UNIVERSITY OF CALIFORNIA, SAN DIEGO

Indigenous Rights in the Peruvian Amazon: A New Social Movement

A thesis submitted in partial satisfaction of the requirements for the degree
Master of Arts

in

Latin American Studies

by

Daniella Odette Aviles

Committee in charge:

Professor Christine Hunefeldt, Chair
Professor Misha Kokotovic
Professor Leon Zamosc

2012

This thesis of Daniella Aviles is approved and it is acceptable

in quality and form for publication on microfilm and electronically:

Chair

University of California, San Diego

2012

DEDICATION

A mi madre…
Por enseñarme tanto.

TABLE OF CONTENTS

ACKNOWLEDGEMENTS

I am thankful to all my professors during my undergraduate and graduate years. I would like to extend my gratitude to all the members of my committee, my advisor Christine Hunefeldt for her mentorship, guidance, and dedication to my project and my academic growth, Misha Kokotovic for his encouragement and thoughtful comments and Leon Zamosc.

I want to acknowledge my CILAS cohort, with whom I spent countless hours brainstorming, complaining, listening, and talking. I want to especially thank Nathan Ellstrand, Nasheili Gonzales, Brenda Nicolas, and Natalya Rimburg, who along the way became great friends.

Finally, my family: Elizabeth, Maria, Jackie, Mariel, Ricardo, Yolanda and Matt, thanks to you I am surrounded with love, encouragement, and laughter. I want to thank my mom and my sister who always believe in me more than I believe in myself and who have given to me more than anyone should ever receive. Lastly, I want to thank Mario – my rock, your friendship and unconditional love carried me through this process.

ABSTRACT OF THE THESIS

Indigenous Rights in the Peruvian Amazon: A New Social Movement

by

Daniella Odette Aviles

Master of Arts in Latin American Studies

University of California, San Diego, 2012

Professor Christine Hunefeldt, Chair

In 2008, President Alan García created a package of legal decrees that sought to expropriate indigenous land and sell it to international corporations as part of his neoliberal agenda. The social movement in the Peruvian Amazon quickly responded by claiming that the decrees breached indigenous rights, particularly the one to previous consultation, stipulated by The Declaration of Rights of Indigenous Peoples of 2007 and the International Labor Organization's Indigenous and Tribal Peoples Convention 169 of 1989, both ratified by the state. This thesis analyzes the complex social relations between the state and the social movement in the Amazon. The first chapter examines the social conditions under which a social movement in the Amazon was formed as well as how Amazonian indigenous leaders surfaced creating social organizations and producing a

strategy based upon an indigenous identity. The second chapter explores the transitional period during the 1990s and early 2000s, in which a neoliberal shift intensified the exploitation of indigenous communities' land, while multiculturalism introduced international discourses used by the social movement to politicize their demands and achieve goals. Finally, the third chapter explores the conflict between the state's rhetoric of progress and development used to advance neoliberal policies, and the response of indigenous activists through their indigenous-rights strategy. Through this analysis, this study argues that a new indigenous movement has emerged in the Peruvian Amazon through a self-proclaimed indigenous identity, where indigenous activists are using international documents to politicize indigenous issues in the Amazon and challenge power relations, citizenship, and indigenous rights, creating new social interactions and shedding light on indigenous issues and the Amazon.

INTRODUCTION

On June 5th 2009, a violent "confrontation" between Amazonian protestors and the Peruvian police took place in Bagua, a province in Amazonian Peru. The conflict erupted after the police confronted indigenous activists and leaders that were expecting to meet with state authorities. "El Baguazo" was the summit of a two-year struggle between indigenous peoples and a hostile state, which culminated with many deaths and over a hundred injured. Prior to "El Baguazo," Alan García introduced a series of legal decrees that together sought to transform the landscape of the Peruvian Amazon by expropriating native land and allowing foreign investors to own traditional indigenous land. Indigenous activists responded by mobilizing peoples and resources and organizing several protests. At the core of these protests, activists claimed that the legislative decrees violated indigenous rights, namely, the consultation aspect, as stated in the Declaration of the Rights of Indigenous Peoples of 2007 and the International Labor Organization's Indigenous and Tribal Peoples Convention 169 of 1989, both signed by the Peruvian state.

Amazonians have witnessed the appropriation of their land and resources by the state and transnational corporations and suffered the exploitation of their labor, forcing them to modify their living conditions, while also changing their physical environment. However, they continue to protect their land against the state and other intruders such as international corporations, *colonos*, and even terrorist groups and drug dealers.[1] The state, on the other hand, seeks to expand its economic and geographical domination and is

[1] *Colonos* were people who moved into indigenous land, in most cases, with the protection of the law; Alberto Romero Ramón, "Aspectos legales sobre las comunidades nativas de la Amazonía Peruana," in *Panorama Amazónico* 2 no. 3, (1978): 7-8.

driven by quite different core values that stand in opposition to indigenous lifestyles, traditions, and cultures. While Amazonians share a collective mindset and harbor respectful relationship with the land and the environment, the Peruvian state is rooted in individualism and capitalism. This ongoing struggle between the state and indigenous peoples has both physical and cultural undertones.[2]

Alan García's rhetoric, expressed in articles and propaganda targeting indigenous activists, suggests that the country needs to develop key regions in order to ensure the progress of the country, and that indigenous peoples of the Amazon are against development. However, a quick look into indigenous claims yields their desire to develop the region as well. AIDESEP, Asociación interétnica de desarrollo de la selva peruana or Interethnic Association for the *Development* of the Peruvian Amazon, is an organization that has at its core the development of the region, as the name specifies. So, What is this development debate about? While Alan García seeks a neoliberal development with extreme exploitation of land that prevents its preservation and later use, indigenous peoples of the Amazon seek a more sustainable type of development that respects the environment and maintains it for future generations. Thus, this debate has two different models of development at its core. As this introduction will quickly show, the Amazon Basin has already witnessed the development model presented by the state with projects that have left behind devastation; and that in many cases have prevented indigenous peoples from maintaining their way of life and their own ways of subsistence. "El Baguazo" then is not an isolated event; it erupted as these two forms of development

[2] See Alan García's "Síndrome del perro del hortelano" that will be discussed in chapter 3.

collided, becoming the climax of a social movement. Through this particular protest, indigenous issues were politicized in a national scale, exposing their struggles and forcing the state to respect and conduct consultation processes through indigenous organizations.

The Peruvian Amazon

The Amazon rainforest is known for its biodiversity and its significance to the world's ecosystems. This region represents the largest remaining tropical rainforest on earth and it is the largest drainage basin on the planet.[3] The Amazon Basin spreads throughout nine nations: Brazil, Peru, Venezuela, Colombia, Ecuador, Guyana, Suriname, and French Guiana. Furthermore, the Amazon basin occupies a large territory on the South American subcontinent, 60% of Peruvian territory, which in turn represents 15% of the entire Amazon Basin.[4] According to the Global International Water Assessment of the Amazon Basin, the area of the Amazon basin is about 6'869, 000 square kilometers and 69% of it is situated in Brazil. Peru is the second country in South American and the

[3] Donald Lathrap, "The 'Hunting' Economies of the Tropical Forest Zone of South America: An Attempt at the historical Perspective," in *Peoples and Cultures of Native South America: An Anthropological Reader* (New York: The Natural History Press, 1973): 83; Barthem, R.B., Charvet-Almeida, P., Montag, L.F.A. and Lanna, A.E. "Amazon Basin, GIWA Regional Assessment 40b," in *United Nations Environment Program 2004*, (University of Kalmar, Sweden), 14.

[4] Barthem, R.B., *Amazon Basin, GIWA Regional Assessment*, 15. Sonia Arellano-López, "El rol de las organizaciones no gubernamentales en la promoción de conservación y desarrollo: relaciones con agencias internacionales, instituciones estatales y organizaciones nativas," *Working Paper* 61, (New York Institute for Development Anthropology, 1990), 5.

seventh in the world with forest cover.[5] The region of the Peruvian Amazon is divided into two main regions *Ceja de Selva* or *Selva Alta* and *Selva Baja*.[6]

Alberto Chirif suggests that due to the evident large vegetation and natural resources in the region, the Amazon has been considered an empty region and a door to development. By this he means that the Amazon is perceived as an uninhabited or deserted area offering the potential for extreme exploitation and deforestation. However, this region hosts a great diversity of peoples and cultures that have preserved the region in its current state, in spite of the multiple colonization attempts even since before the European conquest. Different "colonization" efforts have been made; first, the physical colonization through laws that allow people to move into indigenous land and the state to expropriate land and give it to corporations; second, the cultural colonization through indoctrination projects, ever since the establishment of missionary "civilizing" incursions.

This process of appropriation and exploitation of land in the Amazon is not recent. Scholars such as Alberto Chirif have referred to the constant extraction and exploitation of the Peruvian Amazon throughout the years as "el saqueo Amazónico" or the looting of the Amazon.[7] According to Sonia Arellano-Lopez, western colonization in the region began over three hundred and fifty years ago. However, on October 14th 1893, the first law on migration and colonization was passed, whereby the state protected and

---

[5] Carlos Soria, "Los pueblos indígenas Amazónicos peruanos: en busca del desarrollo sostenido," in *Foro Ecológico del Coloquio internacional de Derecho Internacional Ambiental*. (Guadalajara, 2002): 1.
[6] Sonia Arellano-López, "Rol de organizaciones no gubernamentales," 2.
[7] Alberto Chirif, *El saqueo Amazónico*, (Ceta: Iquitos, 1983).

encouraged migration to the Amazon.[8] In the years after 1893, migrants arrived and moved into indigenous' land, this high number of *colonos* began to change the physical landscape as well as the social relations in the region.[9] Arellano-López observes, "la época del boom del caucho fue el inicio de la articulación territorial de la región con el resto del país; originando una secuela de flujos migratorios poblacionales de la sierra peruana hacia lo denominado Ceja de Selva, de la región Amazónica."[10]

The first massive wave of organized raw material extraction can be traced back to the 1880s, when *caucho*, *barbasco* and *shiringa* began to be heavily exploited in the region. This extraction in the high Amazon, namely San Martin and Moyobamba, was primarily of rubber and represented the first mercantile extraction for national and international markets.[11] By 1907 rubber represented 22% of national exports and it "signified the temporary expansion of the economic frontier, and not a demographic expansion;" because most of the workers were *shiringueros* or local inhabitants.[12] In addition, The Amazon Rubber Company of London transferred the economic center from the High Amazon to the city of Iquitos in the Low Amazon or Selva Baja.[13] With the export of rubber in high demand, the government solidified its relationship with the international market.[14] When rubber exports declined around 1910, people in the Amazon

---

[8] Alberto Romero Ramón, "Aspectos legales sobre las comunidades nativas de la Amazonía Peruana," in *Panorama Amazónico* 2 no. 3, (1978): 7-8.
[9] Alberto Romero Ramón, "Aspectos legales sobre las comunidades nativas," 7-8.
[10] Sonia Arellano-López, "Rol de organizaciones no gubernamentales," 2.
[11] Carlos Aramburú, Eduardo Bedoya and Jorge Recharte, *Colonización en la Amazonía*, (Lima: CIPA, 1982), 2.
[12] Carlos Aramburú, Bedoya and Recharte, *Colonización en la Amazonía*, 2.
[13] Carlos Aramburú, Bedoya and Recharte, *Colonización en la Amazonía*, 2.
[14] Sonia Arellano-López, "Rol de organizaciones no gubernamentales," 2.

