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247

**CUTTING THROUGH STATE AND CLASS
SOURCES AND STRATEGIES OF
SELF-REPRESENTATION IN LATIN AMERICA
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CUTTING THROUGH STATE AND CLASS SOURCES AND STRATEGIES OF SELF-REPRESENTATION IN LATIN AMERICA

Alcida Rita Ramos

"la idea de nación en la América Latina contemporánea está basada en la negación de las culturas indígenas" -- Rodolfo Stavenhagen

Short cuts

One of the most striking features of contemporary indigenous movements in Latin America and elsewhere is the rapidity with which they were organized and propelled into international arenas as legitimate and widely visible political actors. From the vantage point of the late 1990s, one tends to regard this brisk pace of worldwide native self-affirmation less as a genuine prowess and more as the sign of the times which since World War II have taken a vertiginous turn. However, anthropologists and other observers seemed to lag behind events. As late as 1977, we find anthropologist John Bodley arguing in favor of "cultural autonomy" as if it were a complete novelty (1977: 43-44), and passages such as the following: "In this day and time, ... nothing has changed regarding the disgraceful treatment of the peoples and ethnic minorities in the Third World" (Binder 1977: 52). Nearly a decade after the Indian issue had reached supra-national forums such as the United Nations and the International Labor Organization, its effects had not trickled down to the anthropological community to say nothing of the public at large. It is thus worth tracing, albeit succinctly, the steps of the indigenous cause through international landscapes of human rights if for no other reason than to show how observers of indigenous life can lag behind indigenous initiatives. The following summary draws primarily on the work by Morin (1992) and by Morin and Saladin D'Anglure (1994). A brief chronology of the main events attests to the swiftness of the process of internationalization of the indigenous cause. The end of World War II brought about the need to establish safeguards against abuses such as those exposed in Nazi concentration camps. The modern version of the Universal Declaration of Human Rights celebrated in 1948 is the most finished product of these efforts. But before the Declaration was ratified there was a long discussion over minority rights, a forerunner of indigenous rights.

1945 - Under the umbrella of the United Nations General Assembly, a Commission for the Rights of Mankind was created on the wake of the Holocaust with the purpose of preventing state atrocities against population segments within or outside the

state's boundaries. It met with the resistance of countries like Great Britain that feared the disclosure of its own performance in India, the United States that feared the disclosure of its internal problems with Blacks, and Russia that feared for the maintenance of its national sovereignty (Morin and Saladin D'Anglure 1994: 191).

1946 - A Human Rights Sub-commission for the eradication of discriminatory measures against minorities presented a series of propositions and recommendations regarding "the protection of minorities and prevention of any distinctions based on race, sex, language or religion" (Morin 1992: 494).

1947 - As a result, The International Pact for Civil and Political Rights, in its article 27, determined that persons belonging to any ethnic, religious or linguistic minorities within any State should not be prevented from exercising their right of membership in these minority groups, nor from leading their own cultural life, or professing and practising their own religion or speaking their own language. Although the Pact's object was individual rather than collective rights, its insistence on preserving differences within nation-states irritated countries like France where Republican ideals were based on the uniformity of rights of citizenship.

1948 - The Universal Declaration of Human Rights was celebrated under the protest of the Soviet Union that argued against its over-emphasis on the individual in detriment of social and economic collective rights (for the situation of a specific ethnic group under Soviet rule see Grant 1995). The Declaration's philosophical conception was clearly based on European beliefs about "a universal human nature grasped through reason, and a natural right inherent to human nature" (Morin and Saladin D'Anglure 1994: 193).

1950 - The need to define "minority" led the Human Rights Sub-commission to declare: "The term 'minority' is only applicable to groups of non-dominant populations who possess and desire to preserve stable ethnic, religious or linguistic traditions or characteristics that are clearly different from those of the rest of the population." Nevertheless, "minorities must be loyal to the State of which they are a part" (Morin 1992:495). The contradiction inherent in this definition -- for loyalty to the State and loyalty to one's tradition are rarely in harmony -- raised so many problems and objections that the Sub-commission abandoned the quest for an all-encompassing definition of minority and concentrated on protective measures.

1966 - The UN International Charter for the Rights of Mankind declared in its first article that all peoples have the right to freely determine their political statute and freely secure their cultural, social, and economic development. Catering to the "politics of decolonization advanced by the United Nations," this article turned out to be a useful instrument for the Indians to express their grievances (Morin and Saladin D'Anglure 1994: 193).

The 1960s was a dramatic decade for indigenous peoples, especially in Latin America where nation-states were vigorously implementing large scale development projects at the expense of Indian lives and territories (Davis 1977; Bourne 1978). As denunciations of atrocities in Brazil, Colombia, Bolivia, and Guatemala filled mass media news reports, both indigenous and non-indigenous organizations began to appear in the international scene. The first European NGOs dedicated to the Indian cause (the Danish IWGIA and the British Survival International) began to pressure European governments to take action in defense of indigenous peoples against Latin American states. The result was an increasing visibility of the struggle of indigenous peoples qua ethnic collectivities,

distinct from the minorities that had inspired the post-World War II international policies.

1971 - "For the first time, the Sub-commission distinguished the cases of native peoples from those of other minorities" and recommended that a work group dedicated exclusively to native populations be created to draw up a declaration of rights of native peoples (Morin and Saladin D'Anglure 1994: 194).

1974 - For the first time an indigenous organization -- the National Fraternity of Canadian Indians -- was given official voice at the UN, inaugurating a series of conferences about discrimination against native peoples in the Americas.

