor next to him. Maybe I
 was a fool as well because I could only
 stare at the money that was lying on the
 floor. I began to pick the coins up until I saw
 a man walking towards us. He picked up
 one of those pesos. I was crying there.
 That's why it is not worth getting drunk, as
 our daughters and sons feel really bad
 about us... –And the man, did he
 take all the money? -No. No. He took
 one peso only. I picked up the money. This
 is when I realised that drinking was no
 good. I was crying when I was counting the
 money, and I stayed there until he woke*

*ma'yuc yan puro yacu'bel, puro ja', ma'yuc
bin yan, ma'yuc sc'op dios ma'yuc bin hay,
ja'yu'un te wen wocol la jquilcotic tey a, yo
c'alal lo'conix tal tey ta pantel ja'e, como
ma'yuc jq'uinal tey a entonces, jiluc te
q'uinalé xchon, jiluc te q'uinal tey ta jwan
c'alcotiqué xchon, y te ban la jmanix
cotiqué jiluc, ma' ti'cuc ya xwe'on a me hiné
xchon, yo ja'te wa'ey jajchonix tal ta bejel
hec abi, jajchonix ta bejel*

*up. -Didn't you drink with him? -
No. Not yet. And there was nothing else,
only drunkenness. There wasn't God's Word,
there was nothing. We saw life to be really
difficult there. And when I left Panteljá', as I
did not have any plot, I decided to leave
also the land where we had our *acahual*².
And that land that we had already bought,
Ah, it can also stay there!, I thought. It is not
enough land to feed my family, I said. That
was when I started walking. I moved away.*

Peasant people had owners

People working for landlords were not only expected to pay off debts they acquired when they bought products from them; according to Don Nemesio's accounts, they were forced to work for free in other ranches when their own landlord owed money to another one. "That's why it is true that peasant people had owners on that time. One was truly bought for money. We could not scrape together 100 pesos. We could not scrape together even 50 pesos. Imagine! We earned 3 pesos per day... When would you have 50 pesos in your pocket?"

These reasons finally led people to leave the ranches and to go to search for their own land. When Don Nemesio got married, the couple decided to leave the ranch. They tried it twice, once going to nearby *Jotolja'*, and another time to a place called in Tzeltal *Jotol Aquil* (big grass); on both occasions non-indigenous people came on horse, they were armed and forced the new settlers to move out. They had to go back to the ranch and wait. Just after their second unsuccessful attempt to settle outside the ranch, Don Nemesio found Pedro Jiménez in Bachajón and

² *Acahual* is the plot as its left after growing and harvesting maize (Aulie 1978:15). People I spoke to in Tulijá referred to their first milpas in the new territory as demarcated lands or places where they would build their houses after they had harvested the maize crop.

received the following advice from him: “Go to seek your land in San Jerónimo. It is all national land out there”³.

When the landlord realised people were leaving he tried to convince them to stay on his land, “What are you going for?” What are you looking for? Land? You have it here. Money? I give you money. If you leave, who’s going to do the work on the ranch?”.

<i>Pero jo'on ma' la ja'c, mawan ja'uc ya spason ta mandar xchijon, maja'uc ya spason ta mandar, jo'on wan chicanon ec te ban ya jca'n ya xbojoné, ya jc'an yu'un te mero cu'uné xchon, ya jc'an hec te mero ay hec te jcape equé, ya jc'an ay hec te cawal jts'unu'b equé, yo ja' yu'un jich te taloné</i>	<i>But I did not reply. I thought: perhaps he is now telling me what to do again. He is not ordering me what to do any more. Perhaps that I know where I want to go. I want my own property. I want my own coffee plants. I want my own crops. And that was I came here.</i>
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Ever since he arrived in San Jerónimo Tulijá, Don Nemesio has worked every day on his own land. He is holder of an *ejido* plot and manages 40 hectares of land with his two sons⁴. Next to his home he and his family grow many varieties of big fruit tropical trees. Their shadows are wanted to protect the coffee plants that lie below them.

The semi-servile labour system was backed up the power of *finqueros* [landlords-merchants ranchers] who took control of the indigenous land base. The limits of their power as a class lay in the fact that these were new zones that the peasants could colonise. In the following chapter we will see how political changes and the agrarian reform opened up new possibilities as the Yajalón region became more “open” to further outside influences.

³ “National land” was the name for land that was expropriated from big landowners and later assigned to organised peasant people who wanted to found a new *Ejido* (see chapter 3).

⁴ See the history of the consolidation of the *Ejido* in Chapter 3.

Chapter 2. Competing interests: divergent projects over the tropical rain forest land

The region where San Jerónimo Tulijá is now located (see map 4:92), was well known by the local indigenous population even before they started migrating to live there. The Lacandon tropical rain forest was a source of food and materials for



Photo 2 First carnival celebration in San Jerónimo Tulijá since the foundation of the community, 2001

the ritual festivities for ancient indigenous centres like Bachajón. The *fiesteros from Bachajón*¹ had to venture into the forest and stay there up to eight days² to collect the materials they needed for the carnival and the celebration of their patron St. Jerónimo³. According to Don Pancho, twelve people would make the journey into the tropical lowlands every year.

This section focuses on the *routes* into the Lacandon tropical rain forest: who travelled these routes and for what purposes did people venture into the unconquered territory? What places are joined by these routes, both symbolic and physically? What are the valued products and

¹ According to Jan De Vos (1980:234-235) it was the *kabinaletik* —or people without any specific role within the Carnival itself, who went into the forest to search for the food and animals that were offered afterwards to the *capitanes* of the Carnival.

² This account, reproduced from the memories of one of the inhabitants of San Jerónimo Tulijá, differs from the information provided by Jan de Vos (*ibidem*) on the number of days that people would spend in the forest looking for the materials for the carnival. Don Pancho says *fiesteros* spent 8 days, whereas De Vos documents 15 days for the same activity.

³ Following De Vos “the carnival of Bachajón is to a great extent the ritualisation of historic events in which *bachajontecos* and *lacandonos*” (Ibid:233. *My translation*). For more references on the meaning of the Carnival of Bachajón see Bequelson-Monod and Breton (1973) and Morales (1975).

Photo 1 mahogany tree in the Lacandon rain forest, 1909. Illustration published in De Vos (1988a:161)



their uses? How did indigenous people transit these routes over time, with what access to resources and under which kind of social relations? The testimonies offered in the following pages provide the study with some answers to these questions.

A relevant line of analysis emerges from the juxtaposition of two different projects and their underlying rationales, to exploit the natural resources of the tropical rain forest. At the same time that indigenous people from Bachajón were venturing hunting and

gathering for rituals into the north-western region of the tropical rain forest, privately funded companies had been exploiting its precious woods. Starting in the mid 1880s their profits were already declining by the 1910s (see De Vos, 1988). The state's role in the region has remained ambiguous and contradictory. From the 1940s it pushed forward

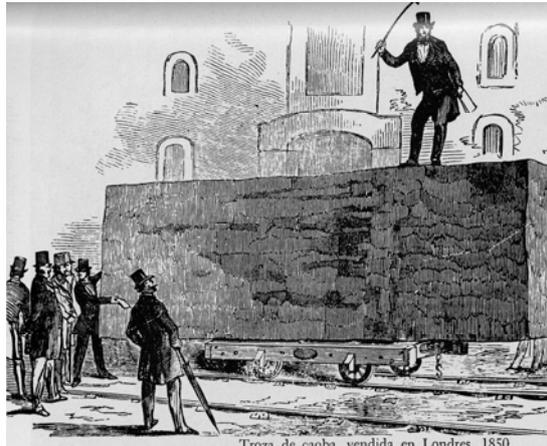


Photo 2 Auction of mahogany trunk, sold in London, 1850. Illustration published in De Vos (1988a:161)

a vision of economical development based on the exploitation of natural resources while at the same time it provided indigenous people with development projects to raise cattle (see chapter 4). Lately, —from the

1990s onwards— it has taken a public position for the conservation of the tropical rain forest⁴.

Although timber exploitation was carried out in places near to navigable rivers, and the river Tulijá would allow navigation, its woodlands were saved from the rapacious advance of the wood exploiters because the direction of its current did not connect to Tenosique and the international trade departing from the Gulf of Mexico (see map 1), from where the tree trunks were sold and shipped to Europe and the United States⁵ during and after the industrial revolution.

Map 1 Lacandon Rain Forest Region. Main Rivers and Lakes



Map taken from de Vos (1998:16)

⁴ See especially Lobato (1997:95, 126 and 147). See also the account of Gertrude Duby Blom on the conservation of the forest (Blom and Duby 1955).

⁵ See De Vos (1988:173-227)

There was one road, the *camino real*, constructed for the land transportation of precious woods in period after most of the major explorations had already finished, and as far as can be seen from the historical documents, this project did not hire an indigenous labour force from the region. The *chicleros* who entered into the Lacandon tropical rain forest came from Campeche, Quintana Roo, Yucatán, Tabasco, and even from the Huasteca⁶. However, at the time when people from Bachajón and Chilón established themselves in the basins of the river Tulijá, the same road was used by local indigenous muleteers, employed by non-indigenous people who first entered the territory as part of the wave of speculators looking to profit from the natural resources of the area. Don Atanasio, whose story we will hear in the following section, was a non-indigenous man from San Cristóbal who entered the tropical rain forest as the foreman of a group of *chicleros*, slashing trees to collect the natural base of chewing gum⁷, and staying on to become the most important *cacique* of this region.

The colonisers of the Northern part of the Lacandon tropical rain forest — conscious of the labour exploitation to which they were subjected in the ranches, left their landowners in the hope of being able to work on their own lands, but could not totally avoid establishing relationships of economic exploitation with indigenous and non-indigenous people who were also living on the neighbouring lands. As Lobato (1997: 155-167) explains, the colonisers' lost their strong sense of community based on the precise knowledge of their position in an extended kinship organisation that configured their settlements. Morales (1975) describes this traditional form of organisation and explains, that neighbours in the new colonies "did not know these relations even when many cultural features were shared,

⁶ Blom y Duby (1955:206, 208, 211-217), also quoted in De Vos, (1988b:266).

⁷ "Chicle, the base for chewing gum, is the boiled sap of the zapote tree extracted by laborers living in jungle camps during the rainy season", (MacDufferventon (s.d) <http://www.macdufferventon.com/Modern%20Maya/chicle.html>, webpage accessed on October 20th, 2004)

all those who ignored these references were considered as foreigners”⁸. In other words, only people who migrated together preserved genealogical knowledge. In the new territories different families ended up living together as neighbours which couldn’t trace genealogical relations.

In this context, people were obliged to invent new forms of organisation. Due to the diversity of origins, these were distinct from the traditional forms of social organisation and authority. However, emerging types of organisation within the new colonies based on the *ejido* model⁹ created the conditions for the survival of traditional hierarchical models of indigenous organisation. In the process of gaining access to land, some families were able to accumulate bigger extensions of land than others. This situation created differentiation within the inhabitants of the new colonies; on the one hand, there were *ejido* beneficiaries with rights and voice in the *ejido* Assemblies; and on the other hand, there were people without land or rights to intervene in the decisions that were taken in these meetings. As Lobato puts it:

*...the differentiated access to land in the tropical rain forest and the need of the labour force of the new immigrants were going to create differences in the economic position between the colonisers that finally would lead to their social differentiation and the appearance of social classes inside the ejidos themselves*¹⁰.

The desire to acquire lands of their own, away from the control of the landowners, was not the only motivation for people to migrate. As we see in the case of Pedro Guzmán —one of the three founders of San Jerónimo Tulijá, people not only decided to colonise the rain forest following their desire to get their own lands, but also in order to escape from conflicts with other members of their community.

⁸ Quoted in Lobato (1997:159 *the translation is mine*).

⁹ Lobato (*Ibid*: 161 *the translation is mine*).

¹⁰ Lobato (*Ibidem*)

Tensions and disputes in Bachajón, more reasons to migrate into the tropical rain forest

Antonia Gutiérrez Feliciano had to stop walking because she needed to give birth to Jerónima. She was with Pedro Guzmán, her husband, on their way to what would be their new home. They finally got to their destination near the river Tulijá with the newborn girl. It was the year of 1958.

Pedro Guzmán was fleeing from a family quarrel in which relatives of his had killed a witch. He himself was originally from Jetjá, but had lived since he was little in Bachajón (see map 4:92). Jan De Vos and Rodolfo Lobato have provided information to understand the situations of violence from which some of the new colonisers were escaping. In this line, De Vos writes:

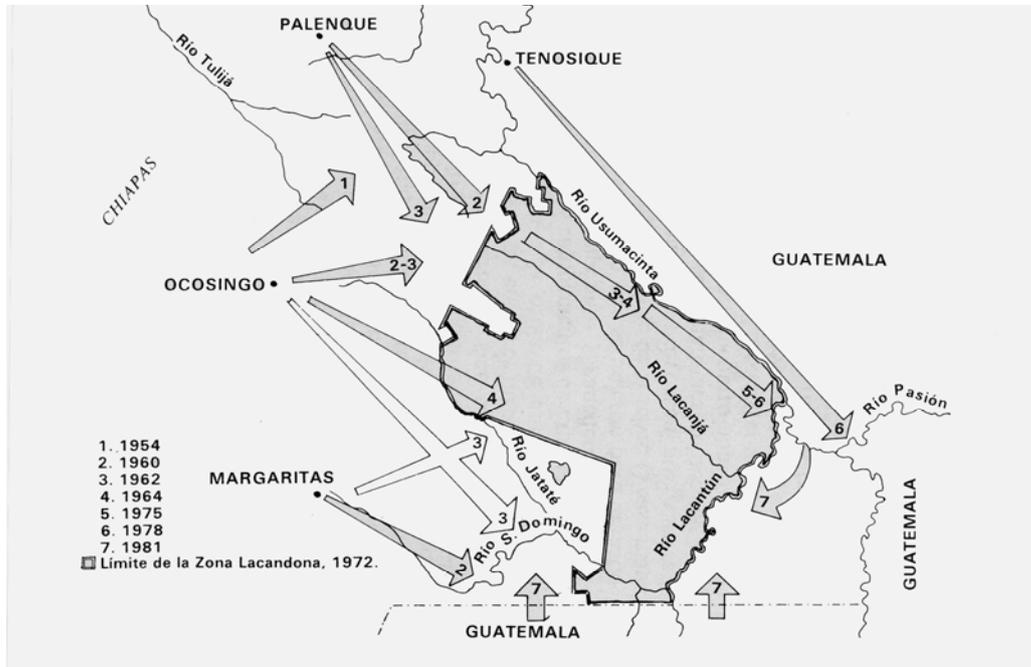
The anthropologist Rodolfo Lobato has studied the colonisation of the North part of the Lacandon Tropical Rain Forest. He discovered that many of the immigrants originally from Bachajón were fleeing from the violence they were subjected to in their communities¹¹. People from Bachajón were infamous for being a trouble-making population, not only aggressive towards outsiders but also amongst themselves. In recent times, conflicts reached a climax because of the concentration of big land extensions in a few hands. People accumulating lands as well as the victims of this procedure, were equally and frequently accused of witchcraft. In most cases, fleeing into the tropical rain forest was the only way to stay alive (De Vos, 2002:154-155, the translation in mine).

Diverse forms of migration, temporary migration as seasonal workers in the plantations or permanent migration into the new colonies in the rain forest (see map 2) —and the subsequent contact with non-indigenous societies— led the indigenous population to shift their patterns of consumption. Traditional processes of cotton spinning, weaving, dyeing and dress making, the transformation of animal substances into soaps, meals and shoes, or the exploration of the territory to locate the places

¹¹ See Lobato (1979; 1992; 1997).

where the type of clay or stone was adequate for pottery making, were time-consuming traditional practices that ceased to be practiced in direct proportion to the availability of goods brought by travelling traders visiting communities.

Map 1 Migration Flows into the Lacandon Rain Forest Region from 1954 to 1981



Map taken from de Vos (1998b:28)

With time, indigenous communities became increasingly dependent on relationships of trade, producing an economic subordination to a capitalist non-indigenous society, where their labour power was the means to get the cash to buy goods produced somewhere else. In order to obtain the money they accepted the working conditions in the ranches (as in Don Nemesio's case) and plantations (see below *To work in the timber camps*). The money they were paid for their work was later recuperated by the capitalist sector. Sometimes by the people that granted them work, through local shops run under the landlord's control, or by non-indigenous travelling traders who sold them the products that they no longer produced themselves. In an earlier work, Lobato documented the same processes:

The wealthier groups would push for a stronger integration into the market, orienting their agriculture and farm surpluses for the economy of exchange. At the same time, the Mayas would increasingly replace their artisan products with manufactured products. With this increase in the consumption of industrialised products in order to satisfy their needs of construction, nourishment, cloth, and health, their dependence on products from the outside grew. All these events led to the opening of the region to an internal market and rendered indispensable the need for cash in the framework of the economy of the family. The later was, at the same time, increasingly orientating itself towards production for exchange¹².

Following through the logic of this process, research carried out by activists has traced how indigenous people were targeted as potential consumers of products such as soap; in the case of soap the strategy was to give them the product for free and over a period of time —when people no longer produced it themselves— stop the free delivery, forcing them to pay for the product next time they wanted to use it¹³.

Memories of Don Pedro Guzmán, the founder of San Jerónimo Tulijá

For the interview with Don Pedro Guzmán, the founder of the village of San Jerónimo Tulijá, Don Pancho¹⁴ volunteered as translator. We start the meeting showing Don Pedro a book from the library of the local high school. It is a publication with an interview and photos of him and his wife. Two undergraduate anthropology students from Mexico City carried out the research¹⁵. Don Pedro looked at the picture and informed me that his wife had died two years ago. Don Pancho intervenes to point out the

¹² Lobato (1979:108-116) quoted in Lobato (1997:161)

¹³ Personal communication with an activist interviewing elderly people in the communities of the Lacandon tropical rainforest in 2002.

¹⁴ Don Francisco Méndez, to whom I will refer as Don Pancho, belongs to the first generation of men born in San Jerónimo Tulijá. His father saw more prosperous days as a cattle farmer and left an average of 80 head to his family when he died. Don Pancho has only a few cattle now.

¹⁵ See García y Ventura (2000).

relevance of recording Don Pedro's memories regarding their ancient way of life and his first journey to the region. The topics developed in the following lines were chosen by Don Pedro and guided by Don Pancho's questions. They both instructed me as to what they see as important features of their past that I might want to learn.

Traditional lifestyle in Jetjá and the lost of autonomy

Don Pancho: *How was life before coming to San Jerónimo Tulijá?*

Don Pedro: *My father used the traditional white trousers made with manta (woven cotton). He used a red belt and adorned his white hat with a black ribbon. Then we had travelling traders bringing manta and we bought it to make the traditional trousers with it. Then the travelling traders stopped bringing the manta and they brought already made trousers. They also brought shirts for men and children, and ready woven navy material for the nahuas (traditional skirt) that women wore.*

It was to Jetjá where travelling traders went. People bought trousers there. To do that, they worked cultivating maize, or raising pigs. When travelling traders came, people sold them maize and pigs, and they used the payment to buy trousers from them. These small travelling traders would then resell pigs and maize to big traders. They would take this merchandise out to other regions to be sold.

Alejandra: *Did they ever go directly to sell their pigs to the bigger traders?*

Don Pedro: *I had to go once. It is a place called Cotojá, or Italumi nearby Bachajón, and very close to Temó (see map 3). That's where the pigs were gathered. They arrived from everywhere. They were all bought. And all traders were the same as the ones travelling into the communities.*

Don Pancho: *I can understand the events that Don Pedro is telling us about now, because I had taken pigs to that place myself. All those pigs gathered in Temó were taken to San Cristóbal. Don Pedro is also explaining that in the cases where these dealers did not appear, it was the indigenous people themselves who would have to take their pigs to be sold to Montecristo, which is now Zapata. They had to walk for five days to get there. And when they had finally sold their pigs, then they would buy*

salt and soap, because at that time they did not yet know what sugar was. There wasn't any sugar, and therefore they did not consume it¹⁶.

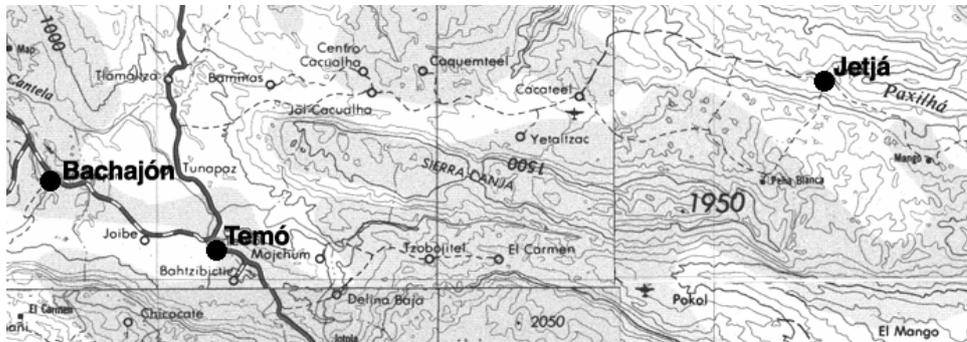
Alejandra: Were they already buying soap when Don Pedro was little or did he see his mother making it?

Don Pancho after consulting the question with Don Pedro: No. They were buying it. They used to make it, but that was a long time ago.

Alejandra: How many generations before him?

Don Pancho: I do not know for sure. Don Pedro's generation is amongst men aged between 75 and 80. So, maybe it was 150 years ago when these people were autonomous, when they were producing their own soap¹⁷.

Map 3 The "pigs" route
Source: INEGI



Things have not changed much for indigenous people

In relation to the way people exchanged money for goods in the past, Don Pedro says people are doing more or less the same nowadays. In the past, a pig was worth 10 pesos, now pigs are bought at 10 pesos for each kilo of its weight. He calculates that selling their pigs enables them to buy more or less the same goods that could be bought in the past through the

¹⁶ Don Pancho is making reference to white processed sugar. Living in San Jerónimo I had the chance to stay with one of the few families whose diet still relies almost entirely on the goods they can harvest, gather and produce themselves. They count on a *trapiche* [sugar mill] to process sugar cane into *melasa* [molasses], which they very much appreciate. This is the family formed by Doña Manuela, her husband Don Narciso and their 12 children.

¹⁷ The contemporary idea of "autonomy" is used to understand the past here. Twenty years ago people might have seen not having access to purchase goods as deprivation or as a sign of "marginalisation".

same transaction. Salt, soap, sugar and some garments are bought in every case.

Don **Pedro**: *But before the travelling traders came, when my father used his manta white trousers people used to make their own garments. They also made the huaraches –sandals– made out of mecate, strips of palm fibre. To make mecate they took the outer layer and left them inside to dry. Then they pleated the material until it became soft. Afterwards they made the huaraches. They spent a whole day making them. And men needed two or three pairs when they went to their milpas, because when it started raining the sandals were broken. They put their sandals on when they entered to work in their milpas, to protect their feet from thorns. And when cattle raising began, people made huaraches out of leather strips, so that it became easier to make them. They only added the sole. But before they did not use the shoes we use now. Only huaraches.*

Alejandra: *How about the women?*

Don **Pedro**: *Some of them did not seem very interested in footwear. They always walked barefoot. That custom remains to our days. Some of them wear shoes. But men did indeed wear huaraches made out of mecate. And when they arrived here [in San Jerónimo Tulijá], they used tapir skin for the soles. Tapir is a kind of elephant that is found in this region. People used to hunt them to eat their meat, and the skin was kept to make huaraches because it is quite thick. Men could run in the bush and thorns would not harm them. That's how huaraches made out of mecate were substituted by huaraches made out of tapir skin. But that change took place when people were already living here in San Jerónimo.*

Juez, musician and peasant

The family of Don Pedro Guzmán moved from Jetjá into Bachajón when his father was asked to be *juez* for the *fiesta*. They needed to make a good *milpa* and raise pigs to be able to feed the people attending the *fiesta*, which was the *juez*' responsibility. The *juez* alongside the *capitán* sponsored the *fiesta*. It was like having two celebrations happening at the same time: one day food was offered in the house of the *juez* and the

capitán visited him. The next day the *juez* went to visit the *capitán*'s house. That was repeated as long as the *fiesta* lasted.

Before being *juez*, the father of Pedro Guzmán played traditional Tzeltal music. As Don Pedro says "he was invited everywhere, and he worked as a *service*, he was not paid anything. His work was as one makes an offer to God. He was only provided with food during his work. When he wasn't playing music, he cultivated the land".

Hunting and gathering for festivities: the ritual exploitation of the Lacandon tropical rain forest

Don Pancho , describes how —before the colonisation of those lands— *los fiesteros* ventured into the jungle to hunt game and collect plants for decoration and the cooking of special dishes for the festivities; mantled howlers (*Alouatta palliata*) and armadillos were highly appreciated, as were palm trees and fruits which do not grow in cold land:

"... when the people descended, the captains as we called them [cabilales], were playing tambors, flutes and a caracol. When people that used to live in faraway places heard their music, they knew the fiesteros were walking downhill to look for those materials. And the same was repeated on their way uphill. (...) that was when those people went out of their houses to encounter the fiesteros and they fed them with a little pozol¹⁸ because they had spent a long time hunting and gathering material (...) and they offered them some chapay¹⁹..."

¹⁸ "the *pozol* is (...) a beverage found amongst almost all Mayan ethnic groups in Chiapas. It is made out of maize dough that is cooked without slaked lime to keep the skin of the grain. The dough is mixed with water until it is drinkable. In most cases, men take it during farmwork or hunting" (Mayorga and Sánchez 2000:86) The *pozol*, or *mats* in Tzeltal, is prepared as follows: "Soak maize grains until tender. Grind in a *metate*, a flat stone for grinding [or in a manual or electric grinder, as found in each labourer's quarters or community] until a dough is formed; a little ball is shaped and then diluted into water", (Ibidem) the water is gathered in the springs found alongside paths. It can be drunk freshly ground, or after its fermentation adding a sour touch. In the second case, it is usually garnished with salt and chilli.

¹⁹ Chapay, *Astrocharium mexicanum* Liebm, (Soto-Pinto *et al*, 2000:65) is the fruit of a palm tree that grows in the wild. It is gathered with a long stick to avoid stinging one's hand with the big and hard thorns covering it. The leaves of the palm tree can also harm the inexperienced gatherer. It is usually eaten grilled by placing it on top of hot coal, or

Back in Bachajón, the *fiesteros* would tell stories of the places they had been to find what they had gathered. They used to recall the beauty of the Tulijá river and its basins, with the view of the neighbouring mountains; they described tigers²⁰ and other wild animals they had encountered on the journey. These stories awoke people's desires to get to see these places, but the long distance to walk and the danger of wild beasts made them fearful and they then decided not to risk their lives in the journey.

Wood exploitation in the region: the interests of the capitalist enterprise

Don Pancho continues to inform us in this section. He recalls that the *camino real* connected Ocosingo with the ranch *Diamante*, property of Atanasio López, and from there it continued until the railroad located in Tenosique, where the trunks cut deep inside the forest were recovered from the river Usumacinta.

Jan de Vos has extensively documented the dispute over the territory of the Lacandon Forest²¹. In 1949, a company from the United States of America, the *Vancouver Plywood Company*, was particularly interested in exploiting the precious woods left untouched in the North of the tropical rain forest. Pursuing this interest, this company hired the services of Pedro del Villar, a Mexican lawyer based in Mexico City. His job was to find a way around a newly introduced forestry law just approved by President Miguel Alemán; this reform tried to restrain the export of wood. Another obstacle for the American company was the fact that the land could only be bought by Mexican citizens, according to Article 27 of the Mexican Constitution²².

As part of his job duties, Pedro del Villar and five friends of his, acquired the land where now the community of San Jerónimo Tulijá is located. They formed the trading company (sociedad mercantil) *Maderera*

fried with egg. In the region of San Jerónimo Tulijá the fruit is ready for collection from March and can be still be found in late April.

²⁰ 'Tigre' is the colloquial word people in the communities in Chiapas use to refer to jaguars.

²¹ De Vos, Jan (2002), see especially chapters II, III and IV.

²² *Ibid*: 60-63.

Maya, S.A., the legal façade that the foreign investment would use to circumvent the restrictions imposed by the Mexican law²³. Don Pedro Guzmán, the first inhabitant of the *ejido* San Jerónimo Tulijá would arrive seven years after that purchase.

As in the case of other people looking for a place to live in the tropical rain forest, alongside the reasons emerging from personal life histories was the encouragement of the state which strongly supported indigenous people to colonise of these lands. This is a rare period in Mexican history during which state policies –that of getting the tropical rain forest in Chiapas populated in this case, would coincide with the longstanding desire of indigenous people to get their own land, especially in cases where people could not get independence from the landowners and the slave-like livelihoods they had to endure. But these state policies were also a strategy—especially in Chiapas— by means of which the colonisation of the Tropical Rain Forest was a way of offering an alternative to land redistribution from landlords to peasants. In this case it was easier to choose between potentially conflicting capitalist interests in the highlands and selva, as the main investors who were in possession of *latifundios* [big land extensions] were foreigners.

Once indigenous people founded their new settlements, they would make use of all the resources available to them to get the land certificates, winning the legal battle over the company's desperately intent to salvage the investment already made in infrastructure and land for wood exploitation²⁴.

²³ *Ibid*: 64-67.

²⁴ See the extensive documentation on this regard made by De Vos (1988a; 2002) and Lobato (1979; 1997)

Map 2 San Jerónimo Tulijá Region

Work in the *timber camps* as remembered by the first generation of men raised in San Jerónimo Tulijá

To get to know more about the past of the inhabitants of the region, this section starts with the arrival of one of the three men considered to be the founders of San Jerónimo Tulijá: Don Pedro Guzmán. Don Pedro, Sebastián Gómez Meza and Ignacio Silvano Jiménez first reached to what is now known as *Piedrón* by the *camino real*, the only path that connected the tropical rain forest with Ocosingo, and crossed the region up to Chancalá, leading to Pénjamo and Tenosique in the neighbouring state of Tabasco; it was a highly transited route used by muleteers to drive cattle and pigs.

In order to contextualise the arrival of these men in the region, this section draws on the historical research undertaken by Jan de Vos. Although Jan de Vos' work documents in detail the southern part of the tropical rain forest, he does mention in a less detailed discussion the region of the river Tulijá and some of the characters that the people of San Jerónimo still remember. In the following pages I am intertwining the historical sources with the corresponding memories and other lines of investigation relevant to understand the kind of life the inhabitants of the region led before and after their migration to the basin of the river where now lies the village. The contextual historical information provided will allow an understanding of the diversity of social actors and interests in play over the land of the tropical rain forest known nowadays as the Lacandon forest, which has evolved and is still present in the contemporary conflicts in the region.

Testimonies

Don Pedro recalled that in his father's generation men that did not cultivate a piece of land had to go to work to the *timber camps* (*monterías*). His father never went because he had land himself, but he

knew all about the work in those places through the descriptions given by the *principales*²⁵.

Elderly people used to tell how recruiters working for the owners of the timber camps proceeded to engage indigenous workers when they left their parajes [compounds] to attend the festivities hold in Ocosingo or Bachajón. The recruitment was made by distributing money to people telling them to go to work in the timber camps. The money was given to both men and women. To get to these places the workers had to walk some days before they arrived. And as people were not familiar with the paths, they some times died on the way. Other times they contracted diseases over there and did not make their way back. There were a number of people who could not return because they died. Elderly people spoke like this.



Photo 4 Workers of the timber camp *Agua Azul*, 1946.
Photo: Gertrude Duby, published in De Vos (1988a:161)

“Hooking” indigenous people to work in the timber camps

Once people accepted the money that was offered to them in advance by the recruiter they could not change their mind about going to work to the timber camps. They had the obligation of being there on the day the recruiter indicated. They were menaced that if they did not come, they would be sought for in their communities and imprisoned them the charge of stealing the money. Although people knew how hard the work was going to be in the timber camps they had to go anyway, as it was the only

²⁵ The *principales* were the elderly people that had gained the respect of the community due to their communal responsibilities and the services they had performed for everyone.

way to get cash. Landless people in particular had no other option to survive, as they did not possess land on which to grow their own crops.

The work in the *timber camps* took place during the heyday and the apogee of the wood exploitation period in the Lacandon tropical rain forest, between 1880 and 1920. Some of the companies would continue operating until 1950, although the exploitation rate was much lower than before²⁶. According to the information provided by Don Pedro, it can be inferred that the men he speaks about went to work in the *timber camps* between 1900 and 1930, in other words, just during the apogee of these enterprises.

Every person that did not work a piece of land went there. It did not make sense to go if you were already working here [in the community]. They were our people [compañeros de nosotros] but they did not work here. In the timber camps their work was to cut branches of trees to feed horses and cattle. They also had to cut big trees (...) an uncle of Pedro Guzmán who lives in Peña Limonar, Don Jerónimo Guzmán, went there. It was he who told me all these stories. That they used to cut mahogany and cedar. They transported the trunks to make planks and I Don't know what else. It was for the companies. But we



Photo 5 Mahogamy tree, Lacandon Rain Forest, 1930. Photo published in De Vos (1988a:161)

²⁶ De Vos, *Op Cit*, p.12

Don't know which company it was, because this is all they told us, that they used to cut immense trees down, and that they had to pull them into the rivers. That's what the oxen were used for, to pull the trunks up to the water. The trunks were taken out of the river in Las Margaritas, near Pénjamo (...) Oxen were the tractors or lorries of those times. They pulled the wood up to the bank of the Usumacinta river (...)



Photo 6 Hacheros labrando una troza, 1946. Photo: Gertrude Duby, published in De Vos (1988a:161)



Photo 7 Trunks in a *tumbo*, 1946. Photo: Gertrude Duby, published in De Vos (1988a:161)

Testimony of Don Mariano Mendez, deacon of San Jerónimo Tulijá

The track to Tsendales

Tsendales was one of the timber camps where people from the region of Bachajón used to work. Don Mariano's father went to work there, as he recalls: "My father went there as a young lad, his job was to maintain the horses. In that track of forest there were a lot of tigers, there were footprints of the animals on the ground everywhere. Every time there were people walking on those tracks, every time a tiger appeared after them". The entrance to that track was in San José Reforma, near Lacanjá. People had to get there and descend south through that track, as the Usumacinta river did not have to be crossed by following this route.

Other people's stories locate a second big timberland camp where their ancestors went to work. It was on the land of Pico de Oro, a property of Pedro de Vega, born in Tenosique, Tabasco. His brother, Captain Baltazar Vega²⁷, would hire light aircraft to transport the pigs acquired in the Diamante ranch of Don Atanasio. The latter would act as a second intermediary, having bought the goods himself from the travelling merchants. At the end of this chain of intermediaries, the pigs would be finally sold in Tenosique to small retailers.

Comentario [A1]: p. 103
Iobato

Testimony of Don Narciso Méndez, autonomous *ejidatario*

The timberland camp of Pico de Oro

Don Narciso arrived in San Jerónimo Tulijá when he was a small child. His father had put two plots of land in his name, one in the newly formed *ejido* of San Jerónimo Tulijá and a second in the hot lands of Marqués de Comillas, very near Pico the Oro and the political frontier with Guatemala. He also knows the history of the people that used to go to work to the timber camp of Pico de Oro. On the day the contractors set, all the people who had received their pay in advance gathered there. When they were all

²⁷ To learn more about the role that Captain Baltazar Vega played in the industrial development of the Lacandon Rain Forest region see de Vos, *Op. Cit.*: chapter 2.

there, they started walking together in the direction of the Pico de Oro camp:

Women were looked after by the patrón. They were given lard to moisturise their bodies, since after walking for long distances the friction in between their legs would harm them. But nobody cared for men! They could die in the journey. And they did indeed. And nobody expected that when they finally arrived at the timber camp, men would be separated from women, their encampments established on each side of the river bank. Men were in charge of growing maize to feed everyone living there, and they also cut trees down. Women stayed on the side where the house of the patrón was, and they cooked. Every night the patrón would choose a different woman to sleep with. The capataz [overseer] did the same.

As we have seen, knowledge about the exploitation and suffering experienced by the ancestors in the timber camps is common amongst the inhabitants of the Lacandon tropical rainforest. These accounts are part of the collective memory of these communities, and therefore, provided an immediate point of historical reference when people try to make sense of contemporary events.

Labour and trade relationships with *caxlanes*

Don Narciso is conscious of the abuses that people of his kind have suffered. The stories of exploitation are also directly related to his own family. He tells how his father evaded the tax imposed by the *fiscal* [tax collector]²⁸ of Ocosingo:

The fiscal

People says that after the timber camps there used to be paid work in the ranches. It was there where indigenous people were whipped. They were treated worse than animals. But I did not witness those events. What I did indeed witness was when my dad took his coffee to be sold to Ocosingo. On a horse it was four days of travel. And my

²⁸ A non indigenous person in charge of getting the tax from indigenous people.

dad had this knack of avoiding paying tax. Because before we could not just arrive like this to sell the coffee. We had to pay a tax to do that. And so my dad already knew the way to avoid passing in front of the house of the fiscal, and he followed that road. He arrived directly in the house of the person who would buy the coffee from him, and when they get out with the money they run to move the horses and tie them in another place where they cannot be seen. But once, when they were making their way back to the community, they met the fiscal on the road! –What now? –You have already sold your coffee and you have not paid your tax yet?, he spoke like that because he already knew my father. –No patrón, we haven't sold any coffee. He lied to him and went away. But when they were caught selling the coffee, they had to pay taxes to that man.

The rancher Don Atanasio

Don Narciso recounts his memories when I ask him about other non-indigenous people with whom indigenous people had to interact, since he can recall such relations very clearly. I want to know what these relationships were like in the timberlands, in the ranches, in trading of the goods they produced, such as pigs, maize and coffee.

I remember that when I was little I accompanied my dad who went to sell three pigs to Atanasio, rancher of Diamante. It was there when I saw how that deal went down. First he examined the pigs and said: —You have already brought me three pigs. That's good then. Then he asked my dad if he wanted a drink. —Yes, he answered. Then he asked me if I wanted some biscuits. And as I was only a child, I should have been nine by then, I said yes as well. After a while my dad asked Atanasio how much he was going to pay him for the pigs. The man told him: —There's no money here. The light aircraft that brings me the money did not come today. Take soap and sugar instead. And evidently, the drink and the biscuits, all he had offered us, was already deducted from the pigs price. And we didn't realise until then that he was not offering us those things for free!

Later on, but also as a child, Don Narciso worked for Don Atanasio. His task was to embark the pigs into the light aircraft. He even travelled taking care of them during the flight to Tenosique. He tells how Don Atanasio

asked his father agree to the cacique's taking his child under his protection:

I climbed on the airplane. I helped that man and he payed me. He was good to me. He even asked my father to let me stay living and working with him. He offered to send me to school. But my dad did not allow that. That's why I did not go back there. Who knows what would have been if I would had stayed with him. Maybe I would have gone to school or maybe I would have moved somewhere else to live. Instead I stayed and I have a wife and 12 kids. The smallest, Lisandro is fairhaired. He has just celebrated his fourth anniversary. My eldest son is 24.

The teacher of the Ministry of Education

When the new colony was settled in the tropical rain forest, abuse seemed to be the main feature of the trade relations between indigenous and non-indigenous people. The trading conditions in these cases would have been unacceptable and offensive between people of the same kind. This lack of respect seems to be also present in the way the teacher —sent by the Ministry of Education— treated indigenous people when he arrived to teach in the primary school of San Jerónimo Tulijá; the same disrespectful behaviour was observed on the part of the arriving employees of the Ministry of Health:

We observed the same abusive behaviour on the part of a teacher that came to work here. His wife got ill, and he menaced us saying that if we didn't carry her to Ocosingo, he would put us in jail. And we thought that if we went to jail we would not be able to get out, as who helps an indigenous person to get out of jail? That's why everyone was afraid of jail, and that's how he made us carry his wife. People put her in a chair tied to two long sticks; the task required four men to carry her to Ocosingo. They advanced very slowly, because the woman was really heavy. That's what they did to us. That's how they humilliated us.

