

## The Colonial Legacy and Human Rights in Mexico: Indigenous Rights and the Zapatista Movement

By Alexander Karklins

The current status of human rights in Latin America has been profoundly affected by the legacy of colonial institutions. Since the time of conquest, through colonialism, and after independence, the growth of the Latin American state has been challenged by the alternative discourse of indigenous rights. In Mexico, the dominance of *mestizaje* (or the quest for a single Mexican ethnic identity) in the formation of its modern state apparatus has left indigenous cultures out of the realm of political participation and exposed to human rights violations. With the *Zapatista* uprising of 1994-1996, the contradictions inherent in Mexico's constitution were brought to the forefront and placed the discourse of indigenous rights squarely on the global human rights agenda. Mexico provides an interesting case in the evolution of indigenous rights discourse, considering the large number of indigenous groups within its borders, especially in Oaxaca and Chiapas. The *Zapatista* rebellion illustrates the ways in which indigenous claims have sought to challenge the state, as well as claims of universality in global human rights policies. It has, in many ways, forced the leaders of the Mexican State to take a hard look at its colonial past.

From the period of conquest through Spain and Portugal's colonial endeavors, there has been a constant struggle between indigenous groups and the state. Since independence, many Latin American governments have been dominated by remnants of the colonial project who modeled their new states distinctly after the states of their former colonial masters. After independence, governments dominated by *mestizos* or *criollos* sought to deemphasize the distinct ethnic identities within their borders. Furthermore, the penetration of the Catholic Church into almost every level of Latin American society has permanently altered the ways in which indigenous peoples conduct themselves (Clendinnen 2003; Moksnes 2005).

In Chiapas, Mexico the *Ejercito Zapatista de Liberacion Nacional*, or EZLN, launched its campaign from the Lacandon jungle in 1994, bringing worldwide attention to the struggles of Mexico's indigenous population. Characterized by small-scale acts of guerilla violence and the oftentimes poetic communiqués by its leaders, the Zapatistas self-consciously have been engaging in a new form of discourse with the developed world and other indigenous groups in Latin America. The Zapatistas are motivated by their desire to preserve their own traditional forms of organization, as well as local governance of the economy, a desire that became more urgent with the increasing encroachment of the global economy into the far corners of Chiapas and with the passage of the North American Free Trade Agreement (NAFTA).

To situate their struggle only in the immediate aftermath of NAFTA, however, is an inaccurate portrayal of the situation. *Zapatismo* has its roots in the long history of colonialism in Latin America, and is one of several indigenous rights movements in the region. The Mexican state, like many in Latin America, is a colonial construction, with rigid borders that oftentimes cut across ethnic and tribal lines. Furthermore, the prevalence of *mestizos* in the central government since Mexico's independence has privileged policies of assimilation over those privileging indigenous identity (De La Pena 2006). This has resulted in significant conflict in areas where the concentration of indigenous populations is high, such as Oaxaca and Chiapas, where the local residents have sought to maintain their indigenous identities.

The issue of indigenous rights is closely tied to universal notions of human rights as articulated by the United Nations and organizations such as Human Rights Watch and Amnesty International, and the EZLN has attempted to frame their struggle within the parameters of the established human rights discourse. Yet the Zapatistas are mainly concerned with results at the local level and the particular problems facing the

ethnically Mayan population of Southern Mexico and Guatemala. In many ways, the framing of indigenous rights discourse is an important area of contestation as universal norms might often conflict with the religious, communitarian, and economic values and interests of indigenous populations.

Since the uprising of 1994-1996, the Mexican state has made several political concessions to indigenous groups, starting with the San Andres Accords of 1996, which granted previously unrepresented indigenous groups a political voice in local governments. These reforms were largely a response to pressures brought about by the international community, due to the EZLN's successful communication of its struggle to a worldwide audience. Subsequent legislation has, however, watered down the implementation of the accords due to the influence of leaders of Mexico's business community and multinational corporations concerned that granting autonomy to indigenous communities could greatly disrupt trade and negatively affect their economic interests. In some cases, the Mexican government has used "human rights" arguments to justify police intervention in indigenous communities in order to arrest political opponents, under the pretext of protecting individual liberties. The Mexican government has also stressed individual rights over community rights as a way to privilege private property over community organization, which has long been a distinct feature of Maya society (Farris 1984). In this sense, some observers have interpreted human rights as a neocolonial tool by the state to reassert its authority over indigenous populations (Stephen 1999). The contested ground of indigenous rights discourse has led to much academic debate on whether human rights reforms are more effective on a local, state, or international level.