1977 - About one hundred indigenous and Inuit delegates convened in Geneva to reject their inclusion in the statute of minorities and demanding to be classified as "peoples." They also required that Convention 107 of the International Labor Organization be revised to abolish its "assimilationist and paternalist" bias toward indigenous groups (Stavenhagen 1989: 91). In 1989, Convention 169 replaced Convention 107. This new statute no longer referred to Indians as populations but as "peoples," which led countries like Brazil and the United States to refuse to sign it with arguments hinging on threats to national sovereignty. In September of that year, an International Conference of non-governmental organizations on discrimination against indigenous peoples in the Americas declared the right of "indigenous nations to submit to international law if these peoples wish to be recognized as nations so long as they observe the fundamental conditions of every nation, as follows: (a) have a permanent population; (b) possess a defined territory; (c) have the capacity to relate to other nations" (Alcina Franch 1990: 14).

1978 -- During that year's UN conference dedicated to fighting racism and racial discrimination, 33 States signed a motion recognizing the territorial, economic, cultural, and linguistic rights of native peoples.

1981 - That year's conference on native peoples and their relation to land proposed a UN work group for indigenous populations which was created in 1982 and whose ultimate task is to draw up and gain approval for a Declaration of Indigenous Rights (Stavenhagen 1989: 91).

From then on many cases of state abuse against indigenous peoples were taken to UN forums. Australian Aborigines presented their case in 1988, the Inuit in 1989, peoples from the Phillipines in 1990, the Brazilian Yanomami in 1991. "After ten years of participating in this work group, one can say that the main indigenous groups in the world have developed a very sharp awareness that they are despoiled and threatened peoples and that they must reconquer their rights" (Morin and Saladin D'Anglure 1994: 197-88).

In short, if we take the year 1974, when the National Fraternity of Canadian Indians was accredited by the UN, as the most significant landmark, we realize how quickly the Indian issue was propelled to the supra-national arena of ethnic politics. In less than twenty-five years "the natives of the West and then of other parts of world have accomplished an extraordinary feat of organization and structuring" (Morin and Saladin D'Anglure 1994: 198).

At the same time, on another front no longer in Europe, but in the Americas, there were a number of initiatives for bringing the Indian issue to the world stage of interethnic politics. In 1940, the Interamerican Indigenist Institute was created in Mexico under the banner of the integrationist policies of the times (Stavenhagen 1989: 88). Thirty years later, the first Barbados Declaration was signed, in 1971, by eleven extremely committed, but all-

white, anthropologists and indigenists, mostly from Latin America. For the first time, an international forum focused on the need for the Indians to take on the struggle for self-government, development, and defense of their own Indian rights (Alcina Franch 1990: 13). In 1975, the World Council of Indigenous Peoples was created. In 1977, Barbados II congregated as many Indians as whites. Also in 1977 indigenous representatives from Central America created the Regional Congress of Indigenous Peoples of Central America. In what is truly record time, indigenous peoples replaced their white spokesmen with their own voices, while the trend from assimilationist, state policies to indigenous demands for autonomy and self-representation continues with renewed impetus.

A double-edged sword

Part of the success in catapulting the Indian issue into the realm of international law is due to the cracks in the very constitution of modern Western ideology. If, on the one hand, the humanist quest for universalism has come to be the hegemonic idiom in which human rights are expressed everywhere regardless of cultural differences, on the other hand, universalism co-exists with the equally humanist quest for relativism, according to which values are not universal but culture-bound and as such should not be submitted to universal principles. This contradiction is the immediate result of yet another contradiction, between the logic of ethnicity versus the logic of nationality. In other words, the mismatch between the principles that rule a nation-state and the canons that orient ethnic identity produces a social vacuum that is open to a great deal of interpretation and experimentation. Elsewhere I have attempted to make some sense of the ideological cacophony that results from the discrepant voices of universalism, nationalism, and ethnicity in making themselves heard at the same time and often in the same place (Ramos 1998a, chapter 3). I proposed to take Todorov's cue about a "well-tempered universalism" (1989: 421-37) and adopt the notions of universalism and relativism, not as "the fixed content of a theory about human beings," but as strategies for action supplying a "need to postulate a common horizon for interlocutors in a debate" (: 427). Thus, we would have not only Todorov's idea of a universalisme de parcours, but also a relativisme de parcours. Considered from this fluid slant of those contradictions, the decades-long debates mentioned above at the United Nations and other forums make perfectly good sense. Indeed, they are extraordinary exercises in universalism and relativism of parcours both on the part of indigenous peoples and of supra-national powers.

Now, regarding the interaction between ethnic groups and their encompassing nation-states, these strategies meet with particularly tenacious resistance that go well beyond matters of procedure and persuasion commonly found in international contexts. This resistance has been generated in the course of long historical trajectories that, in the New World, led to the emergence of criole societies in search of distinctive national identities different from both those of the aboriginal peoples of the land and those of the original colonial powers in Europe. Wars of independence, not just "print capitalism" (Anderson 1983), did much to crystalize new nations. In these wars the "winners were obviously not those who continued their lives as 'Indians'" (Klor de Alva 1995:270). Indeed, the newly constituted nations of the Americas proceeded to "conquer" their native populations either by forceful means as in the United States and Argentina, or by "friendly persuasion" as in Brazil (Ramos 1998a, chapter 5). Having conquered their Indians, the new states either shoved them away to marginal areas of the national territory as in the

United States, pretended they did not exist as in Argentina, merged them with peasants as in Venezuela, or infantilized them as "relatively incapable" under direct state wardship as in Brazil. The net result of 500 years of forced co-existence with their conquerors, whether facing the latter's guns or alluring trinkets, is too well-known to be exhaustively repeated: severe depopulation, loss of traditional lands, crippling dependence on national societies, demoralizing prejudice, and, for the survivors, a portentous will to live, and to live *qua* Indians. Through the centuries insurgencies, revolts, uprisings, messianic movements, and other forms of protest against so much destruction did little more to indigenous peoples all over the American continent than deepening their submission to the national powers.