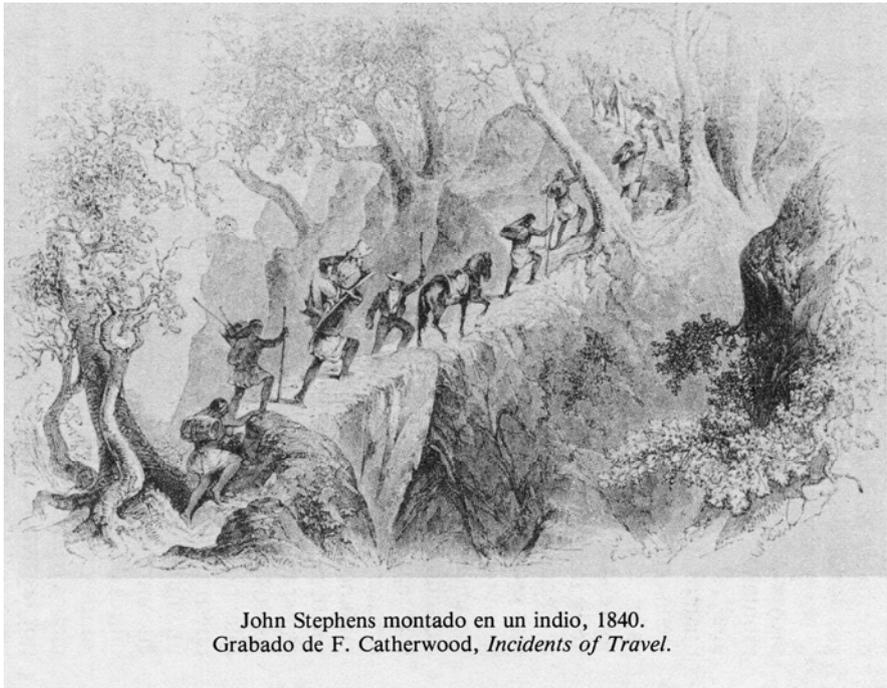


Photo 8 John Stephens “riding” on an Indian, 1840.
Illustration published in De Vos (1988b:57)

The governmental anti-malaria campaign

I also recall the same disrespect when the government employee — who came to spray the town and the bush against the malaria mosquitoes, arrived in San Jerónimo. He also menaced us saying that if we didn't help him carrying his tools he was going to put us in jail. As soon as he arrived he not longer wanted to carry his stuff around. —Hey, you! They called the comisariado, —take this tank with you. And you! Get yourself loaded with these liquids. And off went the caxlán to do his job with his two forced and unpaid helpers (chalanes). And that chalán was the comisariado, see what I mean!

That government employee sometimes stole our things. One time I was where I kept my cattle and I saw him passing by, but he didn't notice me. Not long afterwards I realised that my horse's medicine had gone missing. Then I spoke to him straight. I said: —Look, after you passed by my land some of my possessions went missing. I am going to denounce you publicly as a thief. He denied everything. But I

knew he had stolen from me. And I was not the only one affected by this sort of event.

In each of the previous examples of relationships established between indigenous and non-indigenous people, there is a strong remembrance of exploitation abuse and lack of respect when people narrate them. The menace of jailing indigenous people if they do not submit to the outsider's orders appears in every case as well. Therefore, indigenous peoples decided to avoid any direct confrontation for fear of being jailed in punishment for their disobedience. Obedience did not however mean lack of concern about the humiliation to which they were subjected. They were well aware that it was better to obey these unjust orders rather than to find themselves in the caxlanes' jails, social spaces in which they had no influence over the rules to determine when, or even whether, they would be released.

Don Pedro Guzmán was never made to feel ashamed

The gap between the generation of founders and their sons that grew up in San Jerónimo, shows a different approach in their appreciation with outsiders. The former are men aged 80 years on average, and the latter is exemplified by the case of Don Narciso, aged 40. When I asked Don Pedro if he could recall any difficult event when he spoke to outsiders arriving in San Jerónimo, he laughed. *Mayuk*, he said. He did not recall having been humiliated or was never made to feel ashamed. He recalls no unjust events. In his words:

Long before I came here, I lived in Tachiljá, close to Sacún. There I did not how to listen to Spanish, two or three words I knew. But when I came down here, almost immediately came the company, the chicleros people said. They came with the road. And then many traders also arrived here. And they all started talking to us. It was then when I started understanding Spanish words better. And it is the way it is still happening. But we were not afraid, we were looking forward to it.

Don Pedro seems to be expressing a release from older forms of inequality, but different expectations are expressed on the part of the younger generation of men. In the next sections we will see how Don Pedro does now look retrospectively and considers himself to have been deceived by the fact that an exploiter could speak Tzeltal.

Don Atanasio López

The chicleros that named their camp *Diamante*, came from Campeche according to Don Pancho. A man from San Cristobal heard of them and travelled all the way into the forest to search for them and to ask to be employed. Apparently the young man achieved a position as the foreman of the camp.

The work of the *chicleros*

It is Don Pedro who tells all about the work performed by the chicleros. They have to climb up 15 meter high trees. With one hand they hold on to the rope that secures their waist to the trunk, and with the other hand they use their machetes to slash the bark to get the resin flowing out of the cuts. This job has to be done with extreme care, as sudden death can be found when falling off the tree after accidentally cutting the rope while mechanically slashing the cover of the tree.

He then provided me with a detailed description of the process in which the chicle resin is collected in little bottles or plastic bags tied to the lower part of the trunk. Every day there would be someone collecting the bottles that are already filled with resin. He would then take them and the process of cooking would start then. “The resin is cooked in the same way as we make the *panela* or *piloncillo*²⁹, in a huge pot. When the dough is ready it is placed into a tray and they take it out when it’s already cold and hard. When all the trees in the region have been slashed, the camp is moved somewhere else. Slashed trees won’t produce resin for the following six years.

²⁹ The first product after the juice of the sugar cane is boiled for two or three days.

In her diaries, Gertrude Duby Bom, a 39 years-old Swiss journalist who arrived in Chiapas in 1940, also narrates the work of the *chicleros*³⁰. According to her, there are few people working in this hard task. Most of them are men from cities in the states from the Yucatán Península. Both narrations, the above offered by Don Pedro Guzmán, and the one offered by Gertrude Duby Blom, are rich in details and show a deep understanding of the daily routines of these workers. Living outside of the forest, and with the knowledge gained through the understanding of the different practices exploiting the natural resources in the forest, Gertrude Duby Blom campaigned trying to raise consciousness of the need to protect the forest³¹. Living inside of the forest, Don Pedro, Don Pancho and the rest of the male inhabitants of the region, were witnesses to the presence of these workers, sometimes suffering the effects of their work on their own lands, as in the case when men working for *Petróleos Mexicanos (PEMEX)* [the Mexican state oil company] performed a series of explosions upstream along the river Tulijá. Some days after these experiments were carried out, the fish in the river floated dead on its water leading people to suspect that the water—which they used for personal cleaning and domestic purposes— had been poisoned (interviews with inhabitants of San Jerónimo Tulijá, in file with author).

The bad habits of Don Tano

The young man from San Cristóbal hired as a foreman in the chicleros camp Diamante was to become the local cacique after the chicleros were gone. As Don Pedro continued saying:

Atanasio was asked to stay to look after the camp when the chicleros had to leave Diamante (...) the houses were made out of cardboard but they had a landing strip (...) when the chicleros were gone, all those things were left as if they were Don Atanasio's property. They left everything for him. Don Atanasio then went to Tuxtla to speak with the government, he asked to be recognised as the owner of the land its properties. And the government granted Don Tano the land

³⁰ See her detailed description on the work of the *chicleros* (1955:206,208, 211-217).

³¹ Lobato (1997:129-131).

as a small landholding (pequeña propiedad). To legally certify that, an engineer arrived in Diamante to measure up the land to get those details in the land certificate. And after the land was legally in Don Atanasio's possession, the government started to buy pigs from him. And Don Atanasio sold loads of donkeys, and mules, and everything. He then became a trader.

The dealing skills that Don Atanasio used in conducting his business, made him very rich in a short period of time, as his *compadre* Don Pedro Guzmán's account reveals. He made sure to make all his neighbours his *compadres*, and always spoke to people in Tzeltal. That's how he gained people's confidence, but that did not prevent him from deceiving them in every commercial transaction he was involved in, as exemplified when he had to pay for the pigs that people took to sell him³². Other stories enable us to learn more of the character and habits of Don Tano. It is Don Pedro who speaks again:

...he started bringing more and more products to Diamante, and he opened a shop. He also started dealing alcohol. People continued to offer him pigs for sale. Don Atanasio offered them drinks, to warm them up, and that's how people got drunk and sometimes ended up killing one another (...). He made a business out of everything, he bought, he sold, and he soon became rich. Very rich. He had loads of cattle, loads of horses, everything (...) after a while, transporting pigs to Tenosique was as practically free, because the aircraft brought merchandise on their way back. In a sense taking the pigs to Tenosique did not imply any expenditures!

When we arrived to Diamante to sell pigs he told us "wait for the money, I am going to the bank in Tenosique. I have money in a bank in Zapata, and in another bank in Tenosique. I have loads of money, you Don't have to worry about your payment".

Alejandra: *Did he pay you then?*

No... he only told us to wait for him. Meanwhile you stayed there buying his merchandise, drinking, getting drunk with other people.

³² See testimony of Don Narciso on Don Anatasio, *supra*.

And when the aircraft finally arrived you did not any longer have any money. Sometimes it turned out that you were in debt to him. Some other times he pays you a little bit. Those were his evil ways. He was a very short man, and he seemed quite harmless, he appeared to be a humble man, we could not see if he was a aggressive man or not. We couldn't tell. He seemed harmless but he was an evil person. That's how we came to know him. He spoke very softly, slowly. But he was a dealer from San Cristóbal. He was caxlán but he spoke Tzeltal (...) like people from Ocosingo, Bachajón, Chilón, all of whom speak Tzeltal. That's it. That's why people trusted him, because he chatted to them in their language.

He sent people working for him to the ejidos and rancherías, they took machos and mules with them and they took pigs back. He instructed them very carefully, providing them with all the details of how to get to places, and how to go about dealing in every household. These employees of Don Atanasio would tell people: — Here, I am taking your pigs, take these 10 pesos, or 5 pesos. But they would take three or four, not just one pig! Loads of pigs arrived in Diamante every day, to say 100 pigs per day seems too small number for the quantity of pigs that arrived there daily. That's why the light aircraft were needed, and they transported pigs to Tenosique every day. It was like having a party everyday in Diamante: there was a landing strip, and a big house (casa grande), and all the people wanted to get the things that the light aircraft would bring for them to buy. Don Tano would say to the pilot: — Please bring this or that. And the pilot would go and bring those things for him. And people, seeing how things worked, would tell other people, and everyday there would be new people asking for things to be brought. That was the only way to get things, from where else? It wasn't like today when there are cars arriving frequently and you can find anything you want in town.

You cannot come here because this is all Don Tano's land

In 1962 Don Pancho went hunting for the first time in the region of San Jerónimo Tulijá. He stopped in order to talk to Don Pedro who had been living there for four years already. "Don Pedro used to tell us that we

couldn't come to live here because it was Don Tano's land. And as he was his *compadre* he had the responsibility of taking care of his land". This is Don Pancho's account:

Don Tano used to warn his compadres —Don Pedro, Don Sebastián and Don Ignacio: you cannot let anyone else to settle down here. You are the only ones I allow to stay here because you're my compadres. And the three of them believed him, and they imagined they were the only ones that would live on that terreno nacional. According to Don Atanasio's story, all those lands were going to become part of his ranch one day. That's why Don Atanasio offered them to keep his cattle as "a la parte". That meant that they were provided with a piece of land where they can grow grass to feed the cattle. And every year, they could keep for themselves half of the calves born from the loaned cows. The other half would increase Don Atanasio's numbers. That was the instruction Don Pedro received: —Make your potrero here, and when you finish it, you can come and collect your cattle. And so he did, and he was given 20 cows and 1 calf.

When we arrived we asked Don Pedro whose cattle that was. —It's Don Atanasio's. —And why is it here? —He gave it to me as "a la parte". —Ah, we replied. And we continued saying: —We came because we have already started a bureaucratic procedure to try to form a new ejido on this national land. —But you cannot come here because you belong to Bachajón and this land belongs to the municipio of Ocosingo. You belong to the municipio of Chilón.

That's how Don Pedro answered us. He did not really like the idea of us coming here, as he tried to follow Don Tano's instructions of not letting anyone else settle down here.

Finally, Don Pedro accepted that Don Pancho go back to Bachajón to see the consultants³³ whose help they were trying to get to obtain this national land. It was shortly after that other families arrived in the basins of the river

³³ According to Don Pancho's account, these advisors were Tzeltal indigenous themselves (see chapter 3:119), members of a political elite involved in regional and national political networks. This is particularly relevant as it corrects the impression that the moment into the Lacandón Tropical Rain Forest and Land Reform were completely spontaneous —rather than a part of a bigger political process.

Tulijá to settle there down definitively. That was the beginning of the village.

In the wider context of the state, a struggle for the definition of the use of the land and the possession of the Diamante region was taking place. In 1950 a group of “50 people under the name of *División del Norte* had placed a petition before the department of colonisation of the Ministry of Agriculture. They were asking for 30 thousand hectares of *tierra baldía* [unoccupied land] south of the village of Palenque. They wanted to establish a new *ejido* there. The organisation *División del Norte* was encourage to apply for those lands by the same government employees, who assured them that the zones of Sala, Dorantes, Doremberg and Valenzuela were national lands...”³⁴.

This seems to be the spirit of the time, in which representatives of the government advised and encouraged peasants to venture into and colonise lands inside of the tropical rain forest. This is extensively documented by Jan de Vos concerning the formation of new *ejidos* and *centros de población* in the North of Chiapas. In this vein, Jan de Vos illustrates the moment in which “an expert of the Ministry of Agriculture and Farming, carefully studied the files kept in the archive of *Terrenos Nacionales* [national land], which documented the state of the property of the land inside the Lacandon Forest. In his conclusion he states that 576 115-96-27 hectares should be recovered in favour of the Nation”³⁵

The tragedy of Don Atanasio

Meanwhile, as Don Atanasio continued with his project to extend the domains under his control, certain events intervened to prevent him from doing so. Don Pancho continues to tell us the story of what he happened to witness:

One day, the wife of Don Atanasio started to get ill. She was a tall and thin lady. She had tuberculosis. We saw her taking her pills

³⁴ De Vos, Jan (2002:76, *my translation*)

³⁵ *Ibid*: 77, *my translation*

when we arrived there to sell our pigs. She grew very thin, but even then she worked very hard. Until she died. And Don Atanasio was already very rich (...)The light aircraft would make two or three travels taking and bringing things in. The plane was property of Baltazar Vega, originally born in Tenosique. He was a captain, a brother of Pedro Vega. And an uncle of them whose name I cannot remember, was the owner of the *montería* [timber camp] that occupied all that land.

So then, Don Tano went to Coatzacoalcos, Veracruz. He found a very pretty lady, she was quite young. And Don Anatanasio was quite old himself. He brought her and we knew her. We saw how she showed him care and love. But she had her *mañas* [bad habits] as well! So then, when when I arrived to sell my cattle, he came out of his house. And following him was always that young lady, covering him from the sun with an umbrella. She didn't want him to get too hot. And she hugged and kissed him. She took very good care of him. That's how she gained Don Tano's confidence. And then she started telling him that he was too old to go the bank to deposit the checks. And she convinced him to let her take that responsibility. And off she went in the light aircraft and came back the following day. Some times she came back on the third day after she had left. And Don Tano did not tell her off. She also brought the merchandise he asked her for. And so. And she did that so many times, that people tell that when she saw there was enough money she took it along with other money Don Tano had requested from the bank (...) the young lady left with the money. And never came back. That is how Don Tano came was abandoned and got poor. He could not even pay the debt he had aquired to buy cattle. He was bankrupt. He had to sell all his cattle, and his ranch as well, little by little. That was when an engineer called Arturo Ramos from Tuxtla bought his ranch. Arturo Ramos was president of the *Agraria Mixta*³⁶. Afterwards, it was Juan

³⁶ The *Agraria Mixta* is the commission created in each state of the Mexican Republic to bring local solutions to the claims brought before the Agrarian Reform by people claiming for a) restitution of land, 2) *dotación* [assignment of *ejidal* land] and 3) *ampliación* [enlargment of already existing *ejidos*] (see Art. 6 part 1 of the *Reglamento Interno de Trabajo de La Comision Agraria Mixta en el Estado* (1971). Available on line at http://www.congresobc.gob.mx/reglamentacion/estatal/Tomo_12/Reglamento_Interno

Solórzano who bought another piece of his ranch. He was a lawyer from Ocosingo. And there was a third person to whom Don Atanasio ended up selling all his ranch.

Alongside Don Tano's tragedy of love, Don Atanasio found that the land where his ranch was located was in the middle of the disputes between *Maderera Maya*, on the one hand, and peasant people that had already colonised that part of the tropical rain forest on the other. This may well have been the moment when he went bankrupt and decided to sell his ranch.

Also, in an intent to locate in time these events, it could have been that the three men that bought Don Atanasio's ranch after *Vancouver Plywood Company* decided to stop his project to exploit wood due to the enormous list of obstacles they found to do so in the course of 20 years (see De Vos 2002:85-88).

The fact is that even without his "tragedy of love", Don Tano's position was deteriorating politically and economically for other and more substantial reasons. His lost of economic power undermined his value to the system of trade and his influences within regional politics.

What we know with certitude is that Don Atanasio ended up just where he had departed from:

That's how Don Tano went back to poverty, he only conserved the house. And because his wife left, he stayed as a widow. He continued to sell stuff. And his sons and daughters started to leave him. Paco went to Tenosique, Tano to Palenque. His daughters got married and went to Tenosique. And donTano had to look for another woman. She found a dark skinned widow with two kids of herself. And that's how he started working as a travelling trader again. He

[De Trabajo /reglamento interno de trabajo .html](#) Website accessed on January 10th, 2005). All members of the *Comisión Agraria Mixta* —a President, a Secretary and three helpers— are positions designed by the Chief of the Department of Agrarian Affairs and Colonisation, the governor of the state and —in the case of the representative of the peasant *ejidatarios* or *comuneros* [communal land holders]— by the President of the Republic himself (idem: Art. 3). The President of the Republic will choose the peasants' representative out of the list that the *Liga de Comunidades Agrarias y Sindicatos Campesinos del Estado* [peasants' union] presents to him.

came here to sell, and then he went to another place. And he spent his time like that, a life of suffering. He was even imprisoned here...

Alejandra: *How come? What did he do?*

That was because there was someone who owed him money and did not want to pay. So he was intercepted in the road in Crucero Diamante, they made him stop because they closed the road with trunks. But he had a gun, and the other people had guns as well. (...) Don Tano got so scared that he fired the gun without really wanting to (...) but the man did not die (...) People went to arrest Don Tano and he was brought here. He pleaded: —We are close friends. And you keep me here (in jail). I asked people to bring me here because we know each other, I knew you would not beat me up. That's what he said. And he was right! People here were his compadres! [Afterwards] he was taken to the jail of Yajalón and he managed to get out because he paid the multa [fine]. Short after he got out of jail he died. And his wife sold the house and left for Tenosique. She had a house over there.

Alejandra: *And what happened with those three that bought Don Tano's land?*

They all failed as well. People invaded the land to form the ejido of Peña Limonar. And that's how everything ended the way it had started. All the work of Don Atanasio was in vain. So was so much harm and suffering he inflicted on people over here. There were so many assassinations over there!

This wave of invasions had already been prognosticated by Pedro Vega in his report to Maderera Maya. They wanted to evaluate the potential loss to their investment. In an apocalyptic vision, Vega envisaged the end of the tropical rain forest if cattle farming continued to grow at its present rate. Another factor leading to the destruction of the tree reserves would be the invasion of new lands by the waves of colonisers, as they would slash and burn anything growing in the places where they planned to make their *milpas* (De Vos 2002: 79-81). Don Atanasio himself had managed to clear 400 hectares of tropical rain forest (*Ibid*:80). In 1963 Pedro Vega reports that:

Both banks of the river Chancalá, —an extension of no less than 7000 hectares, have been converted into cattle pastures in possession of almost 150 ranchers. The same is happening in the river Chocoljaíto and in a place called Diamante (...) Another 10 000 hectares have been deforested by the ejidos established over those lands a few years ago, such as El Clavo, and other ejidos in process of constitution such as El Tumbo, Tulijá, El faisán and La Arena (...) (Ibid:81).

As is shown in the following chapter, the process of destruction of the tropical rain forest that Pedro Vega describes was to continue in the subsequent years. This will especially be encouraged among inhabitants of the North of the Lacandon tropical rain forest through the arrival of governmental developing projects, helping people to raise and sell cattle, and San Jerónimo Tulijá would not be an exception to this pattern of development.

Second Section

**Ethnography of the political forces
in the region of San Jerónimo Tulijá, Chiapas**

Chapter 3. The politics of the constitution of the *ejido*: the state's appropriation of political control at the local level

The emergence of the state in Chiapas for indigenous people

From the 1940 onwards, the federal government under the populist government of President Lázaro Cárdenas would launch a series of agrarian laws with the intention of consolidating the structure of a post revolutionary state; this system would rely on the political support of a society divided into corporate *sectors* in order to assure its continuation. Cárdenas greatest political achievement was his ability control peasant and workers *independent* organisations through their incorporation into “national confederations” (Gledhill 2000:111).

Earlier leaders of the post-revolutionary state had used land reform to turn peasants into political clients of the regime, but Cárdenas took the expropriation of the great landed estates (haciendas, latifundios, or in Chiapas. state, on the border with Guatemala, fincas) much further. He changed the nature of the reform by giving rights in the land reform communities termed ejidos to resident workers on the estates as well as to members of indigenous communities whose lands had been usurped. Although large-scale landholding did not disappear in Mexico, Cárdenas's agrarian reform remained one of the ideological props of the regime after the peasantry was sacrificed to the dictates of industrialization in the decades that followed.
(Ibidem)

In practical terms this meant that indigenous people in the North of Chiapas made their formal appearance as members of the national-state when they got involved for the first time in the state's bureaucratic procedures associated with the formation of *ejidos*. This chapter describes this process based on the memories of an ex-*Ejidal* Commissioner.

In this sense, the chapter is about the permeation of state institutions into the organisation of the communities that settled down in the colonised territories in the North of the tropical rain forest. This process has been

explained as the permeation of state political control into pre-existing “distinct peasant intimate cultures”¹ that together constitute —through processes of internal struggle and negotiation, what has been identified as “regional cultures” (Lomnitz-Adler 1992:113-114). The chapter also deals with implicit changing “force fields”² (Nuijten, 1998) that occurred when the institutions of the state permeate the political culture of a local community, changing with it the recognised figures of authority and power and therefore changing the ground of struggle and power differentials between the social actors that interacted historically in the Lacandon tropical rain forest. In this case, the inhabitants of the new colonies had consciously left their landowners in order to be able to organise their lives independently from the former social, political and economic authorities. But this *independence* would be relative as the political organisation in the new communities —as this chapter shows— would be shaped around the figure of the *Ejido* Commissioner.

¹ By “preexisting intimate culture”, Lomnitz-Adler refers to communities politically organised in concrete and unique contexts shaped according to the types of interactions and class domination to which they had been subjected historically at the local level (ibidem). The author’s emphasis focuses on the identification of culture in relation to the social space where it is reproduced. In analysing a “regional culture”, the author calls our attention to its hierarchical integration through the exercise of power. Therefore, in identifying a regional culture “we must analyse the regional frame of cultural interactions (communication), defining the kinds of interaction in the context of frames that characterise different sorts of places (...) (ibid:19) and that “regional cultures are built upon different kinds of social interactions [that] map out in regional space” (ibidem).

² “Force field” is a concept that Monique Nuijten (ibidem) develops from Norman Long’s definition of a social field as “an arena of social life defined in relation to certain types of actions” (Long 1968:9); rather than focusing on the process-oriented notion of force field developed in the Manchester school of anthropology (Turner 1974, Kapferer 1972, Mitchell 1969) that defines it as the “dynamics of social action and interpretation in which norms are subject to manipulation and negotiation” (Nuijten ibid:17). Long’s understanding of social field is not defined in relation to the notion of value, but in terms of action, and states that “individuals and groups do not operate in clearly defined institutional frameworks but rather construct fields of action which often cross-cut formal organizational boundaries and normative systems” (Long 1989:252). Building on Long’s definition of social field, Nuijten’s notion of force field as a field of power (Nuijten Ibid:17) emphasises the importance of “struggle and power differences between different sets of social actors” (Nuijten, ibidem).

The political model of the Mexican Nation in the 1940s

Contradiction and ambiguity at the foundations: a revolutionary state is created to retain the power of the new political elites

In this chapter the forms of local political organisation will be explored through concrete ethnographic cases which can also help us to understand the mechanisms for the political, and cultural and economical subordination of indigenous people living in the region of the study to the “national Mexican project”. This envisioned the population as an *homogeneous collectivity of mestizo citizens*, differentiated only in terms their class position in society (e.g. peasant, workers, students, professionals, etc).

The study of the “nation” and “national culture” is a topic that has inspired numerous anthropological studies and essays in Mexico, and yet many of these examples, especially those written by *pensadores* (intellectuals at large) “rarely provoke empirical research” (Lomnitz-Adler 1992:9). One of the problems in this regard appears to be the lack of problematisation of what the “nation” is. For the purpose of this analysis I am drawing on Lomnitz-Adler’s proposal that we should study the “ideas of national culture (that make the project of particular nations legitimate) in the context of the national projects of dominant classes” (Lomnitz-Adler 1992:3; cf. Monsivais 1982; Bartra 1987).

The regional political context

National lands are available! The hope generating machine starts operating

After the introduction of the law of Colonisation in 1946, information was widely disseminated about the availability of great extensions of land in the tropical Lacandon rainforest that were reserved for the formation of new *ejidos* and *centros de población* (Rodés 1999).

The *ejido* became the tool for the emerging state to bring the indigenous inhabitants of the Lacandon tropical rain forest under the political structure of *corporativismo* [corporativism], that would guarantee

the political hegemony of one single political party —the PRI, for 70 continuous years until 2000. Throughout my fieldwork indigenous people would often elaborate explanations and stories in order to explain to me how during all those years they had been manipulated by politicians and taken into account politically only as potential votes for the PRI candidates³.

In this context, the *ejido* can be seen as a form of political control which at the same time feeds the long established aspiration to possess land among the people of this region, creating “hope” in Nuijten’s terms in the state procedures for controlling access to land. Through this process, people aspired and struggled to get the state to grant them an *ejido*, and the state’s power was consolidated through its role as a granter of land rights. Following Nuijten again, “from a formal organisational perspective, the *ejido* is an organisation which it is difficult to categorise. It is not a public sector institution, nor a private organisation. It is a form of locally based organization imposed by the government, and subject to many laws and regulations” (1998:354).

The formation of the *ejido* of San Jerónimo Tulijá can be classified as one that did not present *unusual* problems to the land claimants following the institutional –and associated informal– practices to get their *ejido* recognised and three subsequent extensions of its lands approved. Institutional procedures towards the granting of *ejidal* land titles proved to be tortuous long processes in many cases, since people organising around the formation of an *ejido* had to deal with bureaucratic paper work and political obstacles arising from the clash of interests among different power groups with an interest over the same land. Some cases could be fought for decades without the people concerned being able to solve the problems encountered during the process (such as incorrect mapping of land extensions and failure to deliver the amount of land to which was stipulated that the claimants were entitled). In the case studied by Nuijten

³ Interviews carried out by author in short periods of fieldwork during 1999, 2000, 2001 and 2002 in the regions of Altamirano, Tila, San Jerónimo, Chancalá, El Tumbo, Marqués de Comillas, among others.

in the south of Jalisco, *La Canoa*, inhabitants of the *ejido* were always made to believe that there was a set of steps to follow that would lead to a solution. In Nuijten's words:

[There is] a contradictory attitude (...) typical of officials. They would immediately admit the political side of land conflicts but afterwards continue to stress that the legal and administrative procedures have to be followed. (...) Lawyers, officials, and others always know the "right way" to get these things solved and can always tell you why things are going wrong. In this way, the officials also live in a world of contradiction which they themselves help to reproduce by suggesting new ways of handling (unresolvable) conflicts and by offering new openings and raising hopes again. (Ibid:312)

This creation of hopes in the prospect of eventually gaining land in a system that is highly politicised, and the formal and informal procedures followed by its agents to solve unsolvable problems, is what Monique Nuijten has described as "the hope generating machine", that draws peasants into following official rules and procedures. She argues that this experience is central to shaping popular ideas about the state in Mexico and a "culture of the state" into which peasant actors are drawn despite their many negative experiences and frustrations at the hands of agents of the state:

(...) this is the same kind of dynamic as we have already seen among ejidatarios; "knowing how things work", but at the same time "hoping and believing" in the rationality of formal procedures. In this way, both ejidatarios and officials actively engage in the cultural representation of the state. (Ibidem)

The following sections provide concrete examples of what the generation of colonisers observed with respect to their interaction with different agents of the state, e.g. employees of the Ministry of Agriculture and Farming, and regional and national state Party politicians. I will also explore the formation and transformation of political leadership within the framework of politics in the *ejido*. The case I present describes a successful *comisariado ejidal* who later came to be perceived as co-opted by external political elites, and therefore no longer at the service of the

people of his own *ejido*. It reflects Nuijten's, analysis of contradictions and environment of conspiracy and speculation that are habitually created in the context of the culture of the state. At the heart of the contradictions is the fact that there is an "ambivalence of the *ejido* being at the same time 'a state apparatus for political control and an organ for peasant representation' (Fox and Gordillo 1989: 131)".

I have organised the ethnographic material that follows in three sections; the first section deals with the constitution of the *ejido* and its inhabitants' interactions with engineers; the second section shows the ambiguity in the interactions between colonisers and state officials; in the third and last section I explore the ambiguity in the figure of *ejidal commissioner* by analysing two successful actions undertaken by a local leader and then charting the decline of his prestige as a local authority as a result of growing suspicion on the part of other inhabitants of San Jerónimo Tulijá that he had built backstage connections with external power groups.

To get *ejido* land: the case of San Jerónimo Tulijá

In chapter 2 we saw how the local cacique, Don Atanasio, managed to convince the first indigenous permanent settlers of the region to help him to protect *his* land from further settlements. We also got to know how Don Pancho was sent in a commission from Bachajón to explore the land where they had envisioned they could settle down and start the procedures to apply for the grant of an *ejido* on those national lands. This is the story —as remembered by Don Pancho— of the negotiations between the different actors involved in the struggle over the same land.

After Don Pancho visited Don Pedro in the lowlands nearby the river Tulijá, he went back to Bachajón to discuss with his advisors (see below) the procedure to apply for some of those "national lands". As he remembers:

Don Pancho: ...we went to inform our leaders, Don Esteban Jiménez Miranda and his son Pedro Jiménez Hernández (...) Don Esteban was a leader, the representative of Bachajón.

Alejandra: A politician?

DP: Yes, a politician. He got to be a deputy. He was the boss over the three: Don Esteban, Don Pascual, Francisco Guzmán and Miguel Gutiérrez.

A: Were they tseltaleros?

DP: Yes indeed. Pure tseltaleros, they were legitimate tseltaleros. So then, it was the son of Pedro Jiménez Hernández. He was the one who advised us on how to apply for this land. After talking to him we went briefly to our houses and rushed back to see Don Pedro Guzmán. We handed him a letter from Don Pedro Jiménez. The letter was addressed to Don Atanasio, and it stated that these lands were part of the municipality of Chilón, and did not belong to the municipality of Ocosingo. He warned that if he did not take the cattle off of those lands, he was going to be taken before the authorities. And that was how Don Atanasio, seeing that the order came from that boss, immediately sent people to retrieve his cattle from the little ranch Don Pedro Guzmán had built. Two calves and one sheep were left for Don Pedro as recompense for his work.

And that's how we started to take the necessary steps to get the land. (...) We went up to Mexico City. I went accompanying Don Pedro Jiménez Hernández. We thought we could apply for a Nuevo Centro de Población. It took us three years of paper work. In 1965 four engineers were to come from Mexico City to fix the boundaries of our land. But they did not come and our land title was delayed. Other ejidos were coming closer and closer. The people of ejido Jordan were attacking us. They wanted to take this land away from us under the pretext that it was still national land. And people from other places also came. Those were not only people from Bachajón, they also came from Sebastián. When they invaded us, we left. But when we had the land title in our hand we went back to show them that we had occupied those lands before them. And they did not really want to respect the document. They wanted to advance on the territory.

But we talked it over and reached an understanding. They set their own boundaries outside our land. Later on it was people from Agua Blanca who wanted to invade us (...) Then Nuevo Mérida did the same. We could defend our land from them. But then we decided to leave aside the idea of forming a Nuevo Centro de Población and went for the constitution of an ejido. And that was it.

A: *What is the difference between a Nuevo Centro de Población and an ejido?*

DP: *The Nuevo Centro de Población is a land with a 7 km radius. It's enormous. We would have got all those lands where Chocoljá is nowadays, and those other lands where people live in Agua Blanca, Jordán, San José, all that. And on this side, up to Sacún. And that was what we wanted, but it was going to take much longer. That is why we later made a new application asking for a "tierra de aguas", and that was solved very quickly. So then an engineer came and set up our limits and all problems ended there. They gave us 5,500 hectares (...) we were 135 households living here. And that's how it all started. That is the beginning of the town.*

The endowment of the ejido and the three extensions

Nowadays the *ejido* San Jerónimo Tulijá measures 26,600 hectares divided amongst 532 officially recognised *ejidatarios* who possess land titles for the plots they were allocated within the *ejido*. Each plot is 40 hectares and *solar*, a bit of extra land to make their houses. The rest comprises 6000 hectares of *tierras ceriles*, —land full of rocks not suitable for agriculture or dwellings.

Table 1

Chronology of the endowment of the *ejido* and the three extensions in San Jerónimo Tulijá

Date	Step	Outcome	Granted land
	Application for a Nuevo Centro de Población	none	
1963	Application for the endowment of "land and water"		
October 26th, 1963	Technical work is executed in order to check the grant of the colonised land		

November 13th, 1964	The Comisión Agraria Mixta issues its judgement to the petitioners.	135 people are listed as possible <i>ejidatarios</i>	5500 hectares
October 22nd, 1965	Presidential resolution is published recognising the land granted according to the map elaborated.		
Mayo 26 th , 1966	Definitive endowment of the land	135 <i>ejidatarios</i> are formally recognised	5500 hectáreas
1967	Application for the first extension		
April 16th, 1968	Presidential resolution	89 <i>ejidatarios</i>	2968 hectares
1970	Application for second extension		
January 10th, 1971	General procedures get started to accomplish the legal requirements. Mandate from the Governor of Chiapas to grant the land for the second extensión of the <i>ejido</i> .	216 <i>ejidatarios</i>	15684 hectares
1981	Application for a third extensión. The Governor sends the case to the Comisión Agraria Mixta	92 <i>ejidatarios</i>	2500 hectares
August 31st, 1984	Presidential resolution		
February 15th, 1982	Census is carried out	532 <i>ejidatarios</i>	26 600 hectares of <i>temporal</i>

Sources: fieldwork interviews and document No. 153 from the project "Resolución de conflictos en la selva norte de Chiapas"⁴.

According to the research project coordinated by Gabriela Vargas Cetina (2000), the population of the *ejido* of San Jerónimo Tulijá numbered almost 8000 people in 1998. This figure does not include people who migrated to work outside the *ejido*, nor students who did not live there when the research took place.

I did not find any study that had calculated the number of landless families in the *ejido*. It is usually the case that the holder of one land title would share his land with his married sons or with his sons-in-law, if they come

⁴ This research is part of the project *Fragmentación social y pluralidad jurídica en la Selva Norte de Chiapas* that Gabriela Vargas Cetina developed in 1998-1999. The data I am presenting here were extracted from a CD that was put together with preliminary results of this research, accessible for consultation in the library of CIESAS-Sureste in San Cristóbal de las Casas.

to live in his household. With only 532 existing land titles, and no possibilities of obtaining another *ejido* extension⁵, many of the younger men are leaving their families to search for an alternative way to earn a living in neighbouring towns, and even as far as Mérida in Yucatán, and Morelia in Michoacán; during my stay in the town of San Jerónimo I also found that some men had migrated to work in the United States for the first time sometime within the past 5 years.⁶

The abuses continue in the new village

When people left the ranches to colonise a piece of land in the North of the Lacandon tropical rain forest, the economical subordination they had experienced in the ranches was to continue under different practices of economic exploitation with the foundation of the new colonies. Research

⁵ This option was no longer possible following the changes introduced to Article 27 of the Mexican Constitution launched by president Carlos Salinas de Gortari in 1992. According to the new text, all land available for redistribution had been granted, therefore bringing an end of the “reparto agrario”.

⁶ Some of the husbands of the women that I knew in San Jerónimo had gone to the United States just a year before my arrival. More research would be needed to know the reasons that pushed these men to leave. But there appears to be a regular migration to other nearby places, including other communities in the region (where women marry or young people go to study), urban centres such as Palenque or capitals such as Villahermosa or Mexico City. But I had the impression that migration to the USA was just beginning as people would say these men had gone there for the first time. Among the people I could speak to about their experiences of migration was a young man aged 17 who was making his way back home after three years of working in Jalisco. He wanted to go to the U.S. but ran out of money and stayed working for the Tequila industry in the state of Jalisco, working in the fields cutting agave. Also, I was approached by one of the authorities of one of the political factions in San Jerónimo; he wanted to know what was required in order to go to work in the U.S. His idea was to leave for a few years in order to save money to buy a toasting machine for coffee grains for the cooperative to which he belonged. When I asked other people why they thought this man wanted to leave they pointed my attention to the fact that he had got himself in trouble because he became involved with a second woman and his wife was making his life impossible. He was also tired of so much responsibility coming from his political *cargos* and wanted a rest from the community’s pressure in this regard. Finally, in the period while I was writing this work in England, my family phoned me from Guadalajara to tell me that a man claiming to know me had arrived in my mother’s house in Guadalajara asking for shelter. He had been to Tijuana with the hope of crossing to the U.S., but he had run out of money and had to come back. He was now looking for a job in Guadalajara. After some weeks, he went to Mexico City to try his luck there. I had met this man during my first fieldwork journey to Chiapas in 1999. He also was part of the same political faction and had been heavily harassed due to his political beliefs. On one occasion, he and his family were kidnapped and threatened with death; luckily the situation was resolved with no further consequences other than the tension and distress caused. For an analysis of how people justify their migration to the U.S., see Navarro 2001.

carried out by Jan de Vos and Lobato suggest that new people were going to take advantage of their isolation.

According to information provided by Jan de Vos, in 1975 the recently created centre for attention to Tzeltal and Chol people of the Indigenista National Institute (INI), diagnosed from its base in Tenosique that “isolation was only one of the negative factors” they had listed as problematic in the 72 villages that conformed their working region (De Vos, 2002:162-164)⁷.

Other [problems] were the illegal exploitation of wood, lack of technical orientation for better use of resources, the proliferation of non-productive extensive cattle raising due to the lack of credits and technical assistance; the tricky and endless procedures to get land titles; the destruction of the forest due to primitive and inadequate agricultural practices; the manipulation of crops and farming products in the hands of acquisitive people; the abandonment of the population by the state and Federal authorities in important matters such as health and education; the households’ individualism and the trade in land titles⁸ encouraged by the monopolisation of ejidal plots by some people (Ibid:164).

In the same line, De Vos denounces that:

Marginalised physically and economically, the pioneers paid a high price for their freedom. Their abandonment resulted in the absence of the minimal services of health, household hygiene, schooling, land transport, and commercialisation of products. The colonisers again fell victim to new forms of exploitation and extortion: on the part of Forest Agents, engineers of the Agrarian Reform, on the part of the state Tax Council, or on the part of the acquisitive traders. Forest agents used to “visit” them at the beginning of the slash and burn season to charge them fines for the tree felling. The engineers made

⁷ To see the list of towns within the jurisdiction of this centre, see figure IV.6 in Jan de Vos, *Op Cit.*

⁸ Note that the accumulation of land within the *ejidos* was a violation of agrarian law and also an index of differentiation within the communities (though it seems possible outsiders may also have acquired *ejidal* rights, as happened elsewhere when peasants were dependent on merchants and money-lenders as *patrones* [bosses]).

them pay exorbitant amounts for technical procedures of land measurement that could take years to deliver results. State Tax employees would charge tax on public works that only existed on paper. Merchants arrived in the cropping season to buy cheaply maize, beans and coffee that peasants were obliged to sell to them for the absolute lack of alternatives.⁹

The engineer Eloy Borrás Aguilar

According to the information provided by Don Pancho in chapter 2, it was an engineer named Eloy Borrás Aguilar who dealt with the studies to measure the lands of the *ejido* of San Jerónimo Tulijá. This person is also quoted in Jan De Vos' list as one of the 17 public servants that charged undue quotes to the new inhabitants in the tropical rain forest (*Ibidem*).