The modest success of the Zapatista movement has served as an inspiration to other indigenous movements in the Americas that have sought to reform government policy to protect their community rights. The transnational character of the indigenous movement has made it a more powerful voice in the general discourse of human rights, but there are still many challenges ahead. A major issue raised by anthropologists is the way in which global human rights discourse is influencing and sometimes changing the indigenous communities it is trying to help. This is illustrated by the emergence of feminism within indigenous societies, often encouraged by activist researchers. While this can be seen as a positive development, it may also hinder the articulation of a cohesive ethnic local identity in favor of what are perceived to be "global" norms (Castillo 1997). The Zapatista movement also introduced methods of modern mass communication to the indigenous struggle, yet the adoption of new technologies by autonomously indigenous communities may lead, ironically, to their undoing. In the global era, the opportunity for cultural cross-pollination has never been greater.

The future of *Zapatismo* and, to a larger extent, the indigenous rights movement throughout Latin America, may hinge on the careful balance between reforms at the state and international levels, as well as measures to ensure the sustainability of each movement. Political freedom is often an insufficient guarantee of human rights; there must also be a concern for the economic survival of indigenous groups in order to guarantee their autonomy (Corntassel 2008). The current situation in Mexico necessitates a strong commitment toward constitutional reforms, but there is also a great need for the reforms by the Mexican government to be overseen by international organizations such as the United Nations, in order to guarantee the sustainability of indigenous rights. By addressing the contradictions associated with the project of state formation during the colonial and post-colonial periods, Mexico can resolve its issues with indigenous rights and human rights in a just and equitable fashion.

### Annotations

Beer, Caroline, and Neil J. Mitchell. 2004. "Democracy and Human Rights in the Mexican States: Elections

or Social Capital?” *International Studies Quarterly* 48: 293-312.

Annotation: This is a “large N” statistical study that details levels of democratization versus human rights in Mexico. Taking sample data from each Mexican state, the authors determine that the quality of electoral components have a more profound influence over human rights than social capital. The authors’ study differs from previous cross-national comparative cases due to the inclusion of ethnic variation in their analyses. An interesting finding in the study is the relative lack of democratic components in states where there is a large indigenous population, versus those whose populations are relatively assimilated.

Brass, Tom. 2005. “Neoliberalism and the Rise of (Peasant) Nations within the Nation: Chiapas in Comparative and Theoretical Perspective.” *The Journal of Peasant Studies* 32 (3 & 4): 651-691.

Annotation: This article discusses the role of the EZLN with regard to other agrarian movements in Latin America. He locates the Chiapas uprising within the context of three late 20<sup>th</sup> century epistemological moments: the rise of laissez-faire global capitalism, postmodern theory, and the renewed study of social movements. Brass uses a comparative framework to assess the EZLN’s gains relative to other agrarian reform movements, concluding that the Mexican government has undermined the Zapatistas’ goals of larger agrarian reform by granting modest political concessions to the movement.

Carozza, Paolo G. 2003. “From Conquest to Constitutions: Retrieving a Latin American Tradition of the Idea of Human Rights.” *Human Rights Quarterly* 25: 281-313.

Annotation: This article discusses the historical roots of Latin America’s commitment to the idea of universal human rights, focusing on four major movements. Working backward from the Universal Declaration of Human Rights, Carozza discusses the ethical response to the Spanish conquest; the rights ideology of Latin America’s republican revolutions; the articulation of social and economic rights in Mexico’s 1917 constitution; and finally the Latin American contributions to the drafting of the Universal Declaration. The main argument in the article suggests that a concern with human rights had existed in Latin America since the colonial period, informing the four major ideas discussed in the text. The article answers the questions of how and why Latin America developed a unique voice in the discourse of international human rights and what the future holds for this narrative.