Perhaps the novelty of the 20th century resides, not in a qualitative difference in the treatment of indigenous peoples, but in the new weapons with which the Indians can now defend themselves from the abuses of the nation-state. With some notable exceptions (Chiapas is a case in point), interethnic battlefields have been relocated to news media, court rooms, and parliaments. Ironically it was the carnage of the Second World War that basically precipitated the production of these peaceful weapons now available to indigenous peoples.

In this modern arena of confrontation between ethnicity and the State one cannot overemphasize the crucial role of a new actor, namely, non-governmental organizations (NGOs). As we have seen, the first NGOs to take on the defense of indigenous rights were created in the mid-1960s and the effect of their actions was immediately felt in Europe in the form of public denunciations, motions, declarations, and other strategies that led to the results described earlier in this paper. NGOs have been instrumental in opening channels for indigenous peoples to vent their grievances at the national level, but especially at the international level. Their singular usefulness is precisely in their role as political switchboards between the local and the global. As such they empower the Indians to bypass State resistance and launch their cause into international arenas. Supra-national forums like the United Nations, the Organization of American States, the International Labor Organization, and the Russell Tribunal have upheld numerous complaints concerning State abuses against Indian peoples and censured many a transgressing country thanks to the joint effort of Indians and non-Indian NGOs. History has told a long story of the State against the Indians, but now we witness a more balanced contest where the Indians strike back and put themselves against the State (Ramos 1998a, chapter 3). Universal human rights, this double-edged sword, has in actual practice done more service than harm to the Indians.

The cutting edge of ethnicity

Non-governmental organizations have added a new turn to the dialectical spiral that involves the various actors in the scenario of interethnic relations. In face of the maltreatment indigenous peoples in Latin America have suffered in both government and private hands, the more actors that enter the scene, the better the chances that conditions be created to revert a centuries-long process. NGOs are one of these new agents that came in to fill the gap of communication between Indians and non-Indian powers. In fact, they often replace the State not only as conductors of indigenist policies but also as guardians of the Indians (Ramos 1994). They represent crucial pieces in the complex chess game of interethnic politics in the sense that they have created conditions for the possibility of a checkmate by the Indians. The logical chain in this game seems to follow a fairly

predictable pattern: the nation-state violates indigenous human rights, Indians react, NGOs intervene by placing the Indians' case in international forums, international forums censure the nation-state, the nation-state takes measures to ease the pressure, cosmetic as these measures may be. Very often national and international public opinion provides an extra strength in favor of the Indians. Frequently the international agency in question is a development bank which sets conditions for loans pending on a given State's assurances for a better treatment of its Indians. This is a twentieth-century phenomenon, inaccessible to the numerous indigenous peoples who over the centuries disappeared altogether despite the efforts of some devoted defenders like Bartolomé de las Casas. One can only imagine how different the destiny of peoples like the extinct Tupinambá of the Brazilian coast would be if NGOs already existed in the 16th and 17th centuries. The coming into being of NGOs, their steady growth in money, power, and numbers are also a sign of this fin-de-siècle when national governments are increasingly privatizing State responsibilities, including the management of indigenous affairs (Favre 1996; Ramos 1998a, chapter 6).

The dialectical spiral of contemporary interethnic politics has culminated with constitutional provisions for indigenous rights in several Latin American countries. Stavenhagen puts it in a nutshell:

"Due to the political awakening of indigenous peoples some national laws have also been modified. In the past few years, for example, the constitutions of Panamá, Guatemala and Nicaragua have granted certain rights to their indigenous communities. Argentina has approved an indigenous law. Peru and Ecuador recognize indigenous languages ... Although changes are slow ... Latin American governments are responding to the demands of indigenous peoples and beginning to recognize, albeit reluctantly, certain collective rights one might call ethnic or indigenous rights that complement the individual human rights conferred -- even when only on paper -- to all persons, including the Indians (1989:90-91).

In the 1980s and 1990s, Canada and nine Latin American countries underwent constitutional reforms that incorporated provisions to guarantee fundamental rights to indigenous peoples (Padilla 1996: 96 fn. 1; Marés 1996: 29-33).

Although the spirit and the letter of the law are not always followed in practice, the fact that non-indigenous legislators incorporated pro-Indian articles in their most fundamental law is in itself worthy of attention. The merit for this lies not so much with these legislators, but rather with strong indigenist lobbies, if not armed conflicts, that for decades amassed sufficient bargaining power to influence legislators and other State representatives. In this process the role of international forums is far from negligible, as explicitly acknowledged in the case of Colombia (Sánchez, Roldán and Sánchez 1993: 30-31; Padilla 1996: 88).

Where the new Constitutions redimensioned the Indian issue at the national level, one might say that these Constitutions exemplify what Veena Das has called "critical events," that is, milestones that triggered "new modes of action ... which redefined traditional categories" (Das 1995: 6). Although the Latin American contexts of constitutional reform are not comparable to the tragic occurrences Das exposes in India, the idea that an event or series of events can change the course of life for human populations is equally applicable to the dilemmas now facing indigenous peoples under liberal

constitutions. Indeed, their newly acquired rights do not eliminate their character of mixed blessings, or their ambiguity as Trojan horses (Padilla 1996).