Apparently, these governmental employees not only operated in the Canyons of Ocosingo and Las Margaritas, but also established relations with the communities settled in the canyons North of the Lacandon tropical rain forest, in the municipality of Chilón. Another source that confirms this information is a report found in Cervantes Cetina (2000), where we read that the *ejidatarios* paid to the same engineer the quantity of 1500 old pesos "for his work in the assignment of land and water in possession of the nation" (Vargas Cetina, *Op. Cit.*, transcription No.153:4). Another engineer, Lucio Estrada Morales, is also mentioned in Cetina's study. *Ejidatarios* paid him 2000 old pesos for his work leading to the first extension of the *ejido*:

All extensions made were paid work for the engineers, so they could do their studies and the paperwork needed for the constitution of the ejido. If we did not pay they wouldn't work [...] there were engineers that asked for the amount of 3,000.00 thousand (sic) old pesos [that]

⁹ Here De Vos adds a footnote that due to its importance I quote in full: "The continuous harassment on the part of these predatory birds with different feathers and the subsequent exasperation of the colonisers were some of the elements that prepared the breeding ground that led to the Zapatista uprising of 1994. One example is the list of the abuses registered by Javier Vargas Mendoza in the communities of the canyons of Ocosingo and by Carlos Martínez Lavín in the region of Las Cañadas de Las Margaritas..." (*Ibidem*) See also the appendix II entitled "Undue money requirements made by Agrarian Officers in the canyons of Ocosingo, 1965-1975" (*Ibidem*)

*had to be paid by the ejidatarios [...] due to their need for land (Ibidem)*¹⁰.

On the topic of corruption, Monique Nuijten has written an illuminating chapter covering in depth the difference, on the one hand, between the perception of public functionaries with regard to what was on acceptable “unlawful commission” and what they considered to be *excesses in bribe charging*; and on the other hand the perception of *ejidatarios*, who in general, see it as normal to have to pay engineers for their “service” towards the completion of the foundation of *ejidos*. In her words, “[a]lthough *ejidatarios* pay for many services of the bureaucracy they will not easily use the term corruption when they talk about these practices. They see them as normal transactions in which an exchange of services or favours takes place” (1998:315). In the *ejidatarios*’ eyes, corruption takes place “when *ejidatarios* feel that there is no balanced reciprocity (...) when they pay money or do favours and this does not bring them the services they expect in exchange. When, for example they pay a lawyer and nothing is accomplished or when they pay an engineer who never finishes the work, or when amounts of money are asked for which are considered to be too high for the favour done” (Ibidem).

An important topic to follow is, then, the process in which having to pay public servants shifted from being seen as a normal procedure to being seen by the *ejidatarios* as a form of abuse. A contemporary example of the second perception —and a fieldwork grounded explanation— is provided in chapters 6 and 7 where I discuss the work of Pancho, the Community Human Rights’ Defender of the region. Himself an indigenous member of the community, Pancho bases his work on the principle of not having to pay public servants in the judicial institutions to get access to justice; instead, he argues, they should provide people with the best defence they can offer. “No money should be required from us, that’s why they get their salaries from the government”, he told me once.

¹⁰ I modified the punctuation to facilitate the reading. An interesting methodological note from this research project is the fact that the information was gathered by bilingual

In addition to having to pay bribes to public servants, the new *ejidatarios* also had to deal with the set of paternalistic relationships they were subjected to on the part of the local, regional and national politicians that “represented” them. As Lobato (1997) recorded, in the 1970s this region became the “laboratory of the state paternalistic policies” (see quotation of governor Velasco-Suárez’ speech, *supra*).

Ambiguity of state agents in ejidos: subjects of trust and penalisers

This section presents a number of incidents that illustrate the evolution of a set of ambiguous relationships between state agents and local inhabitants in the history of the *ejido*. As will be shown, state agents are constituted through interactions as being at the same time *victimisers* from whom local people have to hide for fear of receiving fines or being imprisoned, and *protective trusting helpers* to whom people turn for help in moments when institutional procedures turn against them.

The *forestales* took care that the *montaña alta* was not destroyed

Don Pedro Guzmán received the position of *policeman* during the period when he followed the orders received from Diamante. It was in Don Atanasio’s land where the light aircraft of the Ministry of Forestry landed; there, *los forestales* would discuss with him *the problem* of destruction of the trees in the tropical rain forest.

We used to hide in the bush due to the leaflets

A common practice employed by the *forestales* was to fly over the houses of the inhabitants of the region and to throw leaflets from the light aircraft; the purpose of this action was to warn indigenous people of the legal consequences of cutting trees off.

teachers who were members of the same communities where they carried out research. They also produced the reports, which I am quoting in this chapter.

At the time, most indigenous people could neither speak Spanish, nor read it, therefore rendering moderately senseless the effort by the state agents to diffuse the information via written Castillian. However, the few people who could read spread out the message, but in any case indigenous people attributed their own meaning to the leaflets and the overflying of the *forestales*. Don Pedro Guzmán explains:

The light aircraft flew really low over this place, and they threw papers when they passed. So then, some who knew how to read saw that there was a certain amount of fines, and people were going to be imprisoned and that soldiers were going to enter the community. That's what they got out of the papers. So then, with that information, people ran to hide in the bush. And there they stayed... some would spread the word that the soldiers were coming, and that would make people stay in the bush for two, three, four days. They left their houses, all people hid.

A: *Was it true that the soldiers were coming then?*

No. It was only because they had got the leaflets. That frightened people.

Some orders of apprehension were released

Another common practice was to overfly the region to spot the areas where areas of dense forest had been cleared. On one occasion the *forestales* detected that was the case in the regions of Chocoljá and Chancalá. Don Pedro Guzmán was in Diamante when the officials landed there to implement the order to apprehend Joselino, the person supposedly responsible for the offence. Don Pedro—in his position as policeman— together with the *agente ejidal* from Peña Limonar, was sent to bring the man before the *forestales*, who would wait for them in Diamante.

Both men walked to Chancalá where they spent the night just before crossing the river. On the other side of the river bank were the houses of those who were responsible for the cutting of the trees. The following day, they only found women in the houses:

Luckily, that man noticed what was happening and he ran away before we arrived to get him. When we arrived the following day, women told us he had gone to Palenque. But the other man was caught. That one in Chocoljá, he was taken to prison, as well as Don Nacho. That was in part why, having seen how justice was made, whenever the light aircraft threw out leaflets, I thought they were coming to put us in prison. And there we stayed in the bush, four, five days.

A: Why was that? Did everyone cut down trees then?

Yes indeed. And before, all these lands were carefully looked after by the government, as these were national lands. The government knew the great value of the land, with loads of mahogany trees, chicle, and all that. That is why they did not let people in, that is why they made Don Atanasio responsible for supervising the region.

It is interesting to note how Don Pedro Guzmán, although hired by the state authorities and the local *cacique* to look after the state's property (the valuable trees in the tropical rainforest), closely identifies with the persecuted man. This identification is observable through his use of the expression "luckily" when he recalls the incident when he was sent to capture the *offender*. It is also important to keep in mind that Pedro Guzmán was made to look after the non indigenous interests, under the premise that they, the *cacique* Don Atanasio and the state, would grant him permission to live in a piece of land if he agreed to do that surveillance job (see chapter 2). These practices reproduce the sort of interactions imposed by the colonial order where indigenous oppression was justified under the premise of evangelisation; as Greemberg explains following Chance's historical research, "the conquistadores placed themselves at the apex of the pre-Hispanic states by exploiting well-developed native institutions such as slavery, indirect rule, and a system of serfdom in which commoners paid tribute to local nobles and *caciques* in the form of goods and personal services, and did *tequio* work on community projects" (Greenberg 1989:168). In order to better rule, the territory was divided into *encomiendas* (trusteeships) that the colonisers divided amongst themselves. The *encomendero* would act as a protector and had the role

of helping his charges to convert to Christianity (see Gerhard 1972); in exchange for his services to the Spanish crown he had the right to receive tribute and services from the inhabitants of his *protectorado*.

Although the social context has changed significantly, traces of the hierarchy imbedded in the practices reproducing the distinctions between colonisers and colonised are still recognisable in the course of every day social interactions between the powerful caciques/merchants/agents of the state and the indigenous/rural/peasant population.

Don Artemio helped us to end with the abuse on the part of the forestry agents.

Artemio was a famous *rociador* [pest mosquito eradicator] originally born in Chilón; everyone knew him in San Jerónimo. In words of Don Pedro Guzmán:

When he arrived here and he realised we belonged to the same Municipality he was very happy. So then, people offered him pozol, and all. And he was very happy here, well attended. But sometimes when he passed by, he was very surprised not to find any of the inhabitants. He passed spraying the houses, and there was no body. The houses were empty. Next time he was back, he found everyone again in their houses. Next time, there would be no one again. And then he started wondering what was happening.

Someone explained to him that the forestales were dropping us the leaflets, saying that they were going to send us to prison for 20 years and to fine us 100 pesos, God knows how much they said. He also reported to Don Artemio that they knew soldiers were going to enter the community.

After hearing the story, Don Artemio asked to select three men to accompany him to denounce these abuses before the President of the Republic. —Let's go, I'm going to take you to denounce those bastards. That's what he said.

So then they all went to Chilón to hand in the denunciation. It was after that when Alfredo Arroyo was fired because he was harming people. And that was when that problem stopped happening.

As can be seen from the fond memories kept by Don Artemio locally, not all public servants abused the indigenous populations living in the recently formed colonies. In this case, this may also be due to the fact that both parties, public servant and the population, recognised their imagined shared membership in the region of Chilón.

You shouldn't be afraid, I am your leader! A federal politician as protector and benefactor

A problem arises between people of the ejido and the forestales

In 1966, Alfredo Arroyo made his way back to San Jerónimo. This time he arrived accompanying Pedro Jiménez, the tseltalero who had advised Don Pancho about the application for the *ejidal* land. Alfredo, the infamous forestry agent, and Pedro, the respected politician were *compadres* and friends, according to Don Pancho:

For a while those friends became enemies because people accused Alfredo Arroyo of making them fearful and therefore having to escape to the bush. But when he came accompanied by Pedro Jiménez things calmed down. He entered the community with confidence and Pedro Jiménez explained to him that this place had all its documents in order [it was a recognised ejido and not longer national land]. So then, after that he would accept a bribe to let people cut the lower trees (montaña baja).

So when he came, people talked to him and they reached an agreement. People gave him some money, 100 pesos, I don't know for sure. In exchange he granted permission to clear certain parts of the forest.

*Once, when Don Mariano Méndez was comisariado ejidal, Don Miguel Hernández from Piñal, the brother in law of Don Narciso, cleared some forest to make his milpa; So then, when the light aircraft overflew the area, they discovered what he had done and landed in Chancalá and drove a pick-up up to that place to conduct the investigations. So then Miguel Hernández said that he was authorised to cut low trees. So then, in front of their eyes a document was written acknowledging that the *ejidatarios* had not committed an*

infraction cutting inappropriate trees (montaña), only the authorised low trees (monte bajo). But what happened! What they were writing was not the agreement they said it was, but an infraction and the order to send them to prison.

Arrest warrant against the ejidal commissioner of San Jerónimo Tulijá

A: Did they take money from them?

They had given them money, but six months afterwards a paper from the local judicial authority (public persecutor, MP) from Palenque arrived in San Jerónimo. It required the immediate presence of the Comisariado Ejidal in the MP's office in Palenque. So then, when Don Mariano Méndez (the Comisariado ejidal) did not show up, some policemen (judiciales) were sent to get him. It was September and the rainy season had already begun, so the river Chancalá grew really big. That was Don Mariano's salvation as the policemen could not cross the river to take him to jail. As the comisariado ejidal he was liable after the law was broken within his ejido.

To seek for help at the regional level

Some people that lived in Chancalá came to tell Don Mariano that there was an arrest warrant against him. I told him that if he wanted, we could go to talk to one leader of the CNC (Peasant National Confederation) that I had met in Tuxtla. I wasn't sure he could help us but it was worth trying... Don Mariano agreed to come with me because he was fearful, and off we went to Tuxtla.

So then I told Don Santiago, —There's an detention warrant against this man, they say they want to put him in jail. —What did you do? Did you chop down montaña?, he asked. —Someone cut montaña, but it was not big trees. The forestales made it up, I said. —Ah... If you give me 5 thousand pesos I can provide you with a bail. So that man asked us for 5,000 instead of helping us!

Travel to meet the national leaders

—If you Don't want to give me the money, we are about to leave for Mexico City. If you want you can join us. But meanwhile hide!, he told us. But no one knew us there! We were stupid! We believed him! So there we were, fearfully hiding in the back of a room. We were so stupid! But we did not realise it at that moment.

Around 5pm the transport left for Mexico. And we joined them (...) We met with the leader Augusto Gómez Villanueva, he was the leader of the CNC in Mexico City. We got there at night and the following morning we could see the licenciado in his office. We showed him the detention warrant that was going to put Don Mariano in jail.

—What do you speak?, he asked us.

—We are tseltaleros as you can see, we're struggling to communicate with you in Spanish, because we did not have access to schooling. We know nothing.

—OK... speak your dialect then. And we started, he was recording the language, just as you are now. Then he told us —It is true, just because you are ignorant they put you in jail. That is a fact. And it should not be like that. I am going to provide you with a release order. Ufff!!! We felt so happy then!

The solution is granted

—Today I am going to send that order to Tuxtla, and from there it is going to be sent to Ocosingo, Palenque, Salto and Yajalón. Don't be afraid, you are in my hands. I am your leader.

Uffff! We felt hot inside. And he honoured his word. The following day he handed us the protection against the detention warrant. That was how Don Mariano was saved in Mexico, I was with him.

But in fact Don Mariano was responsible for the charges, because he was ejidal commissioner when the trees were cut down. It was very difficult for us as we could hardly manage in Spanish and sometimes we did not understand what people said. And that was how we

*learned Spanish, little by little, and we continue to learn up to now.
That's how it is.*¹¹

Don Pancho's account raises two important issues: the importance of personal access to regional and national political networks that the position of political leadership in the communities allows, and the reproduction of the idea that solutions are always to be found only with the authorities at the national level. Lomnitz-Adler documents that in the nineteenth century there was already the idea that doing politics at the national level –compared to doing politics at local or regional level– was the best way to bring justice to problems that could not be solved locally or regionally (1992:307; see also Nuijten *op cit* 304-305). Adler relates this conception to a kind of “fetishisation” of the President, especially in the post-revolutionary state and a belief that if you can make the right kind of “connection”, the top of the system will honour its paternalistic promises of justice and protection.

Working together for common benefits

I will now examine Don Pancho's role in the internal politics of the community. Up to now, he has been telling his memories on how he and his father used to live before migrating to San Jerónimo Tulijá, and has showed a great interest in getting those memories of Don Pedro Guzmán into the body of this work. He was chosen as *comisariado ejidal* and got involved with Xi'Nich' and other regional political struggles (see chapter 4:176,187). The relevance of Don Pancho's history to this chapter is that, despite his relative success in his *cargos* as a local leader, he is now

¹¹ Men of the generation of Don Pancho learned Spanish mainly during the time when they were given public responsibilities and they had to interact with non-indigenous speakers. A second important space where older living men learnt Spanish was in the Mission that the Jesuits opened in Bachajón.

It was extremely rare for women to hold public responsibilities within the community's organisation. They remain mostly monolingual, and although they understand Spanish, they choose not to speak it when addressing outsiders.

In fact, it was the responsibility of the elder women to teach me Tzeltal during my stay in San Jerónimo Tulijá. They spoke to me in Tzeltal from the beginning and all the way through until I left. The mature bilingual women that I met held a position of responsibility within the political organisation of the EZLN or had been working in non-indigenous

treated with suspicion by the different political factions coexisting in the community after he got involved in a problem where the *ejido* lost its battle against the enterprise exploiting wood. The latter did not respect the contract it signed in accord with the local assembly and only profited from the trees located in the *ejido* land.

What this case shows is how local leaders are encouraged to cultivate personal networks to solve problems that have no solution through institutional procedures, given that their efforts to get solutions through institutional channels never seem to have any positive effects. The problem here is, as Don Pancho's case shows, that the development of these good connections awake the suspicion from other members of the community that the leaders are taking advantage of this access to powerful elites, and working more towards their personal benefit rather than in accordance with the assembly's decisions.

The following sections present three experiences during the period when Don Pancho held the position of *comisariado ejidal*. Two of them brought positive solutions to the benefit of local inhabitants, and the third had negative outcomes.

Problems with the limits with Bachajón

In 1984 Don Pancho accepted the *cargo* of acting as *comisariado ejidal*; this political position emerges when the assembly formed by all *ejidatarios* selects one person that will be their "representative" before the state. In accepting his election, he inherited an old conflict with Bachajón, the ancient traditional indigenous centre from which many of the inhabitants had emigrated. Don Pancho recalls the problem and its solution like this:

...as we were originally from Bachajón, and the people that stayed there knew that we were already living here independently from them, they started to get upset at us. So then, they wanted to invade our land. But we already had our land markers and boundary stones

communities for some time. The younger generations are bilingual due to the schooling process that is carried out totally in Spanish by non-indigenous teachers.

that clearly indicated our land limits (...) they wanted to get the land up to the river bank on the other side of the river (Tulijá).

And that conflict lasted for a very long time. There was loads of noise, fuss and quarrels around that problem. The archbishop Samuel Ruíz sided with Bachajón; the Agrarian Delegate from Tuxtla, a man called Molina also got involved. So then, his excellence the Archbishop argued that people in Bachajón were more numerous than us, and suggested that we changed the boundaries and set new land markers. He said that our boundary had too many curves, and so we could make it straight. (...) that's why the archbishop backed them up and Mardoño as well. When all those problems started the comisariado ejidal was Don Pancho Méndez Guzmán. And he adopted a hard position and he did not let them move the boundaries of our land. He went to speak to the delegate Molinar quite frequently, and he supported him. He explained that once the engineer had come and set the callejón¹² there's no way back. Why did people of Bachajón not protest before, when those technical studies were taking place? And why did they let three, four years pass before starting to claim the land they thought they had rights over?. —Let them show you the official map of their land, Molina suggested. Yes indeed! As all these lands were “nacionales”.

(...) Other comisariados did not allow bachajontecos to persuade them neither. And they did not reach agreements either. The National Indigenista Institute (INI) also backed up Bachajón. The problem was getting tougher as time passed (...) when I received the charge of comisariado ejidal I was lucky because Manuel Gutiérrez —a friend of mine— was also chosen to be comisariado [in Bachajón].

Then, in my position of comisariado ejidal, I wrote him a letter giving him notice of my new position, sending him my regards and all that, and asking him what he thought of the problem. He answered saying

¹² A *callejón* is the dirt track that is opened to indicate the boundaries of an *ejido*. A boundary stone is placed whenever the track turns, to indicate the bends of the bordering line.

that “there is no problem, remember we all come from the same place, we are the same race, and we respect each other. I do not see a problem with that callejón, we should sign an agreement stating that”. That’s what the letter said. And as we were friends, he came to San Jerónimo. And we held an assembly meeting, and the agreement was formalised here. Everything went smoothly, calmly. There weren’t any more problems when the engineer went to Bachajón to measure their land, he respected our boundaries. We went to see how that was going to be done, we went to meet them by the lagoon. They greeted us, there was good will among us and there was no problem any more. And that’s how my people here stayed satisfied and we did not get involved in any more problems. The problem with the limits with Bachajón disappeared after so much time of conflict.

In this case, at the institutional level, the *ejido* of San Jerónimo Tulijá had fulfilled all necessary paperwork in the office of Agrarian Reform to fight their case with predictable favourable results; however, at the regional level, to solve the problem via the administrative procedures offered by this state institution was not sufficient to make the people of Bachajón accept the solution.

Moreover, other powerful institutions, e.g. the Catholic church through the intervention of its archbishop, and even other state institutions like the National Indigenist Institute, backed up the claim made by Bachajón. As Don Pancho explains, institutional intervention in a “regional problem” did not release the tension, nor it lead to the restoration of good relations between neighbours.

According to Don Pancho’s interpretation, the solution to a problem between two *ejidos* is only possible by appealing to the friendship of two leaders, and the good will that this kind of personal relationship should imply. This impression finds support in the letter that his friend sent him, who emphasises the shared origins and the subsequent need to show respect for each other.

Showing respect and being able to solve problems in a *calm*, *smooth* way, are necessary qualities for the success of a good indigenous

leader in solving *local* problems with other indigenous neighbours, with whom references of common origins and “race” are shared. According to Don Pancho’s version, this was the route that led them to reach a solution in the conflict over the borders with Bachajón.

The general conclusion from this example is that the perceived legitimacy of the state’s “laws” remained limited —perhaps due to the association of state institutions with corruption. Disputes over settlements relied on an extension to the new context of an older idea of community. Also, the idea of “common origin” and “race” could be seen perhaps as an extension of the ideas about identity that had existed in the places of origin of the migrants when they distinguished themselves from non-indigenous landholders, and maintained common ties of kinship and ethnicity in a dispersed settlement pattern in which many were now landless but continued to participate in a collective social and religious life. This would, however, be an alternative ideological framework that requires articulation by leaders. In itself it clearly did not prevent conflict over land and territory within the new, diasporic, setting brought about by colonisation and resettlement.

The construction of a bridge over the river, working for the community

The second act that brought direct benefits to the inhabitants of the *ejido* Tulija during the time when Don Pancho acted as *comisariado ejidal*, was the construction of a bridge over the large river Tulijá. *Ejidal* plots had been settled on both sides of the river and some of the inhabitants of San Jerónimo Tulijá had to cross the river and climb up the mountains to work every day in their *milpas*. It is Don Pancho again who tells the story:

After our friendship was strengthened, I started to work for the building of a bridge over this river. And when he [the comisariado ejidal of Bachajón] found out about that, he sent me 200 pesos. That was a lot of money. He sent it to help us buy cement. It was how he cooperated with us in 1985 (...)

A: *Were there other monies used to build the bridge?*

P: We had some cement donated by my friend, the Municipal President of Palenque. He was also my friend, his name is Antonio León. We got cement also from Ocosingo. He was my friend as well. All those who were my friends sent me building material.

A: And where did you find the people to build the bridge?

P: It was the builders from this community who build the bridge. We made it ourselves. That took place when I was comisariado.

As illustrated in this case, political friends are expected to cooperate when another leader asks them for help. Although San Jerónimo Tulijá belongs to the municipality of Chilón according to the political division of the state, geographically it is closer to Palenque, Bachajón and Ocosingo. In this case, Don Pancho preferred to rely on his network of personal connection with other members of the political elite recognised by the state institutions (e.g. *ejidal* commissioners and municipal presidents) rather than to ask for a share of the municipal budget that should have been received from the federal government to support the construction of public infrastructure, such as roads and bridges.

What Don Pancho managed to do, was to join together the force of the local authorities of the main villages geographically close to San Jerónimo Tulijá, and to orientate the resources obtained through their *cooperation* towards the successful completion of a modern bridge.

The decline of a leader's authority

After Don Pancho's successful political performance as *ejidal* commissioner, he faced a problem that cost him the loss of his prestige as *local authority*. In the following sections he narrates the events that occurred when, while he was still *ejidal* commissioner, the company under the management of Pedro del Villar (see chapter two) wanted to build a road that would cross the Tulijás' land to facilitate the transport of the trunks.

In his position as a local authority, Don Pancho wanted to stop the company from exploiting the *ejido's* wood without their full consent. With the help of some of his other influential *friends*, he managed to confiscate

the company's trucks. But after some years they were able to retrieve them, as people say, with the compliance of Don Pancho, who sent the guard away the day the company sent his people to rescue its property. Don Pedro himself was not in the community when these events took place. Other inhabitants of the community view all these events with suspicion, and assured me that Don Pancho's absence was a proof that showed that he had agreed to let the trucks go. This event is just an example of how people explain the processes in which the united community they recall from the past started to get divided.

Following Nuijten's line of explanation, these events can be seen a result of the divisive effects generated in the interactions of *ejidatarios* with the ambiguities that characterise agents, institutions and policies of the state and their allies. The events to which I am making reference were narrated by Don Pancho himself as follows.

A testimony on the problem of the wood exploitation: Don Pancho on his experience as Comisariado *Ejidal* in 1984

What can we do! The company will cut all trees

I think that it was in 1964 or 66 when the company Bonampak started to work here. They made this dirt track here. People working there came from Campeche, and Felix Arias¹³ is the name of the man that set up the sawmill in Chancalá. He was the first one to exploit all this forest from here until Lacanjá Tzeltal, on the way to the valley of Santo Domingo. He took all the precious wood and took it to Chancalá [by road] to the sawmill Bonampak. The only thing that we got in exchange was the dirt track they built, and they also built three classrooms for the school, but only with wood boards! The classrooms were not made with cement, only with wood boards...

It was after that that COFOLASA arrived on the scene. It was Asseradero Bonampak at the beginning and then it was named COFOLASA. So then, COFOLASA worked with the Lacandones. I think that the governor at the time was Manuel Velasco Suárez. So

¹³ A reference of the same event can be found in Jan de Vos (2002:85-86)

then he was supporting the Lacandones, he gave them their share, subsidies, and all that. And the rest of the profits were taken by the company. That was what the COFOLASA.

After COFOLASA came the CORPORACION, under the government of Absalón Castellanos, and it was at that time that they came here to make a contract with us in the name of a company called TUXTEPEC. So then the company TUXTEPEC was absorbed by COFOLASA, I mean, CORPORACION.

So, the company TUXTEPEC made a contract with us. In article 7th of the same contract it was stated that the company could not pass on the agreement they had signed with us to another company. If they were to transfer their company to another one, the contract would be automatically suspended. Do you follow me? So then, when they finally got absorbed by the CORPORACION they did not inform our General Assembly.

Then, when we found out that the wood was being exploited by the CORPORACION in the interest of the government, we realised they were just ignoring us. They named someone we did not know who was supposed to be our representative. And he was the one who signed all the permits. But that was a false permit.

That was when people started all the fuss, and they wanted to blame me because I was the one who gave the authorisation and everything, but I did not do it on my own, I was obeying the mandate of the Assembly that approved the signing of the contract. And that was exactly what I signed in my position of Comisariado Ejidal. So then, they started to take the wood and afterwards we got notice that it was not longer the contract that we had signed with TUXTEPEC because they had passed the contract on to another company. It was then when we started our own investigations. And they started to create divisions amongst the people.

They reached an agreement with Yochilbhá, Amaytik and Chatetik because they are the ones that have precious wood, up in the mountains. And those communities [that also form part of the ejido of San Jerónimo Tulijá] were interested in having a dirt track opened up there. That was what the company offered to do for them if they

gave them the permit to exploit their wood. And they did pay them the 4th part of the profits they made with the wood. But the track was not built, the only thing the company was doing was taking the trunks out.

That's when we thought that maybe they were going to take all that wood and no road was going to be built. And there was no way to put any pressure on them, as it was not the same company with which we had signed a contract. It was at that point when people thought there was nothing we could do, no way to stop the company. How could we? There was no way we could think of...

One day I was with the ex-comisariado Juan Gómez. We were in our way to Tenosique passing by Chancalá. When we got to Crucero Piñal there was one of those trucks parked there. Its driver was tightening up the chain with which the trunks were held to the trailer (...) seeing that I told Don Juan: —Look Don Juan, that mate is taking all that wood without our consent. We are totally ignored. I am going to ask him for his permit. —Don't! He said, —Let that go. —No, I said. I am going to take the risk. So I went to tell the driver: —Hey mate, Do you have the permit for the work that you are doing? Let me see it. Then he handed a paper to me. I had a look at it and said, —Look, there's one signature missing. I am in charge of looking after this paperwork. I can get a seal for you, if you want. —Yes, he said. —Please do so.

So I came back to San Jerónimo borrowing the car of Don Cristóbal. And when I got here I went to see my friend, a captain from Monterrey who was here at the time. Then I showed him the paper and I said: —Look captain. —What is it? he asked.

—It is a document where they are falsifying my signature. This is not my signature.

—And why are they doing that?

—It is because we made a contract with Juxtepec, but as they sold their company to another, this one does not respect our agreement.

They are taking the wood like this, like contraband. And they are falsifying my signature.

—Is that so?

—Yes.

—And, what do you want then?

—I want to stop them from doing all that

—Ok then. I can help you. So he called his people, his sergeant and everyone else. And we went back to Piñal in two cars. When we arrived there, the bloke got scared because he saw that I got there accompanied by the “federales”. So the captain told him:

—Take your truck and follow us. And there was nothing else he could do. At that moment there was a second trailer arriving at the crossroad. So he received the order to follow us. When we arrived in San Jerónimo the captain made them park the trucks next to the Agencia. Later on we went back to Piñal and found another car that came from Diamante bringing the man that acted as the representative, the one that was falsifying my signature. So the captain detained him and asked where he was going. —I came to see the trucks . —All right. Please come with us. When we arrived to San Jerónimo people put that man in jail and the following day we sent him to Chilón, to the head of the Municipality. But when he got there, seeing that he was working for the government he was set free immediately. Instead of doing justice they set him free.

Before we went to deliver that man to Chilón, the captain said to me:

—Look, what party are you member of?

—I am with the tricolor (PRI), I said.

—No mate, look, that party is not convenient for you anymore, as we are challenging their people, he said, and added: —Change of party, look for another one that would defend you. Otherwise, as it is the party of the government, they can put you in jail.

So then, I went immediately to see my friend who was politically affiliated in the PAN, a licenciado (person with studies) himself. So he came back with me to draft the necessary paperwork to protect me

before the law (ampararme). After we completed the paperwork we sent a copy to the government of Tuxtla, of Mexico City and to the Congress as well. We sent the notice that we had those trucks in custody because they were smuggling wood and falsifying permits without the knowledge of the authorities.

But they never took notice of us! As the governor himself was a partner in that business. And Miguel de la Madrid [president of the republic] as well! Our only remaining hope was the Congress, but, what could they do anyway? As they were manipulated as well.

The partners of COFOLASA

A: *And how did you find out who the partners of COFOLASA were?*

It was during the research that we did by ourselves. When we got to Comitán, and there we saw this banner saying “Miguel de la Madrid, Absalón Castellanos. That meant that the President and the Governor were themselves partners in the company COFOLASA”.

A: *And was it a sign or a banner?*

No, it was a notice board, it was placed where the sawmill was located. Was it public then? Yes, they were not afraid to say it, apparently. In the trucks there was a sticker with the name CORPORACION. That was covering the name of the earlier owner: the government of the state!

A: *So then, it used to be a trailer belonging to the government of the state!*

Indeed!

A: *And did you have to take the sticker off to find that out?*

Indeed! (he laughs). That was the reason why we could make such a good case. So then, after the trucks were detained, then the Ministerios Públicos from Yajalón, Salto de Agua, Palenque and Ocosingo came here. They came asking for the paperwork I had completed following the advice of the lawyer of the PAN. They came to investigate who was the person going to be blamed for all that mess. But as I had all the papers in order I knew what to tell them. The lawyer also advised me to make photocopies and to keep the

original with me and only show them the copy. So then, when they arrived they looked at the papers and had to recognise that I was within the law in terms of the actions I had undertaken, as I was the Comisariado Ejidal. —It is true, it is not your fault, the guilt is on the company that replaced TUXTEPEC. We have nothing to prosecute you for. So they left and the trucks remained here. They could not release them. I think they came because they had received a bribe to liberate the company's vehicles. That's why I think they all came. They were Ministerios Públicos. And they got here with their policemen of Seguridad Pública. They were all surrounding my house. And they make anyone frightened! But I did not give them the trucks. They also came because it was time for the Governor to give his public report. Absalón was finishing his period of governance... I did not know much at the time, so when he got kidnapped by the Zapatistas in 1994 I thought, so then I am not alone! See? At the time of this problem I had been fighting the tiger all on my own!!

They finally took the trucks with them

A: *And how did the company finally manage to take the trucks?*

It was the government that sent its police (Seguridad Pública), and a delegate from the Reforma Agraria also came, his name is Francisco Gallo. So they started to spy on us to know when we were not in, or when there were few people around. So, they arrived at the moment we least expected. I felt really confident because the mechanic in town had told us that the trucks' engine could not be longer started because it would get stuck after so many months without use. And he also took the precaution of taking pieces off the engine, just to be sure that they could not start it if they tried to recover the trucks. That's why people stopped taking turns to watch them over.

So then, in the seventh month they came to take the trucks with them. They brought their arms and everything. At the time my deceased father thought that the milpa we had made in Masanilhá was ready to start harvesting the first maize. It had been raining and he was worried about that, and got his horse and got ready to go. — It is not necessary that you come with me, he told me. —I can manage by myself. I was also in charge of finishing the construction

of the building where we have our Agencia, and I told him that I wanted to go with him to Masanihá, but I wanted to first finish the construction. My father insisted he wanted to go, and I decided to go to talk to the builder. I explained the situation to him and he was happy to take a rest for the day and to finish the work the following day. So I went to the milpa with my dad with no worries in my heart.

When we were already working in the milpa we heard the light aircraft. We were making overlapping palm leaves to make the roof of the maize barn. It flew just above us and turned in the direction of Chancalá. We did not imagine that was the signal that all those people were about to enter the community; the light aircraft was just making sure that there was nobody taking care of the trucks.

They had tyres and everything else they thought they might need. As they had been watching us, they had ideas about what was needed. So they acted quickly changing the wheels, and as the trucks were still loaded with the wood, they started the engine and made them work! Off they went with all that.

A: *So then, the engines were still in working order...*

According to the mechanic the engine was supposed to be seized up by then. But he was wrong! As they could use oil to make it run again. And that's how they managed.

A: *...so people got upset at you again...*

That's right. That evening when I came back to the community people were blaming me for what had happened. —You knew they were coming and that's the reason why you left. I usually did not go to work to the milpa, so this fuelled their suspicions, as they never saw me going to work to the fields before. —But the people that had been watching over us also knew that I never left, and when I left for the first time, they saw the opportunity to take the trucks, I explained. —That's why! As they knew all that. They insisted that I was their accomplice. So I told them that they could start investigations if they felt that was what needed to be done. But I said that we should stop talking like that because there it was no use, mainly because I did not have anything to do with what they were accusing me of.

A: So they thought you had made an agreement with the owners of the trucks ...

Indeed. If I had done that, I should have gone to jail a long time ago.

But despite their claims they forgot about it later on.

Suspicion, conspiracy and cooptation: political division in the community

When I first began visiting Don Pancho's house, I received a series of warnings from other members of the community that wanted to let me know how *mañoso* Don Pancho could be, as to appear to say one thing, and mean a different one. Up to that point I had been working with the human rights defender of the region, himself clearly positioned within a different political faction within the community *struggle* for political control (see chapter 5 to see more of the political division within the community).

People with whom I had already established a relationship of trust became worried because of my frequent visits to Don Pancho's house. The way I interpret their worry –in the context of the political divisions of the community– is twofold. On the one hand they wanted me to be aware that I was getting a one-sided story in which Don Pancho would not speak of his political “tricks”; on the other hand, and probably more relevant to this analysis, was the fact that people in the opposing political faction thought that he wanted to use me as a source of information to get to know what was going on at the level of the political organisation on the other political side with which I had been working before. I came to this conclusion after the second time that a member of the opposing political faction made a special journey to the place where I lived in the community especially to enquire about the reasons for my visits to Don Pancho and the topics of our conversations.

After a while, people got used to the fact that I kept visiting Don Pancho's house, and they were satisfied when I explained to them that Don Pancho was really interested in finding out more about the history of the foundation of the *ejido* and that he was really helpful in assisting me to find out more about that.

I have introduced this account of what happened in my own fieldwork because it illustrates the environment of mistrust, suspicion, and the practices of conspiracy and cooptation that are widespread characteristics at the every day level of Mexican political life. Following Lomnitz-Adler's theory, these characteristics could be described as the culture that is produced in the interactions between different social classes with different access to power (1992:19-20). In other words, in the interaction with the agents of the state in the framework of state institutional and informal political practices, a local –intimate- culture is produced in which the aspects of mistrust, suspicion, conspiracy and cooptation are routine elements that are always present where disagreement arises in situations of political interaction.

In Nuijten's terms, these very same elements could be seen as the divisive effects of the imposed forms of organisation of the state on local peasant communities. It is interesting to note how, for example, the notion of *political competition* that comes from a practice of politics introduced from outside the local culture of the community, is appropriated in a cultural context where the value of *cooperation* and *friendship* are very important concepts and seen as the qualities of good political leaders, as exemplified in the successful cases of Don Pancho's experience as *ejidal commissioner*.

Political competition, leads to the need to disagree with political opponents in order to win their place of leadership. This competition introduces a disruption and the loss of balance is expressed in events of mistrust, suspicion, and explained as a conspiracy against the community's interests based on cooptation of local leaders by more powerful political figures that have offered them some sort of personal benefit for betraying their own kind.

Clearly, high level non-indigenous political figures do sometimes suborn local leaders –but ironically– the authority of local leaders who act in ways that displease powerful outsiders can also be undermined by making it appear as if they had been bought. The leader may also be playing or

trying to play a double game (representing the community interests and trying to get something for himself). The effect of the power structure and behaviour of non-indigenous politicians is to provoke *desconfianza* [mistrust] and suspicion. Their relative impunity is also a major factor here. A successful local leader has to build external patronage networks to get anything done and represent community interests, but as the studies of caciques show, he must keep delivering. In this case, it looks as if Don Pancho already had internal enemies eager to exploit his “failure” over the trucks. It seems that Don Pancho was practicing a leadership style that was rejected by many because *any* relations with outsiders would provoke suspicion where a leader emerges as an individual. Perhaps this is the situation the EZLN is trying to avoid by anonymising leadership.

When I lived in San Jerónimo everyone would speak of the *division* of the *ejido*, and members of all political factions would see this lack of understanding as a major problem of the present. Don Pancho himself, on the last day of our series of interviews addressed the problem in the following way:

All I want is summarised in three points, 1) we all believe in God, as the 10 commandments tell us: it does not matter if you are Catholic or Presbyterian, everyone is a child of God. 2) We all gain if we get organised, if we're united. This is what I have been working for. It is important to respect other people's rights (el derecho ajeno). 3) Leaders need to be well trained so they show discipline and they are able to protect us (que haya disciplina, en seguridad). These are things I have been talking about with the [formally elected] Ejidal Commissioner. We are making a mess here in San Jerónimo Tulijá because we're in conflict with each other and that's no good. The political party you belong to does not matter, PAN, PRD, organizaciones, brothers and sisters Zapatistas, we are all brothers and sisters. We all want to be united, truly. Everyone can make their own choices, and what we should take into account is the good examples where people are guiding their followers towards a better situation. This is what I believe. It is of no use to be fighting among

brothers and sisters because we need the strength of unity. As we have heard there's that Plan Puebla Panamá [PPP], and, who is going to stand up for us, to defend us, if we are divided into this or that group, if we are always fighting? So, with fighting there's no strength. What we should do, the way to do things is to get united, to reach agreements. That's the best weapon to defend ourselves from any engaño [trickery or deception] to come. We cannot be fooled if we get as close together as we were before. That's how I want us to be again. To live together without fighting. A new Ejidal Commissioner is going to be named in 2003, in March or April, and it is going to be only one to govern all people in the ejido regardless of their political affiliation¹⁴. One Ejidal Commissioner for all Zapatistas, Priistas, Panistas, Perredistas. We need one ejidal commissioner who looks after all, who helps us all, who listens to what everyone says, like that, as we used to do that before. That's what the "principales" wanted for us, that's it. I Don't know how you see that. That's why I am asking you to write this down so you can communicate it to the "meros dirigentes" [leaders of the existing factions], as this is the method that we are following, we are not against anyone. We have to try it out.

In calling for reuniting the community, Don Pancho appeals to the style and authority of older indigenous forms of leadership (principales) despite having been an agent for the penetration of community life by political parties in the past. His strategy of appealing to unity (indigenous people versus the external threat –PPP in this case–) makes me wonder whether he uses this as a last resort to regain authority, as he himself is a leader who has lost political ground within the community, or if it is a critical reflection of his actions in the past and an effort to make good to the community. In the latter case, it may reflect a re-evaluation of the long-term consequences of a progressive political factionalisation –and involvement with a “corrupt” party system and high-level political actors, patrons, state agents– that, ironically, Don Pancho himself helped to foster as *comisariado*.



that have been in leadership

Photo 9
Don Pancho and his wife. San Jerónimo
Tulijá, November 2002.

