

Inequality, Race and Ethnicity in a democratic hemisphere

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Indigenous communities and Afro Latinos.

1. Until quite recently, Latin American elites thought of themselves ethnically as white or mestizos at best and culturally as Europeans. José Vasconcelos, the Mexican philosopher spoke eloquently of the “cosmic race” referring to the LA mestizo ethnicity as a potent racial mix of white, indigenous (therefore Asian) and African peoples.
2. The fact of the matter is that LA indigenous peoples have been traditionally discriminated against and Afro Latinos all but invisible.
3. Indigenous people constitute important minorities in all Latin American countries, including those in the Caribbean and the Southern cone.
4. They comprise approximately 10% of the region’s population, ranging from less than 1% of the total population in Brazil, to approximately 30–45% in Peru and Ecuador, and more than 60% in Guatemala and Bolivia.
5. Afro Latinos constitute a majority in the Caribbean, including Belize and the Guyanas, and in Brazil. They constitute important minorities in Panama, Venezuela, Colombia, Peru, Ecuador, Honduras and Nicaragua. And they are present in all countries.
6. In general terms people of color, and more specifically women of color, constitute the poorest sectors of the population in the most unequal societies on earth.
7. Contrary to what happened in the US, Latin American intellectuals, imbued by this white-mestizo—European identity, refused for a long time to analyze poverty and inequality in racial or gender terms, favoring instead socio economic explanations: the poor were “campesinos”, agricultural workers, marginalized urban sectors, lumpen proletariat, etc. Race was never present in the conversation. Since we were all mestizos, discrimination was considered a non issue.

8. After the liberal reforms of the late nineteenth century, references to indigenous peoples were removed from the region's constitutions.
9. However, after 1979, several Latin American countries began recognizing language and cultural rights: Ecuador and Peru did so during the transition to democracy of that year; Guatemala did so in 1985 as that country shifted to civilian rule. Argentina, Bolivia, Brazil, Colombia, Mexico, Nicaragua, Panama and Paraguay provided some recognition of indigenous languages and cultures in the 1980s.
10. The political conjuncture presented by public debates on constitutional reform in the 1990s provided the perfect philosophical and practical context for indigenous peoples to put forward their demands.
11. Activity at the international level to codify indigenous peoples rights gave additional impetus to their claims.
10. The substantial revision in 1989 of the only international convention specifically addressing the rights of indigenous peoples— International Labor Organization Convention 169-- provided a specific instrument for ethnic organizations to demand a revision of state-indigenous relations. The ILO convention emphasizes the responsibility of states to ensure that policies affecting indigenous peoples are devised through a process of consultation and participation. The policies mentioned include land ownership, natural resource management, agrarian programs, employment, social security, health care, language rights and education.
11. The 500 year celebration of the discovery of the Americas in 1992 by the Spanish government provided further momentum to indigenous peoples demands for recognition. Organizations of indigenous populations all over the continent voiced their outrage at the term "discovery" the celebration was ultimately renamed as the encounter of two worlds.
12. The UN global conferences have also constituted important processes to discuss indigenous rights on the Environment (Rio 1992), Population (Cairo 1994) Women (Beijing 1995), Social Development (Copenhagen 1995) and most important Racism (Durban, 2001)

13. Until Durban, communities of African descent in Latin America have been less inclined to mobilize to achieve special constitutional language or laws recognizing a distinct black identity or set of rights. Following the abolition of slavery in the nineteenth century, blacks lacked any special legal status or rights apart from the wider society.

14. Despite their legal equality, blacks endured social discrimination, were underrepresented in political office, and were trapped in rural or urban poverty. For the most part, where they have mobilized politically it has been to demand equality, rather than recognition as a distinct group. The question of a special legal status for blacks is complicated in areas where they are biologically and culturally mixed with indigenous communities. For example, Miskitu and Garífuna Indians on the Atlantic Coast of Nicaragua, whose ancestors include indigenous peoples and blacks who migrated from the Caribbean, enjoy constitutional rights derived from their indigenous ancestry.

15. Creoles—blacks lacking kinship with indigenous communities—living in the same area lack such rights. In Bolivia, the small group of blacks whose ancestors were brought as slaves to work in the mines have been assimilated into the Aymara indigenous community; the Bolivian government's indigenous affairs office lists Afro-Bolivians among the 'indigenous and original peoples'.

16. Two constitutions recognize blacks as distinct cultural communities. The first to do so was Colombia, whose 1991 constitution includes a Transitory Article recognizing the collective property rights of black communities in the lands they inhabit in the Pacific Coast region. It calls on the state not only to respect their traditional culture and distinctive identity but to promote their economic and social development. The rights applied to the coastal population may be extended to other parts of the country where black communities exist in similar circumstances.

17. The 1998 Ecuadorian constitution includes a far broader scope for Afro-Ecuadorian rights than its Colombian forerunner, although these rights are less ample than those for indigenous peoples.

Ethnic groups and the policy process:

18. Organizations based on ethnic membership have become important players in civil society domestically and also in the global civil society movement.

19. Affirmative action policies (which typically manifest themselves in terms of targets or mandated quotas) typically operate on a self-canceling logic. The assumption that lies behind affirmative action is that such policies are only needed as a temporary remedy until the patterned inequalities in the exercise of civil rights among differently racialized groups disappear. At such time, when basic civil rights would ostensibly be fully recognized for everyone equally in the national citizenry (and thus prior racial status removed as a barrier to full citizenship), no further special treatment for racialized groups would be required.
20. By contrast other institutional measures—those that fall under what we typically refer to as “multicultural” reforms (for example, the reservation of congressional seats for indigenous minorities written into Colombia’s 1991 Constitution)—entail a different logic. Here, the assumption is one of a quasi-permanent recognition of an ethno-cultural status group. The result is a logic of self-perpetuation. The group is assumed to have continually existed and to continue existing into the future as ethno-culturally distinct from the rest of the national citizenry.
21. Such groups are not deemed in need of temporary special treatment so much as they are deemed worthy of permanent group rights. The result reconstitutes the national body as one permanently divided across ethno-cultural groups.
22. Generally the ‘multi-cultural model’ implies:
- formal recognition of the multi-cultural nature of their societies and of the existence of indigenous peoples as distinct, sub-state social collectivities;
 - recognition of indigenous peoples’ customary law as official, public law;
 - collective property rights with restrictions on the alienation or division of communal lands;
 - official status for indigenous languages in territorial units where they are settled; and

- a guarantee of bilingual education.
23. The affirmative action/civil rights model represents a shift from one concept of equality to another. The classic liberal notion of equality is a notion of "equal opportunity" or "competitive equality". Removing the formal barriers, for example, giving women or racial minorities voting rights, is not considered sufficient any longer.
24. Following strong feminist pressure in the last few decades, as expressed for instance in the Beijing "Platform for Action" of 1995, a second concept of equality is gaining increasing relevance and support: the notion of "equality of result". The argument is that real equal opportunity does not exist just because formal barriers are removed. Direct discrimination and a complex pattern of hidden barriers prevent women --and racial minorities-- from getting their share of political influence. Quotas and other forms of positive measures are thus a means towards equality of result. The argument is based on the experience that equality as a goal cannot be reached by formal equal treatment as a means. If barriers exist, it is argued, compensatory measures must be introduced as a means to reach equality of result.