were forced to return to prior ways of subsistence: fishing, agriculture, and hunting.[15] Until around the 1940s the economy of the Amazon shifted and diversified with the export of fine woods, animal skins, exotic animals, and barbasco. Between 1972-1975 a brief gas "boom" opened jobs for about 15,000 workers in the region; when it ended and gas companies left the region, once again, the poorest segments of the population found themselves without a living.[16] Beginning in the 1970s, forest exploitation has intensified in the Amazon.[17] Through the ups and down of exports, colonization projects continued and in its wake, towns have disappeared and many cultures and ways of life have been impoverished. The population in the Peruvian Amazon basin has diminished from 5'000, 000 in the fifteenth century to 700,000 in the late twentieth century.[18]

In 1968 General Velasco Alvarado's Agrarian Reform transformed the state's rhetoric toward the land of indigenous peoples with new laws that allowed communities to title previously occupied indigenous land. A year after legislative decree 20653, "Ley de Comunidades Nativas y de Promoción Agropecuaria de las Regiones Selva y Ceja de Selva" was enacted, 133 land titles were awarded, and between 1974 and 1975 land titling increased almost five times, from 155,763 hectares to 766,758 hectares. This number gradually decreased during the four following years, with 102, 41, 27, and 4 land titles awarded.[19] The process of land allocation during the presidency of Velasco

---

[15] Carlos Aramburú, Bedoya and Recharte, *Colonización en la Amazonía*, 2. In many cases, their prior ways of subsistence were no longer available because resources had been exploited or contaminated.
[16] Carlos Aramburú, Bedoya and Recharte, *Colonización en la Amazonía*, 2
[17] Alberto Chirif, *El saqueo Amazónico*, 64.
[18] Alberto Chirif, *El saqueo Amazónico*, 7.
[19] Alberto Chirif and Pedro García Hierro, *Marcando territorio: progresos y limitaciones de la titulación de territorios indígenas en la Amazonía*, (Copenhague: Denmark,

Alvarado changed the perception of what indigenous peoples were able to obtain, expect and demand from the state, which empowered indigenous communities to create a new political consciousness in the Amazon. This new relationship opened up spaces where indigenous peoples organized and used Velasco's agrarian reform to claim rights to land. This period had a critical effect on indigenous communities' perceptions of their rights and it influenced their new desire to politicize their struggles by creating organizations and a social movement.

The Thesis

The protests in the Peruvian Amazon during 2008 and 2009 are part of a social movement, a process through which subaltern groups contest social and power relations. To understand this movement, this thesis raises several questions. What kind of mindset are these movements producing and/or articulating and how does it inform their goals? What are these social actors responding to? What is different about this social movement? How does this indigenous movement move forward indigenous goals in the overarching trajectory of the Peruvian indigenous struggle? And, what does this movement say about the historical place of indigenous peoples in Peru? By answering these questions, we can begin to understand the significant change this movement, with mindset, strategy, and goals, symbolizes for the indigenous struggle in Peru. Through this analysis my thesis demonstrates that the indigenous movement in the Amazon and "*El Baguazo*" represent a turning point in national politics; the new indigenous movement of the Amazon has attained success by inserting itself and its demands in the international

---

IWGIA: Grupo Internacional de Trabajo sobre Asuntos Indígenas, 2007), 173.

arena, appropriating an international discourse, rhetoric, and ideology, and using it to politicize their struggle in a national context on a legal terrain.[20]

Two theories provide different approaches to understanding this social movement. The European theory, *New Social Movement Theory*, analyses why social movements emerge; and the North American Theory, *Resource Mobilization Theory*, questions how some social actors mobilize when others do not, exploring the strategy and mechanism that contribute to the social movement's success.[21] The first chapter addresses these two theoretical issues by explaining how and why the social movement in the Amazon appeared. It highlights the social context during the second half of the twentieth century to show how the actions of Andean revolutionary movements in the 1960s and decisions made by the state and religious groups impacted indigenous communities and influenced the emergence of the indigenous movement in the Amazon. Furthermore, the first chapter discusses how Amazonian indigenous leaders surfaced during a particular moment politicizing their struggles, forming social organizations and producing a strategy for the social movement.

The second chapter analyzes the economic and social environment during the 1990s, when a neoliberal shift took place under Fujimori's regime, in which he privatized many state companies, deregulated the economy, and opened Peru to international capital investments. Such policies were also pursued by his successors, Alejandro Toledo and Alan García. These policies negatively impacted the Amazon. While the exploitation and

---

[20] These documents and ideologies support an indigenous identity that exists in the Amazon. As opposed to other prior class ideologies appropriated and articulated in the highlands for example, these new ideas specifically pertain to indigenous peoples and how they can protect their lifestyle through the articulation of their indigeneity.
[21] Joe Foweraker, *Theorizing Social Movements*, (Boulder: Pluto Press, 1995), 3.

privatization of land has forced indigenous peoples of the region to find new ways of subsistence, threatening their lifestyle and cultural survival; the contamination of the environment continues to threaten the health and physical survival of such communities. In addition, this chapter explains some of the multicultural changes that took place, particularly during Toledo's presidency, and how they opened up spaces where cultural issues were debated. Finally, through "Neoliberal Multiculturalism" the president allowed for small multicultural friendly policies as a way to continue a neoliberal program that was detrimental to the cultures he was claiming to protect. With his policies, though, he also opened spaces to discuss indigenous rights while tacitly admitting the existence of such rights.

By exploring the complex relationships between the state and indigenous peoples in the Amazon, the third chapter shows how indigenous peoples are utilizing international discourses to create change. To this end, this chapter examines Alan García's modernization and development proposals, his series of articles "*El Síndrome del perro del hortelano*," and his legal decrees "*ley de la Selva*." With these decrees, Alan García attempted to expropriate indigenous land and sell it to international corporations. The social movement in the Amazon, however, mobilized and responded to his attacks with a clear strategy using international tools to claim an indigenous identity and articulate their rights. This chapter explores how international documents offer a legal framework to support indigenous rights in Peru. The Declaration of Human Rights of Indigenous Peoples of 2007 and The General Conference of The International Labor Organization's Indigenous and Tribal Peoples Convention 169 of 1989 ratified by the Peruvian state

offer the tools to challenge existing power relations in Peru and have become vehicles to reframe citizenship rights.

The indigenous movement in the Amazon challenges the governments' neoliberal agenda and the policies that seek to take away indigenous land. The relationships between indigenous populations and the state are slowly changing, creating in its wake alternative relations that depart from earlier racial and cultural hierarchies. Moreover, indigenous activists from the Amazon have so far made little efforts to take on decision-making positions.[22] For the most part, they have continued to use their local institutions and organizations to make decisions that affect the indigenous communities; and, the state – according to law- should honor these institutions and their procedures during a consultation process. It is when this "pact" is not fulfilled, that Amazonians are on their feet. The Amazonian movement in turn is claiming its own hierarchical autonomy and preserving its structures as part of its indigenous-rights-claiming strategy. Power relations are being restructured, as indigenous groups use international laws to constrain the authority of the state that, in this instance, had to respect procedures and rights that were not part of the national intention and action.

The issues behind the protest are very complex and follow a long history of discrimination, internal colonization, and cultural hegemony. This thesis analyzes the response of Amazonians to Alan García's discriminatory intentions and decrees. This

---

[22] This is beginning to change with a new political party APHU, which was announced in 2010 to take part in the national election of 2011. However, this political party never reached the presidential level; available from http://www.greenleft.org.au/node/45211; In 2011, Eduardo Nayap Kinin became the first indigenous congressman from the Peruvian Amazon; available from http://www.proyectocensurado.org/capitulos/primer-congresista-indigena-amazonico-de-la-historia-republicana-del-peru/

study argues that a new indigenous movement is emerging in the Peruvian Amazon through a self-proclaimed indigenous identity, by inserting their struggles in the international stage and utilizing international laws to contest power relations, citizenship, and indigenous rights in the national arena. In other words, I argue that indigenous actors have created a cohesive social struggle with a multiplicity of voices that uses international indigenous rights as tools to contest the state's power, reinvent their dynamic struggle, and control their self-determined indigenous identity. Lastly, with this strategy, the movement in the Amazon is pushing indigenous struggles forward by adopting a new way to politicize indigenous issues and transforming social relations and citizenship rights in the Peruvian stage.

CHAPTER 1

Indigenous Leaders and Organizations

"*La historia que se olvida es la historia que se repite. Por eso, conservamos y recuperamos nuestra memoria como Pueblos Indígenas. Nuestra mirada desde nuestras creencias, la forma en que vemos al mundo que nos rodea. A lo que hemos tenido que vivir desde la llegada de los europeos a nuestra tierra y la lucha por construir organizaciones que representen nuestros intereses y aspiraciones*."

"*A forgotten history is a history that repeats itself. For this reason, we preserve and recover our memories as indigenous peoples. Our views are rooted in our beliefs, and the way we see the world around us. We have lived through the arrival of Europeans to our land and struggled to build organizations that represent our interests and aspirations.*"

Historia indígena
-AIDESEP-
(Interethnic Organization for the Development of the Peruvian Rainforest)

For centuries, Andean indigenous people have dominated our perception of indigenousness, while indigenous Amazonians have remained at the margins of this national imaginary. According to Shane Greene, "Peru's Andean self-image- which entails a long-standing national ideology about the centrality of the Andes-, is deeply intertwined with Europe's colonial imaginary. This dynamic persists even today in the country's politicized language and everyday practices."[23] This *indianness* was not introduced nor interpreted by indigenous peoples. The representation of indigenous peoples in the Peruvian imaginary has been created, managed, and implemented from a Western perspective by the Peruvian elite to create a social hierarchy that has been perpetuated for centuries. As a noble Incan past became appropriated and romanticized

[23] Shane Greene, *Customizing Indigeneity: Paths to a Visionary Politics in Peru*, (Stanford, California: Stanford University Press, 2009), 27.

by the Peruvian *criollos*, indigenous peoples of the present continue to be marginalized and shed a negative light, associated with "uneducated," "uncivilized," and "barbarian."[24] With this colonial baggage attached to the term *indio*, some Andeans have moved away from the negative ethnic term and have occasionally adopted the state's class-based recognition as *campesinos* or an ethnic recognition that has a non-indigenous identity such as *cholos* or *mestizos*.[25]

Continued interactions since colonial times have established complex relationships between indigenous people in the Andes and "non-indigenous" people. Pierre L. van den Berghe and George P. Primov explain that racial and cultural categories inherited from the colonial period continue to determine social hierarchies and interactions in the Andes. The term *mestizo*, for example, has been used since colonial times to categorize people of "mixed" ethnicity. Over time, this term has transformed into a cultural category, in many cases including skin color, Spanish language and culture, dressing, occupation, etc.[26] The ethnic continuum in the Andes has *mestizo* on one side and Indian on the other, with relatively specific ends, but a blurry middle difficult to define. According to Van den Berghe and Primov, "within the regional *serrano* culture, the closer one gets to the Indian end of the ethnic continuum, the richer the cultural blend becomes in indigenous elements and the leaner the Spanish traits. The reverse applies to

---

[24] Cecilia Méndez, *Incas si, indios no: apuntes para el estudio del nacionalismo criollo en el Perú*, (Lima: IPE, 1993).
[25] *Campesino* is the Spanish word for peasant. Both *cholo* and *mestizo* are terms that entail a cultural aspect. Oversimplified, *cholo* refers to urbanized indigenous people and *mestizo* is a person of mixed blood.
[26] Pierre L. van den Berghe and George P. Primov with the assistance of Gladys Becerra Velazque, Narciso Ccahuana Ccohuata**,** *Inequality in the Peruvian Andes: Class and Ethnicity in Cuzco*, (Columbia : University of Missouri Press, 1977), 118.

the *mestizo* end of the spectrum. Nowhere along this continuum is there a sharp break in the continuity that would allow one to draw sharper lines between ethnic groups."[27]

Richard Chase Smith accounts historical trajectories prior to Western arrival for the significant differences between core regions and the periphery, in the Peruvian context the highlands and the lowlands. He suggests that large groups centralized under a single authority tend to have a stronger hierarchical organization, meaning that many communities had to follow a centralized authority and thus over time several communities shared a more homogenous culture, ideology and linguistic traits.[28] According to Van Den Berghe, Incas subjugated over forty major linguistics groups in about one hundred years and incorporated about six million people as "it probably was one of the most tightly and centrally administered empires in history."[29] In the Andes, we find peasant communities and ethnic groups that were part of a highly centralized Incan state, with diffused ethnic, class, and local identities. In the Amazon Basin or the periphery, where people have a rich ethno-linguistic diversity, personal autonomy and strong collective identities, political structures were much less cohesive.[30] The colonial experiences had a homogenizing effect among Andeans, who lived in larger economic

---

[27] Pierre L. van den Berghe and George P. Primov, *Inequality in the Peruvian Andes*, 122. *Serrano* is a person from the highlands.
[28] Richard Chase Smith, *A Tapestry Woven from the Vicissitudes of History, Place and Daily Life: Envisioning the Challenges for Indigenous Peoples of Latin America in the New Millenium*. (Lima: Ford Foundation and Oxfam America, 2000), 11; Several communities were centralized under one authority and the result was the homogenization of cultures and languages. While in the Amazon cultural and linguistic traits are grounded on the customs of a particular community, in the Andes these traits began to blend with those of the center.
[29] Pierre L. van den Berghe and George P. Primov, *Inequality in the Peruvian Andes*, 32.
[30] Richard Chase Smith, *Envisioning the Challenges for Indigenous Peoples of Latin America*, 11.

and commercial centers and tended to lose their language, standards of living, identity and political loyalties. The periphery suffered much less of this.