Final considerations

The mechanisms of the subordination of the indigenous population under the 1940s state definition of the *peasant sector* is observable through the effects of its concrete laws and policies on the lives of the people in this study. In other words, events such as the political competition that divided members of the same communities after the introduction of new authority roles such as that of *ejido Commissioner*, can be analysed as a direct effect of the state's imposition of an alien form of political organisation (e.g. political competition) —and its associated set of political practices (e.g. *clientelismo*, cooptation). This new style of leadership, based on managing relations with actors in a political field external to the community, according to procedures and practices of a formal —and informal kind— closely associated with the state and the political order of the PRI were in contradiction with local forms of understanding social order in indigenous communities in which authority was intrinsically related to personal subordination to service in the interest of the community's wellbeing.

The rationale of such a political system that integrated the *sectors* of society into its structure was mirrored in the language used by anthropologists, which at the same time helped to create the National Indigenista Institute (INI) (See Aguirre-Beltrán and Pozas-Arciniega 1953 and 1954). The INI's goal was to “integrate” indigenous peoples into the *civilised* way of living. In support of this goal, the state was to use the ideology of *indigenismo* (Sieder, 2002) as a political tool to justify cultural subordination of the indigenous cultures to the invented *mestizo* identity. In effect, the policy was to eliminate “backward” cultural traits that were considered “Indian”. The latter would be the foundation stone on which to build a sense of unification across all Mexican territory. Considering all the

preceding factors, attempting to explore the cultural and economical subordination of indigenous people to the national project is not straightforward matter.

These impositions were made in the context of an emerging *revolutionary* state in which *whitened* mestizos would replace the governing position of the *Spaniards* that did not share power with them in the pre-existing colonial model of society founded on a hierarchical order of castes. The contradictions that I want to underline are, on the one hand, the disguised continuity of political domination in which a perceived whiter elite continued to *dominate and exploit* the indigenous population, and on the other hand, *the social contexts, discourses and practices* that made this domination possible.

Coorporativismo: official ideology of the post revolutionary state

The mestizo-nation —that embeds the ideas of what all Mexicans share— was an invention of the state to point out the cultural mixing constituting “the mestizo” as “the Mexican” (see Gledhill 2000:120; Lomnitz-Adler 1992). In other words, the (modern) state in Mexico changed the meanings of mestizo from a mark of inferiority to an identity in which people could take pride. But what they were to take pride in was still seen as the process by which progressive *mestizaje* as mixing produced “whitening” in the cultural sense (adoption of a more modern, “civilised” and European culture) and, for some, racial sense (changing biologically determined character). The adoption of a new way of living following foreign models was the core idea of official *indigenismo*, which consciously sought to make “race” entirely cultural. According to Gledhill:

In a sense, the Mexican ‘people’ is an invention of the Mexican state. The post-revolutionary state’s model of national society as a corporate structure based on peasant, worker and ‘popular’ sectors represented a rejection of nineteenth century liberal principles in favour of a modernized version of the colonial model of society as a hierarchic order of castes. The national community represented by the state was based on the complementarity of ‘sectors’, but the valorization of the mestizo in post-revolutionary ideology combined

continuing commitment to the principle that ‘progress’ meant ‘whitening oneself’ with nationalist rejection of subordination to gringos (Lomnitz-Adler 1992: 278–9). (Ibidem).

Whitening the population and anti-imperialist sentiments: the state discourse of progress

In his study on Mexican national culture through the exploration of the construction of legitimacy in Mexican politics and the relations among the community in the nation and its ordering racial ideology, Lomnitz Adler (1992) addresses the importance of being white in the project of the elites in government in the post-revolutionary Mexican state. The end of “official *indigenismo*” and the shift to a multicultural framework (see chapter 6) did not seem to affect the ideas so deeply imbedded in the culture during the apogee of the “revolutionary nationalism”. The structural racism strongly internalised by people in Mexico through notions of “whitening” as a form of “bettering oneself” is an enduring legacy of this historical period in Mexico, and the notions that were forged then, are still operating and allowing for the reproduction of structural racist interactions —and the consequent discrimination against darker people, in contemporary social processes in Mexico, including those of legislation, policy making, and judicial procedures. As we will see later in chapter 6, this structural racism can also be observed in the organisation of social spaces where encounters between members of different classes in society meet and interact. This is the evolving legacy of revolutionary nationalism. In Adler’s words,

Revolutionary nationalism thus continued to value “whitening” for the community as a whole, but it was against merely turning the community over to the “whites”. The development of this aspect of the revolutionary model is what Bonfil has identified as the development of an “imaginary Mexico” that negates the “deep Mexico” of Indian and Indian-influenced culture. (ibid:279)

In the post-revolutionary state the paternalistic discourse introduced by Spanish colonisers —who frequently occupied positions of government— was reproduced in order to legitimatise their authority over its citizens,

mirroring the process by which Spanish conquerors had forced native people to recognise their cultural superiority, through treating them as *children* in the need of wise guidance (See Ramos 1998). This is a period marked by a strong emphasis on the part of the Mexican government on the need for indigenous people to learn civilised ways of living. Rodolfo Lobato provides us with an enlightening example in which a state Governor of Chiapas elected in 1970, reproduced this language in the context of an event where he, —playing the role of the indigenous people’s benefactor, intercedes for *his* indigenous people in their alleged need for *development* before the national authority —represented by the person of the Minister of Agriculture. Lobato recorded the following plea that was made by governor Dr. Manuel Velasco Suárez to the Minister, just before he left the community of Arroyo Granizo where they had held a political rally:

“—Mr. Minister, the Governor addressed the Minister of Agriculture in a solicitous tone of voice, —Do not leave without promising me land cultivated with tractors for my Indians! They need somebody to show them that the land is not only cultivable with a machete in the forest”.

Eight months afterwards, in another of the Minister’s visits, not a single grain of maize had been produced on the land of the mechanised agricultural project. The Governor assessed the project in these terms:

“—We thank you so much, Mr Minister, and if it’s true that we have not obtained the expected results, we have, however, reached the essential point: to make these indigenous people trust the institutions and to make them change their attitude. You can see how their faces have been transformed, how that air of sadness and melancholy has disappeared and how they now reflect in their eyes the happiness and the hope of a better future for them and their families” (Op. Cit:84, my translation)

Through this undervaluation of indigenous knowledge, skills and ways of living, a new layer of oppressive cultural subordination is now introduced into this analysis; as Lomnitz-Adler (1992:261-281) has argued, racial ideologies played an important role in the configuration of the Mexican

national imagined community, and therefore justified the oppression embedded in social interactions based on unequal social relations shaped by the former; these racial ideologies still play a role in institutionalised procedures such as federal legislation¹⁵ or ordinary judicial procedures (see chapters 6 and 7).

These racially justified unequal interactions —experienced by indigenous people through their encounters with landowners, bosses in the timber camps, and merchants, continued to permeate the relations between indigenous and non-indigenous peoples in the context of the emerging post-revolutionary Mexican state.

Wellbeing for everyone through capitalist development and aspirations to European culture: the paradox in the state policies for progress

An important contradiction in the consolidation of the project of the post-revolutionary Mexican state lies in the fact that its protectionism towards indigenous people was only discursive, while its economic policies were guided by the very same values imposed by the visions of development promulgated by foreign political elites in order to fulfil their interests. Such a project could not simultaneously bring benefits for both the most needy sectors of the population, and to the elites —mercantile and landowning elites of Chiapas, for example— beneficiaries of the state's policies for economic modernisation. Adler's explanation is important to understand

¹⁵ This was the case when the coordinator of the PANista senators, Diego Fernández de Ceballos —himself strongly associated with conservatism and right-wing political orientation, managed to prohibit senators of the PAN from attending the Congress session where members of the EZLN were going to give speeches arguing for the approval of the Indigenous Legislation that they were supporting. (See La Jornada, March 28th, 2001 <http://www.jornada.unam.mx/2001/mar01/010328/005n1pol.html>). Fernández de Ceballos made explicit his discontent with the indigenous leadership by saying that “Marcos has done what he had wanted with the Presidency of the Republic, and now he is doing the same thing with a part of the Congress... but he's not going to manage to manipulate the Senators” (ibidem). His message came across in the political arena as a sign of the structural discrimination on the part of the conservative political elite against the indigenous movement that was pressing the political system in México to open up institutional spaces at the national level in order to be heard and legislate according to the petitions of the people they represented. Some sectors of the right at the time made explicitly racist remarks —e.g. about indigenous people producing too many children and the prevalence of domestic abuse and alcoholism in indigenous communities.

how the creation of a protectionist state was made possible by stressing the importance of the “mestizo soul of the nation” (Adler 1992:278) in opposition to the “European” or “North American” soul, *indigenismo* came to become a crucial tool “in the justification of a protectionist state” (*ibidem*).

Building on this national ideology, Cárdenas managed to create a *populist* state¹⁶, in which the national project was presented as benefiting *the people* and at the same time allowed him to achieve control over the ancient political and economical Mexican elite that had denied the middle sectors of power access to the shares of their profitable enterprises —on the basis that they did not share their *status*. (Gledhill 2000:92-94) According to Gledhill:

‘Populism’ is an important concept in the analysis of politics in Latin America and many other parts of the world. It contrasts the kind of political representation of the ‘working class’ represented by the PTB in Brazil, Peronism in Argentina or the APRA (American Popular Revolutionary Alliance) in Peru, with a supposedly more ‘authentic’ form of working class political representation which develops ‘from below’. Populism is based on middle-class leadership that builds a mass base by promising working people jobs and social benefits, using a discourse that tends to be patriotic and anti-imperialist. (Ibid:93).

Political leaders like president Cárdenas in México, understood that the power of the old elites lay in their links to an export oriented economy and that in order to undermine their power that model had to be changed; *populist* leaders therefore exploited the new sense of national identity that

¹⁶ To see how populist states have developed according to regional, historical and cultural differences see Gledhill 2000, especially chapter 5 “Post-Colonial States: Legacies Of History And Pressures Of Modernity”, pp. 92-125. For a definition of populism see Roberts 1978, pp. 68-69.

the state was constructing to legitimise the change to a national economic model based on the development of national industry (Gledhill, *ibidem*).

Chapter 4

Divisive effects of the failure of state sponsored productive projects



In the previous chapter I presented cases of local conflicts that arose from the tension resulting from the permeation of state forms of organisation — based on political control through competition for power, into traditional forms of communitarian indigenous government, —based on political control by the creation of consensus (Gledhill 2002:237).

This chapter presents a second level of analysis of political divisions in the community arising from people's participation in “productive projects” boosted by state policies for development. These events took place following the consolidation of a populist state that assured the means of the PRI hegemony in power —until it was finally defeated in the presidential elections of 2000. In particular, the period this chapter is about is related to the re-entry of the state after a long period of withdrawal from president Miguel Alemán Valdéz (1946-1952) to president Gustavo Díaz Ordaz (1964-1970), when it returns to have a more active role in promoting the “development” of the ejido sector.

Building up from the theoretical perspective introduced in the previous chapter, I am looking to providing explanations for these particular contextualised divisions without loosing sight of their position in the “wider fields of forces” (Nuijten 1998) in which the acts of the peasant-indigenous people in this study should be located. For the analysis of these events I am also following Lomnitz-Adler's proposition that regional cultures are shaped in the course of hierarchical interactions between social classes with differentiated access to power (Lomnitz-Adler,1992). I focus on actors and their interactions, as well as the particular context of the political divisions in which they take place. Lomnitz-Adler argues that “regional culture[s]” are constituted by many “intimate cultures” in interaction, struggle and negotiation, and that these are anchored to

particular historical, social, cultural and economical local processes (Lomnitz-Adler, Op Cit).

The political factions found these days in San Jerónimo Tulijá have evolved from frictions originated in 1972 when “nobody would claim: I am *priísta*”, as Don Vicente Méndez remembers. In this chapter I start introducing the elements that constitute the contemporary political forces at the local level.

Evolution of conflicts and division

The divisions in San Jerónimo Tulijá evolve following the population’s participation in a communal cooperative formed in 1972, followed by the formation of *groups* that received credit to raise cattle—first state-funded and later transferred to private capital management from 1984 until 1991. The objective is to map out the particular regional space in which the interactions between local people, and between local people and other external actors evolved. During this period of time, factionalism put those who sided with the hegemonic party in power, the PRI, against other contesting parties that would include among their militants those who were discontented with their local representatives in the community, and also against emerging “independent” peasant organisations that appeared to represent a more radical challenge to the corporatist regime.

In the following section I provide more examples that show how people reacted against the idea of working together mainly due to events related to the increasing amount of money income entering “the community”. The problems that can be identified are a lack of experience in money management, which sometimes facilitated leaders’ taking advantage of their administrative role to extract cash from community funds for their own private use and benefits. As a result of these precedents of corrupt behaviour from some of the leaders, people became reticent about cooperating with each other in matters that implied hard work where they

doubted whether they would actually receive the cash benefits they were led to expect in return.

The initial problems that led to divisions seem to have had their roots in matters directly related to “money making” (as in the case of the division generated by the exploitation of the wood explained at the end of the previous chapter), or with productive projects that raised expectations of “prosperity” through “economic development”. This was the motivation for people to get involved in two kinds of cooperatives in the Ejido San Jerónimo: the first that is presented in the following section is that of the “El Aguila” cooperative, and the second is the formation of *teams* to apply for state funded projects for cattle-raising.

Due to the unresolved contradictions between state economic policies at regional, national and international levels, the productive projects at the local level generally left people with debts. This caused more problems than benefits, and therefore the initial expectations of prosperity that were raised by the intervention of the state into *ejidos* with the aim of “developing” them were not fulfilled.

Brief introduction to the events that people in San Jerónimo identify with the political division amongst its population

To present the explanations of the political divisions that are experienced in San Jerónimo Tulijá these days, I introduce the explanation provided by key local actors directly involved in the issues they discuss. Each testimony is followed by a brief contextualisation and a detailed analysis of the political implications of the events that are described in each case.

Political division, first act: the “El Aguila” cooperative

Discord started when cash became available, testimony of Vicente Méndez Gutiérrez on the “El Aguila” cooperative

Vicente Méndez arrived in San Jerónimo Tulijá at the age of 8, in 1968. He had the chance to leave the small village to study in the Jesuit mission

established in Bachajón in 1975. Later on he was offered the opportunity to complete a degree in accounting in the city of Villahermosa in 1984. When he learnt that the “El Aguila” cooperative was going bankrupt, he decided to go back to San Jerónimo Tulijá to put his knowledge at the service of his people and got involved in rescuing the finances of the cooperative. Later on, from 1987, he took on the legal defence of people who had accepted credits for raising cattle that became unpayable after a series of changes in national economic policies. Later on he was elected the PRI candidate to run for the elections for the municipal presidency of Chilón in 2001. He lost the contest to the PRD candidate but remains the moral leader of the PRI in Chilón. In the testimony that follows Don Vicente explains the changes he has witnessed from what he describes as *the hermanhood and unity* in the community that inspired him to work for his people, to the political division the ejido has known since 1974, the year when the “El Aguila” cooperative was first founded.

First memories

When I arrived in Jerónimo Tulijá I was a restless little boy. There was the house of Don Pancho, that of my grandfather, the house of my uncle Hilario... there should have been about 10 houses altogether. I remember everything was very green, I saw jungle everywhere, there were very few milpas. In 1970, when [president] Echeverría came to power I was already in 2nd grade of primary school. The quality of education was much better before because I remember I already knew many things.

In 1972 nobody would lend you money. The first one in the community that started to have money was Don Pancho's father. His name was Pancho Méndez Gómez. Before they came to Tulijá they lived in Bahwitz. They used to travel to Ocosingo to sell their coffee. At that time people were afraid of having a little money because they thought they could be bewitched for that reason.

That old fellow [Don Pancho's father] used to work really hard in Bahwitz. He had coffee plantations, and as there was no road to take it out, he spent the money he was paid for the coffee harvest buying

mules. It was almost a day journey to get from Bahwitz to Ocosingo, and without mules he used to carry 50 to 56 kilos on his back.

Don Pancho's father was not afraid of witchcraft. So then he sold his coffee and bought mules. If there was some money left he would buy cattle.

Don Pancho became too ambitious: he wanted all that brought him comfort, the city, all that. I accompanied him to work

**Old Don Pancho
liked comfort**

many times. We used to sow and harvest together. I feel that out of all those people that came to live here, he was the only one that arrived with the idea of working in San Jerónimo Tulijá. Those who arrived first included Don Juan Méndez, his brother, Don Sebastián Gómez who is the father of Gregorio from the Gómez Lara, Don Pedro Guzmán, my uncle Don Hilario Méndez Gutiérrez (brother of Don Pancho). My father arrived after they were all settled here. He got here at the same time that Don Manuel Gutiérrez Silvano.

The transformation [of the place] came with the idea of having something. My father copied the old Pancho. Life is not the same now because before nothing was bought. We had everything to eat if we worked to get it. We ate fried beans, hard eggs, tortilla, salt; and we could find wild vegetables everywhere: yerbamora, cachinté, achinté, and loads of game meat such as tepezcuintle and armadillo.

**We used to cut
all trees**

Everything finished, the fruits, everything when people cut down the trees to make houses, to make milpas, to make potreros.

People did not value what we had. We were living a sustainable life out of nature itself and we did not know that. And the idea of cutting down trees was precisely to get something to eat, to sow maize and beans.

It used to be the case that people did not fence specific plots to raise cattle. The animals were free to roam in the community. That was the way we used to do that.

People had a quite different concept in those days: the one that could cut down more jungle was the one that could have more land for his family. Even if it remained unused, they had to clear the

terrain to be able to claim property over the land. The best land was taken first. Plots were not assigned, so people would place four marks in the corner of their 40 hectares

Chiloneros continued to work as day labourers in San Jerónimo Tulijá

and claim the rights over that land because they had cleared it. Don Pancho took the best flat land by the river. He got 120 hectares. The rest of the people had been working as day labourers in the ranches, with a landlord. They were Chiloneros. They never thought of the idea of becoming independent. They did not have the vision to make money for themselves. They felt free in San Jerónimo and they did not work their own land. They conserved the forest in their plots, they did not cut down the trees. But even those bits of jungle were all finished with the fire that we had in 1998¹. These people also worked hard cultivating milpas and beans in the land of Don Pancho. He loaned them a bit of accessible land [because it was close to the community]. So the day labourers would clear Don Pancho's land and once the borrowers had harvested their maize, Don Pedro would ask them to sow grass in exchange. Later on he used the grass fields to feed his cattle.

In 1974 there were people delivering courses in cooperativism (cooperativismo) to people in San Jerónimo. The nun Nancy was among them. At that time, there was a strong sense of unity amongst all inhabitants of San Jerónimo. Nobody would claim: "I am Priísta". People did not vote at that time because ballot-boxes did not get this far. People got information on the results once elections had passed. So we would know who was replacing who. With [president] Echeverría the kaxlanes would make an agreement and would manipulate the elections accordingly. In terms of religion, there were only catholic people here at that time. There was a sense of brotherhood, a sense of unity amongst indigenous people. That's

¹ In 1998 "uncontrolled" fires destroyed huge extensions of rain forest across the Lacandon region. NGOs working in the region at the time denounced that the Federal Army had intentionally started the fires as another of their counterinsurgency strategies. NGOs pointed to the Federal Army's strategy of "encircling" the region where the Zapatista army was based. (see CIEPAC report online at <http://www.ciepac.org/otras%20temas/monteazul/infmazul.htm> and also the sent by Commandant Zebedeo denouncing the same facts, available on-line at <http://www.ezln.org/documentos/1998/19980328.es.htm>)

**People started
mistrusting leaders
management of money**

how I perceived it. Unity was well appreciated. People were not malicious. I saw that unity in the cooperative: all the people worked for each other's wellbeing. But when money started coming in, discord started as well.

*People started saying that the president of the cooperative was stealing the money, that he was using communal money to make a better living for himself. It was the time when we received a donation of 239,000 pesos from the U.S. Three men would fight for the presidency: Don Pancho Méndez, Don Julio and Don Juan Méndez. The cooperative bought a 15 ton lorry for 150,000 pesos. This was the first cooperative in *la selva* [the lacandon region]. There were no vehicles even in Bachajón as there was no road to Palenque at the time.*

The cooperative had all the legal clearance to produce, commercialise and industrialise farm products (productos agropecuarios). We produced chili, put it in pots and commercialised them. We raised cattle and slaughtered them and we sold the meat. The same with chicken, maize... from 1973 to 1976 we worked based on cooperativism. But in 1977 and 1978 people got disillusioned and division was produced as a result.

Work and problems in the cooperative

From 1972 the priests and nuns that visited the Ejido showed an interest in helping people to find ways to commercialise their farming products. Although these external actors were acting in good faith and allied with the indigenous needs, in a sense they were paradoxically helping to reinforce the notions for development promoted by state policies of the time; in other words, they acted as brokers between the indigenous culture —with which some of them were very well familiarised— and the state that through its policies was incorporating *the peasant* sector into the market. As we can see from the following description, this incorporation into the market was problematic in its unforeseen consequences, as not all the

people who received the credits were familiar with money management, especially with the ideas of savings and investment.

Don Mariano Méndez, father of Vicente, the moral leader of the PRI in Bachajón, worked in the cooperative when the nun Nancy was helping them. He remembers the various attempts to commercialise their chilli crops. Producers were tired of receiving the low prices offered by the middlemen of the region, and they got really upset when the nun Nancy told them about the high prices that chilli commanded when it was sold in the markets of Mexico City. As a result, they started planning together to find a way of filling one of their lorries with chilli to make a journey to sell their crop directly to the merchants in the main wholesale food market [*mercado de abastos*] of Mexico City. The result of their enterprise was an expensive failure that depleted the cooperative's funds, as the middlemen took immediate action when they heard of the project; using their networks and their economic power they convinced the direct sellers in the *Mercado de Abastos* to buy the chilli from this particular lorry at lower prices than the ones they would have offered when buying their product directly in the Ejido.

On other occasions, when travelling to commercialise their products, the lorries got overturned off the road. As Don Mariano remembers,

Before the cooperative started, Willis offered to bring us a second hand lorry from Mexico City to transport things we wanted to move. When the lorry got here we had to send it for servicing as it was not in proper working order. The first to drive it was Jerónimo, [his son-in-law], and he overturned the lorry nearby the house of Elmar, in Piñal. Afterwards, the driver was Don Pancho, but he let the lorry rust in his garage. We bought that lorry for 10,000 and sold it for 500. It was a van-like lorry, completely closed, and it wasn't even useful for carrying wood for cooking. At the end it was only used to transport sick people to hospitals.

And then, when we started working in the "El Aguila" cooperative, we went to Tuxtla to get a brand new 12 ton lorry. It was all white.

Afterwards we returned there to get a second one, which was red. We even got the permit from Villahermosa to be the regional distributors of Coca Cola in this ejido and towards Santo Domingo, Velasco Suárez and Frontera Corosal. But my compadre Pancho stole his commission and hid all the drinks in Siria. Afterwards the lorry came off the road near Villahermosa; that happened when Don Pancho was president of the cooperative [in 1977]. He borrowed 20,000 pesos to pay for the repairs and he got the money offering his cattle as guarantee.

Another two lorries were bought [with credits]. An 8 ton white one was brought from Campeche and then a black one arrived as well. They are kept by Don Pancho, Don Pedro de Mesa and Don Jerónimo Hernández.

They borrowed a lot of money from the INI in Santo Domingo and they haven't managed to spend it all. Mariano de Mesa took loads of money, 50,000, for his shop but the business is almost dead.

After all that I thought that I didn't want any more to do with the cooperative, because when I put one cow there, other people come and waste what we had all put together. That's why I thought it was better to do things as we used to do them before: I work with my own hands, and with my own hands I harvest my coffee, I grow my maize. All by myself.

Problems with money management and decision taking not only discouraged people from working collectively, they also helped to justify political attacks arising from ordinary disputes and disagreement, as the case of Don Vicente shows in the following section.

Moral influences in the formation of a leader: cooperativism and the duty of service to the community

Don Vicente Méndez tells us the story that led him to occupy the moral leadership of the PRI in the region.

Juan Dingler used to be one of the Jesuits working in Bachajón. He came to visit our house in San Jerónimo. One day, I remember it perfectly, it was April and we went to wash ourselves in the river. There he asked me if I would like to study. "Yes" I said. —Then you

are coming with me to Bachajón, he said. But I thought he was not speaking the truth. When we got home my mum had prepared fried beans for him. And as we used to do, I went out to play while the elder people ate. That's when he announced to my parents: "Huizan [familiar name for Vicente] is coming with me to Bachajón". My mother started to cry and my father agreed. Afterwards he told me one thing: "the only thing that I ask you in exchange is that you return with your people. Don't stay outside, in the city. You have to come back to help your people, Don't become like other people that have gone out and do not want to speak Tseltal any more".

Juan Dingler had a very different concept of how the indigenous pueblos should evolve. Education (preparación) was important and so was that they went back to their communities. On land matters, he believed indigenous people should be given back their land by restitution, invading ranchos was not an option.

In 1976 he finished his primary education and then, the priest Juan that always visited the community in *Corpus Cristi* told him that he could go to live with some *compadres* of his in Villahermosa. Another priest also offered to help him continue his studies in Veracruz, but Vicente preferred Villahermosa because it was closer to his home. That was the place where he would study secondary, high school and have his university education. In choosing the subject to study, he thought people needed someone who could handle numbers and finances. So he went for accounting.

The courses of cooperativism that the nun Nancy taught really got me inspired. I knew that when Don Jerónimo was the president of the Tulijá cooperative and that they got the permit to distribute Coca Cola in the tropical rain forest, until Lacanjá, all that is Velasco Suárez. It was like winning the lottery (el negocio del mundo). You took out a lorry on credit and it paid for itself. But in 1977 and 1978 Don Pancho entered as president of the Cooperative, and together with his brother cancelled the contract for distribution that the cooperative had signed. They kept the money but they told the members of the cooperative that they had cancelled the contract because its objective was not to make profits. (la función de la cooperativa no es ganar). Up to that point the "El Aguila" cooperative

had 34 agents and had established a distribution network in 500 or 600 communities, an average of 100,000 people. There were 160 members in the cooperative. We distributed 2000 boxes of coca cola and we had the warehouse full to the top. At the time we already had three lorries to handle the distribution, and they got a 3 ton pick up to take sick people to Palenque. We paid for it with cash. Then we got another 12 ton lorry. One of them went to bring the soft drinks from Villahermosa while the others handle the distribution. 15 people were employed among the drivers and helpers.

Our objective was according to what the nun Nancy had taught us: 1) to be united, 2) to buy cheaper, 3) to keep funds and 4) to educate in cooperation. Our main target was to get resources to distribute amongst the people.

At the end of the year we met in a general assembly to make public the accounts of the cooperativa. We killed cattle and ate the meat with beans and rice at night, we had soft drinks, all that we wanted we had! It was a nice mess that lasted for two days. Women were cooking, we all thought, in 10 or 15 years this is going to be even better. Even the priest Juan used to say, "what are you going to do in another place? There's no point in going to work elsewhere!" He had much confidence in what we were doing.

Part of the problem was that when in 1981 the capital was handed over to the new administration, they did not give maintenance to the trucks. I tried to give them advice but they all said, we Don't want kids (mocosos) here to help us. They did not want to listen to what I had to say. Three months after that one of the trucks came off the road and overturned with the soft drinks and everything. And they spent the money trying to solve that problem. The problem was that before the area of the cliffs the electric system started failing. They ran out of power and they crashed. The vehicle was impounded. But when everything was going well again Don Pancho started to create divisions in the Ejido. They sold the lorry that was left. And they decided they were not going to continue working as a cooperative.

At that time I was in high school, and I was doing accounting already. I felt really sad because I was witnessing how everything was being

dismantled; how the lorries were being abandoned. In 1986 I had to stop my degree for a while due to money problems. I went back to Tulijá and I wanted to reactivate the cooperative alongside Don Pancho, but the cancer was already there. The members were not enthusiastic with the project anymore. There was envy everywhere; people became selfish.

I was trying to make people think of saving money and investing the profits we were making. At the time the Demesa family took over the presidency of the cooperative, and they asked for credits trying to reactivate its finances. But that did not work out because they did not pay the credits back. The cooperative was finished because it was inactive for a year.

Political division, second act: the bank credits for raising cattle.

The second example that illustrates the failure of a development program encouraged by state policies is found in a series of credits destined to raise cattle in the tropical rain forest; all along the region, people joined in teams and signed up to fill in the forms to apply for them.

However, when credits started being available “everyone in San Jerónimo thought that there was no credit that could not be repaid. They could only say that credit had worked out well for them” as Vicente recalls. After doing a detailed analysis he found out that the “profits” were a result of inflation, rather than real profits according to market prices and competent money management. In his opinion the acquisition of credits was based on false business models from the start (los créditos nacieron torcidos). He explained that advisors from the insurance company, *Aseguradora Nacional Agrícola y Ganadera, Sociedad Anónima* (ANAGSA), would convince people to buy at higher prices than those established in the regional market saying that they could still sell them and afterwards report that the same cattle they had had actually died, claiming the insurance indemnity on the lost animals. “This was how the abuses on the part of the technicians started, they took advantage of people’s ignorance”, Vicente states, and continues to explain that “each head of

cattle would be paid at 1500 when the real price would be 1000. The technicians had private business links with certain *ganaderos* [cattle ranchers]. They would match certain *ejidos* to which credits were already approved to certain sellers of cattle, and they would arbitrarily establish the price of each cow. As people wanted the credits they would agree to this, on the assumption that the price at which the meat was going to sell would be sufficient to cover the excess price that they had paid when they bought the cattle as well as the interest charged on the credit granted. The technicians, for their part, convinced them that this was the best way to deal with the initial purchase of cattle, as some people remember that they warned them: —It is better if you buy like this because anyway you do not know how to buy.

The irregularities of the procedure by which these credits were granted and administrated included the dynamics through which peasants received their credits committed them to buy cattle from certain distributors at higher prices than the average in the market. Analysing this situation from the peasants' perspective, we see that people knew they were paying an excessive price for the cattle, but accepted the situation in the context of the interactions created by the introduction of credits into their lifestyle, expecting to receive the benefits they were promised in exchange. In a sense, these indigenous people followed the same logic of balanced exchange described by Nuijten (1992) in her analysis of practices of corruption (see chapter 3).

On the other hand, the technicians reproduced an exploitative paternalistic relationship of power, where “they knew best” what was most convenient for indigenous people, while at the same time exploiting them economically, since the ranchers remunerated technicians for favouring them and guaranteeing them an excess profit in providing the new cattle raisers with animals to breed.

In this reconstruction based on indigenous' accounts of their interactions with technicians, we can trace the same old practices of indigenous exploitation by non-indigenous people. This time, however, the

ranchers count on a broker to increase their profit: the technicians who aspired to increase their own capital and power.

The first credit was made available in 1984, the same year that the community had the problem with the company CORPORACION exploiting wood in the Ejido (see chapter 3). The second wave of credits started in 1991 and the third and last one in 1993. Don Vicente finished his degree in Villahermosa and moved back to San Jerónimo in 1987, just after the first wave of credits. After analysing the impossibility of paying back the credits due to the fact that inflation rates had not yet stabilised following the dramatic devaluation of the peso in 1982, he started lobbying for getting the debt written off due to the irregularities that he found and was denouncing to the authorities.

When I asked him to explain to me how exactly he had worked out his financial analysis, he gave me the following hypothetical examples:

Table 1. Hypothetic estimate of real prices and profits per cattle head, made by Vicente as an example of his analysis of credits in 1987

	Real price per cow in the market	Rate of interest	Projected final price	Capital after sale
Per cow	1000 pesos	+ 60%	2000 pesos	400 pesos

Table 2. Hypothetic capital projection made by technicians in 1987

	Real price per cow in the market	Rate of interest	Projected final price	Capital after sale
per cow	1500 pesos	+60 %	2900 pesos	500 pesos

Table 3. Hypothetic loss with lower prices than estimated at final sale in 1987

	Priced paid	Rate of interest	Final investment	Final price sale allowing for inflation	Balance
Per cow	1500 pesos	+ 60%	2400 pesos	1000 pesos	-1400 pesos

I figured out these numbers and that was when I realised the debt in San Jerónimo could not be paid back. That was when I realised how the technicians had organised the buying of the animals in the first place. I immediately thought the best way to go was to ask for the debt to be written off. My argument was that neither the bank nor the producers were to blame for the financial loss. The problem was that the final sale prices were considered with regard to the inflation rate, but the government was not able to eliminate the growth of inflation. In consequence, the government was to blame for the inability of producers to pay back the debt because the government did not do their job properly in keeping the inflationary rate low.

After the credits could not be paid back, banks created a system of loan refinancing. I then realised how the negative balance continued to produce interest, adding to the debt of producers with lending banks.

So then I wrote a 6 year plan in which I stated that it would be impossible for San Jerónimo Tulijá to pay its 1600 million pesos debt with no animals left and accumulating interest payment. I was asking for the interest payment to be waived for 1 year in order to recapitalise the producers and start repaying the debts.

At this stage, Don Pancho was saying that how come I dared to say that we would not pay the bank. —What do young people know, they know nothing! He used to say. He also commented that the technicians and the bank had said that they were going to put me in jail. They lied to him.

I took on a gigantic responsibility. It brought me lots of work and I was not even sure it would be possible at all to get that debt written off, or if on the contrary, I was going to get killed for trying to achieve my goal, as a lot of money was involved.

I did not want to pay for what I was doing. So I talked to the three groups that accepted my idea and wanted to go for the option I thought best to follow. I told them, —I may go to jail for doing this, so if each member of the group gives me a cow when the objective is achieved, I will feel very well paid with that. I was advising a total of

58 people in three groups called La Selva, La Candelaria and El Tesoro. Later on I took on the representation of 7 or 8 groups including the ones in other ejidos of the region.

When it all started, the members of the teams asked me what we had to do in order to ask for the debt to be written off. I explained the idea of having the interest payment cancelled for 1 year; then they would have to join the bank's program called SIREFA, that implied that they intended to repay the credit. All the time when I was at university I hated political parties because I thought they were all thieves. In 1986 or 87 Don Juan had joined the Cardenista party, and he was Ejidal Commissioner and also had the problem of the credit himself. He told me: *—I will sign the papers you need to proceed with the legal representation of this case if you do it through the Cardenista party. I agreed and we travelled to Mexico City to talk to Jorge Amador, at that time general secretary of the Central Campesina Cardenista (CCC). We had to wait 6 days. I asked for letterhead of the Frente Cardenista Party and wrote everything we wanted Jorge Amador to sign. Then when he finally met us he forced me to join the CCC. He said, "yes, this is a good project, I am a social fighter (y yo soy un luchador social)". But we got nothing out of all that work. They only took people to demonstrations, to political rallies. That's all they wanted from the members of the CCC. They did not even ask any lawyer to look at the case. I looked for my own advisor myself.*

We never got any paper from the bank, but I know that we got the debt written off because we received a paper from the Presidency of the Republic saying that we only needed to cover 20% of the debt. But the bank never informed us of that. They wanted to recover 100% of the debt. We got that 20% together and we deposited it before a Civil Judge in Tuxtla.

When people from the bank came to see us, they argued that my representation was illegal, since I was not qualified to act in what the civil code calls matters of "pleitos y cobranzas". Then the judge said that as the bank did not recognise my legal representation, and it had been me who deposited the money with him, then the bank could not get the money. I sought advice from a lawyer and we wrote a letter to

the judge explaining to him the legal foundations of our procedure in commercial law (fundamento legal mercantil) given that I was acting as accountant. We got the money back from the judge and we gave it back to its original owners. Bancomer [the bank] used all legal means available but it could not get any more money from us.

On March 12th, 1994 I was elected member of the municipal committee as “síndico concejal” and that lessened the power of the bank over the credits issued even more. One day I met the lawyer of the bank when I was in Tuxtla. I asked him —When are you going to try to get your money from Tulijá? —Never!, he said. —I am not risking my life with the Zapatistas!

I have presented some of the situations that established the moral leadership of Don Vicente Méndez among his people. Political division within his community has forced him to choose one of the sides; these divisions became more threatening and led to more confrontation after 1994, as we will see in the following chapter. Now I want to introduce the case of another political leader from a different political faction. These two life stories, that of Don Vicente [PRI] and that of Don Rafael Gutiérrez [Zapatista], illustrate how people join political factions and may later accept political leadership as a means to solve concrete problems for which they could not find solutions if they remained isolated. The comparison of both cases will allow me to draw further conclusions about the topic on the different processes of leadership formation.

The bank wanted to take our land away!, testimony of Don Rafael Gutiérrez Gómez, autonomous agente ejidal

Jtatic Rafael Gutiérrez Gómez was born in 1965. He arrived in the region sitting on the shoulders of his father when he was a very small boy. He remembers clearly when —during the walk through the tropical rain forest, they would stop to drink *pozol* under the shadow of a tree to refresh them a little and renew their energy to continue walking. The journey was long and it was unbearably hot.

He was raised in a hut that his father built in his plot, about 3.5 kilometres away from the community of San Jerónimo Tulija, closer to the people that settle down in the compound of San Miguel, in the same Ejido. He moved to live in the community of San Jerónimo Tulijá in 1981 to take care of the house of cement that his father had built there. Being 16, he was not interested in politics.

Just as he had done when he lived in his hut, he used to work all day in his plot. Before he moved in, he would go to bathe in the clear water of the river after work, and then he would eat with his parents and siblings. This was the time when they would get together before it got dark and they went to sleep totally exhausted after the hard working day. There was no electricity or any other services around. Don Rafael still misses the “silence” and the peace of living in the hut in the middle of the rain forest. He finds the community too noisy and conflictive.

In 1994 he was already married to Elena and they had 7 children together. He also worked to support his elderly parents. His father survived his mother only for six months, dying on February 2003. Rafael thinks his father may have been over 100 years old, as he was a grown up lad of maybe 13 or 14 when he witnessed the Carransistas passing by Bachajón in 1913.

In 2002 his family had increased to 11 children and Elena was in an advanced state of pregnancy. His older sons would not help him with work in the fields as they were studying in the local high school. Juan, the eldest, had already left the community to join the public university in Morelia, Michoacán.

It was in 1994 when people started joining the Zapatista struggle; he also joined and later accepted the *cargo* as *agente rural autónomo*. Sitting on the edge of the cement floor outside his house, he tells the story of how he lost the agrarian certificate of his land after he handed it in to the bank as security to get a credit to raise cattle. When he was unable to pay it back he feared that he would lose the land that he works to feed his family. That was the reason that made him join the political organisation of the EZLN:

I first bought 9 cows for myself about 9 years ago [in 1993]. It was my father who told me about the credits. The first ones arrived with the FIDEICOMISO in 1994. People would get 22 young cows and one bull, and after a year they would sell them. And we would see how the price increased at the end.

When I first got a credit I could keep 10 cows and a bull after I paid my debt. When I married Elena in 1983 I had already some cattle.

As a younger man I finished off the money. I used to go to Palenque to drink alcohol. And before I realised it all the cattle were gone. They lasted only for 4 or 5 years. I used to sell 6-7 month old calves and I ran out of young animals. I got used to spending money, but no longer had any means of getting cash.

In 1991 BANCRIISA arrived offering us credits again. This time they said: —there is money available, but you have to give me your agrarian certificate, otherwise we will not lend you money. I was with the team “Estrella”. We were 17 members all together. Everyone agreed to that condition the bank set for us.

Teams were formed amongst the people with whom you felt more confidence. When the bank executive came he had our names in a list and one by one we would be called out. One by one, each of us would hand our agrarian certificates to him and sign the contract. At the end he said clearly: —Señores, I am putting money in your hands, and you will have to hand in money back to us. That was clear as water, there was no way around it!

I received 8,000 pesos and was able to buy 8 young cows. The price of each animal varied according to its race; bulls were in the range of 2000 and 2500. The credit was “Avio”, to fatten the animals for one year. After the year the credit became Avio-refaccionario.

At the end of the year the price of the meat fell, and we would not get enough money to repay the capital we had been loaned. If we sold we would only get enough money to pay the interest that the capital had generated. I cannot remember the exact percentages.

I decided not to sell because I could not pay my debt anyway. We were exactly in the middle of that problem when the Zapatistas started the war against the government.