Castillo, Rosalva Aída Hernández. 1997. “Between Hope and Adversity: The Struggle of Organized Women in Chiapas since the Zapatista Uprising.” *Journal of Latin American Anthropology* 3 (1): 102-120.

Annotation: Castillo’s article gives a historical account of the advances and setbacks of indigenous women in the wake of the Chiapas uprising. She surveys the literature of feminist anthropologists, whose work has focused on the ways in which women have traditionally been subordinated by men and the state, contrasting these findings with current studies on women in Chiapas, Mexico. Her conclusions highlight the need for increased attention to women’s rights within the indigenous movement, citing increased levels of violence toward women since that start of armed conflict.

Clendinnen, Inga. 2003. Ambivalent Conquests: Maya and Spaniard in Yucatan, 1517-1570. 2nd ed., *Cambridge Latin American Studies*. Cambridge, UK; New York: Cambridge University Press.

Annotation: Clendinnen's book discusses the mission of religious conversion on the Yucatan Peninsula during the early colonial period. Making use of archival evidence, most notably the records of Bishops Toral and De Landa, the author takes a methodological leap in explaining the reactions of the native population to the Spanish colonial project. In many cases, the result was the creation of hybrid colonial identities. A major instance of this is the appropriation of Catholic saints as surrogates for native gods, a form of passive resistance to colonization. This methodological approach is typical of the "Australian school" of historiography, which focuses on the ways in which disparate cultures absorb and reflect each other's ways of life.

Collier, George A., and Jane F. Collier. 2005. "The Zapatista Rebellion in the Context of Globalization." *The Journal of Peasant Studies* 32 (3 & 4): 450-460.

Annotation: This article provides an interesting capsule history of the Zapatista movement, locating it in its proper historical context. More importantly, it describes the current political and military stalemate between the Zapatistas and the federal government of Mexico. With the weakening of the PRI (Institutional Revolutionary Party) as the dominant political party in Mexico, combined with the international support of the Zapatistas, the government has had its hands tied. The Zapatistas, on the other hand, do not have the resources to affect anything but symbolic change. The authors see alignment with other indigenous blocs as a potential solution for the Zapatistas.

Collier, George Allen, and Elizabeth Lowery Quaratiello. 2005. Basta! Land and the Zapatista Rebellion in Chiapas, 3rd ed. Oakland, CA: Food First Books.

Annotation: This book examines the impact of the colonial project on the economy of the Chiapas region in Mexico and how this prompted the rise of the Zapatista movement. With the passing of the North American Free Trade Agreement (NAFTA), the indigenous population of Chiapas was faced with another "neocolonial" challenge. While relatively brief, the book is rich in economic analysis and its discussion of ideology formation among the local peasantry in the region. The book locates the Zapatista rebellion within the larger macroeconomic context of globalization, which is often viewed as a form of neocolonialism.

Corntassel, Jeff. 2008. "Toward Sustainable Self-Determination: Rethinking the Contemporary Indigenous-Rights Discourse." *Alternatives* 33: 105-132.

Annotation: In this article, Jeff Corntassel examines the evolution of indigenous rights discourse since the 1920s, highlighting the limitations inherent in contemporary practice of protecting indigenous communities. The author argues that the current policies in place do not account for the important roles played by families and the environment and that these policies are not "sustainable" over the long term. For Corntassel, concerns over territorial integrity in the modern state have undermined indigenous claims. In order for indigenous self-determination to be sustainable, the rights discourse must account for territorial and environmental concerns.

De La Pena, Guillermo. 2006. "A New Mexican Nationalism? Indigenous Rights, Constitutional Reform and the Conflicting Meanings of Multiculturalism." *Nations and Nationalism* 12 (2): 279-302.