By comparing Colombia and Brazil I hope to develop a better sense of the underlying trends that led to the pro-Indian measures included in the constitutions of Colombia in 1991 and of Brazil in 1988. This is my attempt to understand why national states have lately shown themselves to be so magnanimous toward their Indians.

In the 1960s, newspapers carried the hideous story of Colombian men who, having brutally tortured and killed an Indian family, were judged and acquitted with the argument that they did not know it was a crime to kill Indians. Thirty years later, Colombia ratified what is perhaps the most progressive constitution in Latin America regarding native peoples. Three decades is indeed a short time for such a drastic change. What happened in the interim was a combination of armed conflicts, international attention, and the motivation of a weak State to hand over much of its responsibility toward its indigenous population to the Indians themselves. The iron hand of the Church to whom the State had delegated the management of indigenous communities, the continuous encroachment by landgrabbers, armed assaults on villages, and organized resistance on the part of the Indians was a constant state of affairs with roots in colonial and republican times (Jimeno and Triana 1985; Jimeno 1996). The dramatic case of the Cauca Indians exemplifies this schismogenic process (Bateson 1958: 171-97).

In 1970, 80% of coffee growing lands of the Cauca region were in non-Indians hands. "The Indian response was the formation of the Consejo Regional Indígena del Cauca (CRIC) in 1971" whose main agenda was to recover lost lands. Retaliatory action from both landowners and government resulted in the repression of indigenous assemblies and the militarization of the region. "By 1979, 30 CRIC leaders had been killed and 40 more imprisoned" (IWGIA Newsletter 1986: 33-34). For a while CRIC was associated with the Marxist-oriented ANUC, the National Peasant Association, until it became clear to the Indians that their ethnic cause was being overpowered by the class struggle that guided the peasant movement. CRIC also made a public denunciation of the Revolutionary Army of Colombia (FARC) which was "not prepared to accept our autonomy" (IWGIA Newsletter 1983: 35). In 1982, FARC claimed responsibility for the murder of seven CRIC members the previous year with the argument that the Indians were counter-revolutionaries. By July 1986, over 100 Indians had been killed in their own communities by FARC members. The government in turn, claiming to find guerrillas among the Indians, proceeded to kill them as well. Caught in the right-left crossfire, CRIC members lost many lives and a great deal of land, while at the same time their organization gained international support and visibility (Rappaport 1994: 16).

In the early 1980s, two nationwide indigenous organizations were created in Colombia: ONIC (National Organization of Colombian Indians) and AICO (Indigenous Authorities of Colombia). Both were instrumental in preparing the way for the gains the Indians achieved in the 1991 Constitution (Santoyo 1998: 126).

According to the new Constitution, written by delegates directly elected by the people, Colombia is now defined as a "culturally and ethnically plural and diverse" Nation where indigenous peoples now enjoy the long-claimed right to have "their normative systems considered not simply as 'usos y costumbres,' but as true systems of law distinct from the general legislation of the Republic" (Santoyo 1998: 72-73). By this Constitution, the Indians are citizens with equal rights and duties as everybody else in the nation.

Furthermore, they now have their collective rights fully recognized. Could this mean a success story like that of the Kuna in Panamá (Bartolomé and Barabas n.d.)? Or are there other layers of political complexity in this apparently enlightened democratic turn that have yet to be fully uncovered?

Seven years after the ratification of the 1991 Constitution, the outcome of self-government for Colombian Indians is still an uncertain blessing. Commentators are unanimous in praising the advancement of the new Constitution when compared to previous laws (Padilla 1996; Jackson 1996; Jimeno 1998). But they also caution for its risks. One is the end of indigenous political mobilization. Since the State "has imposed its own agenda on the Indians" by having them elected to government positions for the management of indigenous affairs, these new Indian officials find themselves drowned in things non-Indian: "nowadays one needs a lot of time to be able to be an Indian!" (Padilla 1996: 87). Getting the Indians busy with administrative chores and responsibilities where they incarnate the State within their own territory has produced a political vacuum the effect of which is to neutralize "what used to be the object of their criticisms and resistance" (Padilla 1996: 88). The State has invaded indigenous spaces (a phenomenon also detected in Mexico where PRI has seized the statute of 'usos y costumbres' as its own in order to obtain indigenous support (Barabas 1998: 357-59) with the result that a growing generation rift favors young people who speak Spanish, are fluent in national affairs and are thus apt to take on the new attributions spelled out in the 1991 Constitution. This occurs in detriment of old, traditional leaders who stand for the very diversity the new Constitution aims to protect. Behind State preservation of traditions and ethnic diversity, bureaucratic processes are dislodging the guardians of those traditions. In short, the State operational model may quite likely be incompatible with traditional management procedures.

Regarding the affirmative principle of indigenous collective rights, when put into practice, it runs the risk of falling into good old individualism, when the new and inexperienced agents of indigenous affairs, in complying with the country's laws, rather than relying on traditional modes of decision-making such as those, for instance, based on shamanic knowledge, end up depending on "professionals who most often are not attuned to the wisdom of indigenous thinking" (Padilla 1996: 80). Lack of indigenous expertise in Western-style management carries yet another risk: that of aggravating the centuries-old disdain for indigenous knowledge and modes of thought. Racism, intolerance, and greed are not automatically soluble into the text of a constitution. Furthermore, there is the very real danger of indigenous communities being swallowed by national power structures (Hildebrand 1993: 20). If, as Padilla asks, "the constitutional text is not mere rhetoric ... how should the relations between State and Indigenous Peoples be organized so as to allow for an equitable participation with mutual respect for diverse values and cosmovisions?" (Padilla 1996:89).