Then Don Pancho called us for a meeting. He was also in debt with 10,000 pesos and did not know how to pay all that money back. He told us about Xi'Nich', an independent organisation. He said that if we were all together the sparrowhawk would not be able to get us, whereas it would get us one by one if we were isolated. We liked the things he said. And we joined Xi'Nich'. We attended 2 meetings where all representatives from 25 ejidos met, we were about 400 people in the meetings; we killed a cow to celebrate.

At that moment we felt we grew in strength, and we felt confident in the struggle. Seeing each other's mutual support, all ejidos decided not to sell the cattle. We agreed that it should be the bank executive personnel who would have to collect the cattle from us. At that time we had an advisor, and he told us to take care of the cattle. That advisor was a "kaxlán" [non indigenous person]. So we kept the responsibility of looking after the cattle, but as I told you, almost everyone had finished their animals already.

Two of my cows died. I sold the last one when Juan went to study in Morelia. I told him: —You are leaving now. So I am going to sell the last cow for you to buy your coach ticket. You can take the rest to try to survive in Morelia. We got 3600 pesos for the cow altogether and Juan took all of it with him when he left.

Life is difficult, as I have to pay the tuition fees for the boys that I have studying high school. I also have to provide them with a notebook and at least some clothes to wear. And I have nothing to sell now. And the year beans do not grow, well, it becomes really difficult then. So then, if there is nothing, well, there is nothing to do about that.

I sometimes work as a day labourer cutting trees with a chain saw or even with machete. I sometimes take Andrés and Manuel with me. Each of us would get 40 pesos per day. So that makes 120 pesos cash in one day. That helps us to keep on going. So, if I need cash I ask someone to lend me money. I usually ask Don Pedro who works for the municipality. He would lend me money and then I would work for them to pay him back what I had borrowed before.

I read in the Bible that birds Don't have their milpa. Neither do they have maize barns. So, there are birds everywhere, and they have to provide for their food everyday. That's why it is not necessary to assure something for tomorrow, as you Don't rule on your own life all by yourself.

That's how I see it. My father got 70 cows together. And look where we are now, working as we used to do in ancient times (como se trabajaba antes por costumbre). People before did not buy soap, oil, or sugar. Even the drink, they made it themselves in a big copper container. They did not buy maize or beans. They spun their own cotton. My mother taught me the "pelet", they shaped a little object with mud, they burnt it, they put a stick through it and they made it turn quickly to make treads.

From time to time they would sell maize, and all the money was saved. People kept little bags with cash.

So that's what we are returning to do. And if we cannot achieve it individually, then we organise ourselves to work collectively.

It is interesting to note that Don Rafael's father saw what the revolution of Zapata brought to the south of Mexico. Ninety-two years later, his son would be the autonomous rural agent working under the inspiration of the ideas forged following the Zapatista uprising.

For the people of San Jerónimo Tulijá the Zapatista uprising in 1994 was first known through the news. In the insurgents' words they found a hope to keep the struggle to defend their land going.

Analysis of the divisive effects of state promoted development projects

In the cases presented here, local leaders work to solve concrete problems in the community. The main difference between these local leaders (Don Vicente, Don Pancho and Don Rafael) is their ability to relate to regional and national political actors and networks of power in order to provide solutions to the problems they want to solve.

Another difference amongst these local leaders is the position they occupy within the community; when Don Vicente returns to the community he is seen as a “kid” (*chamaco*). According to the traditional system of indigenous organisation, men had to climb the ladder of political positions that would eventually lead people to recognise their moral authority to handle public matters. In this traditional indigenous organisation, elderly men that successfully performed these assigned public positions of leadership (*cargos*) occupy the position of *principales*, and are considered to be the moral leaders of the indigenous communities. This is a form of organisation based on age, otherwise described as gerontocracy.

It is precisely in this context of interaction in which Vicente, an indigenous member of the community, left at an early age to study in the city. On his return, he unintentionally challenged the position of political leadership exercised by Don Pancho —who had always lived in the community, but who had a very good knowledge of the regional and national configuration of politics. This seems to be related to his and his father’s involvement with the market as cattle raisers and holders of above average amounts of land. Don Pancho is an astute player and had demonstrated ability to mobilise key political actors in favour of what he presents as “doing good for the community” (as when he gets the help of the high commander of the Federal Army to back him up in the confiscation of the lorries belonging to COFOLASA).

In the context of the menace posed by the banks that threatened to take away the land of indebted *ejidatarios*, Don Vicente and Don Pancho do not manage to create consensus on a single way to proceed to solve the problem. Following the economic failure of the cooperative and the projects for raising cattle, the rest of the population had also experienced the frustration of not being able to control their leaders’ actions. This is the first context in which people abandoned the idea of working collectively. The leaders’ social backgrounds, formation and experience in handling matters outside the community made them try to convince other people of the benefits they could get if they followed their advice. In this process, they reproduced the state’s dynamic of political control through

competition, deepening its political control by fostering market-orientated development that led to competition and greater inequality among members of the community.

When Don Vicente and Don Pedro disputed leadership positions in the community, what was in fact taking place was a struggle over the legitimacy of political control. At this stage people of the community can trace the origins and know the trajectories and the political connections of each of these leaders. They are both working for what they consider to be the best interests for the people of the ejido. Both of them would try to gain a community consensus over their proposals –discussing their agendas in the general assemblies– but the rivalry between them (Don Pancho does not recognise the authority of a young man), reinforced the community's divisions. Furthermore, their rivalry formed the basis for the creation of political factions inside the community, making the reach for consensus even more difficult.

Vicente represented a competitor for political control to the older leadership exercised by Don Pancho in the community. The latter tried to disqualify Vicente's proposal to try to get the debt to the bank written off by appealing to the traditional norm of evaluating people's right to participate in leadership roles in terms of their performance in public responsibilities (or cargos), a track record that Vicente did not have.

Don Pancho plays in the political arena of "independent organisations" whereas Don Vicente is bound to follow the "official procedures" and seek out the solutions that the institutions make available. He appeals to judges and legal systems, and travels to talk to representatives of the peasant confederations to try to make them support his struggle. This seems to be the consequence of Vicente's access to formal education outside the community. Don Rafael, on his part, is humble, illiterate and an almost monolingual peasant. When it comes to political preferences, he feels more attracted by the discourse of autonomy introduced by the Zapatistas' —an organisation led by indigenous people to whom he can relate. This discourse is closer to his need to secure

everyday subsistence, and offers him the possibility of joining with other people to try out collective work to help with each other's burdens of communal and personal responsibilities.

Three types of leadership can be identified here, each of them representing a different segment of the population's political beliefs. Vicente's type of leadership tries to find solutions for the community dealing with procedures that have their origins outside the community's cultural boundaries. He dares to enter into the state legal civil code procedures (*juzgados civiles*), and accepts a position as candidate for the municipal presidency of Chilón, where the *ejido* of Chilón is located. Don Pancho's type of leadership is perceived as ambiguous regarding the benefits it brings to the community. People mistrust him, but they recognise his ability to move the pieces of the regional political machinery to his advantage; in so doing, he justifies his actions arguing that he acts thinking about the benefits for the community. Despite all the conflict and distrust his actions generated in the past, he appears to be genuinely interested in getting the people together and united again; the problem with this kind of leadership seems to be the leader's inability to accept consensus under a rival's direction. Yet a third kind of leadership is exercised by Don Rafael –who has not gone through formal education. He has worked very hard all his life making a living with the resources available for him within the lands of the region. He represents what has been described as the peasant mode of subsistence. His leadership also works in favour of strengthening links between indigenous communities and his work as *ejidal agent* involves solving disputes, so in a sense the political alternative that he represents would restore the equilibrium lost during violent confrontations.

Out of the three types of leadership, the latter is the one that calls for strengthening traditional collective work ties, which are based on the form of collective subsistence livelihoods strategies such as the ones that Don Rafael describes his parents as practicing. Paradoxically, he considers his lack of communicative skills in Spanish as a negative feature about himself, and in a certain sense he blames the difficulties he has had

in feeding his family on his lack of studies. If analysed in perspective, Don Rafael lives in a community where big social inequalities make him feel unable to justify his “poverty” and “ignorance”. As a consequence, Don Rafael actively works to provide his children with the opportunities that in his eyes would help them avoid the life of hard work that he lives.

Finally, these three types of leadership also point towards the formation of at least three social classes that emerged within indigenous communities after the permeation of productive projects pushed in by state policies for “development”. People’s different life trajectories would make them feel identified with the different projects, and therefore with the different political networks of power and resources with which these different leaderships have established political coalitions.

Conclusions

Following the analysis of the information provided in this chapter, local conflicts create disagreement and make people establish different external alliances, creating in consequence political factionalism. In the dynamic of political factionalism conflict is reinforced through confrontation, and although people express an increasing concern regarding the violence that this confrontation is producing, it is not easy to see how these differences can be transcended so as to help the different political factions reach the consensus that apparently is needed to re-establish the idealised social equilibrium that was lost, and on which the indigenous institutions are founded. What this idealisation of the past denotes is in fact a social equilibrium based on a combination of witchcraft accusations, sanctions and consensus building that contained the reproduction of social differentiation and divisions within tolerable boundaries although it clearly did not eliminate conflict and tension altogether². This lost social order did not lead to crises of individualised leadership and the hardening of factional lines, and it is in this sense that people contrast it to the political complexities of current life in San Jerónimo Tulijá.

² See Nash (2001) and Laura Nader’s (1990) discusión of “harmony ideologies” in Oaxaca, for example.

In the previous examples we have seen how the state's projects for development encouraged the incorporation of peasant-indigenous communities into the market economy. The consequences of the permeation of these economic practices have had an influence on the organisational practices of the community, as well as a divisive impact on the social fabric constructed during everyday interactions between the members of the community. The experience of the failure of the two development projects presented left people depending on cash incomes with a sense of despair because the "developing expectations" created by these projects were not fulfilled. Yet in an important sense, the strategy of incorporating peasant-indigenous people into the market economy indeed worked, since people in San Jerónimo Tulijá generally still continue to aspire to higher levels of education and cash incomes for their everyday subsistence.

On a broader scale, what we learn from this chapter is that people's participation in productive projects promoted by the state created internal political divisions amongst members of the *ejido*. These were the reasons for people to distrust some of the members of the community in the first place. The community was divided into differentiated socio-economic groups that gave shape to local disputes; the factions that resulted from these conflicts later formed alliances with political parties —and other groups, such as church organisations, the federal army, or NGOs. Some of these alliances will be discussed in the following chapter.

Chapter 5.

Political divisionism: the struggle for legitimacy of political control in San Jerónimo Tulijá

Power relationships: ethnography of power forces among the political factions in the region

This is an ethnographic chapter of the struggle of power in the community of San Jerónimo Tulijá. I want to explore how events of contemporary disputes show the ways in which each of the political factions is linked — either through coalition or antagonism— to wider regional or/and national groups of power. In this framework of analysis, local political action is always linked to an imagined wider regional or national political community —as I propose using a free adaptation of Anderson’s concept of imagined communities (1983) to which local actors would selectively relate or appeal, when they want to gain legitimacy for their actions in the local arena of struggle for political control.

These wider political fields of forces will become indispensable to understanding the refashioning of conflict and the political manipulation of the different versions of the “causes” of conflict on the part of all the factions and their allies in trying to justify and gain legitimacy for their position. I am particularly interested in analysing the explanations that each political faction uses to claim the legitimacy for their political strategies, beliefs and actions above the rest.

From the theoretical framework that I had been developing in the previous two chapters, the exacerbated division that I witnessed in the community in 2002 was rooted in the history of interaction with outside forces —at this time in particular by the presence of the Federal Army in the community, which, by accentuated existing divisions, made it even more difficult to reach agreements between the local parties in dispute. This kind of divisive effect on the social fabric of the indigenous communities due to the presence of a base of the Federal Army in their physical territory is what has been widely denounced as an important constitutive element of the logic of the low intensity war that the government has maintained against the Zapatista indigenous supporters since 1995, up to the moment

when this thesis is being written (see, for example Stephen 1995, 1999 and 2002:176; Speed and Collier 2000; *La Jornada* June 3rd, 1996 accessible on line at <http://www.jornada.unam.mx/1996/jun96/960603/hermann.html>).

In order to understand these local disputes, I will provide a brief overview of the political forces in national and regional politics, as they play an important role in the formation of alliances at the local level. Membership of these “imagined powerful communities” *permeates* through these divisions, therefore reinforcing them and adding a political dimension to unresolved disagreements and suspicions anchored at the local level. The links that different groups in disagreement established with *external support groups of power*, including political parties, church organisations and NGOs, meant that each of the local groups would try to use the support groups’ material and symbolic resources to fight against their local adversaries. Political parties, on their part, would use the conflicts in the communities to pursue their own electoral agendas; on their part church agents would advise their followers to try to reach agreements through dialogue about their conflict; the federal army would normally establish links with local leaders siding with the political party in power, as the example on the graduation of the *telesecundaria* shows (see *infra*).

These political memberships link people in the ejido to regional and national specific networks —of people, political power and resources, that are constantly changing both in external references and followers within the ejido. For reasons of space, this chapter will only illustrate the logic of the permeation of local disputes by new layers of political disagreement fostered by the alliances established with political parties and the federal army. I present a series of chronicles of events that exemplify the sort of tensions that exacerbate factionalism and lead to the justification of the use of violence, as experienced by indigenous people involved in trying to bring solutions to local problems of administration and social justice.

The triumph of Pablo Salazar feeds the hope of restoring peace in Chiapas

With the triumph of Vicente Fox in the presidential elections on 2nd July, 1999 the 70 years rule of the Party of the state, the PRI, was interrupted. For Chiapas, this change raised the hope of reaching agreements with the Zapatista Army of National Liberation (EZLN) that had declared war against the Mexican Government on the 1st of January of 1994¹. The following year, the elections of August 2000 for governor in Chiapas would favour the candidate of the *Alianza por el Cambio*, (Alliance for Change) party Pablo Salazar Mendiguchía. Both the candidates elected at national and state level had made public statements on their intentions to solve the problems in Chiapas, and their will to contribute to restoring the confidence of the EZLN in order to continue with the peace process suspended since January 2001.

None of these expressions of intent proved sufficient to have an effective impact on the tense climate that had been generated since 1995 when the Federal army raided the indigenous communities²; although some steps have been taken to inhibit –at least in appearance– formation of paramilitary groups, the governmental efforts have not yet managed to dismantle all the extra-official forces that have been operating in the state against Zapatista sympathisers and peace advocates³ despite the

¹ For an insider view on the reasons of the Zapatista insurrection see SubComandante Marcos (2002).

² Following the deployment of federal soldiers in 1995, CIEPAC estimated that there was a soldier for each three citizens in Chiapas; the budget assigned to military operations in Chiapas increased in 14% from 1994 to 1995, and the annual spending was of 200 million US dollars (CIEPAC No. 49 accessible on line at <http://www.ciepac.org/bulletins/oldboletins/bolec49.htm>; see also footnote on introduction:6)

³ Paramilitary activity in Chiapas reached it hottest point the 22nd of December 1997, when 60 men massacred 46 indigenous refugees who had run away from their communities due to the intense harassment they had experienced. The victims —9 men, 21 women, 15 children and a baby (SIPAZ 1997), were praying inside a church when the paramilitary group arrived to kill them. On December 21st, 2005, La Jornada published that out of the 105 indigenous people that are detained and under investigation for the Acteal massacre, only 5 of them actually admit to have participated. Las Abejas (the Bees) denounced that the intellectual authors of the crime are still free and that the government has refused to recognise that, instead of a confrontation between “brothers” what really took place on the December 21st, 1997 was a “state crime” (*La Jornada*

publicity given to Governor Salazar's "pacification" of the area around Tila in the Northern zone and the imprisonment of the leaders of the notorious *Paz y Justicia* [Peace and Justice] paramilitaries (see Agudo-Sanchiz).

The violence that has been generated in the context of the "low intensity war" denounced by diverse groups of Peace Observers, Human Rights workers and supporters of the Catholic Church (see Gilbreth 1997) has come to reinforce and exacerbate old and diverse antagonisms between indigenous groups. These problems were highly publicised after the Zapatista uprising, and it was in this context that most people in the rest of México and elsewhere got to hear of them for the first time. But the issue of the Zapatista uprising in Chiapas threatened the interests of not just the local and regional elites in Chiapas, but also eroded the legitimacy of the benefits that the neoliberal economic project —at this time very present— in the debate surrounding Mexico's participation in the NAFTA trade agreement with the U.S. and Canada as "trade partners". The Zapatista uprising made people wonder about the benefits that this new system of trade relations would bring for the population of the nation as a whole⁴.

I am suggesting that the federal government strategy of counter-insurgency exploited —for the benefit of its economic policies— the

December 21st, 2005 accessible on line at <http://www.jornada.unam.mx/2004/dic04/041222/016n2pol.php>).

⁴ The Zapatista uprising pointed to the discontent of "the forgotten indigenous population in Chiapas" to the great inequality amongst different classes of the Mexican society. They pointed to the imbalanced distribution of wealth in the country due to the corrupt and authoritative nature of the governmental elites, and their claim echoed and was supported by the so-called "civil society" throughout much of the national territory. The powerful resonance of their point is still used by newspapers to document the ever widening gap between regions on terms of income and welfare; an example of that is the news header published in La Jornada on Nov 17th, 2004 that reads: "In Chiapas, infant death rates compare to the existing in African countries; Mexico City's is comparable to the levels of Europe. Unequal access to health services is due to bad investment during the past 50 years" (See <http://www.jornada.unam.mx/2004/nov04/041118/049n1soc.php>, my translation); on Nov 19th, 2004, the same newspaper reported that according to Medicins sans Frontieres (MSF), 2.3% of children in San Juan Cancún, —the poorest municipality of Chiapas— were diagnosed with *chagas*, a disease transmitted by *chinchés* that attacks the heart and the digestive system. MSF declared that México is the only country of Latin America where this disease still exists and added that there was no program to treat and control the *chagas*, and that for MSF it was very difficult to understand the reasons why the Federal government does not ascribe any importance to combating this disease (La Jornada, <http://www.jornada.unam.mx/2004/nov04/041119/038n1est.php>).

already existing political divisions within communities and cultural regions, such as the ones that I have discussed in the previous chapters. The effect of the political division amongst indigenous people has been to make it more difficult to mount unified collective actions aimed at bringing local benefits to the communities.

The political division in San Jerónimo Tulijá

With the threat of the bank executives to seizure indebted peasants' land, people started looking for support amongst local peasant organisations that were already working in the region. As explained by Don Rafael in the previous chapter, people joined Xi'Nich and together they found the strength and the confidence to declare that after the fall of the meat price no one would sell their cattle, or they would pay their credits back.

In the same logic, in January 1994, after learning of the Zapatista uprising, Don Pancho himself sent a letter to the Zapatista insurgents asking for their support to fight the bank's resolutions. As described before, he also had played a major role in spreading the word about the benefits that joining Xi'Nich could bring to the community interests. In Don Rafael's account,

the old folk (Don Pancho) wrote a letter to Sub-commander Marcos informing them that the banks were putting loads of pressure on us, and that there was no way we could pay the credits back. We formed a commission of 6 people to deliver the letter to where the insurgents were meeting with government representatives. We arrived in San Cristóbal de las Casas, but there was no way to get into the meeting. There were security cordons. Member of the Red Cross took the letter inside the building. Later on we received an answer from Commander Tacho saying that those who had died in combat on January 1st had already paid back our debts with their blood. Therefore the bank should forget about getting them back.

Diacon Mariano Méndez remembers how he also found hopes of solving his problems with the bank in the Zapatista movement. He explains,

Priest Mardoño asked me why did I not want to get organised. No! I said, because I have already seen what being organised is like, I was in the cooperative and I have seen it all: when I put one cow in our collective another person would come and finish it off. That is why I prefer to work as before: I harvest the coffee with my own hand, I harvest my maize with my own hand. I do it alone. I do not want any more to do with cooperatives or organisations.

But the third time that I was approached by other people wanting me to get organised with them, I decided that OK, I was going to check out how Xi'Nich was working. And after a while I also wanted to check how the EZLN was getting organised at the political level.

Alejandra: *And how did they convince you that they were working for the good of people?*

It was in part because the Major knew how to speak well, and I had already seen these problems being discussed in 1974, we had all these questions back then: why are we like this? What do we need: roads, doctors, clinics, land, work... and out of those questions we had elaborated 13 demands. That is why when the EZ organised the talks in San Andrés I realised their demands were our same old demands. We were all fed up, especially because no one knows how the government works, we do not get informed about what they do. Nor do we know how rich people work.

There were some compañeros Zapatistas that did not work without rush. They failed because they wanted to work quickly, to get prompt solutions to their problems. They did not want to be patient.

Alejandra: *What was the problem when they wanted to act quickly?*

Because that was not the instruction we received. We do not act alone. We have to consult at every step we take. When people act alone they get told off [by the Zapatista leaders] because they had to always report back to our assemblies and wait for approval. This is when people get upset and quit being Zapatistas.

Spatial political division of the community

Zapatista sympathisers recall how they started getting together to discuss issues of autonomous political organisation. These meetings were held in secret at the beginning, so that only a few people in the community would know where and when they were taking place. But in time, knowledge about them got spread and people were identified directly as being involved with the Zapatista movement. According to the Zapatista supporters' version, the Zapatista leaders wanted San Jerónimo Tulijá to become the head of the autonomous government in the region. However, as a result of intense political confrontations that took place amongst *priístas* and Zapatistas supporters in the context of their struggle for political control, the head of the autonomous municipality was later settled in the community of Taniperlas⁵.

An example of these violent confrontations took place when Zapatista supporters prevented the landing of the helicopter where the governor of Chiapas was travelling. He had planned to attend a political rally supporting the local *priísta* candidate contending for the municipal presidency of Chilón. When the helicopter arrived in San Jerónimo Tulijá, Zapatista supporters from all over the region had already gathered to stand in the area where the helicopter was supposed to land; they managed to impede the governor from putting a foot on the ground. The *priístas* got extremely upset and one of them, in whose land the well that provided water for the community was located, smashed it to pieces cutting off the water supply for all the inhabitants of the community.

Another source of political competition was the fact that the Zapatista supporters, in the spirit of wanting to gain autonomy from external political forces named their own autonomous authorities; this

⁵ In 1998, the head town of the newly founded autonomous municipality was raided by the federal army, and the commemorative communal murals illustrating how people came together to conceive and execute the autonomic processes in the region, were destroyed. See *La Jornada* <http://www.jornada.unam.mx/1998/may98/980508/astillero.html>; <http://www.jornada.unam.mx/1998/abr98/980426/mas-ofensiva.html>

decision resulted in having two men in the same power positions: two ejidal commissioners, two Rural Agents and Zapatista and priísta policemen. The part of the population that identified with the Zapatista political struggle would ask for the advice or service of the autonomous authorities, while priísta sympathisers would only seek the help of the priístas.

The electoral victory of the *Partido Alianza por el Cambio* led by elected governor Pablo Salazar Mendiguchía in 2000, helped to set the political environment to produce the victory of the PRDista candidate for the municipal presidency of Chilón in the local elections of 2001. The victory of the PRD brought yet another faction to the already complicated political division in San Jerónimo Tulijá; a section of the population – including those Zapatista sympathisers that had been struggling with the harsh living conditions that came with the fact of not accepting any state economic help, and having to work really hard to make their own political institutions and productive projects work while at the same time provide for their families, signed up as political supporters for the new “legitimate” elected political leader⁶. At the time when I arrived in San Jerónimo Tulijá there were three authorities performing the same role. The sequence in the film where Pancho Cruz, the human rights defender walks into the office of public persecutor provides an interesting insight on how this political division is understood from inside and from outside the community. According to the policeman that meets Pancho and the public persecutor, none of the three working authorities had a *nombramiento*,

⁶ In part, the decision of signing up with the PRD was a strategic decision to get access to resources that the party would bring to their supporters. One morning in September 2002 when I was with a group of Zapatista women attending a workshop on pattern cutting and dressmaking, three massive lorries carrying sacks with cement arrived and parked in the main square of the village. A short while afterwards, a crowd of people had already gathered around the first lorry, where a man with a list started shouting names out. Each of the people on the list would get their share of cement. Some families that had several of their members in the list would gather enough sacks to be able to cement the floors of their kitchens.

From our room we had a view of the event. The 20 women attending the workshop stopped working and we all gathered behind the window. Outside people cherished their access to the obtained resource. Inside the room, the Zapatista women looked at the event and nodded their heads in disapproval.

official recognition from the government, when he went there on a mission and asked to speak to the recognised authority in post.

QuickTime™ and a Video decompressor are needed to see this picture.

needed to see this picture.

. Video clip 1
The Community Defender speaks about the political division in San Jerónimo Tulijá

[click to play]

This triplication of leadership positions produced more confrontations between the two political factions in their struggle to claim their legitimate use of space in the community. The existence of only one *casa ejidal*, the building destined to hold ejidal meetings, and one *agencia ejidal*, the place where the disputes of the community were solved, proved to be a deeply problematic issue. Some of the most violent confrontations took place in the dispute for the control of these spaces.

The dispute for the control of the Casa Ejidal

On May 12th 2002, men from the PRDista and Zapatista political factions clashed in a big fight using sticks to fight their political opponents. The autonomous Zapatista rural agent, Don Rafael Gutiérrez Gómez, recalls how it all began.

The problem started when the party in power changed in the municipality of Chilón. The PRD won the elections. We have been occupying the [building of the] Rural Agency since 94. [When the PRD won] they started to enquire in which place they would work, because we had the Agency. The first one to approach me was Don Pancho. I was playing basket ball in the playground when I heard his voice calling me out. So, I started walking towards him and he started approaching the playground. We found each other in the middle of each other's journeys. So then he told me,—Look Rafa, as the PRD has won we have already chosen an agent, and we were wondering if you can lend us one of the two offices in the Agency so we can work. Like that, you can continue working on one side and our agent can work on the other. —It seems ok with me, I told him. —But I still have to ask what other people's opinions are. I will raise the issue in our assembly. So, that's how I took the news with me.

The rest of the people also went along with the petition, they only required us to elaborate, register and sign an agreement between the two parties. That was how I told Don Pancho things would be done. He thought there would be no problem, and then we set a day when we would meet to sign the agreement.

The day set for the meeting arrived. I was there with 5 of our principales. People on the PRD side also arrived, but not the agent. We spoke amongst ourselves but we could not reach an agreement because their agent did not arrive. We set another date to sign the agreement. On that second occasion, the agent did show up.

The principales of both sides were the first to speak, and they all shared the same thoughts [si estuvieron de acuerdo]. And when we were almost going to reach the end of the meeting, Boni [the PRDista agent] started to say that he was not being respected.

It appeared as if the PRDista agent was claiming his legitimate right to take over the Agency for himself; it also appeared that he felt his authority undermined by his being asked to sign the agreement. Finally, in his refusal to reach an agreement, he was reproducing the neglect of recognition of the legitimacy of the political leadership that the Federal

Government had been using to discredit the Zapatista political organisation.

Chronicle of the dispute for the control of the Agency

After the failure to reach an agreement, the PRDistas tried to overtake the agency by force. They first locked the door with a chain, so that access to the office would be theirs alone. Rafael gathered a few men and went there at daylight to break the chain. They performed their activities as usual. The following morning, a second chain was found by Don Rafael and his people. This time they also put a chain with a lock so that no-one could enter. That night the PRDistas broke the Zapatistas chain and locked the Agency again. Seeing that the situation was not going to get any better, the autonomous agent asked for the support of EZLN insurgents to “make a demonstration of their force”, (hacer una demostración de fuerza) as Don Rafael recalls. Armed and masked Zapatista insurgents arrived at night, broke the chain and mounted guard up until the morning, when they left. That day the autonomous agent performed his activities in the Agency as usual.

The problem was not solved and a new confrontation took place on May 12th 2002. A teacher from the high school recorded the fight from his distant position in the school playground. Pancho, the human rights defender recorded how the soldiers of the Federal Army based in San Jerónimo were patrolling the streets of the village. It seemed as if every political faction counted on the support of enemy armies, and as if both of them needed to demonstrate their force through making themselves “visible” through patrolling the streets and mounting guards. At the same time, every political faction would possess its own observers and registers. Pancho, as well as members of the Federal Army, would use video to record events that they identified as threatening to the security of the part of the population they supported.

The installation of a military base in the school playground

The presence of the Federal Army in San Jerónimo Tulijá is a controversial issue. People like political leader Vicente Méndez felt

threatened by the escalating demonstration of force that Zapatista leaders were using to intimidate their political adversaries. In the conversation that we sustained in 2002, he looked back and told me that the confrontational political strategies displayed by the Zapatista military leaders eliminated any possibility of establishing alliances with other indigenous people that might have supported their cause if they had been approached in a more diplomatic way. In fact, Vicente Méndez appears in the list of paramilitary men acting against the autonomous government of the municipality of *Ricardo Flores Magón*⁷.

Vicente Méndez recalls how, shortly after completing his work as legal representative of the people that accepted his help to try to get the bank credits cancelled, he had to escape at night, running for his life as there would have been a serious death threat against him because of his political beliefs as priísta. After that incident, he decided to call for the protection of the Federal Army in the community, as the only guarantee for his personal security.

When other PRIístas saw how desperate I was because of the mounting insecurity I was facing in San Jerónimo Tulijá they advised me to get armed. –Get yourself armed: to get to power you have to silence your enemies. Castro Ruz, he silenced his enemies. The United States, supposedly a democratic country, silences its

⁷ Paradoxically, social organisations supporting the construction of autonomous governments in Chiapas, published in their web pages a comunicado from the authorities of the Autonomous Municipality Ricardo Flores Magón, in which Don Vicente Méndez Gutiérrez is identified as a paramilitary. This is a problematic issue for well-intentioned backing up groups concerned with the violation of human rights and which struggle to help indigenous people to have their right for autonomy and self-determination recognised and respected. In these cases, it may be the case that the autonomous authorities have attached a different meaning to the word “paramilitary” than the one that outsiders do. Myself I have come across this problem while editing the film and within this context, I have come to the conclusion that “paramilitary” is used to define someone who disagrees with the Zapatista’s viewpoint and/or political strategies, and not necessarily someone who is actively working in an armed group planning attacks against the support bases of the EZLN. (see the reports published by the Centro De Análisis Político e Investigaciones Sociales Y Económicas (CAPISE), the International Commission of Human Rights Observers and the webpage that followed the Zapatista Caravan to Mexico City in 2000 respectively online at <http://www.ciepac.org/otras%20temas/monteazul/infmazul.htm> ; <http://www.zapata.com/site/cciodh3/article-cciodh3-117.html>; and <http://www.laneta.apc.org/consultaEZLN/autonomo/000618rf.htm>).

enemies. *Sadam Hussein silences people near to him. In Russia the same thing happens.*

But I thought that I did not come to San Jerónimo to undermine the law, neither to apply it. I told those people giving me the advice to get armed: –You are all wrong. I did not feel I had enough courage to face this sort of situation. Or to face this kind of injustice.

[...] I went to see priest Mardoño to ask him for advice. –What do you say? I asked him. –There are zopilotes flying over the river. He said. – Look, he continued, the Federal Army is there to kill the Zapatistas. And the Zapatistas are armed as well and assassinations are in their way. After assassinations the zopilotes come and eat death flesh. Do you want to become a Zopilote? So think about these facts really carefully. It may be better for you to work your land, look at it from above, because if something happens to you I Don't want you to blame me. Do your milpa, feed your children, take advantage that here in Bachajón there's still peace. Or give your flesh to the Zopilotes.

[...] I could have become Zapatista myself in a given moment, but I did not like the violence they needed to use. They needed to say the things they said, it was just right that someone said it. But it seemed to me that when they could not defeat the government they targeted their own indigenous people as enemies. It was when the Zapatista supporters started attacking indigenous people that supposedly were siding with the government. So in the battle against the big enemy, the government, failed.

[...] I had to leave San Jerónimo. I moved to Bachajón with my wife and my four children. Now I am the moral leader of the municipal PRI. I act according to the law, and I am loyal to my party. But that does not mean that I am against the Zapatistas. The ideals of Zapatismo are my own. To get real justice, to get the benefits of science, to get proper housing. From my view, everything can be solved if taxes are distributed as they should.

But their method is not my method to struggle. As a PRlista leader I have tolerated their threats. But sometimes this idea of getting armed goes around my head, if there was a situation where there would be no

law, or when you go before the authority to ask for their protection and they won't apply the law.

[...] I am thankful that I have never been involved in a confrontation that ended in a bloodbath. I asked tatik Samuel Ruíz to go to talk to people. One day I had to escape from San Jerónimo, barefoot I had to cross the river. If the [federal] army had not entered the community, maybe I would not be here telling you all this. And I started being persecuted because I told people that were joining the Zapatistas that I did not think that was the solution.

It was by direct action of Don Vicente Méndez that the Federal Army mobilised some of its soldiers to settle a military camp in San Jerónimo Tulijá, answering Don Vicente's call to restore the peace and tranquillity in the streets of the village. Paradoxically, the presence of the army would increase the tension amongst the different political factions and lead to violent confrontations amongst members of the community that felt threatened by the presence of the army. Women and girls stopped bathing or washing their clothes in the river when the soldiers arrived to do the same. The houses of the Zapatista sympathisers were under surveillance and their presence was felt by their daily "walks" wearing their uniforms and arms.



Photo 10 Soldiers walk about in the street wearing their uniforms and guns



Photo 11 Soldier videorecording in a public event in the local high school



Photo 12 Military Jeeps in the base in San Jerónimo Tulijá



Photo 13
“We are the best. No one is above us. Mexican Army. 13th Regiment”.
Announcement facing the street where the military base is located.

I will now present the analysis of an event that I was able to observe and that I suggest is one example of the divisive effects and mounting tension amongst the community inhabitants provoked by the presence (and the routinisation of the presence) of the Federal Army in the community of San Jerónimo Tulijá

Generation “Pedro Guzmán Hernández, 1999-2002: The graduation ceremony of the Telesecondary School 097

The graduation of the students of the *telesecundaria* school was a big event in the community. 40 students dressed especially for the ceremony where they were going to receive their certificates of study from the hands of the invited dignitaries sitting at the table of honour. Traditionally, one important member of the community is chosen to act as “godfather” of a given generation of students; the elected person is meant to be an example to follow by the graduating students, and therefore, he should represent the community’s most cherished values and have achieved recognition by the relevance of his service to its members.

A few days before the ceremony took place, I heard of the discontent that Zapatista sympathisers expressed when they realised that an important military officer had been arbitrarily chosen as godfather of the graduating students; according to their information, the decision was made by the director of the school without consulting anyone about the issue. They did not have any time left to express their discontent and try to

change the godfather. They got prepared to attend the ceremony, but they anticipated that the atmosphere was going to be tense.

The event took place in the playground of the school. The table of honour was placed in the centre at the back. The graduating students were aligned to the right of the table of honour. Families, friends and other students stood on the left. The event started with the traditional pledge of allegiance to the Mexican flag that is thought to all Mexican children in an effort to make them respect and love the symbols of their nation. A series of dances and declamation of poetry followed. A few speeches were given by graduating students and some of their teachers. Then each student was called out; he or she would walk to the centre of the playground to meet his/her godfather and grandmother; they would accompany the student to the table of honour, where all would shake hands with each person sitting there, the military godfather and a "friend" he had invited to sit by him; a teacher, the PRDista ejidal commissioner, and the director of the school.

I was invited to take the pictures of one of the students; I realised that this was a unique opportunity to film an event where soldiers of the Federal Army interacted with members of the community. Filming the event forced me to focus on the details that would make visible the tension between the different political parties. I realised that some of the accompanying godfathers were not shaking hands with the members of the table of honour. When I looked closer, I recognised some of the Zapatista sympathisers amongst them. Being a public event, many people were taking pictures and video recording. A soldier wearing his military uniform videotaped everyone in the place.

The hand shaking ceremony: political tension in the telesecundaria students' graduation



Video clip 2

Graduation in the *telesecundaria*

[click to see]



The Commander [coronel] is an important person: the routinisation of the Federal Army in every day life

After the entrance of the army into the community, this was the first time when members of the Federal Army based in San Jerónimo were invited to perform as a legitimate external institutional presence in the community, at least to some its members eyes'. If looked in the political scenario that I had been describing in the chapter, the director's act of inviting the *coronel* to be the godfather of the generation was in itself a message sent to the community to state that he agreed with the presence of the Federal Army in the community. This action brought the pre-existent political division and quarrels from the community into the politics of the school, transforming the use of the space from its educative function into a strategic space for political alliances.

Hence, the otherwise disruptive presence of the Federal Army in the community is rendered normal through the participation of its members in every day spaces of interaction with the community –from daily routines– to their participation in institutionalised rituals such as to be invited to act as members of the table of honour in the case of the graduation ceremony I have just presented.

This normalisation of the presence of the army could anticipate the permeation of values embodied by the military institution into community institutions; therefore continuing the same process described in chapters 3 and 4. When the *coronel* is elected godfather of the generation of students, the state's institution of defence, the Federal Army, is symbolically imposed on the public sphere of the community as an example to follow.

Members of the Army also have developed other ties to a section of the population in San Jerónimo. In fact, two soldiers acted as godfathers of graduating students, one of them being the father of the pregnant student that he was *apadrinando* [acting as a godfather to].

Commerce has grown in the neighbouring streets where the military base is settled. Canned food and all sorts of otherwise products that are expensive in terms of the income enjoyed by ordinary members of the community are found in little corner shops. The soldiers also make daily use of the one public pay telephone located in the house of a PRlista shopkeeper. From a purely pragmatic perspective, the presence of the Federal Army has brought economic benefits for some people, and “valuable” connections to others.

The human right defender is called to record the incident where a military officer threatened high school students.

During the hand shaking ceremony, the tension was seen by the reticence of some of the godfathers and godmothers to refuse to shake hands with the military members. A case of direct confrontation took place when a military officer erupted into the high school and physically and verbally challenged students.

In the following video record, a voluntary teacher of the high school gives his account of the military officer’s intervention in his lesson. Andrés, a third year student was to suffer more intimidation in the confrontation with the soldier.

Video clip 3
Testimony of military harassment to high school students

[Click to see]

After the meeting with the high school teacher, Pancho sent the next press report to the central headquarters of the Network of Community Human Rights Defenders based in San Cristóbal de las Casas.

PRESS RELEASE

San Jerónimo Tulijá, Municipality of Chilón, Chiapas; November 5th 2002

Teachers and students in the private high school “Benito Juárez” located in the community of San Jerónimo Tulijá denounced before the Network of Community Human Rights Defenders that an aggression on the part of a military against the students of this institution had taken place. The facts developed as follow:

Yesterday at noon, a teacher was giving his lesson when he realised his students were staring through the window in the direction of the street. Then he saw a high ranking military officer who lives in the military base positioned inside this Tseltal community.

The soldier was angrily shouting calling on the teacher to get out of the classroom. According to the teacher’s testimony, the soldier looked “clearly in ire, he was quite aggressive”. At that moment the teacher thought that the soldier was asking him permission to enter into the classroom, as he had previously done to other teachers to get inside the school.

When the teacher left the classroom, the soldier had already trespassed the gate of the high school and once in front of him he asked: “Where are they? If they are so fucking brave they should come and repeat that in my face!”. Saying that he started to walk towards the classrooms. The teacher could still not understand the source of the fury expressed by the soldier. The latter continued to attack him saying, “teachers should control and educate their students”.

Apparently, the source of the problem lay in the moment when the soldier passed jogging in front of the high school playgrounds. He later reported he heard students calling him names and whistling at

him. It was not until his training jogging finished when he returned to the high school to shout aggressively and for no apparent reason.

When the students heard that the soldier was telling the teacher off they all came out of the classrooms to defend him. It was at this point when the soldier stopped addressing the teacher and started fighting the students. He addressed them saying: "If you are so fucking brave lads now you can tell me those things to my face". Students told the soldier that the school was a place for the students, not for the military, and therefore he should leave. The soldier refused to leave and challenged them to take him out.

The teacher reported that this was most violent moment in the confrontation, as the 5th grade student Andrés Gutiérrez Pérez received a direct threat after he asked the military to leave the school. The military told Andrés that the problem was not going to remain just like that, and that he knew him already, that he knew who he was and which tracks he usually followed. And that he should take good care of himself as he was going to find him sooner or later in one of those tracks. When that moment arrived, he was going to pay for what he was doing to him.

For all these facts, the school community fears for the personal integrity of all students, in particular for that of Andrés Gutiérrez Pérez after being directly threatened. Also, the Network of Community Human Rights Defenders makes the Federal Authorities, the SEDENA and the military personnel located in this village liable for any damage that could be inflicted on the previously named student or to any other member of the high school.