Annotation: This article examines the origins of Mexican nationalism and *mestizaje* (the cultivation of a single ethnic identity for Mexicans based on mixed heritage). De La Pena discusses the constitutional reforms put forward by the Mexican government to protect indigenous rights and the surrounding controversy. The contested meanings of multiculturalism and the practical matters of implementing indigenous rights are analyzed at length in the article. The author concludes that just as *mestizaje* is a myth, so is the concept of multiculturalism and it is unproductive to try to create a master narrative for Mexican nationality. De La Pena argues that in the globalized environment, the role of the state is to constantly mediate between the ever-evolving forms of indigenous identity.

Eisenstadt, Todd A. 2006. "Indigenous Attitudes and Ethnic Identity Construction in Mexico." *Mexican Studies/Estudios Mexicanos* 22 (1): 107-129.

Annotation: In this largely theoretical piece, the author makes the argument that indigenous identity is discursively formed. Taking an instrumentalist approach, Eisenstadt tries to account for the political leanings among indigenous groups in Mexico, noting that the successes and failures of state-led assimilation policies have produced different results among different ethnic groups. By taking the position that ethnic identities are largely flexible and are constantly reinvented, the author's argument introduces a new way to look at the historical formation of indigenous cultures and their various rights-based claims.

Farriss, Nancy M. 1984. Maya Society Under Colonial Rule: The Collective Enterprise of Survival. Princeton, NJ: Princeton University Press.

Annotation: Nancy Farriss' detailed examination of social and economic life in the Yucatan during the colonial period reveals the ways in which the indigenous population adapted to the Spanish colonial project. The author's study shows how notions of collective action and community helped the Maya maintain their distinct identity in the face of traumatic changes to their way of life. This has several important implications for the contemporary relations between the Maya of the Yucatan and the central government in Mexico, a dynamic that came to the forefront in the 1990s during the EZLN uprising. Farriss' study is useful for understanding the roots of the Zapatistas' communal concerns in light of globalization.

Fox, Jonathan, Lynn Stephen, and Gaspar Rivera. 1999. "Indigenous Rights and Self-Determination in Mexico." *Cultural Survival Quarterly* 23 (1).

Annotation: The authors of this article discuss the issue of political autonomy and self-determination of Mexico's indigenous population. They briefly discuss the histories of previous indigenous congresses and compare them to the contemporary San Andres Peace Accords, prompted by the Zapatista uprising of the early 1990s. The authors also stress the need to move away from traditional forms of "indigenism," whose goal has traditionally been assimilation, and toward a multi-ethnic national identity for Mexico.

Galeano, Eduardo H. 1997. Open Veins of Latin America: Five Centuries of the Pillage of a Continent. 25<sup>th</sup> anniversary ed. New York: Monthly Review Press.

Annotation: This book takes a broad historical perspective on the extractive nature of the colonial project in Latin America as a whole. The author demonstrates how the European powers wrested control over natural resources from the indigenous populations and set the stage for continued domination by external actors in the centuries to come. Written from a neo-Marxist perspective, Galeano's tone is often polemical, but his study provides valuable insights into the mentalities of resistance among indigenous groups.

Gall, Olivia. 2002. "Racism, Interethnic War, and Peace in Chiapas." *Peace and Change* 23 (4): 14.

Annotation: This article discusses the trend affecting war and peace in the political-military conflict within the Mexican province of Chiapas from 1994 to 1998. It provides a history of interethnic relations in the region and the resulting economic and political consequences of lingering ethnic and racial tensions that have existed since colonial times. The political agendas of Ejercito Zapatista de Liberacion Nacional (EZLN) and the federal government of Mexico are discussed in detail.

Genugten, Willem Van, and Camilo Perez-Bustillo. 2004. "The Emerging International Architecture of Indigenous Rights: The Interaction between Global, Regional, and National Dimensions." *International Journal on Minority and Group Rights* 11: 379-409.