Under the guise of strengthening the State in territories historically the province of other powers like the Church, the new Colombian Constitution actually opens the way for decentralization. Whereas before indigenous affairs were part of the State's responsibilities, if not de facto, at least de jure, now with the creation of Indigenous Territorial Entities the State virtually delegates those responsibilities to the Indians themselves. What the 1991 Constitution seems to have done is ratify a reality that was there all the time, if reluctantly admitted, namely, the weakness of the Colombian State as manifested in its incapacity, or unwillingness, to control missionary action, guerilla activities, the drug industry, or the

undeclared civil war that has been undermining Colombian citizenship. "Although ostensibly a centralized, bureaucratically modern ... republic, the Colombian state is in fact so weak that it cannot administer a significant amount of the national territory, collects no taxes on the substantial portion of its GNP derived from the illegal drug trade, and falls far short of adequately enforcing civil and criminal statutes" (Jackson 1996: 126).

Turning now to Brazil, its 1988 Constitution, without the enlightenment of its Colombian counterpart in ethnic matters, can nevertheless be viewed as a sort of watershed for indigenous affairs. We might well consider the order of things Indian as divided into B.C. (before the Constitution) and A.C. (after the Constitution). But, as with the Colombian case, let us go back to the 1960s in order to better appreciate the importance of the new Constitution for Brazilian Indians.

It was in the early 1960s that the country mostly ignored the last throes of the Xetá, a Guarani-speaking people who lived in the southern state of Paraná. Relentlessly besieged by mega-colonization projects, the Xetá were literally ambushed to death in their own shrinking territory under the absentminded inattention of the Brazilian state and society. Their total extinction, apart from eight survivors who were kidnapped in childhood by the invaders, put an end to a life of constant fear, daily flights through the forest, food poisoning, lethal epidemics, famine, the affliction of having their children abducted, and the interminable harrassment of approaching tractors, chain-saws, pastures, farms, and mass colonization (Silva 1998). State "protection" in the Xetá case amounted to a few quick and timid attempts to locate the Indians in their desperate flight from site to site in the forest. The Indian Protection Service at the time couldn't or wouldn't face up to the orders of the governor of Paraná, the major promoter of mass colonization. Against the information provided by kidnapped Xetá youngsters used as guides, "attraction teams" decided that the area was clear of Indians, despite recent photographs taken in some camps by a team of researchers. When at last the State could no longer deny the existence of the Xetá, it morosely tried to set aside a piece of land for them. Before the bureaucratic steps were taken, the Xetá no longer existed. Ironically, the reserve allotted to them was in the region of the Sete Quedas Falls, later wiped out by the Itaipu dam.

We can well imagine by how many Xetá the Indian tragedy must have been multiplied during Brazil's 500 years!

Well, times have changed since the 1960s. The political visibility of the Indian cause has grown so much both in Brazil and in the world that indigenous peoples are not so easily, quickly and inattentively extinguished. Largely guided by the new actors in the interethnic scene, the NGOs, the world's eye has been sufficiently focused on high risk peoples like the Yanomami to prevent crimes against collectivities such as the Xetá from being committed with impunity and in silence.

The indigenous movement in modern Brazil began timidly with the "indigenous assemblies" sponsored by the Catholic Church in the early 1970s. Just as the Salesians assisted the Ecuadorian Shuar in their organizing efforts that culminated in the creation of the Shuar Federation in 1962-63 (Salazar 1977), so was Brazilian Catholic CIMI (Indigenist Missionary Council) highly instrumental in the process of indigenous consciousness raising. In 1980, the Union of Indian Nations (UNI) was created in part as a direct response to some drastic measures the State was preparing to end the special status of the Indians (Ramos 1998a, chapter 6). In 1978, Rangel Reis, President Ernesto Geisel's minister of the Interior, at the time the immediate superior of the National Indian

Foundation (FUNAI), drafted the infamous "emancipation decree" according to which the State washed its hands of indigenous peoples as its wards. The undeclared reason behind this seemingly progressive move was to release indigenous lands from the exclusive usufruct of the Indians and open them for development. As long as Indian peoples are under the wardship of the State, the lands they occupy remain inalienable as State property. The Indians are not the collective owners of their territories, but have permanent and exclusive access to their natural resources, except the sub-soil. The minister's move was meant to be a further -- perhaps final -- step toward the total integration of the Indians, in conformity with the assimilationist policy of the country since colonial times. The result was a strong protest on the part of non-Indian supporters who also encouraged the growth of the indigenous movement. Practically from every state capital in Brazil a pro-Indian association cropped up, determined to pressure the government into shelving the emancipation decree. All over the country indigenous leaders sprang up as by a magic stroke, engaging non-Indian audiences, often in flawed Portuguese, but with an enthusiasm that urban society needed in times of military repression. The creation of UNI caused great discomfort in the jittery government. The military even tried to declare it illegal on grounds of national security, infiltrated as the Indian movement was said by them to be by undesirable alien influences. They argued that wards (tutelados) cannot create organizations outside their guardian's pale (Ramos 1998a, chapter 6). Unlike the Colombian case where open conflicts defined a situation of warfare engulfing the indigenous population, in Brazil the Indians' official status as "relatively incapable" members of Brazilian society continued to confiscate their capacity to act as full agents in interethnic conflicts. Rather than clashes between whole communities and their assailants, we witnessed piecemeal, insidious murders of key leaders. In 1983 alone eleven Indians were assassinated in various parts of the country, mostly in situations of land disputes. All these crimes went unpunished.