Peoples of the Amazon or *chunchos*, as the government called them, were not part of the national consciousness; a sort of "forgetfulness" about the Amazonians existed.[31] Prior to the 19th century, there was little acknowledgement of the existence of indigenous peoples in the Amazon and few efforts to incorporate them into the nation-state. When the Peruvian state finally decided to institutionalize Amazonian identity in the 20th century, Andean conceptions of the "indigenous" were used to interpret the Amazonian institutional and ideological models.[32] Although the historical trajectory and experiences of indigenous peoples of the Peruvian Amazon were different, both regions experienced cultural, economic, and social oppression. However, indigenous peoples of the Amazon, as opposed to the Andes, have created sharper separating lines between themselves and the *mestizo* population, I argue, because of their education and a different historical relationship with the state.[33] Their experiences as being part of a Pan-Amazonian group and the bilingual education they received have led to the acceptance and articulation of an

---

[31] *Chunchos* was the term used by the state to describe people beyond the "frontier." In other words, they used this label to homogenize very diverse Amazonian communities that were unknown to the state and that lived far beyond the territory they had "conquered" and that they knew.

[32] Shane Greene, *Customizing Indigeneity,* 28. More efforts were made during General Velasco Alvarado's presidency to acknowledge these communities, including implementing the term native to refer to the indigenous peoples of the Amazon. Scholars such Stefano Verase and Alberto Chirif had an important role in the implementation of this name and the new relationship the state sought to establish after the Agrarian Reform. See Rodrigo Montoya, *Con los rostros pintados: tercera rebellion Amazónica*. (Lima: CENTRI, 2009), 13.

[33] See Shane Greene, *Customizing Indigeneity*.

indigenous identity.[34] This indigenous identity has began to be part of the national imaginary thanks to the process of a social movement and "El Baguazo," which shed light on indigenous rights and made them part of the national political debate.

Social Movements in the 1950s and the Agrarian Reform

In the late 1960s, Velasco Alvarado's Agrarian Reform recognized indigenous peoples of the Amazon as native people for the first time and granted them with rights to land. This reform was implemented to prevent a revolution from breaking out in the Andes, as social and economic changes created conditions that forced communities to mobilize and reclaim their land. During the 1940s and 1950s, President General Manuel Odría fomented the penetration of North American capital and the protection of "semi-feudal landowner's property" as part of the modernization process.[35] The North American imperialist expansion increased mining and industrial production and stimulated the accumulation of land by corporations.[36] In the 1950s and 1960s, the following national and international contexts inspired important mobilizations in the highlands:

> La crisis agraria generada por la concertación latifundista, el aumento considerable de la población campesina, el auge de las guerras de liberación de los países coloniales contra el imperialismo [y] el desplazamiento de la influencia política del APRA en los sectores populares del campo y la ciudad, entre otros.[37]

---

[34] Shane Greene, *Customizing Indigeneity*, 29-30.
[35] Misha Kokotovic, *The Colonial Divide in the Peruvian Narrative: Social Conflict and Transculturation*, (Oregon: Sussex Academic Press, 2005), 65. Modernization will be discussed in chapter 3.
[36] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 2d ed., (Lima: Atusparia, 1987), 101.
[37] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 106.

> The agrarian crisis generated by the "latifundista" concentration, the population grow in the peasant sector, [and] the peak of liberation wars of the colonial countries against imperialistic.

According to Wilfredo Kapsoli, the modernization of the economy had a negative impact on the traditional oligarchy, "la agricultura fue remplazada por la minería y la industria y, a su vez, sufre una profunda crisis de descapitalización: empobrecimiento de las tierras y migración masiva de los campesinos a las áreas costeñas."[38] According to Bonilla, those who stayed behind during significant migration waves towards the second half of the twentieth century, became agents of peasant mobilizations challenging the authority of *terratenientes* and hoping to gain access to land.[39] The growth of the urban industrial sector negatively affected "*terrateniente* hegemony" that had existed in the interior of the country, and slowly began to be replaced by the "industrial bourgeoisie."[40] These processes marked the decline of the *gamonales* and *terratenientes* in the highlands.

Social movements in the 1950s were described by Kapsoli as revolutionary movements, attempting to create a rapid, violent if necessary, social change. The protests in the highlands increased from 31 in 1956 to 180 in 1963 and spread throughout the country, particularly to Cuzco and Ayacucho in the South, Pasco and Junín in the Sierra Central, and Cajamarca and Ancash in the north.[41] Initially, the state hoped to end the

---

[38] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 103.
[39] Heraclio Bonilla, *La trayectoria del desencanto: El Perú en la segunda mitad del siglo XX*, (Lima, Fondo Editorial del Pedagógico San Marcos, 2009), 113; *Terratenientes* were large landholding owners. This decline occurred because large landowners lost power and land to corporations. The diminishing power of terratenientes decapitated the authority figure in towns; these empty spaces became an opening for people to upraise and created spaces where power could be contested.
[40] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 103.
[41] Heraclio Bonilla, *La trayectoria del desencanto*, 113; Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 106.

uprisings by repressing protestors, but this resulted in more violence. In response, the state enacted laws in an attempt to contain the social movements. Two agrarian reforms were important in the early 1960s, one by the military government of General Ricardo Pérez Godoy in 1962, limited to regions with high mobilization levels and that were perceived as prominent threats, and one approved by Fernando Belaunde Terry in 1964.[42] These two reform attempts did not placate peasant's unrest. In Cerro de Pasco for example, *comuneros* from the region complained, but to no avail. They went as far as suing state institutions.[43] When these attempts were unsuccessful, peasants began to take back land appropriated by the Cerro de Pasco Corporation.[44] And, this is just one example of the many *tomas de tierras* that spread throughout the highlands.[45]

The peasant uprisings of this period were not a failure, they allowed *comuneros* to maintain the land recovered from large landowners during the *tomas de tierras* and pressured authorities to implement a more significant agrarian reform.[46] On October 3rd 1968, a left-leaning general, Juan Velasco Alvarado, led a coup against president Belaunde. General Velasco Alvarado implemented several political, economic, and social reforms, among them: the agrarian reform, the expropriation and nationalization of several companies (including the International Petroleum Company) and the creation of peasant-run cooperatives.[47] The goal of this agrarian reform was to redistribute land that

---

[42] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 105.
[43] *Comuneros* were members of a community.
[44] Wilfredo Kapsoli, *Los movimientos campesinos en el Perú*, 112.
[45] *Tomas de tierra* were land recoveries made by peasants.
[46] Misha Kokotovic, *The Colonial Divide*, 28.
[47] Stefano *Verase, Salt of the Mountains: Campa Asháninka History and Resistance in the Peruvian Jungle*, trans. Susan Giersbach Rascón (Norman, University of Oklahoma Press, 2002), XXVIII.

had been concentrated by a small fraction of the landowners. This reform "aimed at defusing tension in the countryside in order to avoid an outbreak of a revolution, effectively broke the sierra landowning class and put an end to *gamonalismo*, without, however, opening the top-down agrarian reform process to participation by the indigenous communities and hacienda peons who had pushed for it for over a decade."[48] In the wake of the agrarian reform, Velasco implemented and institutionalized the change from *indio* to *campesino* in the Andes, hoping to leave behind the negative connotations attached to the word and replace an ethnic term with a class category.

While during the 1950s and 1960s the Peruvian Andes took the center stage and created radical changes, the state also took a stand in regards to the Amazon, enacting laws that impacted this region. General Velasco Alvarado enacted two legislative decrees that recognized native peoples' rights to land and invited indigenous peoples to become active social agents capable of making their own decisions concerning the use of their land. In 1974 he enacted legislative decree 20653, "Ley de Comunidades Nativas y de Promoción Agropecuaria de las Regiones Selva y Ceja de Selva" and in 1975 he approved legislative decree 21147. Alberto Romero explains the importance and purpose of both legislative decrees,

> Mientras DL. 20653 reconoce la existencia de las comunidades nativas, garantizando la integridad de la propiedad de las tierras que ocupan, cautelando y revalorando sus manifestaciones culturales y otorgándoles un rol y papel protagónico importante en el desarrollo de la Amazonía; DL. 21147, posibilita el uso y manejo de los recursos naturales existentes dentro de sus territorios comunales sólo y únicamente por los miembros de la comunidad de manera tal que revierta en beneficio de ella, y asimismo, anula viejas y mañosas transacciones comerciales como el caso de las

[48] Misha Kokotovic, *The Colonial Divide*, 96.

> "habilitaciones" de las que las mayores víctimas eran justamente los nativos.[49]
>
> While LD 20653 recognizes the existence of native communities, guarantees the integrity of the land they occupy, bearing in mind and giving value to their cultural manifestations and granting them a leading role in the development of the Amazon; LD 21147 enables only members of the community to use and manage the natural resources in their communal land so as to benefit the community, and prevent old and deceitful commercial transactions.

Many social reforms and indigenous-friendly policies ended when Juan Velasco Alvarado was deposed in 1975. The new military government enacted legislative decree 22175 "Ley de Comunidades Nativas y Promoción Agraria de las Regiones de Selva y Ceja de Selva" in 1978. This law derogated legislative decree 20653, and offered countless opportunities for often reckless, foreign investment. The agrarian reform, however, had already made an impact. In the Amazon, a strong political consciousness surfaced inspiring indigenous activists to use Velasco's decree to claim their rights to land and to politically organize.

Social Organization and Leadership

Decades before the Agrarian Reform, a new consciousness among indigenous peoples in the Amazon had emerged unintentionally, as a result of "civilizing projects" directed by the Instituto Linguístico de Verano (ILV) and supported by the State. Interactions between indigenous leaders during ILV programs inspired small grassroots movements to organize and when the Agrarian Reform laws were revoked and their lifestyle threatened, they were ready to contest the reversal of the reform thanks to a

[49] Alberto Romero Ramón, "Aspectos legales sobre las comunidades nativas de la Amazonía Peruana," in *Panorama Amazónico* 2 no. 3, (1978): 6.

cohesive ideology and strong leadership.[50] During the 1970s, new small social organizations with clear core values emerged, which would become the seed for a new social movement in the Amazon. From these small organizations AIDESEP (Interethnic Organization for the Development of the Peruvian Rainforest) was born.