Also, we make an urgent call to the National Commission of Human Rights to:

Guarantee the physical integrity of Andrés Gutiérrez Pérez in accord with the individual and collective rights established in the Mexican Political Constitution. And

To start investigations that will lead to a determination of whether the military authority acted outside the military institutional regulations by abusing his power outside his military camp and inside the school. And in the case of his being found guilty of these charges, we ask

that the military to be sanctioned according to the military regulations.

Finally, the Network of Community Human Rights Defenders calls on all social organisations and all members of civil society to make public statements for the expulsion of the military base positioned in San Jerónimo Tulijá, for this and previous aggressions previously made public in the past three years by this organisation for the defence of human rights.

Divisive effects in the community resulting from the Federal Army presence

Due to the nature of the on-going conflict in Chiapas, and the hidden political agendas that play a part in influencing events in the region of study, the documentation of the relation between the presence of the Federal Army and its links to paramilitary bodies is problematic. However, local and national newspapers, as well as social organisations working *in situ*, have provided data that helps to locate the training actions in which members of the state's forces of order (Federal Army and Police) have been involved in providing arms, training and wages to indigenous people (See Aubry 2005; CIEPAC Bulletins and *La Jornada Newspaper* on line).

Some analysts have argued that the unwillingness of the EZLN to engage in the state's electoral culture as a political force have led to the exacerbation of regional violence in Chiapas (see, for example Viqueira 1999; Gledhill 2002:239-241). They sustain that, for example in 1998 the Zapatista leadership asked their sympathisers not to vote for the PRDista candidate. As a result, the PRlistas won the elections for governor and the Zapatista supporters experienced an increasing violent state repression. Gledhill (2002) wrote that

[...] both the PRI and the PRD have intervened in struggles to control the splinters formed by reluctance to commit fully to the EZLN's uncompromising position.

The result was a truly complex pattern, in which the EZLN gained many passive sympathisers outside its core region, but it did not hegemonise oppositional politics. Much of the latter was concerned

with issues of municipal government and resistance to entrenched caciques rather than simple opposition to the state and its neoliberal policies (Op. Cit:22)

[...]

Indeed, as the historian Juan Pedro Viqueira has argued (Viqueira, 1999), the EZLN's strategy could be said to have actually impeded the struggles against the caciques. In doing so, it unintentionally contributed to the growth of the kind of violence that produced the 1997 massacre of nine men, twenty-one women (four of them pregnant) and fifteen children women and children by the Red Mask paramilitaries in the hamlet of Acteal, in the municipio of San Pedro Chenalhó (to the north of Chamula). In the 1994 state elections, the PRD came first in the polls in eleven out of Chiapas's twenty-six predominantly indigenous municipios (Viqueira, op.cit.: 96). The municipal elections of 1995 were expected to produce a massive shift of power to anti-caciquial groups fighting under the PRD banner. At this stage, however, the EZLN, through the voice of Marcos, launched a vigorous attack on the PRD by arguing that it simply reproduced the vices of the PRI, and called on its base to abstain from voting. As a result of high rates of abstentionism, the PRD only won four municipios in 1995 and priístas retained power in municipios such as Chenalhó, despite having only obtained 22% of the vote to the PRD's 63% in the previous year's poll. These results provoked violent reactions on the part of some of the cardenistas and a number of priístas were assassinated in the ensuing months. The situation also opened up a space for the PRI factions to take steps to reconsolidate their positions by violence, including violence against groups associated with the EZLN. The people who died in the Acteal massacre were, ironically, from a group known as 'Las Abejas' (The Bees) associated with the Diocese of San Cristóbal and Bishop Ruíz, which had not been involved in earlier intra-communal violence. (Ibid:22-23)

[...]

As Viqueira points out, history might have been very different if the groups aligned with the PRD had succeeded in taking control of a

larger number of rural municipios, as they did in Michoacán. This would have forced the state and federal governments towards more serious negotiations and even more importantly, have impeded the priísta groups' organisation of paramilitary bands and the counter-violence of frustrated political opponents. Such violence served to legitimate intervention by state and federal forces and the strengthening of paramilitary 'public security' forces in the communities. (Ibid:23)

Nevertheless, whatever possibilities might have existed in the past for the creation a regional political environment conducive to processes of political realignment in which electoral politics and negotiation could have provided meaningful routes to addressing the demands of the Zapatistas and their base, the political scenario of 2002 that I have been describing suggests that such options have now totally disappeared. At the local level, indigenous PRlistas and PRDistas supporters express their concern for the lack of institutional support in which they find themselves when the Zapatistas mobilise their bases at the local level. As the case of the fight over the agency suggests, PRDistas, as well as PRlistas feel that they receive little real support from their regional or national political parties when it comes to solve problems at the local level. In other words, although they may have the legitimate political authority before the state institutions, they feel that this position is threatened by the power exercised *de facto* by Zapatistas at the local level. In this sense, these supporters of external parties feel menaced by the others, and the struggle for legitimate political control is leading to violent confrontations that sometimes have ended in assassinations, as the case of the assassination of autonomous authorities in Amaytik explained in chapter 7 suggests. There is therefore little remaining impetus towards convergence between any of the parties locally (and no real evidence of a will to produce such a convergence on the part of the leaderships of the national party machines.

However, the explanations provided by Gledhill (2002) and Viqueira (1999) offer an analysis of the political scenario at the regional and national levels. The evidence that I have presented in chapters 4 and 5

suggests that there is a radical difference of logic between the dynamics of local politics (based on communities' "intimate cultures"), on the one hand, and regional and national politics (arenas where diverse "intimate political cultures" engage in political negotiation though generally in highly mediated forms, and subject to a calculus that is overwhelmingly electoral⁸), on the other. The difficulty to reach internal consensus at the local level due to internal divisions, such as those I have documented in San Jerónimo, makes one wonder if regional political consensus is achievable. In this sense, the evidence provided in this study provides a rather different explanation to Viqueira's argument. The state's rural political culture has fostered the reproduction of local divisions –making people compete for social benefits and institutional support– which is fertile terrain for the generation of attitudes of suspicion and antagonism between the parties in conflict. In this sense, the argument that the EZLN somehow helped to provoke the violence that led to the Acteal massacre is questionable. The evidence I present here proves that reaching local consensus is a difficult task. In this context it would be practically impossible to reach regional political consensus without the EZLN compromising on the principles of autonomy and self-determination on which the indigenous autonomous government is based.

⁸ This generally means maximising the constituency to which the party appeals by avoiding "too radical" a posture and an obvious 100% commitment to one position where local divisions run deep.

Third Section

**The indigenous struggle
to permeate state institutions**

Chapter 6

Interethnic relations, social change and the struggle for constitutional justice in Chiapas

In the context of the perception of the lack of justice for indigenous people and the need to obtain it, indigenous people from 8 different regions of the state of Chiapas joined forces to receive training in order to learn to navigate in the judicial system; they later formed the Network of Community Human Rights Defenders and are at this moment acting before judges and courts as community defenders. In their work, these indigenous community human rights defenders face the general vices of the Mexican Justice System as well as and problems associated with the defence of Human Rights in Mexico. In particular, they also face the “embodied prejudices” regarding class, race and their use of Spanish language, in short, the disadvantages of being indigenous Mexicans, in the context of the structures that underpin racism in the institutional procedures in the administration of justice they pursue.

Through the practices of defending Human Rights defence carried out by the Community Defenders members, this chapter shows how their project and conception of Human Rights are in themselves closely associated with the claims of indigenous rights and autonomy that were made socially visible after the Zapatista uprising in 1994; in this sense, this project started by indigenous people differs from the project of Human Rights Defence practiced by other NGOs working in the defence and documentation of Human Rights violations. For example, the goal of the Centre of Human Rights *Fray Bartolomé de las Casas* is different from the one pursued by the Network of Community Human Rights Defenders, as the latter is linked to practices of autonomy that would eventually lead to the social empowerment of their practitioners and to a deeper form of justice and equality of rights in Mexican society.

From this panorama, the chapter explores how the legal defence carried out by these indigenous community defenders are carrying out is part of a wider network of struggle and social change in Chiapas in which

indigenous actors are taking the first steps towards combating the structural discrimination and pressures to assimilate that they have had to face. The structure of their organisation incorporates the notions of autonomy forged in the autonomous municipalities in resistance in Chiapas and offers an example of a practical project where indigenous people are gaining the capacity to act for themselves in the legal sphere.

A second important consequence of the work that is being pursued by the Community Defenders is that they are producing evidence of the need to consider legal changes with regard to the multicultural composition of the Mexican society, —in particular to encode notions of multiculturalism into the procedural administration of justice in Mexico as well as legal changes to help solve the particular problems and disadvantages that indigenous peoples face while performing as community and human rights defenders. These problems are discussed by the defenders themselves in the last section of this chapter.

From this point of view, Community Defenders are confronted by implicitly racist patterns of interethnic interaction that many times shape interactions in the spaces where they daily struggle to obtain “fair” justice for their defendants. But as they put it, they also question the way in which other non-indigenous “allies” treat them. The cooperative links they have established with non-indigenous civic groups after the Zapatista uprising in 1994 are not unproblematic, as they are also framed within historical patterns of interaction in unequal terms between indigenous and non-indigenous people that some times tend to be paternalistic and implicitly patronising even when the intentions of the non-indigenous allies are good.

From this perspective I will explore the construction of indigeness — *lo indígena*— as an inferior social and a civic subject. I am particularly interested in elaborating on the social narratives —both spoken or inscribed as norms in the spatial organisation of social interactions— that justify their differentiated access to national services and institutions. At the same time, narratives are only one aspect that has played a part in the

construction of the social indifference to which indigenous people have been subjected throughout the history of their relations with the nation-state. One might say that the historical ability of indigenous peoples to resist and cope with the harsh conditions imposed on them in the colonial and postcolonial regimes has now become part of an oppressive system of cultural values which naturalises their ability to cope with harsh and difficult conditions of life.

Here I set out to explore the different everyday spaces and events in which these sorts of racist assumptions are embodied in social behaviour and social interactions and reproduced in social spaces such as NGO human rights offices, the Public Prosecutor's office, and Low and High courts, amongst others¹. These situations of interaction—which include questions of intentional vs. unconscious racist behaviour—are structured by particular codes and expressed in both explicit and implicit forms. In other words, what is not verbally articulated but embedded in social action is relevant to understanding notions for justifying exclusion and discriminating against indigenous people. In the film, the interaction of the female secretary in the public persecutor's office in Ocosingo provides interesting insights in this regard, although it must be said that both my presence and the act of filming affected the situation, therefore making it difficult to document the interactions in exactly the same form as they usually take place where no observer is present or electronic recording takes place.

¹ The description of the Community Defenders interactions with people in all these spaces is included alongside this chapter and the following, where I describe in detail the four cases I was able to document during my stay in Chiapas.

The final purpose of this chapter is to build up the argument that assumptions about indigenous people's cultures are found in everyday interactions. These implicitly work to the detriment of indigenous peoples where they face legal political prosecution, or the defence of an accused person. In other words, prejudices against indigenous people are embedded in every institution with which they interact, including the ones in which they access justice through institutional channels.

This chapter was developed from my analysis of the actions of Pancho, the Community Defender from the region of the autonomous municipality Ricardo Flores Magón. Therefore, the arguments are constructed from the description of the social spaces in which Pancho circulates as a social actor, and to lead us to the analysis of the broader context of social relations and institutionalised racism in the Mexican Justice System where he deals with the case of the five men under house arrest (see *infra*). The theoretical framework I offer in order to analyse the Community Defenders' actions is constituted by a the review of human rights as a legal resource in the regulation of power of the national states (Sieder 2002; Speed and Collier:2000) which ultimately entails a struggle to bring about structural changes to the Mexican Judicial System.

The first journey to San Jerónimo Tulijá and the second class coach station: reflections on spacialised racism

At 10:30 pm, on March 3rd 2002, Pancho and I were sitting at the coach station known as *central de autobuses de segunda* (*second class coach station*). There was a convenient departure from the city of San Cristóbal to Palenque at 11:30 pm. This was a convenient schedule as it gave us time to finish our activities at the office, do some grocery shopping in the local market, pick up some radios left to be repaired three days before, and make the 30 minutes walk carrying our bags on our backs.

Illuminated in a greenish light, the coach station was almost empty both of furniture or people. Three men and one woman waited sitting on the rows of plastic brown chairs placed in the centre of the high-roofed building. They were all of dark skin colour and carried big cardboard boxes

carefully tied up with plastic rope. Only two employees could be seen, one behind the ticket booth, and the other at the gate where the coach was going to park at its arrival from Tuxtla Gutiérrez, pick us up and continue its way North. At this time of night the refreshments shop was closed. Sitting in a corner was the stall exhibiting colourful cans of soft drinks, bottles of water, cigarettes, chocolates, and chips. Although I had visited San Cristóbal several times before, no-one had told me about this *second class* coach station whenever I had enquired for buses going to Palenque. Although the reasons for that remain obscure to me, I venture to speculate that it was because people assumed this was not a service that I would like to travel on. In my own eyes it was a good option as it was a cheaper service and there were buses running at different timetables from the other two coach stations that I already knew. I began thinking about notions of class, race and services associated with these social categories ordering people's thoughts and choices, e.g. making use of one coach station or the other. How should a white young *caxlán* woman like to travel?

The purpose of the travel to San Jerónimo Tulijá was to meet the relatives of the five men under house arrest, whose case Pancho had been working on during the past five weeks. This was my first journey to Pancho's region. I was enthusiastic about the possibility of being able to talk to people in the communities about Pancho's work as a Community Defender. But there was also some suspense in the air, as just before leaving the office he had received a phone call from San Jerónimo Tulijá. *Jtatic* Mariano wanted to warn him that some *soldiers* went to his father's house and that they were looking for him.

—Why do you think they were after you— I enquired.

—They're trying to intimidate me because I am taking the legal defence of the five *compas* under house arrest— he firmly stated, and added, —they are acting under no-one's orders but their own will². And they were surely going to detain me as, why do the police look for you at your home if it is not to arrest you? —

² He actually said "Y están actuando bajo su propio mando. Se mandan solitos".

There he stopped talking. I did not ask him anything else as I did not want to interrupt the thoughts in which he was suddenly submerged. We continued waiting for the coach that was already 30 minutes late. I already knew that when you are in Chiapas and you are part of the *resistance* the police and the army should always be suspected, in the same way that you become a suspicious subject. As a temporary human rights observer, volunteers are trained by local NGOs not to provide details of their identities or other personal information to anyone that should stop them in the streets or at checkpoints on the roads. It is a measure of personal security, but it is also a constitutional right established as the right of any person to free transit in all the national territory, except in time of recognised war. The daily sense of vulnerability experienced by the local population suddenly overwhelmed me. It was not that I did not know about it, but maybe that I had never actually shared the fear and uncertainty of an experience of persecution being accompanied only by an indigenous person in Chiapas. Due to the fact that local Zapatista supporters have passed from clandestineness in the early days of the Zapatista uprising to be publicly known political actors in 2002, they could not hide the details of their homes and families—and usually were not willing to do so—. In practical terms their political affiliation makes them vulnerable targets from the state forces of order³. This means they are under the constant threat of being “visited” by the *public insecurity*, as they refer to the different police forces operating in the region. In Chiapas any work of civil resistance, including teaching, learning or applying law and human rights defence in the benefit of a “suspicious groups of people”—following Lynn Stephen’s notion of the construction of indigenous suspects (1995)— automatically renders illegitimate the work of human

³ Lynn Stephen’s research investigates the “official rationales for treating some people differently than others, and thus constructing them as suspects vulnerable to political violence and human rights abuses” (1995:822). In so doing, she explores how human rights abuses are justified by states when they justify the use of violence against “acceptable victims”, gender and ethnicity being “important aspects of the ideological justifications used to legitimate political violence” (ibid:823). A shared concern with Stephen is what she identifies as “how dominant representations of the dangerous, the subversive, the worthless, the marginal, and the unimportant come to be linked to making particular groups of people susceptible to violent abuses that allow them to be treated with less than human respect and dignity (see Binford 1996; Muller-Hill 1998; Nangegast 1994:122; Taussing 1984)” (ibidem).

rights defence and links it with other forms of imagined *illegal* resistance⁴. The idea of being part of the *resistance*, in general meaning disagreement with the political impositions that have such direct effects on everyday life, keeps people alert at all times. Political dissidence from the mainstream political recognised authorities is regarded as political treason. And punishment is executed in this regard.

Under all these circumstances, I was afraid that Pancho was to be the next political prisoner; but I also thought that if it was true that there was a detention warrant against him, he would have already been detained in Tuxtla Gutiérrez, as he had been travelling daily during the past month to visits public offices in his search for information about the detainees he was defending. Or maybe there was no need for an arrest warrant to detain him, as the goal could have been simply that of intimidating him in the context of the low intensity warfare, where any strategy to intimidate is valid... I felt completely useless trying to guess what was really taking place. I did not know enough about legal procedures; nor I was familiar with the political context in which different legal procedures were being applied. In any case Geertz's words became relevant in my context of research when he remarks "...whatever it is that the law is after it is not the whole story" (1983:173). During the course of the following months I was going to realise that the task of understanding "the story" could become even more complicated than only trying to work out and interpret ambiguous signs and information in this muddy political context of insurgence and counterinsurgence. Moreover, I was going struggle to recognise the sources of more than one single story that explained the cases Pancho was defending: there was the state version,

⁴ For example, on March 11th, Miguel Angel de los Santos talked to the press denouncing that the political imprisonments continued under the government of Pablo Salazar (interview recorded in video in my files). A few days after the press conference, the governor himself declared to the press that Miguel Angel de los Santos was profiting from the defence of human rights (*está haciendo negocio con la defensa de los derechos humanos*). Miguel Angel de los Santos replied by saying that if the governor was accusing him of committing a fraud, then he would have to start a legal prosecution according to law against him. The fact that the governor of the state of Chiapas reacted by trying to lessen the legitimacy of the authority of the Human Rights Defender echoes the government practice of trying to undermine the legitimacy of the authorities of the autonomous municipalities.

the police version, the elite's version, the victims' version, and sometimes, a third party's version, usually associated with a co-opted civil population backing up the state's version (see Chapter 7).

Our plan was to arrive in Palenque at 5 am and to catch another coach that would then go on the dust road to Santo Domingo. We would get off at the crossroad of Piñal. From there we would have to ask for a lift to cover the last three kilometres of the journey.

— We can walk— I suggested.

— No. It's dangerous— Pancho replied. —There are enemies, especially at this moment when the police are after me. This is how people are usually taken to jail, when they are walking in the dust tracks, when they are in transit from one place to another, usually people are walking when they are detained... —

The coach arrived at this moment and the conversation did not continue until the following day, while we were in Piñal waiting for the lift, sitting outside a shop's wooden bench by the road, at 8am in the morning.

—Aren't you afraid?" What are we going to do if the police arrive while we are sitting here?— my voice sounded strangely nervous.

—Nothing. Talk to them to know what they want.

He surprised me with his answer. I was ready to pretend to be someone else, but Pancho, and the majority of peasant people that I know, always reply when someone calls to their names. He said he is used to these situations, and he phrased a simple explanation, —I was born in the place of the problem (nací en el lugar del problema).

This time it was me who became suddenly submerged in deep thoughts, overwhelmed trying to make sense of Pancho's conception of himself in relation to that physical and social place and the related complexities of being an indigenous person in resistance against the government, but still, trying to navigate the institutions of the Justice System. I was going to begin a journey in space, but I needed to travel in time as well to be able to make the necessary connections that would allow me to find possible

explanations for these events forged in the particular history of Pancho's social place⁵.

Fighting institutionalised racism in the Mexican Justice System

To try to ethnographically “locate” the particular disadvantages of indigenous Mexicans when they attempt to navigate the judicial system with success, I will give an account of Pancho's work as community defender. With these examples I will then analyse the various problematic dimensions with regard to the procedures he follows in pursuing the administration of justice, such as “embodied prejudices” against indigenous people.

Two sorts of materials will be used to articulate this information: unprocessed field notes and edited film sequences of some of the situations I want to illustrate. The purpose of using the transcription of my notes is two fold; on the one hand I follow Carolyn Nordstrom's proposition that the chaos in situations of sociopolitical violence (in her case it was the chaos during her fieldwork in the front lines during the war in Mozambique) is not translatable in written text, as what written text does is to order the chaos experienced or —at best— the chaos accounts that the ethnographer documents during her visits among those people experiencing a time of distress (1995: 1-30, 129-153). I also borrow her strategy of bringing in the notes as they were originally written at the time the events were unfolding, as this technique may provide hints of the sense of chaos that otherwise would be rendered static if I tried just to filter some of the gathered “data” into the academic text. The second purpose is to provide the first threads for exploring the constitutive structural elements of historically grounded patterns of interactions through which racism against indigenous peoples is expressed. These include failing to provide clear information on institutional procedures, making them wait for longer, solving “important”

⁵ The historical documentation took place some months after this first visit to the community. I tried to reconstruct events from the past that seemed to be shared as common knowledge by all people I could speak to. In this sense, remembered past events form the collective memory; I gathered the events people could remember of their arrival to San Jerónimo and the life as they knew it before colonising the tropical rain forest. The first section in the thesis is informed by this information.

people's matters first, and therefore making indigenous people feel that neither they or their problems are important, and speaking to them differently as if they could not understand what the speaker is saying. They also include more direct denials of the equal and just treatment supposedly guaranteed by the law: failing to provide indigenous people with translators in courts, ignoring their petitions to investigate crimes committed in their communities, and having the public persecutor siding with the powerful party in disputes after accepting a bribe, a practice that has, in effect become "normal" and institutionalised in judicial institutions in Mexico and does not affect indigenous people alone, although the likelihood of such behaviour is increased where ethnic difference is also a factor. In the following section, some of this embedded racist behaviour can be identified through the interactions of the Community Defender with some employees in the Judicial System.

Chronicle of the difficulty in accessing institutional procedures in the Mexican System of Justice: the case of the 5 men under house arrest

Thursday January 17th, 2002. 19:30.

We were exhausted from our trip to the North Region after interviewing Ramón concerning the death treats that he received a few days ago. We found Pancho in the office of the Community Human Rights Defenders at San Cristóbal. He was looking for his uncle and four other men of the community. "They were detained and handed in to the authorities under the charge of alleged murder of three men on January 15th in the Crucero Egipto, in the Municipality of Tila" Pancho reported to us. It was the inhabitants of a community who detained the driver and his three passengers when they were passing through the village. The driver is the uncle of Pancho. All the five detainees are Zapatista Civic Supporters.

Wednesday, January 23rd 2002.

After a week, Pancho keeps on looking for the location of his 'compañeros'. Today he travelled again to Tuxtla Gutiérrez (Administrative Capital of the state of Chiapas). He went to the Attorney General's office of the state of Chiapas (Procuraduría General de Justicia del Estado, PGJE), and to the state prison "Cerro Hueco". He could not find them. No-one gave him any information about them. In the afternoon he returned to the office in San Cristóbal, where he stays overnight. At the meeting that we had in the afternoon, Katia [one of the collaborators based in San Cristóbal de las Casas] suggested

to report them disappeared to the local media. Instead, Abelardo [indigenous defender] thought it was better to postpone the denunciation of their disappearance for one day and to accompany Pancho [community defender in charge of the case] to Tuxtla once more the following morning in order to gather important information that was lacking to strengthen the case. He argued that this strategy will improve the denunciation as “it will be more credible to have the names and the positions of the governmental officials with whom we have spoken, and to quote their exact responses to the enquiries”. Pancho had not yet gathered this sort of information. He had been trying to find out where the detainees were located. But he did not keep a record of the names of the authorities with whom he spoke and said he did not have any knowledge of the case he was enquiring about.

Thursday, January 24th 2002

We started the trip to Tuxtla at 7 in the morning. We had both tasks of looking for information about the people that were detained in Crucero Egipto and to get to speak to the political prisoners jailed in Cerro Hueco. Abelardo was born in the C’hol community of “Lucha Bascán” and was himself unfairly imprisoned. Alongside other indigenous prisoners, he began working in the organization of Zapatista Political Prisoners and formed what became known as “The Voice of Cerro Hueco”. Since he obtained his freedom in 1995, he had been acting as the external representative of the political prisoners and learning the complicated bureaucratic procedures involved in the legal defence of his companions in struggle.

On our arrival in Tuxtla we picked Don Mauro up. He owns a patisserie in Tuxtla and is also involved with helping the members of la Voz de Cerro Hueco. He was the one that had made the arrangement for us to meet with the Director of the Prisons of the state of Chiapas (CERESOS, Centros de Reformación y Readaptación Social). At our arrival in the office he announced our arrival to the female secretary, and after a short wait we were asked to enter in the private office of the director. A man entered the office and occupied the fancy chair behind the director’s desk. He seemed to be familiar with Abelardo and Don Mauro. Abelardo introduced the topic of the prisoners; towards the end of his intervention he mentioned the subject of the five detainees at Crucero Egipto. The man behind the desk carefully wrote down the names of the people Pancho was looking for, at the same time that the other man entered the private office without knocking on the door. The first man stood up and the second man started the questioning all over again. He was now clearly in charge of the office. Many of the answers to his questions were provided by the first man, who was now acting as his secretary. Once he understood the case, he phoned the female secretary outside the private office. He asked her to phone the jail located in Yajalón, from where the detainees had allegedly been transported to Cerro Hueco. Meanwhile, the man in charge handed a document to Abelardo. It was a change in the law increasing the time that a detainee could be kept in jail before being

able to make an application for 'early liberation from prison [preliberación]'. The news would be a hard blow against the morale of the prisoners organised in La Voz, as they were expecting to be liberated for good behaviour and for having served most of the time they had been condemned to be in jail. Abelardo would have to communicate this hard news to the prisoners that very same day just after leaving the office where we were now. We were discussing the complication of this change when the male secretary entered the private office saying that the five detainees had been located, that they were in Yajalón. At this point we all felt relieved. We got ready to get out of the office, but we received more news that announced that the five men were not in the District Jail but under house arrest. He also informed us that the practical implication of this judicial status was that no-one could visit them, but their relatives. As Pancho had already said that one of them was his uncle, he was asked his name to be allowed to talk to them once he arrived to Yajalón, 6 hours north from where we were now.

Monday, February 4th, 2002

I arrived at the office of the community defenders at 11 in the morning. Pancho opened the door for me. He updated me on the case of the men under house arrest. He told me that when he arrived in Salto de Agua he realised that the men were not there. He phoned the office in San Cristóbal and he found out that the detainees were under house arrest in Tuxtla. Apparently they had been there since we visited the Director of the Prisons, but we were not given the correct information. Again, he had to travel back to San Cristóbal, and from there to Tuxtla. On January the 27th, after 12 days of detention, Pancho was finally able to talk to them. After all this time under detention, Pancho was the first person the detainees could speak to. He was told the stories of how they had been tortured by the police and how through this intimidating method they were forced to declare themselves guilty of the charges made against them. Otherwise the torture would have continued, they reported to Pancho⁶.

Tuesday February 5th, 2002.

I accompanied Pancho to Tuxtla to take a doctor to make a report on the condition of the detainees for Amnesty International. We got out at 8:45 in the morning and used the collective transport "3 estrellas". We got to Tuxtla two hours later where we met with doctor Alberto Vargas Domínguez. Abelardo had already asked him if he could help the defender with the medical examination of the detainees, but he had not managed to get a permit to get access to see them. Despite the fact of not possessing an official permit, we walked together to the building where the 5 peasant indigenous people were under house arrest. It was a two storey house that occupied half of the block located in a middle class

⁶ See details on the torture and irregularities of their detention in the following section where this case is explained in detail.

neighbourhood. There were no evident signs that the house in Calle Palma China #33 was used by the investigative police as a detention centre. The iron-protected door was double locked every time anyone entered or got out. From outside, every time the door opened one would be able to see the two men that always mounted guard.

When we got to the house we found an old man sitting on the edge of the pavement outside the house. —Tatik— Pancho greeted him. They spoke in tselal amongst themselves. Then Pancho introduced us. Tatik Mariano Méndez was one of the detainees' wife's grandfather, and the owner of the confiscated truck where the men had been travelling on the day they were caught. We knocked at the door. The guard opened it.

From behind the bars, the guard inquired what we wanted. Pancho introduced himself and each of us; he also enquired if the doctor could examine the detainees. The guard asked for the official permit to grant him access and then sent us to get it from the office of "special affairs" located in the Attorney General's office. He advised Pancho to enquire for the name of the person in charge of the investigation in order to be able to ask him for the permit to make the medical check-up.

Pancho already had the name of the public persecutor who had asked for the house arrest for the five people. However, we followed the instructions of the guard and we made our way to the building of the Attorney General's office. We got into the four storey building. "Special affairs" was on the second floor. From there they sent us to the "table of processed people" on the first floor. Neither Néstor —the delegate in charge— or the secretaries that kept the records of detained people on the notebooks were sitting in their positions. After a long wait they arrived to tell us that we should go back to the first floor to see the sub-delegate to ask for an audience. Neither he nor his secretaries were in his office. It was the day signalled by the official Mexican calendar as the day of the Mexican Constitution, and although all policemen stayed at their posts, the administrative personnel were not there.

The last office we were sent to was the "legal department" [asuntos jurídicos]. Our names and places of origin were registered in a notebook. For the first time in the day, Pancho used his ID as Community Human Rights Defender and showed it to the man registering our details. After inspecting Pancho's ID, the man took it and disappeared inside the office to enquire if we could get access there. When he came back he handed us three visitors passes that we should then attach to our shirts. We got into the office. I noticed that every time Pancho was asked to provide information or explanations to justify his enquiries, he used a very low tone of voice. I could hardly hear what he was saying. And to the questions he was posed, he always replied that all he wanted was to know who was in charge of the investigation.

We were led to the office of the licenciado Rogelio Delgado, in the legal department of the state Investigative Agency (Agencia Estatal de Investigación, AEI). In the same office there were two secretaries that used their loud typing machines to fill in piles of

documents. They sometimes stopped only to consult one another about this or that procedure. When the delegate heard Pancho's petition he replied saying that if the 5 people were under house arrest no doctor would be able to see them. Then he pestered Pancho with questions, Was he a relative of theirs? What were the crimes they were accused of? Who was overseeing the case? I intervened to ask if it was a normal legal procedure to ask for a doctor to make a medical check up (which I knew was legal). He answered saying that in this case a written petition should be prepared for the public persecutor before any permit could be granted. He explained this fact with different words for a period of ten minutes, as if we had not understood what he was saying. Then he again asked Pancho what was the reason to ask for a medical check up. —Are they ill?— He enquired. Pancho stood up from his chair and approached the desk where the delegate was sitting. He said he did not know why the detainees were asking for a doctor. He believed one of them was suffering from stomach ache. At this point the delegate stopped his questioning and lifted the phone to speak to the secretary that kept the records of the investigations. When nobody answered at the other end of the line he hung up and told us in a justificatory tone: —It is because it is a festive day. The administrative personnel are not working today. Can you come back tomorrow?— Pancho asked him for his phone number. The delegate repeated the enquiry to his secretary. She gave it to us: 653 6361 ext. 112.

When we were about to leave, in a more conciliatory manner he "reminded" us that it was better to make a written petition to the public persecutor; —It is not the same thing to just say things than to send them in a written form. He may even ignore an oral petition, but if it is written, he's obliged to provide you with an answer—. Then he said it was not his intention to hide information from us, but when the detainees are under house arrest, the Investigative Police has no responsibilities in the matter. All responsibility lies with the public persecutor who is making the case against the detainees. It would not be the case if the detainees were under the custody of the Attorney General. In that case, he emphasised, we would be granted immediate access for the medical check up to make sure the detainees had not suffered any beating. —Because that's what detainees always say, but they're always lying—.

We got out of the office and I felt upset and frustrated because of the way we had been treated and because we had not been able to get anything and it was already late. We took a taxi back to the house where the 5 men were under arrest. Dr. Vargas and I waited under the shadow of a big tree in the unbearable heat of the afternoon of this hot land. Pancho and tatik Mariano were allowed access to see the five detainees. During that time the guards went out and brought a doctor with them. He stayed inside for half an hour; when he got out he made sure we could see the big blue letter of his hanging ID indicating DOCTOR, so we could be sure the detainees had had their medical check-up.

Dr. Vargas has collaborated with Aberlardo in different cases where a medical validation is needed, as in the case when prisoners go on hunger strike. In those cases he keeps a

register of their vital signs. He files them in case they are needed in case the same prisoners decide to repeat the action. He got more actively involved in supporting the Zapatistas after they launched the National Consult in March 1998. It had been a bit before then when he met Abelardo in the public clinic where he still works.

Wednesday, February 6th, 2002.

Pancho told me he went with Abelardo to see the Sub-Attorney of Justice, Julio César Padilla Valdivia, to request him to allow a doctor to check the detainees. The Sub-Attorney told them in a different tone of voice that access was restricted, and that doctors were included. But before they left his office, Pancho and Abelardo managed to get a permit to get their own doctor to check the detainees.

Thursday, February 7th, 2002.

Dr. Vargas wrote a medical certificate stating that the condition of the detainees was as follows:

Mariano Cruz Hernández:

“18 years old. There are still traces of strong beating in the abdomen, showing as evidence of pain when touching for recognition [en epigastrio, hipocóndricos derecho e izquierdo; dolor referido a escápula izquierda]”

Miguel angel Gómez Luna

“23 years old. Suffers from the consequences of being beaten on the nose. The wounds show a month’s evolution; he suffers from low resistance to bright light and pain in his right eye”.

Andrés Gómez Luna

He shows anxiety due to his condition of detention and loss of freedom.

February 14th, 2002

Pancho and Rubén [an accompanying community defender] presented the case of torture before the public persecutor in Tuxtla Gutiérrez. They also presented a case against Gerónimo Gutiérrez Pérez and Miguel Gutiérrez Pérez for threatening Pancho when he performed his role as community defender to trying to gather information to defend the 5 detainees. Pancho was told that the file number he was asking for did not exist in the offices of Tuxtla and that he had to go to Salto de Agua [located about 4 hours and 30 minutes North from Tuxtla].

February 18th, 2002

Pancho travelled to Salto de Agua. The male secretary in turn informed him that the public persecutor in charge was not available and that he had no competence to receive any enquiry to search for the files relating to any investigation in process. The male secretary also informed Pancho that apparently, the number of file that he had been given in the same office before was incorrect. He advised him to go back the following day to speak directly with the public persecutor.

For the following month Pancho tried to gather the basic information to try to prove that the accusations made against the 5 men under house arrest lacked foundation and were therefore unjust; he also tried to prove, with the help of the team of volunteers supporting the work of the community defenders, that the application for the house arrest was inappropriate in this case. He protested that he was denied the right to make the legal defence that the law allows. None of the 5 men were given the opportunity to know the nature of the accusations that were formulated against them or a chance to get a proper defence. The Network of Community Human Rights Defenders denounced this case as evidence of the rampant impunity and the arbitrary use of law that characterises the application of justice in the state of Chiapas.

Pancho acted both as community defender before the procedures of administration of justice and as a link of communication between the development of the case and his regional indigenous authorities and the relatives of the detained men.

Human rights as a legal resource to claim the right to due process

The Network of Community Human Rights Defenders stated that the case of the house arrest violated national laws and international pacts Mexico had recognised and signed. They carefully documented the illegality and irregularities in the process by which the detention and subsequent torture were carried out; they also denounced the forced isolation and denial of communication imposed on the detainees; they also made a case to demand an explanation of the reasons for the application of house arrest, since this was an inappropriate decision by the public prosecutor in this case (ibidem).

In practical terms, the discourse of human rights was used to denounce the failure of Mexican authorities to apply the law according to specified institutional procedures; but more importantly for the community defenders was to try to document how this incorrect use of the administration of justice was targeting indigenous peasants that supported and were working within the structures of the Zapatista autonomous governments in rebellion.

Historical patterns of interaction between the state and indigenous peoples

I accompanied Pancho as much as I could during his role as community defender; reviewing my notes there's a phrase that he used to say often to people he was working with: —*No es tiempo de solicitar, es tiempo de política*. "It's not the time to ask for things, it is the time for politics". The force of the phrase implies a conscious change in the relationship they want to establish as indigenous people with state institutions. This changing role of indigenous peoples from *clients* of the state into *community defenders* in this case, is part of what Guillermo de la Peña has identified as "the context of changing history of public identities" (2002:130) where he discusses the "political and legal implications of multiculturalism and multi-ethnicity" (ibidem); he explores a case in which

a Wixarika community deals with a case of internal division due to the adoption of a new religion and the refusal to perform traditional roles of responsibility within the community by some of its members. In a meeting whose purpose was to try to find agreement between the two groups in conflict (e.g. the catholic indigenous authorities and the dissident evangelical Wixaritati), there were some representatives of state institution, including the representative of the governmental Sub-Secretariat for Religious Matters of the Interior Ministry and the director of the INI Coordinating Centre (ibid:134-135). De la Peña illustrates how the state authorities took for granted that the Huichol position was anti-constitutional when the traditional authorities were asking the evangelical families to participate in community traditional roles that they saw as essential for the reproduction of their culture.

[the traditional authorities] were defending the cultural aspects of customary law incorporated into the system of communal offices and obligations that have become the basis of their day-to-day relationship with the land. If someone from outside of the community practices one or another religion then 'that's their business', as the President of the Commission of Community Property said. [...] we do not interfere with other people's cultures', but if a comunero who wants to live in the community doesn't participate in the communal offices and obligations then it breaks down the pattern of collective behaviour. None of the officials present –not even the INI representative- indicated any understanding of this position. Rather, they were impatient at how long the discussion took, failing to take into account the fact that in their own assemblies the Wixaritati can take days to come to an agreement. (ibid: 143-144).

In this case, De la Peña focus on the “changing relationships between indigenous peoples and the state, and also [on] the specific difficulties of practicing cultural citizenship, which involves both individual and collective rights” (ibid:134), where “presenting oneself as a revolutionary peasant in search of land to cultivate or as an indigenous person on the path to acculturation –on the verge of becoming a revolutionary peasant worker-

has lost value in the new arenas of negotiation [with the state” (ibid 133). In this context of indigenous changing public identity, the case attempts to

show the public justification of the demands of the Huichol leaders before the federal and municipal authorities was not formulated only in terms of the agrarian community as defined by Article 27 of the Mexican Constitution, but above all in terms of a community legitimised by its inextricable link with ancestral culture, where the territorial dimension is not separable from the religious or political. This public debate would have been unthinkable 25 or 30 years ago, when the Mexican government’s view was that the traditional authorities lacked legitimacy (ibid 144-145).

De la Peña’s call for attention to be given to the difficulties with regard to the use of the discourse of civil and human rights in the context of communal internal conflicts and the process of solving them, in a context of intervention by representatives of state institutions illustrates one side of the coin.

Shannon Speed and Jane F. Collier describe two legal cases in Chiapas in which the state uses the discourse of human rights to justify its intervention “in the affairs of indigenous communities whose leaders happen to displease government officials” (2000:878), rehabilitating the old colonialist justifications that discredit and try “to eradicate practices that [are] ‘repugnant’ to ‘civilized’ sensibilities” (ibidem). They clearly position their academic enquiry following the concept proposed by Richard Wilson (1997) of human rights as “understood and used by people living in the world today” (ibid:879).

The contrasting results of the intervention of the state when deciding which indigenous groups violate constitutional or/and human rights in the two cases studied by Speed and Collier illustrate the problematic nature of the state authorities possessing on the final decision on definition of “what constitutes a violation of human and constitutional rights –and therefore the right to punish violators [...]” (ibid:881).

The two communities of Zinacantán and Tierra y Libertad differ in significant ways. They have different stories: Zonacantán dates

from Pre-Columbian times whereas Tierra y Libertad is a new administrative unit. And leaders in the two communities belong to opposed –indeed warring– political factions. Those in Zinacantán are loyal to Mexico’s national [ex]ruling party, the Partido Revolucionario Institucional (PRI), whereas leaders in Tierra y Libertad are allied with the Zapatista Army of National Liberation (EZLN), which is fighting the Mexican government. Despite these important differences, however, leaders in both municipalities are invoking the discourse of indigenous rights to assert control over the administration of justice in their communities (ibid:885).