The 1980s was a decisive decade for indigenous peoples. While state and private repression soared, the increasing muscle of the indigenous and indigenist movements began to make itself visible in the press, among lawyers, and in the National Congress. Although no Indian candidate was elected to the House of Representatives prior to the Constitutional Assembly, the Indian cause gained the sympathy and support of large sectors of Brazilian civil society, not least, the Brazilian Anthropological Association (ABA), the Brazilian Bar Association (OAB), the Brazilian Association of Geologists (CONAGE), and a number of NGOs. Public demonstrations of Indians and non-Indians outside the National Congress in Brasilia filled prime time news programs and made many a newspaper cover story. Large groups of Kayapó, Shavante, and various Northeastern Indians, fully clad in feathers, black and red paint, bright necklaces, singing, dancing, or simply seating in Congress rooms facing the politicians in charge of the new Constitution, generated a symbolic power that greatly contributed to the legal advances ratified in 1988. The political effervescence of those exhilarating days made it quite clear that, small as the indigenous population may be in Brazil (about 300 thousand people or less than .2% of the total population), their presence in the national scenario is anything but negligible.

A major improvement in the 1988 Brazilian Constitution is the elimination of assimilationist clauses that were written in previous constitutions. The new law no longer refers to the respect for indigenous traditions until the Indians are "harmoniously integrated into the national communion." It simply states the Indians' rights to their own "social

organization, customs, languages, beliefs and traditions, and their original rights to the lands they traditionally occupy." This in fact changes the status of Indianness from a temporary condition to a permanent state, thus implying the obsolescence of the wardship (tutela) regime according to which the State is responsible for the Indians until they come civically of age.

Another step in the same direction of eliminating direct State intervention on the lives of indigenous peoples is Article 232 of Chapter 8, Title 8, which declares that the Indians, their communities, and their organizations are legitimate parts in court appeals for the defense of their rights and interests. In such cases the Public Ministry is charged with the supervision of all legal acts. As we will see below, this provision has had the effect of changing the character of the Indian movement in ways that are reminiscent of what is happening in Colombia.

But, unlike Colombia, the Brazilian State has not renounced the control over Indian lands which continue to be the Union's property. As before, the Indians have the right to permanent possession and exclusive usufruct of the natural resources of their territories, except the sub-soil, but the lands are not the collective property of the Indians. They still belong to the Union which is responsible for their demarcation and protection. The necessary ordinary legislation to make the text of the Constitution operational is yet to be passed. As a result, an increasingly weak and outmoded National Indian Foundation continues to feebly exercise its powers of guardianship wherever there is a void of indigenous organizing. A new Statute of Indigenous Societies (not Nations or Peoples, both words banned from the official vocabulary) has for years been waiting in Congress to be approved, as has the new Civil Code that is to replace the old Code of 1916 according to which the Indians are declared "relatively incapable." By all indications, the outcome of the 1988 Constitution will be the end of the tutela system of virtually total control of indigenous lives.

Meanwhile, before wardship is definitely revoked, many indigenous peoples are acting as if it is already a thing of the past. Replacing the defunct UNI, which as a centralized body was far removed from the attention and interests of the highly dispersed and diversified indigenous population in the country, a myriad indigenous organizations cropped up in the late 80s and 90s. In the Amazon alone there are over 150 Indian NGOs with their own legal status, agendas, directive bodies, and non-Indian allies. Most of these new organizations are concerned with amassing funds (usually from abroad) to carry out local projects of health, education, or development. They are heavily supported by environmentalist NGOs that bet on the great potential of the indigenous sector for the establishment of sustainable development (Albert 1997: 193-99). The effect has been, like in Colombia, a paralysis of the Indian movement as a political force. Whereas in Colombia it is the State itself that undermines indigenous mobilization by placing in the Indians' hands State responsibilities, in Brazil the State has not explicitly delegated its custody of the Indians to the Indians themselves, but has permitted that other actors, especially NGOs, slowly fill in spaces the State is unable or unwilling to occupy. Notice how President Fernando Henrique Cardoso reacted to the protest of NGOs against the unpopular 1775 decree (establishing new procedures for land demarcation) during one of his visits to Europe: he made an appeal for them to turn into "neo-governmental organizations" (Folha de S.Paulo, September 9, 1995). What passed as a joke to change an uncomfortable subject has proved to be the prognosis of a tacit course of action. Almost imperceptibly the process

of signification and resignification of ethnicity as acted out by indigenous peoples has been framed by national and international non-governmental organizations (Ramos 1994). Privatization of indigenous affairs has come to Brazil.

Boomeranging

State tutela having been severely undermined, the stage is now open for some interesting experiments in the field of indigenous rights. As illustration I shall mention the case of the Panará Indians, a Je-speaking group of Central Brazil who, under the name of Krenakarore, became known in the early 1970s for the harassment they suffered by FUNAI's pacification teams. In 1967 the Panará saw for the first time a sample of white power in the form of airplanes flying low over their villages and which they tried to repel with bows and arrows. The pacification team under the leadership of sertanista (backwoodsman or, more freely translated, Indian tamer) Orlando Villas-Bôas was charged with the job of removing the Panará from the course of the Cuiabá-Santarém road planned to cut through their territory. In 1974, in full view of photographers, naked Panará women and children were begging food from passengers of buses running on that road. They were some of the few survivors of a series of epidemics that devastated their people. Between 1973 and 1975, 176 Indians died of contagious diseases (Araújo 1995: 316-19).