AIDESEP is a national organization presided by a national council with six decentralized organizations, spread out throughout the north, center, and south of the country. This organization represents over 350,000 indigenous peoples grouped in 16 linguistic families and divided into 57 national federations.[51] AIDESEP was formed by the unification of three local indigenous organizations led by indigenous peoples of three different communities, the Asháninkas from the Central Amazon (CECONCEC), the Shipibo from native communities of Ucayali (FECONAU) and the Awajun with an Aguaruna y Huambisa Counsel (CAH).[52] These grassroots organizations began to form in the 1970s at the community and local levels as a response to the elimination of 1974's Native Communities Law through which many indigenous communities had obtained land titles. These organizations grew into an autonomous regional social movement organization in the early 1980s with the necessary leadership and complexity to form a cohesive yet diverse social movement that represented the Amazon and its peoples.[53]

AIDESEP was instrumental in the consolidation, organization, and achievements of the social movement; it was pivotal in the distribution of land titles as well as in

---

[50] Social networks will be discussed later in the chapter.
[51] AIDESEP Website, ¿Cómo estamos organizados?; available from http://www.aidesep.org.pe/index.php?id=2
[52] AIDESEP Website, Historia del AIDESEP; available from http://www.aidesep.org.pe/index.php?id=3
[53] AIDESEP, *Porqué y cómo se construye el AISEDEP: La historia de la organización indígena*, Publicaciones AIDESEP, 2.

denouncing illegal acts committed by corporations and the state. Alberto Chirif and Pedro García Hierro narrate a remarkable example of how the organization negotiated with the state on a legal terrain to improve the condition of indigenous community members and to title indigenous land. AIDESEP denounced a landlord exploiting Asháninka people who were treated like slaves; they lived in unsanitary conditions, were not paid for their labor, and suffered physical punishments, which in many cases resulted in death. AIDESEP leaders resorted to the International Labor Organizations Convention 107 to request the government's intervention to release the indigenous families and to award land titles for the victims. The state recognized the violations and worked with the organization to comply with its demands. Although this was an unprecedented challenge for AIDESEP, it followed through and achieved success. First, the organization signed the agreement with Ucayali's regional agrarian leadership, in order to accomplish an accurate demarcation to title the land. This process happened in two steps, between 1989 and 1993, and then in 1995. Several challenges had to be overcome. The owners were powerful and had strong local connections, amidst drug trafficking and a high incidence of terrorist activity. In spite of it, this mission was accomplished and 209 communities obtained land titles over a total of 2'079, 508 hectares. Many other projects supported by AIDESEP have achieved a similar success, gaining local and national recognition.[54]

In recent years, national organizations have established coalitions within the continent, forging social alliances that support national organizations and a Pan-Amazonian movement. An international coordinator that has successfully organized and

---

[54] Alberto Chirif and Pedro García Hierro, *Marcando territorio: progresos y limitaciones de la titulaciones de territorios indígenas de la Amazonía*, (Copenhague: Denmark, IWGIA: Grupo Internacional de Trabajo sobre Asuntos Indígenas, 2007), 189-190.

activated social networks, based upon similar land struggles and indigenous identities, is COICA (Coordinator of Indigenous Organizations of the Amazon Basin), an organization that generates and puts forth collective actions and projects that protect indigenous rights in the Amazon. COICA encompasses representatives from all nine nations that share the rainforest: Peru, Bolivia, Ecuador, Colombia, Brazil, Venezuela, Surinam, Guiana and French Guiana. This international organization promotes "the revaluation and cultural vindication of its members" as well as "the necessary mechanism for the interactions of the Indigenous peoples" and organizations that are members of COICA. In addition, it defends "self-determination of indigenous peoples," their human rights and the vindication of their territories.[55] The mission of this organization is to "generate policies, propositions, and actions at the local, national, and international levels through coordination, dialogue, consultation, and strategic alliances" with private, public, and international corporation actors for "equitable and differentiated development" of the Amazon.[56] COICA has effectively activated social networks in order to discuss common indigenous issues and provide the knowledge and ideological support to local organizations. In addition, it has organized conferences and meetings in which experiences have been exchanged and knowledge has been generated.

The social organizations mentioned are successful when they have an accountable and strong leadership capable of formulating clear goals and the necessary strategy to achieve them. Indigenous leaders carry significant power and must be recognized and

---

[55] COICA Website, *Objectives*; available from http://www.coica.org.ec/ingles/organization/Objectives.html
[56] COICA Website, *Vision and Mission*; available from http://www.coica.org.ec/ingles/organization/vision.htm

respected by the members of the organization. In addition, organizations must "institutionalize processes so that the group's goals, agreements, policies and actions continue from one leadership to another in a smooth transition,"[57] even if the new leadership lacks experience. An organization can be successful when activists "provide political leadership for social movements and create a sense of political significance that went far beyond the confines of the immediate community."[58] Thus, the role of the leader is to strategize and politicize the demands in order to achieve success for the community and the organization.

Shane Greene has identified two types of indigenous leaders among the Aguaruna: traditional "visionary warriors" and indigenous intellectuals. These very different actors pose challenges for internal organizations since they may visualize different approaches and goals for the social movement. "Visionary warriors" are considered the most experienced, the most forward looking, and the strongest; in some cases they are elders. These well-respected leaders represent their children, adolescents, women, and other "less notable" men with names less well known in and outside their kin.[59] The most notable "visionary warriors" are those who are well known among their kin, but most importantly, those who are recognized outside of their kin group for their ability to mobilize people. To become one of these notable individuals requires a special kind of training.[60] Greene explains, "Becoming a Waimaky, a possessor of vision, then, is the first step toward becoming Kakajam, a strong man who has repeatedly succeeded in

---

[57] Richard Chase Smith, *Envisioning the Challenges for Indigenous Peoples of Latin America*, 55.
[58] Joe Foweraker, *Theorizing Social Movements*, 48.
[59] Shane Greene, *Customizing Indigeneity*, 63.
[60] Shane Greene, *Customizing Indigeneity*, 81.

improving his vision's effectiveness."[61] When other people in the community begin to recognize a person's special deeds and abilities, the "visionary warrior status" is acknowledged.[62] Local leaders are constantly challenged by other strongmen who want to prove their abilities to inspire, mobilize, and be respected.

In addition to these traditional visionaries, there is a new type of leader since around the 1950s. Bilingual teachers also known as indigenous intellectuals emerged as a result of a process of "civilizing" and "indoctrinating" carried out by religious groups. In 1924 Roger and Esther Winans opened up the first Nazarene school in Pomará, near Bagua Grande, with a few male students. This school was later taken over by Jesuits and both religious orders carried out "the early stages of an imposition of new 'civilized' customs and their corresponding logics: profit margins, state citizenship, literacy, and the deliverance promised by Christian spirituality."[63] Winans believed that his students needed to obtain a "civilized" education, including bible studies, civic duties, reading, writing, and arithmetic. His students, among them Daniel Dánsuchu, Moises Inuash, Francisco Kaikat, and Silas Cuñachi, learned Spanish well enough to become bilingual teachers.[64] Moreover, Shane Greene suggests that it was the Aguaruna at Yamayakat, namely Moises Inuash and Daniel Dánduchu, who launched the first effort to organize Aguarunas.[65] Almost a decade later, in 1949, under the guidance of Father Martín Cuesta,

---

[61] Shane Greene, *Customizing Indigeneity*, 81.
[62] In *Customizing Indigeneity*, Shane Greene describes Baikua as a very well-known visionary leader remembered by all the Aguaruna.
[63] Shane Greene, *Customizing Indigeneity*, 108.
[64] Shane Greene, *Customizing Indigeneity*, 109.
[65] Shane Greene, *Customizing Indigeneity*, 109.

the Jesuits revived a mission in the town of Santa Maria de Nieva and opened up the first separate female and male boarding schools.

Roger Winans and his successor Elvin Douglas were members of ILV (Instituto Linguístico de Verano) established by Cameron Townsend in 1936. The ILV was an evangelical organization with two profiles, "an ideological secular one for its foreign beneficiaries and a transparently evangelical one for his largely faith-based supporters in the United States."[66] When this organization first started operations, it was introduced as the Summer Institute of Linguistics, "a group of well-trained linguists interested in working with indigenous population in bilingual education, translation, and community development."[67] Since the support of the government was imperative, this organization converted and educated or "civilized" as many "Indians" as possible. According to David Stoll, Cameron Townsend "promised to accommodate Indians to colonization and actively promoted it. Bible translation became part of the infrastructure of the state expansion: colonization schemes led to state and business subsidy of the Lord's work."[68] In1952, the military government of General Manuel Odría granted its support to the organization through a resolution in which the ILV was authorized to provide bilingual training to Amazonians.[69]

---

[66] Shane Greene, *Customizing Indigeneity*, 113.
[67] Shane Greene, *Customizing Indigeneity*, 113.
[68] David Stoll, "The Summer Institute in Peru" in *Fishers of Men or Founders of Empire? The Wycliffe Bible Translators in Latin America*, (London: Zed Press, 1982), 99.
[69] Shane Greene, *Customizing Indigeneity*, 115; David Stoll explains that translators from ILV first recruited potential bilingual teachers from patron-dominated areas because they were more accessible. Later, these biligual teachers traind by ILV would be in charge of bringing in independent populations from more isolated areas. While in the 1950s ILV translators were recruiting people along Rivers such Urubamba, in the 1960s they were going into remote valleys and refuge regions. Although at first few teachers were

The ILV trained small groups of indigenous teachers responsible for concentrating dispersed populations around a school and using classes to create congregations in their hometowns.[70] Indigenous bilingual teachers were key in this project. They were respected members of the community and, understanding the culture gave them great insights and allowed them to indoctrinate their peers. Community development projects were organized around these congregations to deal with social problems, subsistence, and health issues. Moreover, the program introduced a new social structure where schools, churches and trading posts became one entity, leading to one authority, exchange and production that was used to incorporate native people into "a colonizing society and campaign against their religious traditions."[71] Through this process, Townsend claimed, he was offering the state clear results, "his linguists would not only Peruvianize Indians, but speed the disappearance of their languages."[72]

This state-sponsored program in the Amazon, with little if any expansion into the Andes, had the short-term goal of training a selected group of natives to become educators and run bilingual schools in their hometowns; its long-term goal was to transform as many Amazonians as possible into "clean, committed, and Christian citizens" of the nation-state.[73] The main goal of ILV, however, was to spread the gospel to every corner through the translation of the bible to indigenous languages and by

---

selected, these numbers grew over time; "the Peruvian branch counted converts in each of the 32 languages in which it had worked. In 24 there were 320 bilingual teachers and 12,000 pupils in 210 communities. If 150,000 indigenous people live in the Peruvian Amazon according to SIL's conservative estimates, the schools would recruit from at least one-third of them" in David Stoll, "The Summer Institute in Peru," 100-102.

[70] David Stoll, "The Summer Institute in Peru," 100.

[71] David Stoll, "The Summer Institute in Peru," 100.

[72] David Stoll, "The Summer Institute in Peru," 100.

[73] Shane Greene, *Customizing Indigeneity*, 116.

educating indigenous peoples who could continue to spread their religious teachings. Both the organization and the government perceived indigenous peoples in the Amazon as malleable creatures that would adopt their teachings and become "civilized" members of the country. However, this program had unintended consequences since the opposite of what the state expected occurred. Instead of following their model, spreading the gospel and abandoning their languages and culture, the translation of the bible drove indigenous peoples to preserve their native languages and to a superimposition of traditional native religions and Christianity. Thus, indigenous activist repurposed their newly acquired tools and instead of losing their language and culture, they maintain indigenous language and created a strong indigenous consciousness.