Annotation: This article provides an overview of the current status of human rights and poverty issues as they overlap and interact in the context of the contemporary struggles of indigenous peoples around the world. The authors take case studies from Nicaragua, Colombia, Guatemala, Mexico, Ecuador, and Venezuela to illustrate the progress of indigenous groups in Latin America, contrasting these cases with similar case studies in other parts of the world, such as Rwanda, Botswana, Uganda, Congo, Kenya and Algeria in Africa. Genugten and Perez-Bustillo analyze the role indigenous rights issues play in the formation of policy by international organizations and non-governmental organizations (NGOs).

Hale, Charles R. 2006. "Activist Research v. Cultural Critique: Indigenous Land Rights and the Contradictions of Politically Engaged Anthropology." *Cultural Anthropology* 21 (1): 96-120.

Annotation: Hale's article addresses the issues facing anthropologists who engage in research regarding indigenous land claims. Based largely on his own experience as an expert in the field, the author fleshes out the benefits and pitfalls of "activist research" and "cultural critique," the two main methodological approaches taken by anthropologists in his field. Activist research is borne out of a pre-existing affiliation with an indigenous community, where the researcher conducts their work as an advocate, whereas cultural critique takes the results of scholarly research and applies them toward the end of advocacy for a group. This article is useful for understanding the approaches taken by the anthropologists in many of the articles within this annotated bibliography and deciphering their respective biases.

Harvey, Neil. 1998. The Chiapas Rebellion: The Struggle for Land and Democracy. Durham, NC: Duke University Press.

Annotation: Neil Harvey's history of the Chiapas Rebellion provides a detailed appraisal of the movement, based upon several years of field research. It also reviews the literature on the political nature of popular rebellions, social movement theory, and previous scholarship on the Zapatista rebellion. He argues that the key to interpreting Mexican citizenship and democracy is to understand how they are culturally constructed. To this end, he explains the ways in which the Zapatistas defined themselves in their particular moment in history through political and military struggle.

Katzenberger, Elaine. 1995. First World, Ha Ha Ha!: The Zapatista Challenge. San Francisco: City Lights Books.

Annotation: This book examines the rise of the Zapatista (Ejercito Zapatista de Liberacion Nacional, or EZLN) movement by making use of several interviews and essays, many of them from primary participants in the movement's formation. Medea Benjamin's interview with Subcomandante Marcos, the EZLN's leader and Paulina Hermilloso's interview with Bishop Samuel Ruiz Garcia are particularly useful in understanding the ways in which Mexico's government has repeatedly abused the human rights of the indigenous population. While far from an impartial account, the essays in this work provide valuable insight into the formation of a coherent ideology of the EZLN and its supporters, both within and outside Mexico.

Lopez, Linda. 2005. "Advancing Human Rights Policy: Does Grassroots Mobilization and Community Dispute Resolution Matter? Insights from Chiapas, Mexico." *Review of Policy Research* 22 (1): 77-92.

Annotation: Lopez examines the Mexican government's inadequate implementation of human rights reforms in Chiapas, Mexico. She describes the ways in which grassroots organization at the local level among the indigenous cultures has sought to address this problem. She describes the process of "collective mobilization" among these groups and how the 1994 EZLN uprising inspired a new form of indigenous autonomy and organization. This new dynamic has been instrumental in affecting change at the local level in concert with international NGOs, filling the gap left by governmental inaction on human rights policy.

Marcos, Frank Bardacke, Leslie López, and John Ross. 1995. Shadows of Tender Fury: The Letters and Communiqués of Subcomandante Marcos and the Zapatista Army of National Liberation. New York: Monthly Review Press.

Annotation: This collection of primary documents includes the letters and other forms of communication by Subcomandante Marcos, the Spokesperson of the EZLN, including his speech to the Zapatista National Convention of 1994. John Ross and Frank Bardacke Marcos provide commentary in the Introduction and Afterword, placing the EZLN Struggle in the proper historical context and describing their political aims. The writings in this volume are useful for explaining the ways in which the Zapatista movement has attracted the attention of valuable allies in the First World and among other indigenous movements.

Mattiace, Shannon I. 1997. "Zapata Vive!" *Journal of Latin American Anthropology* 3 (1): 32-71.