Certain of his humane intuitions, and after FUNAI's approval, Villas-Bôas decided to remove the Panará to the Xingu Park, some 250 miles to the east. Two plane loads were enough to remove the 79 surviving Panará, estimated to have been between 300 and 600 in the late 60s. Not fully realizing what was happening, the Panará suddenly found themselves without a home base, with no relation to the new land, dropped on enemy ground, being greeted by a leader of their traditional foes, the Kayapó Chief Raoni. For the next 25 years, the Panará led a life of frustrations, embarrassments, and discomfort amidst other indigenous groups with whom they were obliged to interact and intermarry. In their Xingu saga, a reduced version of the North American trail of tears, the Panará were transferred seven times within the Park, always hoping to find a place that would resemble the home they had been forced to abandon.

In the meantime, the State was handing Panará lands over to colonization and development. Four hundred thousand hectares of those lands were given to squatters ejected from indigenous lands in southern states. Occupation was frantic. "In the place of the largest village there is now the town of Matupá." Out of the traditional Panará area "23 towns and hamlets cropped up ... Alta Floresta is the largest town, the hub of hundreds of gold prospectors and big landowners ..." (Arnt et al. 1998: 100).

In October 1991, six Panará men went on a bus trip to their old area. Petrified, they saw the effects of twenty years of chaotic deforestation, cattle ranching, and gold prospecting. However, the northeastern portion of their old territory was still intact. The Panará began to nourish the hope of returning home. During the 1990s, with NGO legal support, they succeeded in retrieving about 500 thousand hectares of still preserved area. Over a two year period, the now 174 Panará began to leave the Xingu, some on foot, others by bus, still others by airplane until, in March 1997, they all gathered together in the new Nacypotire village. They met again with their past and, most importantly, with a promising future (Arnt et al. 1998: 125). Then the boomerang effect against the Brazilian State began.

In 1994, with the help of two lawyers from the Instituto Socioambiental, former Núcleo de Direitos Indígenas, the Panará filed a law suit against the Union seeking

compensation for material and moral damages suffered during their removal to the Xingu. Three years later they won the case. The judge in charge (the same judge who had interdicted the Yanomami area in 1989 during the gold rush, and the same whose son participated in the burning to death of a Patasho Indian in the streets of Brasilia in 1997) ruled in favor of a substantial monetary compensation for every one of the 176 Indians who died between March 31, 1973 and October 31, 1975. Although he argued that "one cannot pay for pain suffered," in his sentence he charges the Union with an unprecedented indemnity for the trauma inflicted on an indigenous people by disastrous actions on the part of the State, in this case, FUNAI. As Arnt et al. remind us, this is the first time in 500 years, and after the extinction of 900 indigenous peoples, that a legal suit in favor of an Indian community is so clear in recognizing that the shock produced by brutal interethnic contact engenders crimes against indigenous peoples and abuses by the State, the self-proclaimed defender of the Indians.

With their quarter-century bitter exile in mostly unfriendly Xingu lands and their exultant homecoming, the Panará gave rise to a new interethnic status. Like all other Indians, the Panará had been mere "objects of government," (Foucault quoted in Thomas 1994: 71), or, worse, "objects of nature" who needed to be "ferreted out" of their jungle dens, in Villas-Bôas parlance (Ramos 1998b: 6). But with their successful court appeal, the Panará broke away from a debasing condition as objects of nature before their "pacification," and then as objects of government, when pacification caught them in a disabling dependence on the State, to finally emerge as subjects of their own will, choosing allies and courses of action, agents of their present and their future. Without undue optimism, one can say that, as a direct outcome of the 1988 Constitution, the Panará, as any other indigenous people in the country, are, at least in principle, legitimate parties to representing themselves vis-à-vis the nation and the world. They too can now act against the State.

To cut a (not so) long story short

From the above discussion and from the papers in this volume, we can make some final points. One has to do with the issue raised by Padilla as to the reasons behind the recent dissemination of State concern in Latin America for indigenous rights, in stark contrast to the historical trend toward either extinction or assimilation. Padilla interprets this trend as a consequence of the world's new interest in sustainable development. Purely economicist approaches are being replaced with other sorts of considerations, such as the intimate relationship between non-Western ways of life and their handling of nature taken as a symbolic good rather than as sheer commodity. This approach validates systems of knowledge such as those prevalent in indigenous cultures for their treatment of nature and humans as sacred entities, thus suiting discourses of sustainable development. Padilla fears that this validation may be a strategy to simply integrate indigenous populations and their territories into the world economy (1996: 92). It would, in other words, be the same developmentalist bias cloaked in a green robe.

This perfectly reasonable interpretation does not, however, seem to exhaust the motivations for the liberalization of indigenist policies in the continent. Closely associated with the economic component of contemporary logic is the equally perceptible trend toward the reduction of the State. Privatizations are the order of the day in Latin America, the IMF is unfailingly successful in persuading governments to cut back on social

programs, and responsibilities formerly charged to the State are consistently being handed over to the private sector. Even traditionally strong states such as Brazil are quickly getting into step with this all-encompassing policy of "de-statetizing" the nation. This is a major and easily detected feature of today's conceptual vision of how the world is being managed (Santoyo 1998: 121). Like everybody else, indigenous peoples cannot avoid being pulled into this gravitational force, whether by means of explicit agendas like the 1991 Colombian Constitution which delegates to Indians the management of their own Indigenous Territorial Entities, or by more subtle devices like the provision of the 1988 Brazilian Constitution that undermines State wardship to allow indigenous peoples to organize themselves as fund raising entities for their own benefit (Albert 1997). In such a context, it is not surprising to find a drastic reduction in contestatory activities on the part of the Indians. Political mobilization does not go well with self-management.