What this program provided to indigenous peoples was the ability to read, write, and speak Spanish, expertise they needed to engage in a legal, non-violent battle. As Greene suggests, "the new plan [was] to take control of the very skills with which they were being civilized and convert them into weapons that would serve their own projects."[74] Through this process, new Aguaruna "inter-ethnically conscious agents of Amazonian indigeneity" were born, becoming the link between society and their kinsmen as new local political leaders.[75] These leaders were able to form wider regional coalitions during ILV conferences of indigenous teachers in the city of Pucallpa, activating social networks by exchanging local experiences. Indigenous activists gathered and discussed issues pertaining to Aguaruna communities and families, the advantages of creating alliances with other indigenous Amazonians, and the need for a pan-Aguaruna

[74] Shane Greene, *Customizing Indigeneity*, 125.
[75] Shane Greene, *Customizing Indigeneity*, 125.

consciousness.[76] Thus, these bilingual teachers became the heart of today's Pan-Amazonian movement, certainly not what the ILV or the state had in mind, since these activists were expected to carry on religious projects and follow the government's model of good citizens.

Indigenous Identity and Indigeneity

Bilingual education has impacted the strategy indigenous leaders have decided to pursue. As indigenous activists in the Amazon have become aware of the need for their cultural preservation, bilingual education and awareness of their cosmology have contributed to their recognition as indigenous peoples.[77] This identity encompasses a

[76] Shane Greene, *Customizing Indigeneity*, 125.

[77] The *Ashaninkan* peoples' cosmology, one of the most prominent indigenous communities in the Amazon, sees that life in the universe is constituted of five vertical spaces with a cyclical structure that portrays the relationship between forces of nature and human beings on earth. The first cosmic structure is *ñaateni* and can be translated as the water world. The second structure is *Kepatski* can be earth or land and it refers to the space humans inhabit and where they interact every day. The third space is *maninkariiteri*, which means the place of the dead. The fourth space is the place where beings with unequalled power exist called *oetasatsi*. The fifth and last space is the space for the one that dominates all cosmic forces called *pachakamaite*. This can be compared to the sun, it is said that its forces control the universe.[77] All five structures are intrinsic to indigenous cosmologies of the *Ashaninkas* and very similar to all peoples of the Amazon. This shows the close relationship between indigenous peoples and their environment (such as the place of the dead), since some of these spaces are part of their environment, and equilibrium that must exist between men and nature; in: Juan Nicahuate Paima, *El sheripiari como agente socializador a través de la práctica médica en la cosmovisión ashaninka*, (La Paz, Bolivia: UMSS : PROEIB Andes : Plural Editores, 2007), 106-111. Luisa Belaunde, Hernán Coronado, Alonso Santa Cruz, and Lourdes Soldevilla conducted a research study in which they surveyed indigenous peoples from three different indigenous communities of the Amazon: Awajún, Asháninka, and Shipibo-konibo. This survey yields results that show a positive attitude towards an indigenous identity, which is perceived as constructed or shaped by indigenous communities' daily experiences, as opposed to an outside-imposed identity; in : Luisa Belaunde, Hernán Coronado, Alonso Santa Cruz, and Lourdes Soldevilla, *Ciudadanía y cultura política*

dynamic interpretation of what it means to be indigenous, which informs their indigeneity. As opposed to the Western meaning of the word *indio*, indigenous leaders are providing a new meaning to their indigeneity that includes their innateness to the land, their close relationship to nature, and their sense of community. Thus, land becomes an important part of their community, for the living and the dead, by which the upholding of communal land, the close relationship with nature, the preservation of indigenous languages and values, and the respect for ancestry and traditions become paramount.

Indigeneity, in my view, has become a way to politicize indigenous demands in order to preserve elements that are essential to indigenous cosmology. Indigeneity, as an abstract globally conceived way of being indigenous is now recognized by worldwide entities and protected by international laws. Greene explains, "one can't even begin to summarize the ways in which it [indigeneity] is legally constituted and institutionally arranged through multicultural reforms, land-titling initiatives, language-recognition policies, and nongovernmental advocacy networks around the planet."[78] Moreover, indigeneity can be considered a tool, "a strategy developed in a context of a specific time and political situation and as such, it is not innate."[79] Indigenous leaders in the Amazon use this indigeneity to appropriate an indigenous rights strategy in order to insert their struggle in a global context. Finally, as indigeneity has taken different meanings in different regions of the world, in Latin America an indigenous awakening is taking place

---

entre los Awajún, Asháninka y Shipibo-Konibo de la Amazonía Peruana, (Lima: Centro Amazónico de Antropología y Aplicación Práctica, 2005).

[78] Shane Greene, *Customizing Indigeneity*, 14.

[79] Anne Uhling, "Deafhood and Indianess: Indigeneity as a Cultural Construction" (Presentation at American Indian Workshop, Tromso, May 2008).

where neoliberal capitalism, citizenship, and the future of the region are being redefined.[80]

The New Social Movement in the Amazon

The changes that began to take place in the Amazon since the 1970s correspond to what is considered a new social movement. During this process, indigenous activists find ways to politicize their demands and struggles and become oppositional forces challenging the state. Calderon, Piscitelli, and Reyna suggest that social movements,

> Seek the reconstruction of the regime of rights through the transformation of the mechanism of social representation. Thus, social movements would be aspiring not only to actualize the rights of social and political citizenship (that is, participation in decision-making mechanism) but also to create a space of institutional conflict in which to express their demands.[81]

Indigenous peoples of the Amazon have transformed their representational mechanism, now the state has to perform the consultation process through indigenous organizations such as AIDESEP. Activists are rearticulating indigenous rights in the Peruvian political landscape by incorporating international laws that have to be respected by the state.

New social movements depart from revolutionary movements in the past, such as in the Andes, since "these new movements do not employ or advocate the radical, revolutionary restructuring of the state through violent revolution. Rather, their approach is to work within civil society and push government and society to their limits to achieve

---

[80] Shane Greene, *Customizing Indigeneity*, 13.
[81] Fernando Calderón, Alejandro Piscitelli, and José Luis Reyna, "Social Movements: Actors, Theories, and Expectations," in *The Making of Social Movements in Latin America*, Escobar and Alvarez, ed. (San Franciso: Westview Press, 1992), 29.

the necessary change and restructuring."[82] Activists of the social movements of the 1960s adopted international theories such as Marxism. Scholars have also analyzed the Andean revolutionary movement at a particular moment through a Marxist lens, which left out important cultural and ideological aspects. Furthermore, this diagnose did not necessarily encompass the complexities of the Andean case or the long trajectory of land struggles that took place both through uprisings and in the courtrooms. In spite of their shortcomings, using new social movement theory and resource mobilization theory enables us to make a more cultural analysis that describes a "less violent" long-term process. In the Amazon, indigenous activists have refrained, until very recently, from violent confrontations. Moreover, social organizations have challenged the state within a legal terrain, first with Velasco's "ley de las tierras," and later through the articulation of international indigenous rights.[83]

New social movement theory analyzes new movements from a more cultural approach that was present in the Andes, but not articulated. New social movement theory suggests, "class analysis can no longer trance the main contours of social reality," focusing on the cultural aspects that a class-based analysis overlooks.[84] Alberto Melucci argues that identity is at the core of new social movements, as activists search for new and different individual and collective identities that they control and articulate.[85] Indigenous peoples in the Amazon have articulated "collective right and cultural

---

[82] Harry Vanden, "Social Movements, Hegemony, and New Forms of Resistance," in *Latin America Perspectives* 34 no. 17 (March 2007): 21.
[83] An example of violent confrontation was "El Baguazo." However, indigenous leaders tried to discuss the issues with state authorities, making claims to congress and the executive. For a discussion of this matter see Chapter 3.
[84] Joe Foweraker, *Theorizing Social Movements*, 36.
[85] Joe Foweraker, *Theorizing Social Movements*, 45.

diversity" discourses that inspired political activism, particularly among the Asháninkas, where it "resulted in reactivating local intercommunal organizations, forming and expanding regional ethnic and multiethnic federations."[86] Moreover, indigenous activists use indigeneity as a notion that encompasses the collective identities of the movements' members allowing them to politicize these identities in a local, national, and global context.

In order for the movement in the Amazon to work, social networks needed to be in place. According to Joe Foweraker, social movements are established through networks that provide a sense of belonging.[87] Social networks, typically based on religion, race-ethnicity, gender, and class, inform fragile and dynamic identities that are constantly being redefined in order to connect to more possible supporters. Networks are not based on location and are not tangible; instead, they comprehend values and an ideology with which a group of people identify.[88] According to Foweraker, social networks are already in place as they are embedded in people's minds and become a referent for our identity formation, establishing stronger bonds between participants. In the Amazon, these networks were first recognized when bilingual teachers began to exchange knowledge and became aware of their struggles. Through this process a common consciousness emerged based upon an indigenous cosmology, in which indigenous peoples in different parts of the Amazon shared a similar culture and identity. Most recently, these networks were activated by AIDESEP when in 2009 people from

---

[86] Kay B. Warren and Jean E. Jackson, ed., *Indigenous Movements, Self-Representation, and the State in Latin America*, (Austin: University of Texas Press, 2002), 13; Stefano Varese, *Salt in the Mountains*, XXXI.
[87] Joe Foweraker, *Theorizing Social Movements*, 12.
[88] Joe Foweraker, *Theorizing Social Movements*, 12.

different communities in the Peruvian Amazon mobilized for 59 days to expose the social movement's demands and attract national attention. Furthermore, these networks have also been activated at a regional level. The organization COICA (Coordinator of Indigenous Organizations of the Amazon Basin) works with indigenous peoples from different countries in order to create and exchange knowledge and achieve national and regional common goals.

A social movement is the process through which demands are exposed and goals are achieved, this occurred in the example presented when AIDESEP exposed the injustices occurring in a community and demanding the state to take action in liberating community members treated like slaves and granting them titled land. According to resource mobilization theory, these organizations are in charge of the administrative function of mobilizing resources to achieve goals. As this example showed, the social movement needs a social movement organization (SMO) that performs executive functions by "mediating between the larger macro environment and the set of micro dynamics on which the movement depends."[89] Thus, social organizations provide a structure for the social movement, mobilize resources, organize protests, strategize, and spread knowledge. This has been the role of AIDESEP. Moreover, social "organizations did not develop directly from the grievances but very indirectly through the moves of actors in the political system."[90] Most Amazonian federations were created from interactions between bilingual teachers that found common struggles and the necessary resources, in this case knowledge, to organize and create a cohesive federation. As the

---

[89] Joe Foweraker, *Theorizing Social Movements*, 70.
[90] John D. McCarthy and Mayer N. Zald, "Resource Mobilization and Social Movements: A Partial Theory," in *American Journal of Sociology* 82 no. 6 (May 1977): 151.

third chapter will show, it is when these organizations join together in a common cause that a social movement arises. Thus, while a social organization provides the administrative and ideological structure, the social movement is the process through which social issues and struggles are articulated and goals are achieved.

The leadership in the Amazon has the crucial role of creating an effective strategy. According to Resource Mobilization theory, leaders must adopt an ideology that conveys the beliefs of the members and elaborate achievable goals that can continue to produce success for the movement. Foweraker indicates that the "professionalization" of intellectuals has been paramount since they "synthesize the philosophy of the movement for consumption of the mass media."[91] In the Amazon, educational programs have been established to train local leaders who can educate teachers and the youth in order to preserve their culture and the social movement.[92] Furthermore, indigenous leaders in the Amazon have followed a clear strategy that has for the most part remained along the same lines for several decades, first using the laws available during the 1970s and later on appropriating new legal tools as they became available to pursue their goals and claim indigenous rights.