In Zinacantán, indigenous judges in the municipal court violated “the constitutional rights of the accused when they kept them in jail longer than the thirty-six hours allowed by law and when they punished them after finding them guilty of the charges against them. By keeping the accused in jail and by applying a punishment that involved both jailing and community service, the indigenous judges may well have saved the lives of a group of “seven young men who held salaried jobs in highway construction [and who were] accused of forming a gang in order to assault other Zinacantecos with the purpose of procuring bodies to serve as human sacrifices in the construction of highway bridges (ibid:891). An angry mob that was ready to lynch them calmed down after the trial where “the court [was] able to achieve conciliatory solutions because it can use the threat of punishment to neutralise the power differentials that would otherwise allow powerful disputants to disregard the wishes of the less powerful opponents” (ibid:896). What mattered in the case was the “court’s ability to forge an agreement about how the parties would henceforth treat one another. While a preference for reconciliation is found around the world in lower courts that have to deal with messy conflicts involving kin and neighbors, the Zinacantecos’ preference for reconciliation reflects a local understanding of social order that differs slightly from that inherent in legal systems derived from Europe. Whereas people familiar with European law tend to imagine that individuals will pursue their self-interest unless restrained by fear of legal sanctions, Zinacantecos tend to imagine that because people will inevitably fight with one another, authorities must

always be available to help them settle their differences before anyone gets hurt” (ibid:895).

Speed and Collier argue that when state officials disregard customary practices to administer justice and try to impede indigenous courts applying punishment by arguing that “their mission is to reconcile disputants rather than punish wrongdoers” (ibid:896), they fail to understand that “punishment and reconciliation are not mutually exclusive” (ibidem).

In the case of Tierra y Libertad, three indigenous autonomous authorities were detained together with another 50 people in a raid that took place on May 1st, 1998. The raid liberated a man who was imprisoned by the indigenous authorities after they found him guilty of illegally cutting wood in the territory of the autonomous municipality.

As in the case of Zinacantán, the autonomous indigenous authorities violated the constitutional rights of the detainees in the process of trying to find conciliatory solutions to the case. But state officials used the arrest of the wrongdoers to justify the raid and the arrest of the authorities of the autonomous municipality (ibid 897-898). In Speed and Collier’s opinion this arrest “was a political act undertaken by the state government, in coordination with the federal government, as part of a systematic effort to eliminate autonomous municipalities in rebellion. By camouflaging this act in the discourse of rights, the government shifted a political conflict onto judicial terrain, thereby obscuring its political motivation” (ibidem).

The comparison of these two cases allow the authors to highlight first, “the politicized nature of decisions about what constitutes a violation of rights and of who is a rights violator” (ibidem); second, that such decisions are taken not on the basis of the actions of indigenous authorities, but on the basis of their political affiliations; and third, “the inherent vulnerability of all indigenous communities to government repression” (ibid:900).

In the context of the contemporary political struggle in which the indigenous movements are inserted, Rachel Sieder proposes that the

human rights discourse is used as a tool to regulate the power of the state and to fight the ideology of *mestizaje* (race-mixing) that national states used to claim hegemony (2002). The struggle to define the projects and contents of human rights reflects the power inequalities on the ground of the disputes (ibid:186); more importantly, in this struggle where groups are using the discourse of human rights to contest the political hegemony of the state, as well as its tactics of assimilation and co-option, less powerful social actors are addressing the historical injustices to which they have been subjected (ibid:197, 199). Willem Assies (2000; s.f.) has detailed documented cases where in the states of Colombia and Bolivia, laws recognising the multicultural composition of their societies have acknowledged a series of rights to exercise self-determination with regard to justice inside their indigenous territories. Echoing the latter, Speed and Collier advocate the need “to confront the reality of power inequalities. It is because states enjoy far more power than others, that [they] feel indigenous peoples must be given the space and opportunity to negotiate among themselves a concept of human rights that fits their cultural and social context” (ibid:882)

Paradoxically, the problems posed by the state when acting as an arbitrator of “human rights” that pose the question of the need to reduce its ability to manipulate its position of privilege, are inscribed in the United Nations Human Rights legislation: it grants this power to the national states when recognising them as sovereign bodies (see Overmyer-Velázquez 2003).

The concept of *constitutional multiculturalism* reviewed at the light of interethnic interactions in Mexico

The literature on constitutional multiculturalism celebrate the changes that have been introduced to a number of Latin American Constitutions in order to recognise –at different degrees and with different impacts in each country, the multicultural composition of their populations (2000:277-278). The main achievement of these constitutional changes is the end of the

majoritarian states and their homogenising discourses such as the ideology of *mestizaje*. The changes introduced at this legislative level open up the opportunity for minority groups, —in particular for indigenous peoples— to contest, recreate and produce the meanings of what it is to be indigenous, and their relations as peoples to the nation-states that contain them. As Rachel Sieder puts it:

Current demands for official recognition of legal pluralism constitute a fundamental challenge to the monist legal traditions of Latin America's liberal republics. Effectively they mean that the state will no longer maintain a monopoly on the production and application of the law. The potential implications of this for existing relations between the state and civil society are far-reaching (2002:185).

In Mexico, the constitution recognises the pluricultural composition of the nation's population (article 4). Nevertheless, as Van Cott points out, the Mexican as well as the Guatemalan governments “are committed [only] by *peace accords* to recognizing the right of indigenous communities to use their own forms of social and political organization” (Ibid:269, my emphasis). In this context, Mexico and Guatemala stand as the two Latin American countries with a lesser degree of constitutional recognition of their indigenous populations' rights compared to Nicaragua and Ecuador, which recognize indigenous forms of social and political organization without the need of peace accords; or other Latin American Constitutions, such as the Argentinian, Bolivian, Colombian and Peruvian, which recognize indigenous people's juridical personality as indigenous communities; in theory, they have “the legal standing to sue in courts or enter into private or public contracts” (Ibidem). In Latin America, she argues, this model is “encouraged by ‘positive externalities’ in the international community —the existence of international human rights instruments and the monitoring efforts of international governmental and nongovernmental organizations. They are also fostered by positive developments internal to states in both regions, such as the creation of constitutional courts and human rights ombudsmen, the attention of the independent media, and the existence of organized civil society groups

willing and able to mobilise against efforts to curtail newly won constitutional rights” (Ibid:278).

In the Mexican case, and more concretely in the case of Chiapas that I will be analysing shortly, Van Cott accurately describes the reality corresponding to the institutional-public level where the struggle for the recognition of indigenous rights is taking place, characterized, on one hand, by an increasing pressure with regard to the legislation of indigenous rights; and on the other hand by the existence of a governmental discourse willing to recognize indigenous rights before the presence of a vigilant international community⁷. But contrary to the optimistic perspective of the multicultural constitutionalist model that Van Cott proposes, the pressure put on the government by the alliances of indigenous organisations and civil society demanding the recognition of indigenous’ rights have systematically failed to be given material substance through reforms of the Mexican Constitution⁸. The presence of

⁷ This vigilant international community is not only constituted by international organisms of Human Rights Observation, but also and more significant for the Mexican Government, by the capitalist corporation, interested in maintaining social order and stability that guarantee the safety of their actual or future investments. This is particular relevant for US and Canadian capital in the context of the NAFTA commercial agreement. In this sense, the discourse of the observance of human rights in general and respect of indigenous rights in particular describes a reality of tolerance and respect on the part of the government. After the assassination of human rights defender, lawyer from Mexico City Digna Ochoa on October 19th, 2001, Amnesty International and other bodies of Human Rights Observation denounced the vulnerability of Human Rights defenders in Mexico. However, president Vicente Fox always declared to the press that in Mexico there were no violations to human rights (La Jornada, 2003, 2004). The fact that the assassination of Digna Ochoa remains unsolved has sent the message that perpetrators of such crimes can remained unpunished. Since then many more menaces and death treats were made to less well known human rights defenders during the period of my fieldwork in Chiapas from June 2001 to December 2002. Of particular relevance is the violent assassination of another female human rights defender, Griselda Teresa Tirado Evangelio, when she was leaving her home in Puebla on August 6th, 2003. Lawyer and teacher in Political Sciences, Tirado Evangelio aged 36 was considered the most important defender of indigenous rights in the North of the state of Puebla (sierra norte) (La Jornada, August 7th, 2003).

⁸ As an example I can cite the legal obstacles posed against the implementation of the indigenous demands articulated in the San Andres treaties in 1996. Later in 2000, the call for a change of legislation according to the indigenous demands —that generated the greatest popular support that México has known after its revolutionary period (see reports on La Marcha Indígena in La Jornada)— was also frustrated by a group of right wing politicians that held important positions in the Senate. Instead, the government passed its own version of the *reformas en materia indígena* (constitutional changes regarding indigenous cultures in Mexico), document that was approved by the majority of senators including “progressive” pro-indigenous politicians including Cardenas-Batel. In 2001,

an international community and a set of international human rights instruments⁹, —far from being useful in the legislative terrain of indigenous rights— have become tools used by indigenous people in everyday struggle to defend themselves against what they perceive as ‘abuses’ committed against indigenous individuals, organisations or communities by Mexican —in this case judicial— authorities. So the presence of a particular concern for indigenous peoples in the international arena helps indigenous people whose civil and human rights are violated (just as non-indigenous citizens’ rights are) to highlight their particularly extreme special vulnerability in the face of the general problems of corruption and impunity that the Mexican Justice System has not been able to eradicate from its institutional practices. However, even if the state conceded the autonomy indigenous groups are claiming in order to solve local problems based on community customs and traditions, this may be conceded without having the state reform what could be described as a Criminal Justice System which in practice leaves unsolved, or implausibly solves through “official versions” that lack credibility, assassinations of human rights fighters, as in the sadly infamous case of Digna Ochoa (see Gledhill:2004).

The ethnographic evidence that I gathered in the course of a year and a half in Chiapas, sadly suggests that there is still a long way to go before indigenous people in Chiapas will see a genuine disposition on the part of the Mexican government to recognize at least “*by peace accords* [...] the right of indigenous communities to use their own forms of social and political organization”, as Van Cott suggests.

Historical patterns of relations between indigenous and non-indigenous peoples in Chiapas —and in México, in general— may be used to explain this incongruent distance between the legislative changes that

organised groups of indigenous peoples and other supporting groups from the civil society appealed to courts trying to withdraw the changes arbitrarily passed by the government. They argued those reforms violated the right of autonomy that the Mexican Constitution grants to the Ejidos. None of them heard of a result on their favour.

⁹ For instance Art. 169 of the IOL, or the UN Convention against torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

Van Cott talks about, and relations between *caxlanes*, state authorities and indigenous peoples in everyday situations. The analysis of the interactions of the members of *La Red de Defensores Comunitarios por los Derechos Humanos* in the four cases that I will illustrate in the next chapter, reveal the struggle of its indigenous members against specific patterns of economic exploitation and the consequential political punishment translated into an unequal access to state justice.

However, the grounds from which the Network of Network of Community Human Rights Defenders conceptualises its use of human rights discourse is as a legal strategy to claim justice, since they feel there are no other ways to obtain a fair legal result to their cases. They are well aware of the obstacles imposed by the interests of “important people” or people with “the right connections to power” when they need an equal access to justice. I argue that this is a form of discrimination underpinned by racist assumptions based on prejudices about indigenous cultural traits. Therefore, their practice of defence of human rights is based on an indigenous conception of autonomy as self determination and genuine empowerment—including empowerment in the field of dealing with the legal and administrative processes of *caxlán* society— rather than connected to the discussions for and about autonomy in relation to *usos y costumbres* [usages and customs] that most debates documenting multicultural constitutionalism are concerned with. The notion of autonomy that emerges from the practice of human rights defence carried out by the Community defenders stresses the need to support indigenous people in developing the agency to bring about constitutional changes based on their needs and understanding of the Justice System. On a broader scale, these actions are drawn into broader national popular demands for the reform of the national Justice System and the elimination of the particular structural biases against indigenous people.

The panorama where the less powerful parts of the population are left with no possibilities to defend themselves against abuses are embodied in striking examples that reveal how basic the claims for accessing justice

could be, as the case where “women did not know that rape was a crime that could be denounced” (*La Jornada*).

The context: human rights defence in the context of the Human Rights Defenders Network: the search for and obstacles to obtaining “fair” justice

The instability and uncertainty that have characterised politics in Chiapas since 1994 include the high cost of political persecution against the base support of the EZLN. According to the archive of *La Voz de Cerro Hueco*, an indigenous organisation of Zapatista political prisoners in Mexico, 190 people have been jailed for political reasons in Chiapas. But not every case has been filed. Abelardo Mendez Arcos, representative of the group of political prisoners, acknowledges more than 400 cases of political detention.

Amongst the charges against the detainees one can find offences such as homicide in the first degree, injuries, illegal privation of freedom, kidnapping, illegal association, robbery, rebellion, rape and cattle theft. The penalties go up to 33 years imprisonment. In July 2000, as a condition to continue the peace dialogue, the demand of freedom for all political prisoners was raised by the EZLN. However, 3 of them still remain imprisoned charged with federal crimes –1 in the state of Queretaro and another 2 in Tabasco-. In an interview in March 2002, Miguel Angel de los Santos revealed to the press that new political prisoners are still being imprisoned under the new “opposition” government elected in 2000. In his words,

The government has not accomplished the liberation of the political prisoners in order to return to the peace dialogue with the EZLN. Some prisoners were liberated, but at the same time other support bases of the EZLN were detained. This is an example of the double discourse that has characterised the policy of the state Government of Chiapas towards the Zapatista conflict [...] this is becoming a vicious circle with no visible end: while the defence process of some detainees is in progress, new people are making the list of political prisoners bigger. The legal

*requisites to liberate these prisoners are covered in most cases, but they remain in prison. It is a question of will. When president Vicente Fox says that the government has put all its effort to solve the conflict, we only say that the facts speak for themselves. The new prisoners are detained for crimes of orden común, meaning that they are under the competence of the jurisdiction of the state of Chiapas [...]*¹⁰

For this reason one of the first aims of the Community Human Rights Defenders was to learn how to pursue the legal defence of these detainees.

In the context of the Mexican Constitution, any citizen can commit a crime. However, community defenders work within the framework in which violations to human rights can only be committed by authorities when abusing their constitutional power, therefore failing to provide reliable justice. This notion of human rights violation makes sense when the citizen is left without the protection that the judicial institutions of the state are supposed to provide. In consequence, when an authority fails to provide protection to a citizen, through the exercise of correct legal procedures (*apegados a derecho*), the citizen can appeal to la *Comisión Nacional de Derechos Humanos*, a governmental institution created by presidential decree in 1990 and later recognised as a legal institution in 1992 (see http://www.cndh.org.mx/Principal/document/la_cndh/fr_antecede.htm) following a crisis of legitimacy due to high levels of corruption and abuses from authorities across the nation

For this reason, one of the most important jobs the community defenders have to do is that of observing the way in which authorities respond to demands of investigation, the recording of evidence and the dictation of sentences and penalties. In other words, the struggle remains for the active search of **fair justice** that one gets by demanding that authorities do their job properly. The kind of problems community defenders face could be broadly classified as a consequence of a) their condition of poverty and powerlessness, b) the persecution of political

¹⁰ Conference press, Tuxtla Gutiérrez, March 2002.

opponents by criminals manipulating the Justice System, c) problems faced by indigenous peoples not recognised by non-indigenous people, d) problems faced by monolingual indigenous people with no access to community defenders and e) problems faced by all uneducated Mexican citizens with regard to their lack of general knowledge of the logic of the procedures used in the administration of justice.

An implicit notion in the work undertaken by the community defenders is the existence of partial justice for indigenous peoples. Indigenous peoples' face serious disadvantages in relation to their access to justice: they lack of knowledge of how to navigate the legal system, their cash incomes are low compared to the expenses involved in following the defence of a case, or to the related expenditures, if they're dealing with the cases themselves. In addition, they also face institutionalised racism. The community defenders gave me some details of the problems they usually faced when they began acting as defenders before the *Ministerios Públicos* (public prosecutors). Victor works in the region of Morelia, within the constitutional municipality of Altamirano. He gives an account of four common difficulties in this regard: 1) lawyers feel superior to indigenous people and therefore they do not listen to their demands, 2) public servants (in this case the public persecutor) demand money in order to do their job, 3) indigenous people lack knowledge on how to write a denunciation to ask public persecutors to initiate or follow certain procedures that they are obliged to follow by law, and 4) indigenous people are aware they have rights, but they do not which rights. As he puts it:

I have accompanied the compañeros in trouble when they meet lawyers. I witnessed what happens there. They think they know better and they do not listen to our accounts. Even worse, they want us to pay them for their services, otherwise they won't do anything. But I already knew what their obligations were, and I told them: 'it is your duty to deal with this case, because this is your job', this is how I spoke to that lawyer. The first time these compañeros went there they were not attended to. I accompanied them in their second visit to that office; again, they

told us they were not going to attend to us, and that we should wait for another lawyer who is indigenous. I asked him —How's that? You have to deal with any case that arrives here. There must be a reason for you to be lawyers. And any defence should be free, it is not something to be paid for, this is how you should be working here [...] you are not doing your work for free, you receive a payment from the government'. This is what I told to that licenciado.

(http://www.geocities.com/red_de_defensores/victor.html, accessed on March 3rd, 2004, my translation).

For their part, Clemente and Ramón, the two defenders from the Northern region of Tila, add the political dimension of distrust in the context of the low intensity warfare against the support bases of the EZLN. They say,

[...] authorities do not believe what we told them about the harassment that we have suffered from the paramilitaries known as Paz y Justicia. They said that our account of the facts was not the truth [...] This is one of the reasons why the use of video recordings is important, when the federal army or the police enter our community to menace us, we are filming everything that happens there. This is a benefit to the community, because we are leaving evidence behind us: dates, what was the day when the army or the police entered, etc. It is the only way to prove what we are saying before an authority that does not believe what we say.

Relations of exploitation between indigenous and non-indigenous peoples in Mexico have been shaped historically. In Chiapas the particular kinds of interactions are particularly dramatic in comparison with many other parts of the Mexican state. In many cases, the fathers of the community defenders were subject to forced labour within the *fincas* that carried out a system of indigenous labour exploitation whose barbarity was not

acknowledged by the rest of the population in Mexico until very recently¹¹. The type of relations that Victor, Clemente and Ramon describe between them —acting as indigenous community defenders, and public servants— cannot be understood outside this perspective of relations between indigenous and non-indigenous peoples in the state of Chiapas.

In this context of historical domination the indigenous cultures have been associated with cultural and economical backwardness, and when people have rebelled against these forms of domination they are attributed adjectives such as dangerous or violent. Not surprisingly, these notions are still shaping social relations in Chiapas. This is especially relevant for reflection on the significance of the cases of political persecution against civil *zapatista* supporters (bases de apoyo Zapatista). The relations of antagonism between indigenous and non-indigenous peoples at local levels permeate state/indigenous relations at local, regional and national levels, rendering the discourse of multicultural constitutionalism ambiguous and meaningless in the light of its limited benefits in practical terms for indigenous people struggling to obtain political recognition.

More significant, however, is the fact that the caxlán-indigenous antagonism is also present in relationships of alliance, as in the cases where indigenous people are supported by other groups of non-indigenous people. The terrain of human rights where the community defenders work illustrate some interesting contradictions between non-indigenous/indigenous relations; in this context, the following example shows how this particular group of indigenous community defenders understand the notions of autonomy and self-determination as a concrete form of ideal relationship between indigenous and non-indigenous people, where autonomy could be equated to the gestation of an indigenous agency to gain equal access to non-indigenous institutions. As we will see, the formation of this agency is only achievable with the change of unequal

¹¹ In Chiapas and in Guatemala employment practices where labour was not paid or robbed of its reward by unfair means were illegal and outlawed by the post-revolutionary state in Mexico (see Chapters 1 and 2); of particular interest is the scene in Flores's film *Rub' El Kurus* (1996), when elder indigenous men —displaced from their communities during the violence in Guatemala— give account of similar practices of labour exploitation than the one that Don Nemesio remembers at the beginning of this thesis.

relations between indigenous and non-indigenous peoples in the society as a whole. Community Defenders, as other Zapatista civil supporters, especially women (see Stephen 1999:835) are trespassing the boundaries of acceptable indigenous behaviour. Legal self-defence is a challenge against the subordinated position they have historically had *vis-à-vis* the state and non-indigenous people in Mexico. Through these actions they are redefining historical images of indigenous people, just as “defiant acts such as [having indigenous women] shouting at the army until they leave the community work sharply against the[ir] stereotypical image (...)” (ibid:835).

Context of La Red

On the practice of autonomy and self-determination in the teaching and exercise of human rights defence

Frayba vs. Red de Defensores Comunitarios. Some reflections on general interethnic relations

When I began the research I realised that it was common knowledge among their members to think of their organisation as substantially different from other human rights centres. A particular point of reference is “*El Frayba*”, the centre of Human Rights *Fray Bartolomé de las Casas*, based in the same city where this network has its training centre. The former is mainly constituted by *caxlanes* with higher education degrees. The indigenous members of *La Red* express their suspicion of the degree of commitment with which *El Frayba* relates to the indigenous communities with which they have been working for more than 10 years. “After all those years they have left nothing behind them”, remarked a member of *La Red*. He makes reference to the kind of training and the level of involvement and access that their institution allows for indigenous collaborators. It is if like indigenous peoples were at the bottom of an imaginary pyramid, without access to the institutional know-how of human rights defence. In a sense this perceived attitude coincides with the traditional paternalistic relations between *ladinos* and indigenous communities throughout Mexican history.

In trying to explain why this prestigious centre of human rights reproduces these paternalistic attitudes —even if it was born from a

progressive Catholic movement closely related to the theory of liberation—the members of *La Red* think that “it may be because indigenous people are seen as not capable of writing denunciations, or not having the level to follow the cases as well as a non-indigenous person would do”. In their opinion, “*El Frayba* train indigenous people to gather first hand information from the community when an act of abuse takes place. But in the hypothetical situation that *El Frayba* disappeared now, indigenous communities would be just as unprotected as when they didn’t work here, because *El Frayba* never thought it was important to transmit the complete knowledge of not only how to identify, promote or document violations, but also the knowledge of how proceed to defend people and bring their cases before the relevant authority”. In fact, this perception of *El Frayba* as distant and disengaged from indigenous communities is fundamental for the members of *La Red* in the construction of their identities as community human rights defenders, thinking of themselves as being at the service of their communities and therefore working for the construction of indigenous autonomy and self-determination. So, although both organisations address human rights issues, their objectives are radically different. *El Frayba* is a conventional human rights organisation orientated to stopping abuse of individual human rights, and therefore making liberal constitutional rights real. The Network of Community Human Rights Defenders is about strengthening the capacity of communities to achieve autonomy and self-determination management to *empower indigenous people and their communities* through equipping them with capacities to act in their own defence without outsiders’ intermediation.

The work of the Network of Community Human Rights Defenders differs from the *usos y costumbres*/legal pluralistic demands of autonomy because it actually challenges for a reform of the whole Mexican Justice System.

The concept of the network: defenders obeying the communities

Two concepts are important in the self-definition of the community human rights defenders. The first comes from *La Red* distinctive feature of having been founded following the demand for autonomy and self-determination raised by the indigenous section in the negotiation of the *San Andrés* treaties.

The second derives from the former and consists in a way of imagining their work as a protective circle surrounding both their communities and authorities. Their work of defence is focused around their communities, and



Diagram of how the Community Defenders imagine their relation to their communities, authorities, and external advisers.

they act outside their boundaries following the instructions of the authorities that represent the communities. The community defenders' activities are regarded as a service to their communities, and they should be

provided with their means of subsistence while at work. Therefore, an economic contribution from the members of the communities is required for the training and the specific "jobs" that the defender would have to follow, for months or years in some cases. The economic support from the communities to the defenders will assure both the viability and continuity of the trainees' work in the defence of their people. This economic autonomy from external institutions —NGOs, governmental funds, etc— is regarded as essential to bind the defender to his/her community and region. The community defenders are dependant on their regions political and economic support to keep up their focus on their work as a service to their fellow indigenous people in struggle for access for fair justice. This is very important as it demonstrates conscious reflection on dependence and the implications of intermediation.

Chapter seven.
Indigenous demands and state responses: four legal cases
in the autonomous municipality of Ricardo Flores Magón

The relevance of the methods employed by the Community Defenders to make public the evidence they gather on abuses of legislative procedures against vulnerable members of society —indigenous and non-indigenous, Zapatistas, or even *prístas* or *perredistas*— is that in cases of emergency, they are able to mobilize international support for their cases. As a concrete example, it may be mainly due to this factor that the five detainees under house arrest (see chapter six) were granted freedom. If it had not been the case, they might have been added to the list of Zapatista political prisoners sentenced for crimes they did not commit.

This chapter aims to show how specific political use of the law targets groups of ‘vulnerable categories of people’ —in this case indigenous people, who are constructed both as suspects and victims of legitimate violence through their ethnicity which corresponds to a perceived lack of valued social and economic resources¹. The political use of the law against indigenous Zapatista supporters in Chiapas includes a number of politically charged accusations such as ‘usurpation of functions’, as illustrated by the case documented by Speed and Collier (2000) and discussed in the previous chapter. Some more examples of the political use of law are explained in the following section.

The understanding of human rights defence in the context of the Network of Community Human Rights Defenders

Since 1994, La Voz de Cerro Hueco —an indigenous organisation of Zapatista political prisoners in Chiapas and elsewhere— has denounced the political persecution of at least 190 people. Abelardo Méndez Arcos, external representative of La Voz de Cerro Hueco, recognises that more

¹ In places like Brazil, “justice and civil rights are still evaluated in terms of privilege” (Caldeira 2002:257), so that “[p]olice violence coexist with a negative evaluation of the police and a high victimization of working class people” (ibid:235). Caldeira’s work show how the construction of suspicious groups of people is therefore closely associated with low incomes and places of residence, making working class people a vulnerable group that suffers the legitimate violence of the state through its forces of security.

than 400 cases of detention have taken place since the Zapatista uprising due to the support these people give to the political movement of the EZLN.

Amongst the charges against the detainees one can find offences such as homicide in the first degree, injuries, illegal privation of freedom, kidnapping, illegal association, robbery, rebellion, rape and cattle theft. The extent of the penalties involves up to 33 years imprisonment. In July 2000, as a condition for continuing the peace dialogue, the demand to free all political prisoners was raised by the EZLN. However, three of them still remain imprisoned charged with federal crimes —one in the state of Queretaro and another two in Tabasco. In an interview in March 2002, Miguel Angel de los Santos revealed to the press that new political prisoners were still being imprisoned under the new “opposition” government elected in 2000.

We have received the information that new names are being adding to the list of Zapatista prisoners, and that is taking us into a vicious circle that will never be closed, because as we are still working on the detainees' liberation process their number keeps on increasing [...] these new prisoners were detained with the same irregularities as their predecessors. They are charged with crimes of common order (orden común) under the competence of the authorities of the state of Chiapas (Miguel Angel de los Santos, recorded interview 11/03/02)

Due to these circumstances, one of the first issues to be covered during the community defenders' workshops was the legal defence of the detainees. At the same time they read the Mexican Constitution, they study the different kinds of crimes, and learn that any citizen can commit a crime. However, they also learn that in the context of the Mexican constitution, violations to human rights can only be committed by authorities when abusing their constitutional power, thereby failing to provide reliable justice. Therefore, one of the most important jobs the community defenders have is that of observing the way in which authorities respond to demands for investigation, the recording of evidence and the dictation of sentences and penalties. In other words, the

struggle remains for the active search of *fair justice* that one gets by demanding that authorities do their job properly.

An implicit notion in the work undertaken by the community defenders is the existence of partial justice for indigenous peoples. Added to their lack of knowledge of how to navigate the legal system that all indigenous peoples face in Mexico, as well as lower economic income and cultural misrecognition, indigenous people in Chiapas also face political persecution if they support the civil *Zapatista* movement. This is the terrain where the community defenders have to work.

Low intensity war

This concept has been defined as a war, that although not officially recognised, uses different strategies to weaken the civic bases of the armed movement. It consists of 1) attacking the production of food, 2) arming people and instructing them to fight against the guerrilla supporters, and 3) displacing people (IDPs) and generate refugees, thus creating a continuous state of fear and impotence. The intended direct effect in the communities is to divide and disarticulate political organisation. The effect of this division is visible after 11 years of armed conflict in Chiapas and an example is to be found in the Tzeltal community of *San Jerónimo Tulijá* where I arrived after six months of visiting communities and following the cases that took place in other regions where Community Defenders work. I first approached this community following a case of arbitrary house arrest that attracted the attention of Amnesty International (see chapter six).

The Network of Community Human Rights Defenders in relation to the state

The relation that the members of this organization establish with different levels of governmental officials is shaped by their shared experience of legal vulnerability as indigenous people. They all come from regions where autonomy *de facto* started with the formation of autonomous municipalities in Chiapas, back in 1995 (see Díaz-Polanco 1997; Burguette Cal y Mayor 2002; Speed and Collier 2000).

To support this autonomic process, lawyer Miguel Angel de los Santos invited the autonomous authorities to select and send two people from their regions in order to be trained in the defence of human rights. They thought of themselves as independent units working in different autonomous regions, with communication and training links among them and with their legal trainer and advisers from *San Cristóbal*.

For the members of *La Red*, being selected as a *defensor comunitario* (community defender) is considered as a *cargo* —which literary means a burden, and implies a sacrificing service that the selected person is accepting to do for the community. Although the defenders act with a certain level of independence from their authorities, they always have to report back the steps they take in the cases to which they are assigned. Their behaviour outside their regions must observe the norms of the *municipio autónomo* (autonomous municipality), and basic rules always apply such as not drinking alcohol. More important, however, is the fact that their relation with governmental authorities is always imagined with respect to their “autonomic” centres around which they navigate the state judicial system (see Fig 1). In the state of Chiapas, and within the context of the Zapatista insurrection, the autonomous municipalities are in resistance against the government. Therefore, the position of the community defenders is difficult, in the sense that they may act as mediators between the levels of local autonomous and municipal or state government. In these interactions the defenders never forget which side they are working for. They always manage themselves circumspectly in the governmental offices. They are attentive listeners and cautious in their interactions with governmental employees. The latter’s real intentions are never visible and are always treated with suspicion even if they appear to be well behaved or cooperative towards the community defenders. Hence, ambiguity is always a characteristic in the interactions between defenders and governmental employees. The community defenders are the victims’ representatives before the state judicial procedures; but at the same time they are both recognised as representatives and members of their communities in resistance against a state’s government that makes use of the legislative system to punish rebellious political opponents. As we will

see below, the role of the defenders and the level of “freedom” with which they can act before state authorities will vary depending on the perceived importance attributed by the autonomous authorities to specific cases.

The different roles the community defenders play whenever they navigate between the spaces of government of the autonomous municipalities, on the one hand, and those of the state at the municipal, state and federal levels, on the other, along with the perceived importance of the cases –articulated either by the defenders or their autonomous authorities– shape the nature of the defenders’ interactions with the state authorities, as we will see. What these events make evident is the struggle to legitimize the indigenous “demands for the constitutional recognition of the autonomy of the indigenous peoples and their right to develop alternative relationships between citizens and their authorities” (Lopez-Mojardín, <http://www.ezln.org/revistachiapas/Monjardin7.html>, May, 27th 2004). The governments of the autonomous communities and the state, are based on non-compatible visions of the exercise of power and have antagonistic political projects.

Defining the cases: abuse of state authorities or crimes

There are two kinds of cases in which defenders may become involved. On the one hand we find abuses committed by state authorities², particularly relevant in the political persecution of the civil bases of the *EZLN*, such as unjustified imprisonments, torture practices to obtain incriminatory declarations, military or police intimidation, among others, and, on the other hand, crimes recognized in the various penal, civic or agrarian legislative codes, ranging from misdeeds and misdemeanours to felonies.

The four cases this chapter is build upon were the ones the defender of the region of *San Jerónimo Tulijá* handled during the time of my fieldwork. Through them I want to explore 1) how “different historical

patterns of relations between indigenous peoples and the state shaped contemporary indigenous claims and the responses to them” (Sieder 2002:187); and 2) how this process can be analysed in the framework of state formation, where “traditions of clientelist authoritarianism, and co-option of indigenous actors and communities” (Ibid: 184) are difficult tendencies to overcome within the efforts taken by all actors involved in the construction of autonomous practices, from NGOs to autonomous indigenous governments.

Finally, I argue that the resource of *low intensity warfare operations* that the state government has employed to get rid of its Zapatista political opponents, constantly denounced and documented by individuals and NGOs³, can be analysed as an extension of the racism embedded in the historical patterns of interaction that have also shaped the relations between the powerful and the dispossessed in Mexico.

In this context, the law has been used with partiality to intervene in intra-communal disputes, which have been exacerbated by the counter-insurgency strategy as a means to undermining Autonomous Zapatista Municipalities (see case 4, *infra*).

The result of the interactions between the defenders and the different actors they encounter will be analysed with reference to particular legal cases that I learned about while documenting the work of Pancho, the community defender of the Autonomous Municipality Ricardo Flores

² In legal theory, state employees do not commit crimes, they abuse their position of superiority granted by their constitutional protection. In theory, state employees are acting in favour of the majority of the population.

³ See especially the reports made by ENLACE CIVIL (<http://www.enlacecivil.org.mx/denuncias.html>), CIEPAC (<http://www.ciepac.org/bulletins/indexguide.htm>), SIPAZ (<http://www.sipaz.org/>), Centro de Derechos Humanos Fray Bartolomé de las Casas (<http://www.laneta.apc.org/cdhbcasas/indiceinformes.htm>, <http://www.laneta.apc.org/cdhbcasas/>), the Community Defenders Network (<http://www.defensorescomunitarios.org/esp/denuncias.html>). To learn about related information see Indymedia Chiapas, (<http://chiapas.mediosindependientes.org/>), and Centro de Derechos Humanos Fray Pedro de la Nada (<http://www.laneta.apc.org/pedrolorenzo/>).

Magón. The four cases are presented in chronological order, as the defender dealt with them.

Case 1. Politically motivated house arrest. Levels of government involved in the case: municipal, state and federal.

The facts

January 15th 2002

A Telecom bus that transported welfare money (PROGRESA) was robbed by armed men wearing ski masks on a dust road in the region Puente Tulijá-Egipto. Two people were shot dead in the crime scene. The robbers took the money with them. At the same time, Miguel Ángel Gómez Luna and Mariano Cruz Hernández were working in their corn fields.

January 16th 2002

Miguel Ángel Gómez Luna and Mariano Cruz Hernández, publicly known to be supporters of the EZLN, were detained and beaten up by publicly known priistas from Ejido San Juan. They were accused of having committed the robbery. According to witnesses, the people that detained the Zapatista supporters were Juan Espinosa Cruz, Pedro Hernández Cruz, Pedro Vázquez Guillen, Dionosio Guillen Espinoza, Sebastian Luna Cruz, Miguel Luna Cruz⁴.

January 17th, 2002

After the detention of their brother, Antonio Gómez Luna and Andrés Gómez Luna walked for two hours from Paraíso Tulijá to San Jerónimo Tulijá to meet Manuel Cruz. Manuel Cruz used to earn cash providing transport services using a family member's truck. Antonio and Andrés's aim was to make the four hours' journey to El Tumbo to inform the authorities of the Autonomous Municipality in Rebellion Ricardo Flores Magón of the latest events affecting them. But they were intercepted in *Ejido Cuahutemoc* and detained by priista authorities, who threatened to burn their truck. Without carrying out the threat, they took the three Zapatista supporters to the Office of the *Public prosecutor* of Palenque.

⁴ Denounce presented by the Community Defenders Network before the Federal *Agente Del Ministerio Publico* in Tuxtla-Gutierrez, Chiapas on February 13th, 2002

At the same time, Miguel Angel Gómez Luna and Mariano Cruz were handed in to the state and Federal Police centre. They tied up the detainees' hands and feet, and made them lay down in the back of the pick-up while sitting on top of them. Miguel Angel and Mariano were going to meet their other two *compañeros* in Palenque.

Once in his office, the *Public prosecutor* ordered both the *Agentes Estatales de Investigación* before known as *Policía Judicial Estatal* (Judicial Police of the state of Chiapas) and members of the municipal police called *Seguridad Pública*, (literally translated as "public security") to torture them until they declared that they had committed the robbery and the subsequent murder. Miguel Angel, Andrés and Mariano had their eyes taped over. A plastic bag was placed on their heads in order to asphyxiate them. They eventually fainted. When they recovered, a plastic tube was introduced through their nose and sparkling water poured into it. The latter is a common torture practice used by the police in México and has been recognized and reported by Amnesty International as *El tehuacanazo* after Tehuacán, a well known brand of sparkling water.

January 19th, 2002

Francisco Cruz Pérez, the community defender, travelled from San Jerónimo Tulijá to Palenque to ask about the physical state and legal status of the detainees. He was granted two minutes to speak with them because, as he was informed, they were immediately to be transported to Tuxtla Gutiérrez, capital of the state of Chiapas. Nonetheless, the detainees told their defender they had been tortured. When other people present in the room heard this conversation policemen told the defender "you can leave now!" (*¡ya te puedes salir!*).

January 22nd, 2002

Francisco Pérez Cruz went to the jail of Cerro Hueco in Tuxtla Gutiérrez. He was told the detainees were not in the list of the new arrivals. The defender went to the *Coordinación General de la Prevención y Readaptación Social del Estado de Chiapas*, and he was told that the five indigenous men he was looking for were in the jail of *Salto de Agua*, 4 1/2 hours North from Tuxtla Gutiérrez.

January 23rd, 2002

The defender could not locate the detainees in Salto de Agua. The secretary in charge, Juan Ramón Ortiz Alegría, told the defender that he had just

received the file and gave him a false number of investigation (averiguación previa). When he asked the secretary for the file, he pointed out that the number was incorrect, and that he could not provide the defender with the details because “el licenciado” was not there. In subsequent episodes they told him that he had to go to the Subprocuraduría General de la Zona Norte en Pichucalco, where the case was allegedly being reviewed. None of those facts proved to be true.

Following his failure to locate the detainees, the defender denounced to the regional media that the five men had been tortured and then “disappeared” and denied their right to communicate with their defender.

January 24th, 2002

In response to the public denunciation made by the defender, *la procuraduría del Estado* published a press release stating that the five men suspected of having committed the robbery to the Telecom bus were under house arrest for 30 days, beginning the 19th on of January. The detainees remained isolated as no information on their location was provided.

January 26th, 2002

The defender was finally informed where the five men were being held under house arrest.

January 27th, 2002

First encounter between the defender and the five men under house arrest.

January 28th, 2002

The defender sent a press release giving full details on the irregularities of the detention, the torture and the isolation to which the five men were subjected.

February 5th, 2002

The defender tried to have the five men examined by a doctor. One of the policemen guarding the house in which the men were detained, Rogelio Delgado, did not allow the defender or the doctor to visit them. He emphasised that the detainees did not need a doctor because they were not ill, nor had they been tortured.

February 6th, 2002

Two defenders, Francisco Cruz and Aberlardo Mendez Arcos, rendered a visit to the sub attorney of Justice, Julio Cesar Padilla Valdivia. He reminded them that no-one could see the detainees, including private doctors. At the end of the meeting the sub-attorney granted the visit for the following day. He signed a special permit to allow the doctor to examine the detainees.

February 7th, 2002

During his visit, the doctor Eduardo A. Vargas Domínguez wrote a medical report that gathered evidence that the detainees had been victims of torture at the hands of the people who detained them (see chapter six).

February 10th, 2002

Following an urgent action called by Amnesty International, letters started to arrive at the defenders' office in San Cristobal de las Casas. They came from other Latin American countries, the United States and Europe, and expressed their support for the defenders and their concern about the detainees' and the defender's own security. Copies were delivered to the Governor of the state, to the Justice General Attorney and to the President of the Republic.

February 19th, 2002

A person who did not identify himself before the detainees, asked them to sign an extension to their house arrest for 30 days more. They refused on the ground that there was no one of their confidence present and no translator that could explain the procedure into Tzeltal, their native language.

February 20th, 2002

The defender called for a press conference outside the house located in Av. Palma China No.361 off Presa Malpaso, Colonia, Las Palmas, in Tuxtla Gutierrez where the five men were kept under house arrest, a legal procedure used for the first time in the legal history in Chiapas⁵. He

⁵ The argument put forward by the defender was that the application of house arrest was unjustified. According to the law, it should be applied only when there was an imminent

demanded that the formal process of prosecution should start immediately under the proper legal procedures. He knew that there was not enough evidence to keep the men under detention and they should have been granted freedom.