Annotation: In this article, Mattiace describes the ways in which the Zapatista movement has invigorated the Indian movement in Latin America. The author highlights the principal challenges the Zapatista movement has presented to the current political system, focuses on the impact *Zapatismo* has had on the national Indian movement, and analyzes the San Andres Accords that were reached in February of 1996 between the government and the Zapatista delegations concerning Indian rights and culture. She argues that the Zapatistas have opened up political space for the indigenous movement throughout Latin America as a whole.

Moksnes, Heidi. 2005. "Suffering for Justice in Chiapas: Religion and the Globalization of Ethnic Identity." *The Journal of Peasant Studies* 32 (3 & 4): 584-607.

Annotation: This article discusses the role of liberation theology in the struggle for human rights among the indigenous peasant population of Chiapas, Mexico. The author details the ways in which the discourse of liberation has changed from socialist or Marxist rhetoric, to one of indigenous identity fused with Catholic theology. The Catholic understanding of suffering and martyrdom has factored heavily in the development of indigenous ideology in Chiapas, but without the overtones of colonial domination. As the article points out, this development is almost entirely local and divorced from the meta-narrative of rights discourse in the international arena.

Newdick, Vivian. 2005. "The Indigenous Woman as Victim of Her Culture in Neoliberal Mexico." *Cultural Dynamics* 17 (1): 73-92.

Annotation: Vivian Newdick's article discusses the role that victimization of women plays in the construction of indigenous identities by the global North on the South. The author states that it is a commonly held belief that women are sold in Mexico's indigenous cultures. Statements like this have led to the casting of these cultures as "backward" or "barbaric" by world financial institutions. This, in turn, signals the reemergence of colonial mentalities by the wealthy North vis-à-vis the poorer South. Based on extensive fieldwork, Newdick's essay seeks to correct the discourse of female victimization that has dominated North-South relations.

Niezen, Ronald. 2003. The Origins of Indigenism: Human Rights and the Politics of Identity. Berkeley: University of California Press.

Annotation: This book discusses the ways in which the concept of "indigenous cultures" has had a profound impact on the formulation of international human rights discourse. Niezen demonstrates how the rise of indigenous movements and the real manifestations of acts of resistance since the 1950s have informed and affected the actions of non-governmental organizations and international legislative bodies, such as the United Nations. This assertion of "indigenous identities" closely mirrors the struggles of native cultures in the colonial and post-colonial eras. This study highlights continuity from these early eras through the modern realm of human rights policymaking.



Poggiali, Lisa. 2005. "Reimagining the Possible: Zapatista Discourse and the Problematics of Rights." *University of Sussex Journal of Contemporary History* 8.

Annotation: In this essay, the author shows how the Zapatista uprising of the 1990s fundamentally altered the discourse and practice of global human rights by its innovative methods of communication within and outside Mexico. Through a combination of violence and measured, poetic communication, the Zapatistas were able to redefine notions of indigenism and resituate the role of indigenous cultures within human rights discourse.

Reyes, Alvaro, and Shannon Speed. 2005. "Rights, Resistance, and Radical Alternatives: The Red De Defensores Comunitarios and Zapatismo in Chiapas." *Humboldt Journal of Social Relations* 29 (1): 47-82.

Annotation: In this article, the authors describe three conceptual trajectories of human rights in Mexico. The first is the religion-oriented concept of rights as articulated by the Catholic Church. The second is the legal/positivist approach taken by the state. Finally, there is an indigenous form of rights discourse articulated by the EZLN, or Zapatista movement. The authors show how all three conceptions of human rights have intersected in Chiapas throughout the course of history, beginning as early as the colonial period.

Rizo, Pablo Enrique Yanes. 1999. "Indigenous Rights and the Democratic Reform of the State." *Cultural Survival* 23 (1).

Annotation: This article discusses the San Andres Accords and the first joint government-EZLN proposal to recognize indigenous rights as integral to government policy. The accords would afford indigenous peoples the autonomy to participate in decision-making processes at all levels of government. Rizo discusses the resistance to such reforms by political elites and big business, due to the profound structural and institutional changes that such reforms would require. The author stresses that nothing less than the transformation of the state is necessary in order to secure these reforms.