This chapter explained why and how the Amazonian social movement emerged, introducing crucial parts of the movement. While organizations are the backbone of the movement performing administrative functions and acquiring resources, leaders create a strong strategy. They must expose the social movement's demands, which are politicized through performance, as constant interaction between authorities and activists become

---

[91] Joe Foweraker, *Theorizing Social Movements*, 70.
[92] For a discussion of these programs see conclusion (pp.90).

spaces where power relations are contested. These spaces are created when social movements' demands become public and discussions about social issues arise. The social movement in the Amazon found these spaces through protests that occurred most recently between 2008 and 2009, and they became vehicles to expose demands and showcase the social movement's public support.[93]

The success of the movement relies on the organization's accomplishments and the presence of an effective leadership in charge of exposing demands and negotiating the movement's goals with the state on a legal and institutional terrain.[94] During the protests of 2009, important leaders such as Alberto Pizango Chota, the president of AIDESEP and bilingual teacher, emerged as a prominent political figures exposing demands and strategizing. Moreover, social networks were key; once activated, people mobilized in different parts of the Amazon performing actions arranged by local social organizations and managed by AIDESEP and its leaders. Together, these actions account for the accomplishments of the movement: revoking the legislative decrees and making indigenous peoples of the Amazon part of the national imaginary. As the third chapter will explain, the Amazonian social movement has been very effective at exposing struggles, demands, and using laws and resources to negotiate their goals and revoke Alan García's legal decrees.

---

[93] Joe Foweraker, *Theorizing Social Movements*, 23, 117.
[94] Joe Foweraker, *Theorizing Social Movements*, 70.

CHAPTER 2

"Neoliberal Multiculturalism" and the State

Most social movement's organizations of the Amazon consolidated in the 1980's; during this time, the country experienced a very serious economic crisis, which contributed to the elections of a practically unknown candidate in the1990 elections, engineer Alberto Fujimori. President Alberto Fujimori created a state apparatus that encouraged direct penetration of international capital into the national economy and thus encouraged the privatization of land, state companies, and resources. In order to move forward his agenda, a large indigenous population was expected to lose land, suffer exploitation, and become the engine of his neoliberal project. Fujimori and Alejandro Toledo compromised making small social changes and recognizing cultural diversity, while undermining these identities with radical changes that would transform peoples' lifestyles and cultures forever. This chapter explores the changes that occurred during the 1990s, the international environment that introduced new ideas about cultural diversity, and the economic policies that marked the beginning of a neoliberal regime.

Globalization is the process by which international markets become connected and national barriers are reduced, allowing the mobilization of people and capital and increasing cultural influences. Deborah Yashar explains that globalization was first introduced to understand changes in the world economy such as "the rising mobility of international capital, the reconfiguration of the production, and the development of communications and computer technologies."[95] Neoliberalism is part of this process and

[95] Deborah J. Yashar, "Resistance and Identity Politics in an Age of Globalization,"

represents a new form of capitalism in the 1980s and 1990s. Latin American countries began to open up their economies to international capital and "while some scholars praise the impact of globalization on macroeconomic growth, others question its effects on state sovereignty, social security, democratic accountability, and the rights and responsibilities of citizens."[96] Also part of this process was multiculturalism, which became an international standard for how the state should deal with a large indigenous population and ethnic minorities, and although Fujimori did very little in this respect, Alejandro Toledo "embraced" a multicultural shift. This chapter argues that while neoliberalism intensified the concentration of capital, resources, and land in large corporations' hands, multiculturalism diffused ideas about indigenous rights that were part of an international discourse. This social and economic shifts in the 1990s and early 2000s deepened social inequalities, while providing indigenous actors in the Amazon with the legal framework and ideology to claim their rights and role in society, and to further their indigenous struggle.

Neoliberalism in Peru

David Harvey describes neoliberalism as "a theory of political economic practices that proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by

---

Annals of the American Academy of political and Social Science 610, NAFTA and Beyond: Alternative Perspectives in the Study of Global Trade and Development (March, 2007): 162.

[96] Deborah Yashar, "An Age of Globalization," 162.

strong property rights, free markets, and free trade."[97] With the implementation of neoliberal policies in the late 1970s and early 1980s, the international economy was liberalized and deregulated and the private sector experienced significant growth. Harvey notes that a "neoliberal state" has "a state apparatus whose fundamental mission [is] to facilitate conditions for profitable capital accumulation on the part of both domestic and foreign capital."[98] For some scholars such as Laura Macdonald and Arne Ruckert, neoliberalism can be reduced to the economic policies of the "Washington Consensus," described in the ten neoliberal commands, among them "fiscal discipline, reorientation of public expenditures, tax reforms, financial liberalization, unified and competitive exchange rates, trade liberalization, openness to foreign direct investment (FDI), privatization, deregulation, and secure property rights."[99] Furthermore, neoliberalism has become a hegemonic discourse so effective that it has grown to become part of people's common sense.[100] According to Harvey, "neoliberalization" has devastated institutional frameworks and powers, changed social relations and ways of thought.[101] Thus, neoliberalism is more than an economic theory; it becomes part of a social project in which the state's priority is to protect private interests, providing corporations with almost unlimited power to control the market and leave behind local devastation without any consequences.

---

[97] David Harvey, *A Brief History of Neoliberalism* (New York: Oxford University Press, 2009), 2.
[98] David Harvey, *A Brief History of Neoliberalism*, 7.
[99] Laura Macdonald and Arne Ruckert, *Post-neoliberalism in the Americas* (New York: Palgrave Macmillan, 2009), 3.
[100] David Harvey, *A Brief History of Neoliberalism*, 3.
[101] David Harvey, *A Brief History of Neoliberalism*, 3.

In Latin America, Laura Macdoland suggests, many policies were introduced after the debt crisis of 1982 as the World Bank and the Monetary Fund oversaw the new Structural Adjustment Programs (SAP) that were implemented. Several scholars, including Harvey, describe Chile under Pinochet as the first neoliberal state, where he "reversed the nationalizations and privatized public assets, opened up natural resources (fisheries, timber, etc) to private and unregulated exploitation (in many cases riding roughshod over the claims of indigenous inhabitants), privatized social security, and facilitated foreign direct investment and freer trade."[102] Margheritis and Pereira suggest that presidents in "hyper-presidentialist regimes" initiated rapid reforms in the 1980s in Argentina and 1990s in Mexico.[103] In Brazil the neoliberal shift took place ten years after the end of the military regime, in the mid-1990s.

The election of Alberto Fujimori in Peru was a response to the critical economic, political, and social conflicts. When Alberto Fujimori became president in 1990, he faced an economic crisis and the expansion of guerrilla movements, Shining Path (*Sendero Luminoso*) and to a lesser extent MRTA (*Movimiento Revolucionario Tupac Amaru*), taking over and devastating communities in the interior and reaching the capital. He created an authoritarian regime and became a populist dictator validated by capturing the leader of the Shining Path and putting an end to the terrorist groups, improving economic statistics, and creating small projects such as mediocre public schools and breakfast

---

[102] David Harvey, *A Brief History of Neoliberalism*, 8.
[103] Ana Margheritis and Anthony W. Pereira, "The Neoliberal Turn in Latin America," *Latin American Perspectives* 34, no. 3 Contested Transformations (May, 2007): 27.

programs to gain popular support.[104] As he faced opposition to his economic changes, particularly from the APRA and Izquierda Unida (United Left), he enacted an "autogolpe" (a self-inflicted coup d'etat) on April 1992.[105] This move concentrated the power in the executive as he closed down parliament, deferred the autonomy of the Central Bank, the Judiciary and the Controller General, and dismantled the National Magistrate Council and the regional governments.[106] When congress reopened in 1993, it was reduced to a house of representatives controlled by Fujimori's political party. He created a new constitution in 1993 that allowed the president to pass "decrees of urgency" without initial parliamentary participation, but that were later authorized by parliament as "laws of exception."[107] Guillermo Ruiz Torres notes that most laws during Fujimori's regime were passed through this method.

According to Heraclio Bonilla, Alberto Fujimori implemented several changes that were in line with the neoliberal paradigm:

> Estabilización, control férreo del gasto público, apertura completa del Mercado, desmonte de la protección a la industria y a servicios esenciales como la educación y la salud, flexibilidad laboral en el sentido de cancelación de su estabilidad, reducción del aparato del Estado, control de la inflación, liquidación y remate de las empresas publicas, atracción de la

---

[104] For a complete analysis of *Sendero Luminoso*, the social consequences, and the forces behind the capture of Abimaél Guzman see: Steve J. Stern, ed., *Shinning and Other Paths: War and Society in Peru, 1980-1995* (Durham: Duke University Pres, 1998); and Nelson Manrique, *El tiempo del miedo: la violencia política en el Perú, 1980-1996* (Lima: Fondo editorial del Congreso del Perú, 2002).
[105] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru: Implementing the Washington Consensus," in *Internalizing Globalization: The Rise of Neoliberalism and the Decline of National Varieties of Capitalism*, edited by Susanne Soederberg, Georg Menz, and Philip G. Cerny, (New York: Palgrave Macmillan, 2005), 204.
[106] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 204.
[107] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 206.

> inversión extranjera directa, disciplina fiscal para el pago de la deuda externa.[108]
>
> Stabilization, strict control of public spending, complete opening of the market, dismantling of industrial protection and essential services like education and health, work flexibility in terms of instability, reduction of the state apparatus, inflation control, liquidation and auction of public companies, enticement of direct international investment, [and] fiscal discipline for the payment of foreign debt.

The Inter-American Development Bank (IDB), International Monetary Fund (IMF), and the World Bank created Structural Adjustment Programs (SAP) to control the penetration of capital in states borrowing international loans. The SAP includes: tax reform, trade liberalization, deregulations, privatization and "the liberalization of the economy regarding the inflow of foreign direct investment."[109] To comply with SAP and establish relationships with the business sector, he appointed several business leaders to important ministries and worked with Hernando De Soto, a neoliberal champion, from the beginning of his presidency.[110] In addition, Alberto Fujimori abandoned his "no shock" policy and began the stabilization program, implementing what was called the "fujishock" in August of 1990; he deregulated prices in the private sector and increased prices for energy and other services.[111] As a consequence, "prices skyrocketed, subsidies

---

[108] Heraclio Bonilla, *La trayectoria del desencanto: El Perú en la segunda mitad del siglo XX*, (Lima, Fondo Editorial del Pedagógico San Marcos, 2009), 148.
[109] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 203.
[110] Moisés Arce, "The Sustainability of Economic Reform in a Most Likely Case: Peru," *Comparative Politics* 35 no. 3 (April, 2003): 337; Phillip Mauceri, "The Neoliberal Autogolpe in Peru," 18; Also see Alejandro Balaguer, "Peru: Façade of Democracy Crumbles," *NACLA* 26 no. 1 (July, 1992), 3; One example is Carlo Boloña Behr (1991-1993, 2000) who was the executive president of AFP Horizonte, a pension fund manager between 1993 and 1994 and work for several other companies.
[111] Heraclio Bonilla, *La trayectoria del desencanto*, 151.

on basic goods were cut, and salaries were frozen."[112] This had an immediate impact on around six million people, who joined many Peruvians who already lived in critical poverty, a 70% increase in poverty levels occurred.[113]

In 1991, Fujimori created a legal framework to stabilize the domestic arena and mend international relations by promulgating a package of decrees.[114] Fujimori enacted legal decree 674, "Ley de Promoción de la Inversión Privada en Empresas del Estado" to implement policies that facilitated the privatization of state companies, and legal decree 25575 in 1992 provided corporations with "limitless guarantees on the protection of investments."[115] In addition, to comply with Structural Adjustment Programs, about 184 corporations out of the 210 that produced 15% of the GDP (Gross Domestic Product) were auctioned for the total amount of $7'792, 200.[116] These funds were centralized in the Ministry of the Presidency created in 1992, which controlled 40% of the budget that was spent on defense, the interior and foreign debt.[117] International companies particularly from Spain, United Kingdom, Chile, and China gained control over national companies by increasing their investments to 4,795 million dollars from 1992 to 1997.[118] In addition, some of these funds were directed toward social programs for poverty relief that were channeled through two main entities also in charge of electoral propaganda: FONCODES (Fondo Social de Compensación y Desarrollo Social) and PRONAA

---

[112] Alejandro Balaguer, "Peru: Façade of Democracy Crumbles," 3.
[113] Heraclio Bonilla, *La trayectoria del decencanto*, 151.
[114] Philip Mauceri, "The Neoliberal Autogolpe in Peru," 23.
[115] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 210-211.
[116] Heraclio Bonilla, *La trayectoria del desencanto*, 152.
[117] Julio Carrión, ed. *The Fujimori Legacy: The Rise of Electoral Authoritarianism in Peru*, (University Park, Pennsylvania: Pennsylvania State University Press, 2006), 50; Heraclio Bonilla, *La trayectoria del descencanto*, 152.
[118] Heraclio Bonilla, *La trayectoria del desencanto*, 152.

