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Commentary on *How the Subaltern Took Agency in the United Nations*

Bruce Mannheim

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This commentary is in a series on the Indigenous Peoples Movement. See the introduction to this series and links to its other articles: <http://www.alps.syr.edu/journal/2016/11/JLPS-2016-11-HardinAskew.pdf>.

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Commentary on *How the Subaltern Took Agency in the United Nations**

Bruce Mannheim**

I work in Peru, primarily in the highlands with speakers of southern Quechua, but increasingly my work has pulled me into Peruvian discussions of indigenous rights, in which contexts the Permanent Forum for Indigenous Issues (UNPFII, henceforth, “the Forum”) and the Indigenous Caucus (henceforth “the Caucus”) are points of reference, though distant from the day-to-day social and political concerns of southern Quechua communities, and distant even from a politically focused indigenous movement that is embryonic at best, embryonic in spite of the good intentions of organizations and activists identified with indigenous affairs – be they political parties, non-governmental organizations, or individuals working in the cultural and educational sectors. My goal here is to supplement Jens Dahl’s account from the perspective of a decades-long engagement with southern Peru.

Dahl observes the critical importance of the Forum and the UN Declaration on the Rights of Indigenous Peoples, because on the ground they introduce rhetorical fulcrums that allow local organizations to make specific claims on local government. The interaction between the Permanent Forum, an institutionally stable state actor,

* Jens Dahl, *How the Subaltern Took Agency in the United Nations*, 2 J. L. PROP. & SOC’Y 105 (2016), <http://www.alps.syr.edu/journal/2016/11/JLPS-2016-11-Dahl.pdf>.

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and the Indigenous Caucus as an acephalous, non-state organization is crucial to keeping the Permanent Forum flexible rhetorically, adaptable to the local political conjunctures in which social and political issues of special concern to indigenous peoples actually play themselves out. Though it is easy to think of the relationship between the international fora and the local as matters of *scale*, the relationship in both directions is rather one of *transduction* (to borrow an expression from my linguistic anthropological colleagues Michael Silverstein and Webb Keane), in which the concerns raised in the fora are transformed in both directions—embedded in discursive contexts each alien to the other.

The Permanent Forum provides recognition and rhetorical affordances for Indigenous issues, but critical too is understanding transduction on the ground; their implementation in local contexts (Dahl's "Southern" perspective); and the transduction of local issues into terms that are intelligible in international fora. The latter carries with it the problem of representativity. How do indigenous communities speak to each other? Along with the public political figures that often carry the day in Northern and global fora, there are alternative organizational forms that merit our attention. In Bolivia and in Ecuador strikingly similar organizational forms—I'll call them "base organizations"—have emerged through the political struggles of the '90s and the beginning of the present century: CONAMAQ, the Consejo Nacional de Ayllus y Markas del Qullasuyu or National Council of Ayllus and Markas of Qullasuyu—in Bolivia, and CONAIE, the Confederacion de Nacionalidades Indigenas del Ecuador, or the National Federation of Indigenous Nationalities of Ecuador—in Ecuador. A base organization is one in which by virtue of living in a place or settlement, one has rights to membership and representation. They speak for and by and to indigenous peoples. In

both organizations base communities elect representatives to regional councils which in turn choose a coordinating council for the organization as a whole. And both, especially CONAMAQ have been active in the UN Permanent forum.

Both have been subject to internal conflict (isn't that what defines them as political organizations?) and efforts by the several governments to control them as bases of support for conjunctural state projects. The most extreme of these took place during the Bolivian presidential elections of 2014. The government of President Evo Morales Ayma, which has had an explicit policy of recognition of indigenous issues at the same time as it has maintained an older practice of sustaining itself by leasing mineral rights, often located within the traditional territories of indigenous peoples. CONAMAQ, which is active in indigenous protests against the lease of indigenous lands and the consequent degradation of local resources allied itself with the electoral opposition, though not without internal discussion and dissent. The response of the Bolivian government was to recognize their supporters within CONAMAQ as the whole of the organization, and to split it in two—a division that persists to this day. The engagement of CONAIE in Ecuador with formal state politics has similarly been costly, though not to the Bolivian extreme. (Similar organizational forms have been used in Colombia and Peru, in both cases marred by periods of armed conflict, particularly in the Peruvian case, in the internal war largely destroyed the closest Peruvian counterpart to these organizations, the *Confederación Campesina del Perú*.)