Seed, Patricia. 1988. To Love, Honor, and Obey in Colonial Mexico: Conflicts Over Marriage Choice, 1574-1821. Stanford, CA: Stanford University Press.

Annotation: Patricia Seed's study on marriage choice in colonial Mexico provides a valuable insight into the dynamics that would eventually form the country's ruling elite. With the entrenchment of the Catholic Church into all aspects of Mexican life, along with the economic considerations of colonial society, the formation of the colonial elite was a carefully constructed affair. Seed's study provides a valuable framework for understanding the rationale and motivations of Mexico's ruling class into the modern age.

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. 1995. Ceremonies of Possession in Europe's Conquest of the New World, 1492-1640. Cambridge, UK; New York: Cambridge University Press.

Annotation: This study uses a comparative approach to explore the ceremonies that the English, the Spanish, the French, the Portuguese and the Dutch performed during the conquest of Latin America. Seed develops the historic cultural contexts of these ceremonies, and tackles the implications of these acts for contemporary nation-states of the post-colonial era. The author makes the argument that these performances, far from being purely ceremonial, exerted a profound influence upon the development of each nation's colonial possessions, including their political, military, and cultural attributes.

Sierra, María Teresa. 2005. "The Revival of Indigenous Justice in Mexico: Challenges for Human Rights and the State." *PoLAR: Political and Legal Anthropology Review* 28 (1): 52-72.

Annotation: In this article, Sierra describes the ways in which indigenous cultures in Mexico have responded to the government's reforms, most notably the constitutional reform regarding indigenous rights, approved by the Mexican Federal Congress in August 2001. For many in the indigenous community, these reforms have not gone far enough and have prompted the formation of alternate forms of local governance in the face of abuses by the Mexican military. The experience of indigenous rights legislation in Mexico, Sierra argues, is a preview for what might happen in other Latin American states.

Smith, Keri E. Iyall. 2008. "Comparing State and International Protections of Indigenous Peoples' Human Rights." *American Behavioral Scientist* 51 (12): 1817-1835.

Annotation: This article demonstrates the various ways in which indigenous rights are protected at the state and international level. Smith compares the fortunes of the Zapatista movement to the Hawaiian indigenous independence movement in order to assess the relative strength of state-level constitutional reforms to declarations on rights articulated by the United Nations. She finds that in each case, state constitutions offer less protection of indigenous rights than those of the UN and other international bodies, in many cases reasserting neocolonial claims over territory at the expense of individual indigenous communities. Smith demonstrates how the Mexican state has successfully watered down the gains made by the Zapatistas in the San Andres Accords of 1996 and calls for indigenous groups to actively seek help from the UN in asserting their claims.

Speed, Shannon. 2002. "Global Discourses on the Local Terrain: Human Rights and Indigenous Identity in Chiapas." *Cultural Dynamics* 14 (2): 23.

Annotation: This article discusses the ways in which cultural rights are being asserted in Chiapas, Mexico within the context of global human rights discourse. The author uses a case study of the community of Nicolas Ruiz to demonstrate how notions "global" human rights have led to a reassertion of local indigenous rights that have existed since the pre-colonial era. The article opens up the questions of what defines "indigeness" and who is qualified to do the defining when reconstructing the historical narrative of the region.

Speed, Shannon, and Jane F. Collier. 2000. "Limiting Indigenous Autonomy in Chiapas, Mexico: The State Government's Use of Human Rights." *Human Rights Quarterly* 22:29.

Annotation: This article describes the Mexican government's use of "universal" human rights to limit the aspirations of indigenous people in Chiapas, Mexico. This is problematic mainly because the enforcement of universal norms can easily be seen as a form of cultural imperialism, conflicting with indigenous notions of human rights and cultural relativism. The authors point to the ways in which the state government of Chiapas has used "human rights" as a pretext to interfere with the indigenous populations of the region, targeting groups and individuals for arrest under false pretenses.