(Programa Nacional de Asistencia Alimentaria). Fujimori used organizations such as FONCODES to transform the administration of funds "into an instrument for exhorting support for the government among the impoverished segments of the population, mainly peasants and slum communities."[119]

Privatization in Peru extended to banks, part of the agrarian sector, and even social security, where private companies provided retirement plans with little state regulation.[120] Moreover, the privatization process entered the productive sector, where state owned enterprises were sold or rented with little regulation and allegedly, under corrupt practices.[121] This was the beginning of many years of privatization of companies and land; with the help of the authorities Minera Yanachocas in Cajamarca, the biggest gold mine in South America, coerced 41 families to sell community land with little information and at unfavorable rates.[122] Other projects include the Camisea Gas Project, the attempts to sell the state-owned Egasa and Egasur by Alejandro Toledo in 2002, and the decrees created by Alan García to expropriate and appropriate indigenous land for privatization, discussed in the third chapter of this thesis.[123]

As part of his neoliberal plan, Fujimori forged strong relationships with the private sector by lifting regulations and providing a very prosperous environment for investment. He created a welcoming environment to international corporations and

---

[119] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 206.
[120] Philip Mauceri, "The Neoliberal Autogolpe in Peru," 26.
[121] Philip Mauceri, "The Neoliberal Autogolpe in Peru," 26.
[122] Jeannet Lingán, "El Caso de Cajamarca," in *Definiendo Derechos y Promoviendo Cambios: El Estado, las Empresas Extractivas y las Comunidades Locales en el Perú*, Martin Scurrah, ed. (Lima: IEP and OXFAM, 2008), 42.
[123] For brief information on Egasa and Egasur projects see Moisés Arce, "The Repoliticization of Collective Action After Neoliberalism in Peru," 37.

capital by "disbanding cooperatives, lifting restrictions on land sales, and allowing large-scale capital to enter the agrarian sectors."[124] These moves negatively impacted indigenous communities; with restrictions and regulations lifted, corporations were able to acquire large land holdings and conduct extractive projects irresponsibly. In some cases, communal land was expropriated and in others, local agriculture was ruined due to the contamination of land or the lack of enough land to preserve their ways of agriculture, forcing communities to change their ways of subsistence. In addition, Fujimori overturned most "laws regarding workers participation, union organization, job security, and sales of state property." [125] Labor laws were very flexible, work became unstable, and unemployment grew, creating a very large informal sector.[126]

The stabilization of the economy represented an influx of capital and an increase in foreign investment (about 41 billion dollars of investment in foreign capital to communication, energy, and finance sectors annually between 1991-1998); however, the statistical economic growth was not reflected on most Peruvians' salaries or the Gross Domestic Product (GPD) per capita.[127] According to Javier Herrera,

> El porcentaje de pobres alcanza el 54.8% del total de [la] población in 2001. Esto significa que más de la mitad de la población tenía un nivel de gasto insuficiente como para adquirir la canasta básica de consumo. Sin embargo, el promedio nacional oculta situaciones fuertemente contrastadas según áreas y a nivel regional. Mientras que la incidencia de la pobreza era de 42% en las ciudades, en las áreas rurales del país casi 8 de cada diez habitantes (78.4%) se encontraba en situación de pobreza. El riesgo de ser pobre es prácticamente el doble en las áreas rurales respecto a las áreas urbanas.[128]

---

[124] Philip Mauceri, "The Neoliberal Autogolpe in Peru," 27.
[125] Philip Mauceri, "The Neoliberal Autogolpe in Peru," 23.
[126] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 200-210.
[127] Heraclio Bonilla, *La trayectoria del descencanto*, 153.
[128] Heraclio Bonilla, *La trayectoria del descencanto*, 154.

> The percentage of poor reached 54.8% of the total population in 2001. This means that more than half of the population was unable to acquire their basic necessities. However, this number hides the drastic differences that exist between regions. While the rate of poverty is 42% in cities, in rural areas eight out of every ten people (78.4%) live in poverty. The risk of being poor in rural areas is practically twice as high as in cities.

Although indexes show economic growth and the development of infrastructure, these numbers do not translate to peoples' salaries or their ability to acquire products for their subsistence. In fact, many people in rural areas like the Amazon Basin experienced the most devastating effects of the economic changes and lived in complete misery, rural areas were twice as likely to live in poverty than people in the city.

Alberto Fujimori passed legislative decree 653 in August 1991 called "Reform to the Agrarian Reform" in which he authorized joint-stock companies to own land and gave equal treatment to international and national companies.[129] In 1995 he promulgated "Law of the Land" 26505, allowing the privatization of native and peasant land, with a prior agreement on how the land would be used, enabling companies to acquire property without any size limits and granting *tierras eriazas* (wastelands) to those losing their land.[130] The same year, Fujimori privatized the state's stocks of the sugar industry and transferred companies from cooperatives to private ownership.[131] While during the Agrarian Reform dismantling large land holdings and titling native and peasant land was paramount, Fujimori focused on the privatization of land, state companies and resources,

---

[129] Heraclio Bonilla, *La trayectoria del descencanto*, 156.
[130] Heraclio Bonilla, *La trayectoria del descencanto*, 156; This law was requires a prior agreement in regards to how land would be use. When this law is put in conjunction with some of Alan García's decrees, the state threatens the survival of indigenous communities. See: http://www.perusupportgroup.org.uk/article.php?article_id=125
[131] Heraclio Bonilla, *La trayectoria del descencanto*, 174

which negatively impacted people in the highlands and lowlands. In addition to the exploitation of workers and expropriation of their land, indigenous communities throughout the country suffered the deterioration of their environment. For example, Minera Yanacoyas's practices caused water shortages, the contamination of the water sources and the spillage of mercury in the community of Choropampa.[132] The indigenous movement of the Amazon attempts to protect their communal land from corporations like Minera Yanacoyas, which enjoy the protection of the state without being held accountable for their actions and negatively affecting communities throughout Peru.

Alejandro Toledo continued many of Alberto Fujimori's economic policies when he took office in 2001. He signed a TLC in 2006 preserving many of Fujimori's neoliberal economic policies. He increased productivity in the mining sector and the privatization of the energy sector with the intention of revitalizing the economy and decreasing the fiscal deficit.[133] However, in the south of Peru he encountered strong opposition from social movements protesting against the privatization of two power companies: Egasa and Egesur. These transactions were perceived as potentially having a negative impact on locals since increased electricity rates were very likely. In addition, people throughout the country have protested against the conditions under which extracting practices have been taking place, the impact on local environments, the distribution of resources and earnings and the working conditions of employees.[134] On

---

[132] Jeannet Lingán, "El Caso de Cajamarca," in *Definiendo Derechos y Promoviendo Cambios: El Estado, las Empresas Extractivas y las Comunidades Locales en el Perú*, ed Martin Scurrah, (Lima: IEP and OXFAM, 2008), 32.
[133] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 215.
[134] Martin Scurrah, ed., *Definiendo Derechos y Promoviendo Cambios: El Estado, las Empresas Extractivas y las Comunidades Locales en el Perú*, (Lima: IEP and OXFAM,

the surface, Toledo supported cultural and socially sensitive programs, identifying as a *cholo* and claiming an indigenous past in order to obtain popular support and relate to indigenous and peasant communities. This however, was accompanied by the continuation of a neoliberal agenda that in many cases diminished indigenous rights and prevented indigenous communities from carrying out and preserving their culture.

A Multicultural Approach

Several countries throughout Latin America utilized the fundamentals of multiculturalism, embracing cultural and ethnic diversity and attempting to change social relations between ethnic groups. Steven Vertovec and Susanne Wessenford suggest, "Multiculturalism can be at best described as a broad set of mutually reinforced approaches or methodologies concerning the incorporation and participation of immigrants or ethnic minorities and their modes of cultural/religious differences."[135] Will Kymlicka sees multiculturalism as part of "a human rights revolution," emerging from the 1960s Human Rights discourse, which rearticulated ideas about race and ethnic hierarchies rearranging social relations in Western and Western influenced societies.[136] He offers three patterns of multicultural citizenship that developed in Western democracies: the first empowers indigenous peoples in countries with an important indigenous population; the second is a new form of power sharing between a nation-state

---

2008).

[135] Steven Vertovec and Susanne Wessendorf, ed., *Backlash to Multiculturalism*, (New York: Routledge, 2010), 4.

[136] Will Kymlicka, "The Rise and Fall of Multiculturalism?: New Debates on Inclusion and Accommodation in Diverse Societies," in *The Multiculturalism Backlash: European Discourses, Policies and Practices*, ed. Steven Vertovec and Susanne Wessendorf (New York: Routledge, 2010), 35.

and a sub-state national group; and a third protects the rights of immigrant groups.[137] While the second and third versions can be found in countries such as Spain, the first version best describes the conditions in the Peruvian case.

A quick look at the historical trajectory of ethnic relations yields the multiple challenges Peruvian indigenous communities have faced since colonial times. After the European arrival a hegemonic relation was established based upon ethnic identities through a process of cultural and socio-economic indoctrination that was internalized and used to dominate the indigenous population and other ethnic minorities. The indigenous population was expected to leave behind their customs and assimilate into *criollo* culture during the republican period, where the "republican constitution expressed the assimilationist ideal of constructing a single, culturally homogenous nation under *criollo* and *mestizo* leadership."[138] During the nineteenth century the image of the Inca was appropriated by *mestizo* elites to acknowledge the glorious past of Indian culture, while the indigenous population of the period was looked down upon. This is quite evident in Cecilia Mendez's essay, "*Incas Sí, Indios No*," where she explains that indigenous culture was romanticized as a culture of the past from which particular symbols were drawn and rearticulated by the elite in order to e"acknowledge" an indigenous past. In the first half of the twentieth century, *mestizo* leaders looked for the vindication of indigenous communities through *indigenismo*. During the second half of the century, indigenous communities organized as peasant communities and "*rondas campesinas*," to challenge

---

[137] Will Kymlicka, "The Rise and fall of Multiculturalism," 36-7.
[138] Raquel Yrigoyen Fajardo, "Peru: Pluralist Constitution, Monist Judiciary – A Post Reform Assessment" in *Multiculturalism in Latin America*, ed. Rachel Sieder (New York: Palgrave Macmillan, 2002), 159.

the oppression exhorted by various groups. In recent years, multiculturalism has inspired a new appreciation for indigenous culture, which indigenous communities have used to politicize ethnicity in the region.

Multicultural states attempt to create a new national project that challenges the rooted hierarchical values placed on ethnic identities in Latin American societies.[139] In order to achieve such changes, a fundamental transformation needs to take place in the way the state and the elite interact with racial "minorities" as well as the state's rhetoric toward such ethnic groups. When a state adopts a multicultural ideology, it incorporates "minorities" into a state apparatus through policies that reflect the multiethnic nature of society. Postero suggests that a "state-sponsored multiculturalism" took place in some Latin American countries, where "constitutional and legislative reforms directed by the state with the intention of granting cultural and political rights" to an indigenous population began.[140] Although the Peruvian state did not sponsor multiculturalism in such fundamental ways, it implemented multicultural programs. Furthermore, indigenous peoples have appropriated the discourse in different ways; indigenous activists in the Amazon inserted indigenous demands in the political sphere through the articulation of an international indigenous rights discourse, while indigenous peoples in the Peruvian highlands have used this tool to try to transform the political apparatus in order to reflect the multicultural and pluri-ethnic nature of society.