A second point I would like to make, even at the risk of digressing, is about class versus ethnie, an issue that once mobilized heated debates and today, although much less absorbing, is still on the table. Even in the new economic and political context where indigenous peoples are summoned to participate in arenas historically alien to them, and thereby increasingly occupying spaces previously the dominion of national segments, ethnic logic and class logic do not merge easily one into the other. We have seen in the case of the Colombian CRIC organization how the Indians detached themselves from the peasant and urban revolutionary movements the moment their common cause was superseded by the hegemonic discourse of class struggle. An analogous situation involved the Brazilian UNI (Union of Indian Nations) and the congregation of Amazonian workers in the extractive industry, particularly rubber tappers, under the banner of the Forest Peoples Alliance. In a parody of Nuer-style segmentary opposition, Indians and non-Indians were together during the time it took for their demands to be expressed in national and international forums. But the Alliance did not survive the cleavage of ethnic and class interests. Although at times these interests may coincide, the "'ethnic line' ... persists, cutting across occupational categories, neighborhoods, and even companionship" (Cardoso de Oliveira 1976: 65).

Ethnic awareness, just as class awareness, emerges from specific historical processes which can, in fact, be initially convergent. But once created, ethnicity follows a path of its own, that is, "once objectified as a 'principle' by which the division of labor is organized, ethnicity assumes the autonomous character of a prime mover in the unequal destinies of persons and populations" (Comaroff and Comaroff 1992: 59). To subsume the reason of ethnicity under the reason of class is to miss its most significant attributes as a social, cultural, and political phenomenon. There is, among other things, a major difference in the ideologies that inform class and ethnicity: in one case, a quest for a uniformity of interests of the "workers-of-the-world,-unite!" type; in the other case, the quest for legitimate diversity. "Nor," say the Comaroffs, is this ethnic quest "confined to any particular sociological category. It applies as much to those for whom ethnic ideologies legitimize dominance as it does to those for whom ethnic labels are signs of subordination" (Comaroff and Comaroff 1992: 59).

One obvious difference between class and ethnie is the linguistic factor. Whereas language is not a distinctive feature of class membership (basically attuned to national symbols, including the idiom), among the profusion of traits that make up an ethnie (see, for instance, Smith 1981, for an extensive treatment of the subject), language stands out as

a beacon of human diversity. Like everything else in matters of ethnicity, language becomes a political artifact whenever is it used as a measure of ethnic identity. Graham's paper (this volume) demonstrates this by exposing the intricacies of the politics of language in the Brazilian interethnic context. The linguistic issue is particularly intense in Europe where the demands of minorities, ethnic or otherwise, for full recognition collide with the notion of a European Union. In the last two decades, linguistic rights are gaining as much space in international arenas as human rights have done over the past 50 years (Giordan 1992: 33-36). This quest for linguistic legitimacy goes hand in hand with the wide dissemination of armed conflicts the world over. In 1988 alone, of a total of 111 clashes in the world, 99 involved ethnic or regional minorities confronting governments for autonomy or secession (Giordan 1992: 9). It is evident that whereas ethnie and class, despite some points in common, espouse separate political projects with separate constituencies and agendas, ethnie and language are virtually inseparable when it comes to demands for self-representation vis-à-vis the nation-state.

A third and final point refers to the ambiguity of the State toward its ethnic diversity. Here I am referring to that aspect of the State, not as a hypostasized machine, but as an organism run by individuals. Naturally, government affairs and objectives are not the same as those of its representatives. As a concept the State is a construct, not an agent. As an institution it takes on a tangibility that goes well beyond its human agents. But there is undeniably a subjective side to the State. After all, institutional solutions arise from the subjectivity of human beings. Practices, norms, and laws are produced by people with their own personalities, ideological preferences, and political interests (Ramos 1998b). A case in point is the removal of the Panará to the Xingu Park. It was the emotional arguments of Orlando Villas-Bôas, disturbed with the wretched scene of Panará beggars on the road, that prompted the president of FUNAI in 1975 to order: "Orlando, go ahead and transfer them!" (Arnt et al. 1998: 95). That was how Panará lands were cleared for large-scale occupation. Correspondingly, it was the absence of action, or to put it in less generous terms, criminal omission on the part of the Brazilian government that led to the demise of the Xetá in 1964. This voluntaristic aspect of the State deserves greater anthropological attention for its potential to unveil dimensions akin to the stuff of which "orientalisms" are made. Indeed, the subjective face of the State is an important component in the construction of what I call Indigenism, an Americas-style, amplified form of Orientalism. It amounts to a permanently unfinished ideological edifice built upon ethnic differences. It is a Babel of conjunctions and disjunctions erected with a great variety of materials that include such disparate things as official policies, religious and lay agents, anthropological constructs, journalistic representations of the Indians, regional and urban imagery, but also indigenous attitudes toward the dominant society. Both in the heart of darkness where the Xetá were exterminated and in the open stage of Panará deportation, it is hard to sort out State from Nation from Society. Xetá and Panará, like so many other indigenous peoples, are icons of the intricate game of interethnic politics that involves both private and public subjects. Entangled in this Babel of interethnic cross purposes, Indigenism offers anthropology what Latour (1993) has described as a quasi-object, a hybrid hatched in the nest of interethnic misunderstandings.

The inability of most national states to respect the interests of their indigenous peoples is in part responsible for the modern phenomenon of indigenist NGOs and the transit of the Indian issue through international forums. At the present conjuncture, ethnic

groups have found the most comfortable alliance to be not with social classes, not with the State, not with the Church, but with supra-national powers and private managers of ethnicity. With their capacity to empower indigenous peoples by means of substantial funding and its attendant quest for autonomy -- be it cultural, economic, or territorial -- supra-state organisms like the UN, and extra-national entities like NGOs are equipping the Indians with the tools that will reshape twenty first-century ethnicity.

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