Stahler-Sholk, Richard. 2007. "Resisting Neoliberal Homogenization: The Zapatista Autonomy Movement." *Latin American Perspectives* 34 (2): 48-63.

Annotation: Stahler-Sholk places the Zapatista movement within the context of global neoliberalism and highlights several important dilemmas facing the movement as well as its reaction to globalizing forces. The author demonstrates that there are several pitfalls inherent in indigenous autonomy movements in that they will not exert enough structural change on the state to alter existing political hierarchies and that they risk becoming "atomized" and will leave themselves vulnerable to the forces of global capital. The move by the Zapatistas toward flexible, regional modes of governance in 2003 through their *Juntas de Buen Gobierno* has been effective in countering these dilemmas and serve as a model for other indigenous movements.

Stephen, Lynn. 1999. "The Construction of Indigenous Suspects: Militarization and the Gendered and Ethnic Dynamics of Human Rights Abuses in Southern Mexico." *American Ethnologist* 26 (4): 21.

Annotation: Lynn Stephen describes the ways in which militarization and torture in southern Mexico have a strikingly "gendered and ethnic pattern." The author explores the use of political violence and the ethnic and sexual elements of these acts, which are a holdover from colonialism. The author is informed by similar ethnically-based conflicts around the world, but uses case studies from southern Mexico to illustrate her thesis. Stephen also discusses national stereotypes of indigenous peoples and how these have informed the policies of the national government. The article is highly theoretical and rich in gender theory, but also buttressed by real case studies and anthropological investigation.

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\_\_\_\_\_. 2002. *Zapata Lives!: Histories and Cultural Politics in Southern Mexico*. Berkeley: University of California Press.

Annotation: This study, based upon years of field research and extensive review of other work on the Zapatista movement, provides a useful introduction to the subject of the EZLN. Stephen is one of the more prominent anthropologists to deal with the subject and has been actively involved in indigenous struggles since the uprising of 1994. She deals with the problems of being an anthropologist while being an active advocate for reform. Her book takes the long historical view of the Chiapas uprising and situates it within the context of postcolonialism.

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\_\_\_\_\_. 2005. "Negotiating Global, National, and Local "Rights" in a Zapotec Community." *PoLAR: Political and Legal Anthropology Review* 28 (1): 133-150.

Annotation: Lynn Stephen's article discusses the problems arising from the "absolute" nature of human rights in indigenous communities in Mexico. The author takes the individual case of a Zapotec community in Oaxaca, Mexico to illustrate how competing rights discourses have manifested themselves. With the establishment of Mexico's National Commission for Human Rights in 1991, rights discourse has focused on the individual level, as opposed to community and religious rights. The ascendance of the National Commission has coincided with the rise of neoliberal economic reforms in Mexico, which has taken the focus away from community organization in favor of individual rights related to privatization, leaving many in the Zapotec community lacking the institutional capability to articulate their grievances.

Washbrook, Sarah. 2005. "The Chiapas Uprising of 1994: Historical Antecedents and Political Consequences." *The Journal of Peasant Studies* 32 (3 & 4): 417-449.

Annotation: Washbrook's article gives a historical overview of the Zapatista movement and highlights the hybrid nature of the EZLN organization. The author's analysis of competing ideologies within the movement shows that, while providing a unified front, the Zapatistas were unable to reconcile the differences between being a peasant movement, an indigenous movement, or their affiliation with the liberation theology doctrine of the Catholic Church. Washbrook looks at the legacy of the 1994 uprising and notes that the movement did much to point out the contradictions and pre-existing conflicts of the Mexican state, but little of consequence has been achieved by the Zapatistas since 2000.

Yashar, Deborah J. 1999. "Democracy, Indigenous Movements, and the Postliberal Challenge in Latin America." *World Politics* 51 (1): 76-104.

Annotation: Yashar places the indigenous rights struggle in the context of debates over the consolidation of democracy in Latin America. She argues that the failure of Latin American democracies to adequately address indigenous movements has led to a crisis of legitimacy and a failure to consolidate democratic rule.