The base organizations face problems of political transduction and representativity at each level of organization, especially once they join international fora, but these are small (and probably unavoidable) compared to those of representatives and discourses that

do not fully engage at a local level. Consider the problem of identifying representative as “Quechua.” In southern Peru European settlers did not insist that the peoples whose lands they invaded speak the colonial language, Spanish. Instead, they spoke a Spanish-inflected Quechua, which, over the course of several centuries developed into a (relatively) autonomous register of Quechua, spoken by traders, landowners, by much of the economic and political elite in highland cities such as Arequipa, Ayacucho, Puno, and Cusco, and spoken today by rural schoolteachers, workers in non-governmental organizations, and translators for anthropologists – among others. (See Itier 2000; Mannheim 2015; Mannheim and Huayhua 2016). Their Quechua is a structural and interactional overlay, one that culturally and socially deflects the social practices of the overwhelming majority of Quechua speakers in favor of practices that are more easily taken in by non-Quechuas. For regions that have not developed base organizations, who represents indigenous people in national and international fora? Who *physically* represents indigenous concerns is the smallest part of the problem. Since in this case, the overlay systematically aligns the indigenous language to categories, concepts, and practices of the settler language, the overlay register offers not only the possibility of translation, but the certainty of loss.

In a Quechua class sponsored by the University of Michigan, the students and their teachers organized a *haywarisqa*, a traditional offering every August to the places, especially to the mountains and the earth. The students were taught the appropriate way to participate. In turn each placed a bundle of three coca leaves on the offering, later to be burned, and in the traditional manner asked in Quechua for something personal – an ill family member to heal, success in the class, and so forth. A ritual adept arranged the coca carefully in the bundle. A visitor – who self-identified as indigenous but did not speak Quechua asked in Spanish for the world to heal and

for the social recognition of indigenous peoples. The adept replied sharply, "Pachamama, Mother Earth, does not speak Spanish." Indeed. Pachamama speaks Quechua, Aymara, Shuar, Purapeche, Xokleng, Anishinaabe, Lakota and others. The first illusion of which we must divest ourselves is that the languages of the Forum translate concerns on the ground in any easy way. We have substantial work ahead of us.

The second is that the progress that has been made in both the Forum and the Caucus are necessary moves forward, but without transduction back to the local level are insufficient – indeed, become window dressing for a bleak reality. Let me briefly enumerate some historical moments that have affected indigenous Peruvians since the United Nations was founded.

Until 1969, many – perhaps a majority – of indigenous people lived under an estate system, in which they were bound to estates (some branded to show their ownership) and bought and sold along with the estate. They owed unremunerated labor, agricultural, personal, and intimate to the estate. While they are normally referred to as "workers" or "peones" in the historical literature, as I understand it, the English word that best characterizes it is "slavery." At emancipation in 1969, the indigenous people who lived on the estates, now expropriated by the (then) military government were required to pay for the former estates on which they labored and now owned. Those that remained in the former estate were now free, but burdened by a massive debt, and a conflict with formerly free rural workers who had worked seasonally at the same estates. During the 1990s, an urban but provincial insurgency established itself in rural regions, beginning a more than decade-long war that caused approximately 70,000 deaths, a majority of which were indigenous, targeted by both sets of combatants. Mass graves are still being uncovered today. In the western Amazon, some indigenous communities were

enslaved by the insurgent group, the self-styled “Communist Party of Peru, Shining Path.” Many escaped the war zones to settle in the capital, where they created enclaves, marginal economically and linguistically.

At the same time in the 1990s, the de facto government forcibly sterilized 30,000 women (sometimes at gunpoint). These were primarily indigenous women—30,000¹ that’s a substantial portion of the reproductive population. In the 2000s, with the return to democracy, mineral rights were sold out from under communities. 70% of the country is divided into lots that have been leased to mining corporations, exclusive of petroleum. What about ILO Convention 169, which gives indigenous communities the right to initial consultation on mining their lands? It has been ratified by Peru, but for several reasons—some technical, some openly political—it hasn’t been implemented.

In 2009, one community in the Amazon region protested against the “lotification” of their lands in Bagua and were met by military police, with a massacre that resulted in the death of 25 police. The government’s response was to try the leadership of the community as a form of collective punishment. Since 2010 there has been increasing talk of racism, which is a positive, but unfortunately it’s been accompanied by overt racism including open calls for genocide. The 2014 discussion of racism led to a TV program in which a transvestite coastal person played an indigenous woman in a fairly “burlesque” way, and that led to protests even among Peruvian elites.

¹ The exact number is disputed, and only in 2015 did the Peruvian government establish a registry for victims. The number is taken from an apology temporarily issued by the Peruvian Ministry of Health during the transitional government that was formed after the fall of the Fujimori regime. Most current estimates are substantially higher.

Of all that I have mentioned so far, here's what drew international pressure: the TV show. It has been left to domestic and foreign social scientists to look beyond the TV show to the underlying racism.

So just a few takeaways: the UN Permanent Forum on Indigenous Issues and the Indigenous Caucus are undoubtedly critical to constructing frameworks to reshape indigenous issues at a state level, but we still have a *long* road ahead on implementing on the ground the international decisions. The biggest takeaway I'd like to leave you with respect to the UN Permanent Forum is: don't celebrate, organize.

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