**Video Clip 6 Conference Press on the
30th day of house arrest** (click to see)

danger that the suspects could escape because of their links with organised crime gangs. “This accusation cannot be sustained, as the detainees are peasant indigenous people publicly recognised by their community authorities (meaning the autonomous authorities)” (statement read by the defender during the conference press).

The proposal to amend articles 16, 19, twenty, 22 and 123 part B of the Mexican Constitution that would have legalised penal house arrest —like the one that was applied in this case to the five Zapatista supporters— was first discussed on 10th of December, 1997 in the context of the increasing attacks of organised criminals in Mexico City and Morelos (Vargas 1997). “The reforms that president Ernesto Zedillo proposed to fight public insecurity and delinquency mean to simplify the requisites for issuing a detention warrant and to dictate a sentence of imprisonment; they also make it easier to dictate the need of house arrest and to consider illegal its termination; it would increase to 72 hours the limit to which delinquents could be detained when trapped in the act of committing a crime; and to increase up to 400% the sentences due to possession of illegal armament, and to consider it a case of amassing of arms (acopio) when one single owner is caught with three or more arms” (ibidem).

Interestingly, the first most famous case of the application of house arrest occurred a year after the proposal was launched, when the chief of the anti-kidnapping police of Morelos —Armando Martínez Salgado— was surprised dumping a body off the road Cuernavaca-Iguala and was accused of leading a band of kidnappers (Guerrero-Garro 1998). Further investigations were then carried out to establish the links of various government employees of the state of Morelos to organised kidnapping bands and networks of drug trafficking (Castillo-García 1998).

The fact that the five Zapatista supporters did not know one another, had no criminal antecedents and could actually prove that they were not present on the scene of the crime they were accused of —because they were actually weeding their *milpas* in their plots— makes one wonder about the real reasons for applying a law drawn up to combat dangerous organised bands of urban criminals such as the ones described above.

February 27th, 2002

The defender explained the case before the International Commission of Human Rights Observers that was visiting the country following alarming new threats against human rights and human rights defenders in Mexico, including the assassination of Digna Ochoa, an internationally recognised Human Rights Defender based in Mexico City ⁶.

Video Clip 7

**COMMUNITY DEFENDER IN INTERVIEW WITH MEMBERS OF THE
INTERNATIONAL COMMISSION FOR THE OBSERVATION OF HUMAN RIGHTS.**

(click in the box to play)

QuickTime™ and a DV-NTSC decompressor are needed to see this picture.

March 2nd, 2002

The defender and a group of the International Commission of Human Rights Observers tried to obtain a permission to interview the detainees. A permit was never granted to them.

March 20th, 2002

⁶ For a detailed account on the failure of the Judicial System to get the murderers of Digna Ochoa see Gledhill 2004.

The five detainees were liberated and no more charges were sustained against them. A press release the *Procuraduría de Justicia* stated that they were liberated because the charges against them could not be proven. For the defender it was significant that they did not admit having committed a mistake when signalling the five men as the probable perpetrators of the robbery.

In the following months, the defender tried to push the case forward to bring the authorities that carried out the torture to judgement, but the tortured peasants chose not to collaborate with the case against the public prosecutor. They argued that they lacked the money to afford any more travelling. Six months later I learned that Miguel Angel had left his village to work in a neighbouring city. Afterwards I learned from gossip that he might have left the country on the adventure of the search for a job in *the States*.

Context of counterinsurgency strategies in Chiapas

This case cannot be viewed in isolation from the context of the growing tensions between *priístas*, *zapatistas* and *perredistas* eleven years after the beginning of the armed conflict in Chiapas. As stated in the archives of La Voz de Cerro Hueco, and denounced by activists, academics, and politicians, the law has been used as a tool to deactivate the organisation politically opposed to the state. This may be seen as part of what I earlier identified as one of the three counterinsurgency strategies against the Zapatista supporters, which has involved some of the government's *priísta* or *perredista* allies receiving arms and training to keep their regions under control⁷. In this context, the case of house arrest can be analysed as an effect of this division, sharpened even more by the privileged position of one of these anti-Zapatista indigenous political forces, armed and supported by state institutions (Federal Army, Municipal, state and Federal Police Forces) and backed by political elites groups' intentions to maintain their ruling hegemony, and therefore not willing to recognise the legitimacy of the authorities representing the emerging structures of the Autonomous Municipalities in Resistance. As one of the defenders' press releases

⁷ For a detailed account on paramilitary activity, training, routines and maps in Chiapas after 1995 see Caske, Nikki *et al* (1998).

states⁸, all the irregularities found in this unjustified application of house arrest show the continuation of a governmental covert agenda of repression against the support bases of the EZLN:

[...] there are clear complicities among the Procuraduría [in charge of the investigations] and the Tribunals [the legistalive arm in charge of judging the evidence gathered by the Procuraduría]. It is clear that the tribunals [judges] are subordinated to the Executive power [the president] that appointed the judges in the tribunal positions. There were many bureaucratic difficulties created to interfere with the work of defending the indigenous Zapatista grassroots supporters, who allegedly commit crimes. These cases count with no evidence as foundation for the accusations in the first place.

Judges do not enjoy tenure and are usually political appointees, so they become vulnerable to pressure by people who “favour” them to get their positions. Judges that happen to defy orders given to them “from above” the local structure of political power also put their lives at risk⁹. In other words, political power dominates judicial power and undermines the theoretical separation of powers between the judiciary and state, politicians and legislators.

Conclusions to case 1.

The community defenders are using the international discourse of human rights and the instruments of international law —such as the International Pact on Civil and Political Rights— to struggle against the monopolised

⁸ Press release read by Francisco Cruz Pérez at the conference press on the 30th day of house arrest, February 20th, 2002

⁹ As the case in which “Polo Uscanga had refused to issue arrest warrants and resigned in protest against pressures placed upon him by the Federal District’s chief Justice, Saturnino Aguero Aguirre, when the then PRI-controlled government of the Federal District shut down the public transport company that controlled Mexico’s Route 100 bus service and laid off all its workers, alleging corruption within the union that controlled the company and ordering the arrest of its leaders on that pretext. The fact that the union was aligned with the radical Independent Proletarian Movement (MPI) and was accused of helping the Chiapas Zapatista rebels to buy arms seems to have been the real root of the attack against it (the head of the bus company allegedly committed suicide by shooting himself twice in the chest with a security guard’s gun). When Polo Uscanga was subsequently found shot in his home, the grounds for suspicion that a true “crime of the state” had taken place were exceptionally strong” (Gledhill 2004:19).

control of the law within national territory that the state has tended to use to protect the economic interest of the social and political elite. Hence, international legislation is used here as new tools that socialize new generations of social fighters in their communities' old struggles.

Case 2. Corrupt arrest orders

Context

According to most of the *Reglamentos ejidales* [internal agreements] in the autonomous regions, the sale of alcohol is banned. This is due to the work of a group of women, who wanted to include the *ley revolucionaria de las mujeres* (The Revolutionary Law of Women) within the laws made by the EZLN for their zones of influence¹⁰. As Roselia, a daughter of one of the the first deacons in the autonomous municipality "17 de noviembre", a woman in her 40s and politically active since 1974, puts it,

Men do not take into account our saying, that we want to stop men drinking alcohol because they waste the little money they have to buy a little sugar or beans for their families. And they beat women and children up when they drink. This is the reason why we saw that it is no good if men drink. But they do not take us into account because they think women cannot tell them what to do, because it's their custom to drink. And this is how we could not stop them drinking, and until now, they are still are drinking¹¹.

In the particular case of *Ejido Granizo*, the struggle against the sale of alcohol has been a fight against one of the neighbouring caciques that has managed to continue selling beer and spirits violating the local agreement,

¹⁰ The Revolutionary Law of Women was made public on January 1st, 1994 alongside with the Declaration from the Lacandon Jungle (both accessible on-line at <http://www.eco.utexas.edu/Homepages/Faculty/Cleaver/booklaw.html> and <http://www.ezln.org/documentos/1994/199312xx.en.htm>, respectively). As Stephen puts it "[t]he wide-ranging issues discussed in the laws point to the importance of the EZLN as a political organisation, and suggest an underlying conception of democracy that includes women's rights to full political participation and control over all decisions that affect their lives (...)" (Stephen 2002:180).

¹¹ Interview, July 1999 in Ejido Morelia, autonomous Municipality "17 de noviembre".

but also without any municipal licence. Local authorities have denounced these irregularities on several occasions before the municipal authorities of *Ocosingo*. As local authorities put it “it seems that they do not listen to us”.

The facts (21/10/08)

Following a violent fight between two drunken men where one of them resulted seriously injured in the head, the people of *Arroyo Granizo* decided to confiscate the alcohol in the local *cantina*. The seller had been acting against the local agreement and the inhabitants of Arroyo Granizo, mainly represented by women, wrote and signed a declaration in which they set down the reasons for the confiscation they were to carry out in the neighbouring village of Santo Domingo, located at only 400 metres distance.

The old seller escaped before the infuriated crowd arrived at his house, which he used to dispatch the alcoholic beverages. The crowd went into his house and confiscated 200 bottles of beer and 40 litres of *Caña* [cane alcohol].

Comentario [A1]: (60% cane alcohol).

Some weeks later, eight arrest orders were signed against two local authorities and six of their collaborators (including the *prista* who rented his truck the night of the acts described above). The arrest orders accused the eight people of the theft of poultry, jewellery, cash, cutlery, tables, and so on. Alcohol was never mentioned.

As a result, one man was jailed and charged a suspiciously excessive legal bail to obtain his freedom. Those who gained their living as bus drivers had to quit their jobs because of fear of being captured on the roads.

Parties involved in the conflict

This case illustrates the struggle of a politically heterogeneous part of the population against the will of the local *cacique* (boss), in this case embodied in the person of the seller of alcohol who broke the local accords and who managed to escape punishment from the Municipal, i.e., non-indigenous authorities. In the struggle, the Municipal authorities representatives of the state, allied with a position regarded as contrary to the community interests reflected in the *Reglamento Ejidal*. The continuing

failure of these authorities to support the *Reglamento ejidal* creates a sense of despair and reinforces the notion that the government and its judicial institutions support only the ones that can buy their services. In this situation, indigenous people are never able to have their demands included within the formal procedures of the official and administrative judicial system.

In this case, this politically heterogeneous indigenous alliance grouped together to defend their Reglamento Ejidal [internal agreements]. It included people like Don Pedro, the *priísta* owner of the truck, who was detained and charged an exorbitant bail to secure his freedom, as well as the autonomous authorities that took the initiative of defending their case legally through the community defender, and the women in the community who were most directly affected by the alcohol sales.

It is particularly interesting that Don Pedro was an enthusiastic collaborator in the meetings that the defender held with the seven people under legal prosecution; he himself had suffered unjust imprisonment following the alcohol confiscation. Ironically, given his political differences with the EZLN supporters, Don Pedro thus played a major role in encouraging demoralised members of the Zapatista group that had lost hope in the long and difficult defence process headed by the community defender from San Jerónimo Tulijá.

Process of involvement and relationships established between the different levels of government.

The local authorities of Arroyo Granizo received notification from the men who had been arrested and informed the autonomous municipal authorities of the case. In the context of the celebrations of the 10th April 2002, the anniversary of the murder of Emiliano Zapata, the community defender was called to a meeting. There, the autonomous municipalities explained the case to him and asked him urgently to deal with it. I was allowed into the meeting as the defender's working partner. At the end of the meeting, the *concejo autonomo* turned to me and spoke in Spanish

saying, “before we couldn’t count on anyone that would defend us. There were only *ministerios públicos* and *derechos humanos*, all of them governmental employees. There was no justice available to us”¹².

Activities undertaken by the community defender

April 10th, 2002

The Autonomous Council asks the defender to deal with the case. The detention orders had been produced about a year before this date.

September 2002

Miguel Angel, Francisco, and Abelardo meet with the Attorney General in the state of Chiapas. They explain every case in which they’ve found irregularities. The Attorney General promises to have answers ready in two weeks.

Miguel Angel is publicly attacked by the Governor of the state of Chiapas. He is accused of making personal profit from the “business” of human rights’ defence. This is symptomatic of the deteriorating environment faced by human rights defenders at the national level, and it is particularly poignant in Chiapas as it comes from the newly elected candidate that took the PRI out of the house of government in the state. The hope of achieving social justice suffers a setback. The political solution to the cases presented to the Justice Attorney gets put on hold.

The defender travels to Arroyo Granizo to inform the affected men that their case is still waiting for an answer. Some men get anxious and express their doubts that Pancho is dealing with the case at all. Don Pedro, the *príista* affected, makes a general call to be reasonable and patient. He is the first one to take some money out of his pocket to help the defender with his travel expenses.

November, 2002

Miguel Angel meets with the regional defender and the eight affected men. He corroborates the correctness of the defender’s work up to that point then. They take the decision to go for an “amparo” [a legal injunction].

¹² “Antes no teníamos alguien que luchara por nosotros. Sólo había Ministerios Públicos y derechos humanos, pero del gobierno. No había justicia”.

April 20th 2003

The defender meets with the local authorities of Arroyo Granizo and six of the people that had been affected. Women also attend—in their position as local authorities—wishing to know more about the results of the case¹³. The defender informs them that the arrest orders have been cancelled and that the affected men can now move freely and go back to their former jobs if they want to do so.

Results

The arrest orders were cancelled, but the alcohol seller continued to operate his business as he already had formed a network of other sellers in the town.

Case 3. Keeping a murderer in jail

The facts

Don Pedro and his son's wife, Doña Juana, were shot in a robbery. They had been to a neighbouring village to sell *cacaté*, a seasonal fruit growing wild in the Lacandon rainforest. As they walked back home, an armed man covering his face with a ski mask demanded the money. As the old man resisted, he received a shot that killed him instantaneously. Doña Juana got very upset and ripped the ski mask off the man's head, discovering that he was a neighbour from their same village, Arroyo Granizo. Finding his identity revealed, the robber tried to kill Doña Juana and two of her children accompanying them in order to get rid of any witness. Doña Juana and her daughter, aged 14 at the time, were shot. Juanito, aged seven, managed to escape unharmed. Sadly, Doña Juana developed a cancer following the bullet wound and died nine months later. The murderer was identified, detained and jailed charged with robbery and intentional homicide. Two years after these tragic incidents, Doña Juana's smallest son, Juanito, received a notification from the tribunal of justice, asking him to declare what he saw when his grandfather, mother and sister were shot.

¹³ One of them was not present because he went to the United States to work.

Don Pedro and Doña Juana's family are in resistance against the government and belong to the autonomous municipality "Ricardo Flores Magón". Doña Juana's surviving husband, Don Juan, took the tribunal notification to the village autonomous authorities to ask for advice. Afraid that the murderer, a member of a well known *príista* household might have been trying to "buy" his freedom, the local autonomous authorities sent a radio message to the community defender living in San Jerónimo Tulijá asking him to support the family in the case before the state Authorities to complete the necessary procedures in order to keep the murderer in jail. As the defender communicated to me latter, they had the suspicion that maybe the *juez de oficio* was receiving money from the man's family in order to grant "the paramilitary" his freedom. If this was the case, it was logical that they called the little boy to give his testimony, as, given his age, he could fall into contradictions, therefore invalidating the evidence that retained his mother's killer in jail.

Parties involved

This case may be regarded as a problem arising from the crimes of robbery and murder that do not apply exclusively to indigenous communities. The relevance of the case is the perception of the community defender that the offender may be released because of his political affiliation or his access to economic resources. The offender is always named a "paramilitary", meaning someone from an opposing political faction and who by violent means has succeeded in inflicting harm on a Zapatista, usually getting away with it because he is protected by more powerful political forces at local, regional, state or federal level.

For the purpose of this analysis is not so important to know who did what, but to understand the narratives generated by problems arising between conflicting parties and strongly deteriorating social relations and social fabric. It is only in the environment of persecution against the grassroots supporters of the EZLN that this case generates its meanings through the predominant tendencies to mistrust, ambivalence and fear generated by the national policy of not recognising the political demands raised by the autonomous indigenous governments in Chiapas, and the

covert counterinsurgency strategies against them visible in local, regional and state politics in Chiapas.

Process of involvement and activities undertaken by the community defender

First meeting with the affected family in Ocosingo. They introduce themselves before the judge dealing with the case. What is important is that state employees know victims are not going alone but supported by the community defender. Juanito is not faced with the murderer.

Pancho visits the affected family while visiting the eight men affected by the detention orders. He checks the new *citatoria* that has just arrived.

Second visit to Ocosingo accompanying the affected family. Juanito and his sister give an account of the facts they witnessed. The community defender's role in the judge's office is mainly to be supportive of the family in dealing with the case, and vigilant to ensure the correct application of the judicial procedures on the part of the state authorities collecting the evidence.

Type of relations established between whom

The defender acted as a scrutinizer of the process of administering justice. It had a positive effect for the affected family who could understand step by step what was the significance of their declarations within the context of the judicial case against the offender. The community defender spent a significant amount of time with the affected family before, during and after the visits to the *public prosecutor*, and not only because a translation was needed from Spanish to Tzeltal during the questioning sessions. The community defender translated the significance of every step of their experience that would otherwise have been an obscure administrative judicial procedure.

Conclusions on the case

Contrary to the fears of the affected family and the community defender, the murderer remained in jail when I left Chiapas in December, 2002.

Case 4. Attack on autonomous municipalities

General background of attacks on autonomous indigenous governments in Chiapas

Autonomous governments in Chiapas have been systematically attacked and discredited. Interestingly, one of the most common demands from the autonomous authorities and the members of autonomous municipalities is that of respect for their authority. The most infamous attack on an autonomous municipality took place on April 11, 1998, following the dismantling of the just inaugurated autonomous municipality of "*Ricardo Flores Magón*". On that day the army arrived at the party and covered in white paint the colourful murals telling the story of how people organised themselves to achieve their own social well-being. The army also took political prisoners and kept many of them jailed for more than a year under the charge of "*usurpation of functions*"¹⁴. What these actions communicated was that the autonomous municipalities were considered illegitimate and illegal by the state. The political analysis of CIEPAC explained this governmental strategy to control the indigenous population that was not directly under the command of the insurgent army, but politically organised through these new autonomous governments in rebellion (CIEPAC:1998a, 1998b). The fact that the double murder that I now intend to analyse took place in the same Autonomous Municipality of Ricardo Flores Magón allows us to understand the ways in which the members of this autonomous community imagine their situation of vulnerability as subjects of attacks from the state and their agents (federal army, police, investigative agents, indigenous population armed and trained as paramilitaries by the army and the police, etc).

¹⁴ This direct approach (i.e. frontal attack based on the "authority" of the state as sole legitimate public authority) to tackling the 'political' problem has had to be abandoned in favour of criminal charges and partiality in intervention of the internal communal disputes.

The breaking news

Two weeks before the facts described below, three autonomous authorities from two other autonomous municipalities had been murdered by other indigenous inhabitants of their regions.

The facts

August 25th, 2002

Lorenzo Martínez Espinoza in his position as *suplente vocal* of the autonomous municipality “Ricardo Flores Magón”, arrived at the *ranchería Amaytik* where he met Jacinto Hernández Gutiérrez, *agente rural autonomo* in this community. They were to find the solution to a problem that arose between a *Zapatista* and a *priísta* family.

According to the autonomous authorities, the problem started when a recently married *priísta* man abandoned his *Zapatista* wife. The *Zapatista* family asked for the intervention of the *Zapatistas* authorities to try to solve the conflict. The meeting ended in a bloodbath resulting in the death of Lorenzo Martínez and Jacinto Hernández, in what was assumed by *Zapatistas* to be a planned attack on the autonomous authorities on the part of the *priístas*.

August 28th, 2002

In a report provided to human rights observers, the autonomous authorities gave a detailed account of the events based on surviving eyewitnesses. “On August 21st a *citatoria* [appointment] was made to autonomous and *priísta* authorities. They were asked to be present for a meeting in the autonomous school of *Amaytik* on Sunday 25th of August. The two men asking for the meeting were Ignacio Hernández Gutiérrez and Domingo Gutiérrez Espinoza, the fathers of the married couple in conflict.

Between the 21st and the 25th of August, the *priístas* had an extraordinary meeting, at which it is supposed they planned the subsequent attack.

On the day agreed, the autonomous authorities arrived at *Amaytik* at nine in the morning. A group of twenty *priístas* also arrived at the autonomous school. From outside, the *priísta* group started to insult the autonomous authorities, demanding the presence of their *priísta agente*. Inside, the autonomous authority called for order and told the father of the husband to

be quiet until the wife's father finished his account of the facts. In the *ranchería*, another group of *priistas* were actively gathering more of their supporters.

In a given moment during the meeting, Lorenzo went out of the school to call a witness to give an account of his version. It was there where the group of *priistas* waiting outside the school grabbed him and started to beat him up. Seven Zapatista supporters witnessed the events and tried to help Lorenzo only to observe how X and Y held him by his arms while X pointed a .19 rifle and shot him in the chest at less than one metre distance.

Jacinto Hernández Gutiérrez got out of the school, also with the intention of helping Lorenzo, but he was also captured and struck hard in the head, causing him a deep wound, approximately 10 cms. long, approximately, from which he died half an hour later.

The *public prosecutor* accompanied by a group of *Seguridad Pública* (*state police*) entered the community at 2 pm on the day of the attack. People suspect that they had been given notice in advance of the *priista* plans, and they were ready to take Lorenzo's body and to cover the escape of the *paramilitaries*, known as members of the *Organización para la Defensa de los Derechos Indígenas y Campesinos* (OPDDIC) [Organisation for the Defence of Indigenous and Peasants Rights], before known as *Movimiento Indígena Revolucionario Antizapatista* (MIRA) [Anti-Zapatista Armed Revolutionary Movement].

In separate documents, the autonomous authorities asked the group of twenty human rights observers from five different NGOs based in San Cristóbal, Bachajón and Comitán, to make public their demand to the government: they demanded that the people responsible for the attack would be handed in to the autonomous authorities of the *Municipio Autonomo en Rebeldía Ricardo Flores Magón* to be judged according to the procedures established in the autonomous municipality's *Comission of Honor and Justice*. They argued that they knew in advance that in the event that the murderers should be caught by the police following the judicial procedures established by law, they would surely be released without being punished for their crimes because they were acting under the approval and protection of the federal and state governments.

Different versions describing the problem

The ways in which ambiguity is created to confuse and disarticulate political alliances is a feature characteristic of the accounts of events in Chiapas, as well as in the rest of the country. This case illustrates at a micro level how this ambiguity is created in the different accounts released by different institutions. The first public account was sent by the *Office of Public Affairs of the Attorney General*. It arrived the morning after the incident in the headquarters of *the Community Defenders' Office*. In the document, the preliminary governmental judicial research explained that it was a murder following a family conflict where, the groom had refused to pay the agreed bride price in accordance with the community's *usos y costumbres*. This is a familiar strategy of presenting a politically motivated crime as a personal or inter-family social dispute that was in this case 'spiced up' with a dash of exotic 'indigenous culture'.

A variation of the "family-conflict" version was made public by the police forces and the *Public prosecutor* of Ocosingo, which were unusually efficient in arriving at the place of the murder in order to take the body of one of the victims and transport it to the investigation headquarters, immediately setting up a control check point where everyone attempting to reach the area was stopped, their names written down on a list, the licence plates numbers of their cars taken, and the purpose of their journey questioned. The latter is a more 'modern' surveillance tactic of intimidation.

A contrasting version to this account of the facts was elaborated by the autonomous authorities based on eye-witnesses of the tragic murder; they sustained that it was a case of a planned attack on the autonomous authorities and they stated that justice could only be achieved if the murderous attackers were judged and punished according to the autonomous laws and through the Commission of Honour and Justice working in the autonomous municipality. A third version of the events was given by human rights activists who arrived in the place after the murder and who gave an account based on the direct observations and interviews

they made with all the parties accessible during their two-day visit to the area. This version was in general terms reproducing the information provided to them by the autonomous authorities on the facts, but avoided using the term “paramilitary” to refer to the attacking party. Finally, the attacking priístas that fled to a hospital in *Palenque* introduced themselves as “civil society” that had been attacked by Zapatistas and presented themselves as victims suffering from forced displacement following the attack of the former. This is an illustration of the way the paramilitaries have learnt to manipulate the very discourse that originally ‘empowered’ the victims. Speed and Collier have identified the same phenomenon when the state co-opts the discourse of human rights in its interests (2000:888).

Process of involvement and activities undertaken by the community defender

This case shows the integration of the community defender into the structures of power of the autonomous municipality. That Sunday morning when the murder took place, Pancho was travelling from San Cristóbal to his community, where he arrived at 13:00. At 17:00 there was a message for him through the radio. He was required to be present in the centre of the autonomous municipality following the tragic events. When the group of external human rights activists arrived in the same place, on Wednesday at midday, the community defender joined them in their expedition to the place where the murder took place. He video recorded interviews with members of the state police—who mounted an improvised check point just outside of the place where the confrontation had taken place—and the wounds in the bodies of the two victims.

In cases like this where the local people feel their security at risk, they cover their faces with ski masks when they read the comunicués. Hence, they hold meetings apart from the non-indigenous visitors. During the two days we spent there to find out more details of the murder, Pancho moved freely from the space of the meetings to the space of the external human rights activists.

After the burial of Lorenzo that we were asked to attend and document, I asked Pancho if he was planning to do something else, regarding his knowledge of where the alleged attackers were hiding, and the possibility under the law to force the state Judicial investigator to follow up the evidence that members of the population had provided them. He answered negatively. In this case he should respect the demand that the autonomous authorities had made: they should wait for the murderous attackers to be handed in to them in order to be judged and punished. A moratorium on all alternative actions was declared until justice was achieved in the terms they had established. All other processes being carried inside autonomous territory were suspended, including a survey I was to make regarding the cutting off of electricity to Zapatista supporters that might have been used to legally prosecute the governmental office for failing to respect the International Pact on Civil and Political Rights.

Results

No one has been detained following the murders described in this case. It seems that while taking a stand on principle may have made people feel good, it did not help to change the balance of power in the community. Nor did this stand to make similar events less likely to happen in the future.

Conclusions: state-indigenous organizations interactions reviewed in the light of conflicts, negotiations and demands arising from the four cases presented.

If the General Assemblies are the maximum authority in the *Ejidos*, and internal agreements (*reglamentos ejidales*) are the recognised local law, the instance of the arrest orders in case two illustrates how the existence of *cacicazgos* makes the implementation of such internal agreements difficult.

The form of government proposed from inside the autonomous municipalities in resistance faces the double problem of *cacicazgos* and the lack of recognition of their authority on the part of the federal and state

governments, which renders them targets of the political use of violence. The illegitimacy that results from the lack of recognition generates a political persecution suffered by members of autonomous municipalities at various levels.

On the one hand, state law is used to punish 'indigenous rebels' organised in autonomous municipalities that support the EZLN. This punishment may mean political imprisonment but can also lead to high levels of violence and political radicalisation. In the latter case, the risk is that processes of dialogue established with civil society and bridges being constructed to relate the population in the autonomous municipalities with broader national institutions (such as the Judicial System) may be paralysed and regarded as undesirable. The tragic case of the assassination of the autonomous authorities in case 4 illustrates this point.

In the concrete case of the murder of the autonomous authorities, it was demanded that in the event that the people responsible for the murders were apprehended by the police, they should be handed in to them in order to be judged according to the norms of the Commission of Honour and Justice, one of the institutions of government in the autonomous municipalities. The rationale for such a demand is that the autonomous municipalities question that the law of the state would be justly applied (*aplicada con apego a derecho*). As I have explained before, in the framework of the low-intensity war in Chiapas, indigenous people that attack the support bases of the EZLN and the governments of the autonomous municipalities are unpunished. This is due to the fact that they are indeed a tool for the reproduction and defence of the structure of the state's military and political power in its war against the autonomous municipalities.

In the counter-insurgency strategy, the indigenous people organised around autonomous municipalities are socially constructed as vulnerable subjects on which the exercise of violence –institutional, physical and symbolic- is accepted. This is worrisome as the bridging work such as that carried out by the Community Defenders can be severely

affected, if not paralyzed or even destroyed, by tensions arising from the effects of political division and its subsequent violence.

In a broader context, the actions undertaken by the Federal Government in Mexico are showing alarming similarities with the actions proposed in the manuals of counter-insurgency developed by the US and UK's armies¹⁵. The strategy of war against indigenous communities organised in autonomous municipalities erodes their trust in the Mexican government and its institutions. Counter-insurgency strategies are part of a set of ambiguous state practices in which the Federal Government promotes the multiethnic composition of the nation constitutionally and discursively, but continues to attack the initiatives of indigenous governments in Chiapas militarily.

This "bridging" work between the autonomous municipalities and state institutions is at risk when events of this kind show the unwillingness of the state to engage with indigenous demands. Is "bridging" worthwhile if the state always acts in bad faith? Presumably the answer may be yes given that the state does not necessarily enjoy the public's support in doing this and is often itself acting illegally. But unfortunately, my experience tells me that autonomous governments are not optimistic when it comes to imagining a change of attitude from state authorities. The fact that they count on an army to back them up makes them feel confident about refusing to collaborate on any terms with outsiders when they feel their authority is being undermined. It is my belief that agents of the state are very much aware of this situation and provoke indigenous autonomous governments through abusing their power in covert but deliberate illegal acts, thereby leading to a refusal on the part of indigenous authorities to continue to negotiate political solutions to their problems with the state¹⁶. It is true that a complete refusal of "bridging" –by the radicalisation of the

¹⁵ These manuals of counterinsurgency were developed when the US launched the war against Vietnam, and when the English state developed its military intervention in Kenya and Cyprus. The former techniques were later used to combat the attacks from the IRA in English territory, described by Kitson (1971). On the basis of his experiences when participating in English intelligence operations developed to fight terrorists, and in peacekeeping operations in Kenya and Cyprus.

autonomous indigenous governments– would prevent the communities from exploiting this fact politically and campaigning for state reform that would guarantee their rights to self-government more securely. Of course, if the Mexican justice system cannot be reformed in ways that would eliminate the possibility of repeating the cases described in this chapter, *all* Mexicans (except the very powerful) would be worse off, since while indigenous people are especially vulnerable, variations of such tactics have been used against other dissident groups and individuals in Mexican society.

¹⁶ Provocation, in this sense, might be conceptualised as another strategy of counter-insurgency used in Chiapas against autonomous Zapatista governments.

Conclusion

Final considerations for the discussion on structural racism and the indigenous struggle for land, justice and autonomy

An indigenous notion of autonomy

The indigenous conception of autonomy as practiced in the space of the Community Human Rights' Defenders Network would eventually lead to the social empowerment of their practitioners and to a deeper form of justice and equality of rights in Mexican society. This same notion of autonomy is shaping the processes of autonomous government in Chiapas and is a result of a long process of discussion of issues of injustice inside indigenous communities in the region.

Although a more systematic discussion of the problems affecting indigenous communities in Chiapas took place after 1974 following the National Indigenous Congress hosted by the Dioceses of San Cristóbal, the accounts presented in chapters 1, 2 and 3 of this thesis provide evidence that indigenous people in the region have always been conscious of the exploitation they have been subject to on the part of more powerful non indigenous actors who arrived in their territories following the ideals of liberal capitalism. However, it can also be argued that indigenous people are revaluing the past in the light of their contemporary political struggles. If that is the case, then the political project fostered and disseminated by the EZLN is proving to be an important "factory" producing and diffusing alternative interpretations of history. In this process of revaluation, indigenous people are reconstructing a perception of themselves that was made negative as a result of "their encounter" with *caxlanes*. These versions of history —that help us to understand the present from a different perspective than from the official history in Mexico— are also empowering indigenous people —and indeed non-indigenous people in Mexico and around the globe— to get organised and take direct action to try to permeate state institutions with the conceptions of justice for all that are discussed in chapters 6 and 7.

In concrete terms, the economic subordination experienced by indigenous peoples in the ranches up to 1950s as related by people in

San Jerónimo Tulijá, was not to change with the foundation of the new colonies in the North of the Lacandon tropical rain forest. Through the power it exercised in the organisation of the new *ejidos*, the state was to substitute for the paternal figure of the landowner, this time imposing on them productive projects and supposedly improved techniques of production that were superior to the ones that indigenous people had been using up to that point in their history. These impositions were made under the premise of helping the indigenous *children* of a paternalistic state. The government also inflicted its paternalistic policies on *mestizo* peasants, but its intervention in indigenous communities was worse because of the framework of cultural difference involved in which the government wanted indigenous people to learn “civilised” ways of living, exemplified by the ideas embedded in the invented *mestizo* identity.

Through this depreciation of indigenous ways of living, a new layer of oppressive cultural subordination was introduced that permeated the relations between indigenous and non-indigenous peoples in the context of the emerging contemporary Mexican state described in detail in chapter 3.

The permeation of the state into indigenous institutions: indigenous incorporation into the political system through the formation of *ejidos*

The process in which the state permeated indigenous institutions (chapters 3 and 4) is now being challenged and attempts to reverse the process are being made through local struggles, illustrated in this work by the actions undertaken by the Community Defenders for Human Rights' Network (chapters 6 and 7).

The local attempt to bring justice to indigenous people through institutional judicial procedures an area in which indigenous people suffer special disadvantage (explained in chapter 6)— has proven to be a long way away from influencing political power relations in Mexico as a whole (chapters 5 and 7). However, the work of the Community Defenders is providing an important agenda that advances for the structural reform of a judicial system that has failed to achieve justice on an equal basis for all Mexican citizens.

The indigenous struggle for justice and the state's resistance to change

The struggle of the Community Defenders needs to be contextualised within the three-fold struggle of a) trying to overcome their differentiated access to justice and the structural racism that has permeated bureaucratic procedures within Judicial institutions in Mexico (chapters 6 and 7); b) resisting the state's dynamics of co-optation of indigenous independent movements (chapter 4); and c) coping with the strategies of counterinsurgency deployed inside of their communities, the most visible characteristic which is the high level of militarization of the areas in which local people circulate on a daily basis (chapter 5).

To challenge traditional paternalistic practices towards indigenous people: small acts to eliminate structural racism

The historical relation of indigenous people to the state has been characterised by practices of dependency where agents of the state – acting in terms of paternalistic values- have imposed a vision of development that they thought best for the indigenous communities. The electoral agenda has also shaped dramatically the way in which indigenous communities are inserted into political life in Mexico, in which they count only as votes but so far not as citizens with equal rights and access to the nation's democratic institutions. Anthropologists in fact played an important role in developing notions that supported the state's intention to “integrate” its indigenous population into the *mestizo* culture, embedded in the official *indigenista* policies of the National Indigenista Institute. In this respect, this work is inspired by the small acts of the Community Defenders when they walk into the public persecutor's offices and have to overcome the embedded preconceptions attached to their appearance. These small but highly important acts include daring to speak to the “authority”, not to ask for favours, but to demand equal attention to their cases. They also include going through the difficult process of gaining recognition for their achievements in their own communities, by convincing their indigenous peers that they are capable of dealing with cases as any non indigenous person. This proves that domination is not only exercised, but also internalised. In this sense, this

work argues for the practice of a critical anthropology, concerned with three main issues, a) a general interest in ethics –in the concrete case of its historical relation to indigenous people in Mexico– and commitment (Falla 1995; Hale 1997a and 1997b); b) the development of a collaborative relationships with informants (Tax 1952 and 1975; Scheper-Hughes 1995); the need to make knowledge accessible to the peoples of the study (Stephen 2003; Gutmann 2000); and the aim to produce knowledge that serves the (collective) interests of people in San Jerónimo Tulijá in this case, in part by also recognising their divisions and encouraging reflection about the causes of those divisions and who benefits from them.

On the day when I am organising these ideas, Gilberto López y Rivas (2005) writes for *La Jornada* newspaper that

Anthropology, as any other social science, is not immune to being converted into an instrument of domination at the service of the state, or following the logic of the state. [...] During decades, numerous anthropologists working in Latin America backed up indigenista views that the state used to confront the ethnic-linguistic-cultural diversity of their indigenous population; in other words, their otherness.

[...]

The issue of ethnicity is a constitutive element of the national issue, and in consequence, indigenous peoples are resisting the hegemonic national project; the latter can only be fought successfully with an alternative counter-hegemonic national project. The solutions to the problems that arise in the context of ethnicity requires the political action of indigenous people as historic subjects, acting as political protagonists forging their own future.

*The EZLN with its projects of autonomies, materialised in the *juntas de buen gobierno* [assemblies for good government] is closing the cycle of dependency and paternalism, and cancelling all clientelistic and corporatist relations practiced by the state, with the help of its anthropologist advisors (*La Jornada*, January 14th, 2005).*

I hope that my study will contribute to the work of building the self-confidence of indigenous people in their ability to determine their own futures and constitute a better world for themselves.

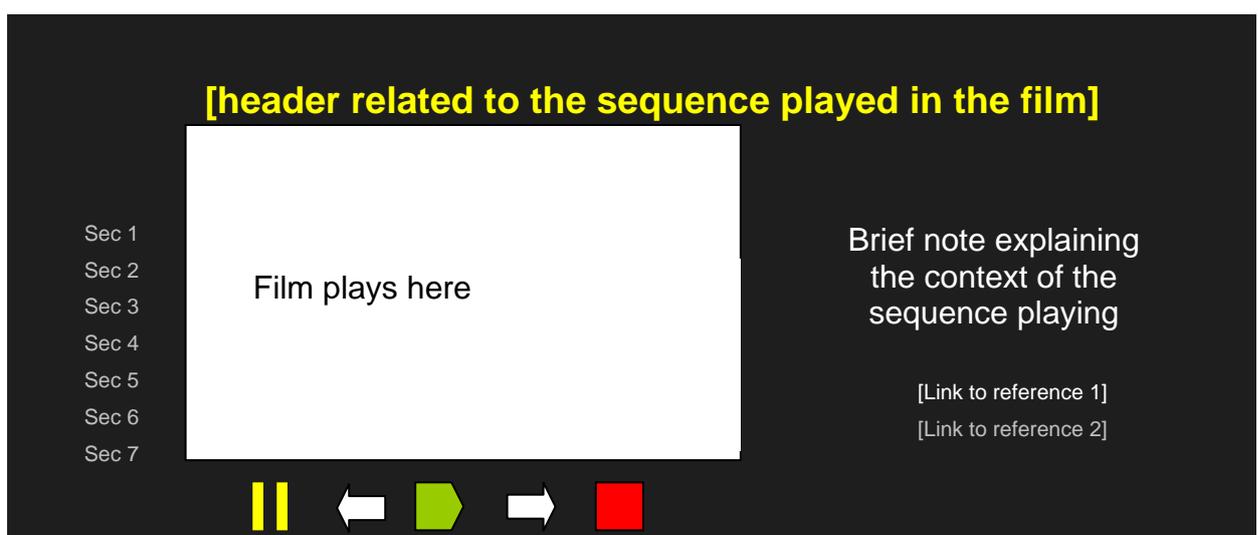
Making the research and its outcomes accessible to the people of the study

The use of the videocamera during fieldwork provoked situations of verbal exchange that allowed me to discuss with people the issues that I thought

relevant for the research at the time. These included the discussion of the perceived importance of certain events to be filmed, following the Community Defender through the public prosecutor's office with a rolling camera, and lively gatherings to watch the rushes in someone's house in San Jerónimo Tulijá. In these cases, the material gathered in video was a "catalyst" (see Henley 2004; Rouch 1974; Ben-Salama, 1984) for further realisations and insights, many of which were directed by the people themselves. It is this direction on the part of the people that I perceive as the most valuable aspect of the presence of the camera in the research situation.

A different topic is the use that I have made of the video material while writing this document. The video material was used in two different key moments, a) at an early stage in the writing process, while I edited the sections to which I assigned particular relevance and b) after I finished writing this thesis. In the first moment, viewing the rushes helped me in the organisation of the chapters. Writing the thesis has surely informed the structure of the documentary. However, given the complexity of the historical and political background on which this work is based, I have come to the conclusion that an interactive medium (a DVD for example) may be a better option to integrate film and text in this particular case. I even developed the following prototype, which I haven't developed fully as yet simply because of time restrictions:

Prototype 1 Interactive design to navigate between film sequences, concepts, main text of the thesis and other references directly relevant to the sequences of the documentary.



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Filmography

Beneath the Cross (Rub' El Kurus). 1996. Carlos Flores-Arenales. Granada Centre for Visual Anthropology, University of Manchester (U.K). 46 mins.

Scenes of Resistance (Episodios de un pueblo en resistencia). 2000. Alejandra Navarro-Smith. Granada Centre for Visual Anthropology, University of Manchester (U.K). 24 mins.