---

[139] Raquel Yrigoyen Fajardo, "Peru: Pluralist Constitution, Monist Judiciary – A Post Reform Assessment," 158.
[140] Nancy Postero, *Now We Are Citizens: Indigenous Politics in Postmulticultural Bolivia*, (Stanford, California: Stanford University Press, 2006), 13.

Alejandro Toledo claimed to identify with indigenous communities, attempting, in theory, to institutionalize the pluri-ethnic nature of society by creating organizations that worked towards finding better ways to address minorities' needs and incorporate their voices in the national political sphere. In 2001 Alejandro Toledo created CONAPA (Comisión Nacional de Pueblos Andinos, Amazónicos y Afroperuanos). This organization, presided over by Eliane Karp, Toledo's wife, had the goal of improving the conditions of people in extreme poverty and to provide "representativity" for ethnic "minorities." Just a few years later, CONAPA suffered internal conflict and strong criticism for the management of resources and connections with NGOs.[141] In response, congress promulgated law 28495, which enabled the creation of a new organization, INDEPA (Instituto de Desarrollo de los Pueblos Andinos, Amazónicos y Afroperuanos) in 2005 to overcome the shortcomings and internal conflicts in CONAPA.

INDEPA is part of the ministry of culture and its functions are to formulate and approve programs for the comprehensive development of minorities, to study and understand the "usos y costumbres" of Amazonian, Andean, and Afro-Peruvian communities in order to achieve their recognition and protect Peruvian biological diversity.[142] The main goal of this organization is

> Proponer y supervisar el cumplimiento de las políticas nacionales, así como de coordinar con los Gobiernos Regionales la ejecución de los Proyectos y Programas dirigidos a la promoción, defensa, investigación y afirmación de los derechos y desarrollo con identidad de los Pueblos Andinos, Amazónicos y Afroperuanos.[143]

---

[141] Maria Elena García, *Making Indigenous Citizens: Identities, Education, and Multicultural Cultural Development in Peru*, (Stanford, California: Stanford University Press, 2005), 56-57.
[142] INDEPA Website; available from http://www.indepa.gob.pe/indepa.php
[143] INDEPA Website; available from http://www.indepa.gob.pe/indepa.php

> To propose and supervise the fulfillment of national policies and to coordinate with regional governments the implementation of projects and programs geared towards the promotion, defense, research and affirmation of the development and the rights of the identities of Andean, Amazonian, and Afro Peruvian peoples.

While this organization claims to offer spaces for representation to ethnic minorities and a desire to improve the social status of indigenous communities, in most cases a limited indigenous intervention resulting in the lack of indigenous input in the agenda, and internal conflict prevented the organization from achieving significant change.

Alejandro Toledo used "neoliberal multiculturalism" as an approach to the social changes he promised. The "efforts" made by Toledo to promote indigenous culture and preserve their identities through the creation of organizations, were undermined by policies and laws that limited indigenous communities' abilities to protect their cultural survival. In this type of multiculturalism, "proponents of the neoliberal doctrine pro-actively endorse a substantive, if limited, version of indigenous cultural rights, as a means to resolve their own problems and advance their own political agendas."[144] While Toledo embraced "multiculturalism" by creating organizations to accommodate and improve indigenous rights, and his wife gave great visibility to indigenous issues, he proposed laws to prevent indigenous peoples from opposing neoliberal policies that threatened the survival and continuation of the cultures he was claiming to protect.[145] In February 2002, he asked congress to punish protestors blocking the streets with eight years in prison, and placed a temporary state of emergency suppressing human rights for counter

---

[144] Charles Hale, "Does Multiculturalism Menace?," *Journal of Latin American Studies* 34 no. 3 (August, 2002): 487.
[145] María Elena García, *Making Indigenous Citizens*, 57.

demonstrations, which resulted in the criminalization, persecution, and incarceration of leaders.[146]

This chapter shows a transitional moment in Peru. During the early 1990s, in addition to economic instability, communities in the interior were exposed to the penetration and attacks of terrorist groups. Indigenous communities responded by looking inward to protect themselves and fight the guerrilla movement, however, many times they were unable to prevent the *Shining Path* from taking over the community and indigenous peoples were forced to join the war. This and the authoritative nature of Fujimori's presidency had catastrophic effects on activists' abilities to gather, create knowledge, and protest. Several scholars such as Nancy Postero and Maria Elena García have noted that multicultural policies and approaches have left behind important legacies providing indigenous movements with tools to continue pursuing their struggles. In Peru for example, organizations like INDEPA have given visibility to social issues and have tacitly endorsed indigenous rights. While neoliberalism was detrimental to the livelihood, lifestyle and environment of indigenous communities, neoliberal multiculturalism created spaces for new debates about race allowing a new conceptualization and interpretation of indigenous peoples and indigeneity in the national arena. Both the economic and to some extent the social policies were continued by Alan García.[147] In 2010, INDEPA continued to work, but it faced some institutional and ideological challenges and was diminished by

---

[146] Guillermo Ruiz Torres, "Neoliberalism under Crossfire in Peru," 215

[147] INDEPA was created in 2005 with a ministerial rank and was diminished to an office of lower rank by Alan García; available from "Destituyen a Raquel Yrigoyen de INDEPA" *Alerta Perú* October 20th 2011; available from http://alertaperu.pe/publicar/nacionales/2167-destituyen-a-raquel-yrigoyen-de-indepa.html

Alan García from a ministerial ranked to a lower ranked office, meanwhile "322, 092 square km, or 41.2%, of Peru's Amazon region [is] covered by oil and gas concessions."[148] By 2010, the position of Alan Garcia was to decrease the representation of indigenous communities opposing his neoliberal policies, continue the privatization of indigenous land and the deterioration of the environment, and create policies that permanently threaten indigenous physical and cultural survival.

[148] "Managing social risk: notes from the Peruvian Amazon" in *Petroleum Economist: The Authority on Energy*, August 5th, 2011; available from http://www.petroleum-economist.com/Article/2879378/Managing-social-risk-notes-from-the-Peruvian-Amazon.html

CHAPTER 3

The Articulation of Indigenous Rights

"*No más mendigos sentados en bancos de oro ni perros del hortelano. Los recursos debe(n) ser utilizados racionalmente en beneficio de todos*"

"*No more beggars seated in gold banks, and Dogs in the Manger. The resources should be utilized for everyone's benefit*"

-Alan García Pérez-[149]

During the late 2000s, the Amazonian new social movement responded to the president's neoliberal policies and his rhetoric that alienates indigenous protestors. Resource mobilization theory suggests that leaders and activist of a social movement are responsible for strategizing a plan of action and mobilizing the resources necessary to accomplish it. While social and economic conditions of the 1990s prevented communities from organizing, the diffusion of multiculturalism introduced international discourses such as indigenous rights allowing people to appropriate them to articulate their struggles. This chapter exposes how the new social movement of the Amazon has successfully appropriated a strategy articulating an indigenous identity. In this sense, through the mobilization of knowledge and people as resources, the movement adopted a clear strategy that uses legal international documents to protect their indigenous rights against Alan García's agenda.

This chapter introduces two opposing positions: the rhetoric and actions of Alan García and the response of indigenous agents that were on their feet when the state

[149] Alan García, "El Sídrome del perro del Hortelano," *El Comercio* (Lima), 28 October 2007; available from http://elcomercio.pe/edicionimpresa/Html/2007-10-28/el_sindrome_del_perro_del_hort.html

violated their indigenous rights. First, the chapter identifies how ideas of progress and development at the core of Alan García's rhetoric have been used to maintain the cultural and economic hegemony of the state to further neoliberal projects. Moreover, it explores the arguments García uses, primarily against indigenous activists, to prepare the terrain for his legal decrees known as "*la ley de la selva*" (jungle's law). Through the package of decrees, Alan García attempted to maneuver around indigenous rights documents ratified by the Peruvian state. Second, this chapter explains the process of mobilization of the social movement, where social actors and leaders mobilized at the local and national levels to revoke García's legislative decrees. To better understand the movement's strategy, this chapter clarifies the most representative articles of the international legal instruments, namely The Declaration of Human Rights of Indigenous Peoples of 2007 and The General Conference of The International Labor Organization's Indigenous and Tribal Peoples Convention169 of 1989 ratified by the Peruvian state, and it questions the right of previous consultation at the core of indigenous activists' demands. This analysis shows that the package of legislative decrees introduced by Alan Garcia was not in compliance with international documents signed.

The Amazonian social movement is creating an oppositional force that challenges power relations on a legal terrain. First, through an understanding of what types of resources are adopted and how they are utilized, we can better identify how a social movement adopts a cohesive and powerful strategy. In addition, this chapter claims that the indigenous movement of the Amazon puts forth a powerful rhetoric through which they protect their land and their indigeneity. This rhetoric is part of an international ideology of human rights that provides the necessary weapons to support indigenous'

struggles and protect their way of life. This chapter looks at the actions on the ground, providing an analysis of how social networks, organizations, leaders, and protests impacted a political moment; thus it sheds light on how the movement works, how the appropriation of new ideologies and ideas developed in the West are changing the movement over time, and how an indigenous identity is fueling this social movement. Through this analysis, this thesis demonstrates how the new Amazonian indigenous movement in Peru is using an international global discourse as a framework with the necessary tools to mobilize physical and ideological resources, articulate their struggles, and achieve their goals.

The State's Discourse: El síndrome del perro del hortelano

President Alan García had a strong stand towards people opposing his policies. He used ideas of progress and development to justify a rhetoric that separated "us versus them" and tapped into ingrained social and racial perceptions in order to achieve his political and economic agenda. Arturo Escobar describes development as "a series of strategies intended to bring about 'progress'."[150] He notes that after the 1960s experts in different fields worked to address the "problem" of progress in Latin America and to correct it through the appropriate intervention. This intervention included having control over developing countries through forms of dependency and neocolonialism. Moreover, Escobar observes that as long as Latin America is perceived in "need of 'development'

[150] Arturo Escobar, "Culture, Economics, and Politics in Latin American Social Movements Theory and Research." in *The Making of Social Movements in Latin America: Identity, Strategy, and Democracy*, edited Arturo Escobar and Sonia E. Alvarez, (Boulder, San Francisco, and Oxford: Westview Press, 1992), 64-65.

based on capital, technology, insertion into the international division of labor, and so forth, the crisis will only continue to deepen, new forms of colonialism and dependence will be introduced and social fragmentation and violence will become more virulent."[151] This way of thinking, embedded in Latin American minds and used by Alan Garcia, continues to perpetuate powerful Western ideological, political, and economic hegemonies.

The North American theory of modernization introduced notions of development and underdevelopment in Latin America. Modernization assumes that the expansion of capitalism and technologies from advanced industrialized countries to "developing" countries can improve economic and social conditions in the world. In addition, "the diffusion of innovations and 'entrepreneurship' to the most 'backward' corners of the world would gradually transform them into 'modern' societies based on the principles of liberal democracies."[152] According to modernization then, development requires the acquisition of Western values, capital, and integration of world systems. In the 1960s, dependency theory challenged notions posed by modernization, arguing that this kind of development is highly vulnerable since it relies heavily on foreign economies. In other words, "dependence is a conditioning situation in which economies of one group of countries are conditioned by the development and expansion of others."[153] In opposition to the positive impact modernization claims to have over "developing nations,"

---

[151] Arturo Escobar, "Latin American Social Movements Theory and Research," 64-65.
[152] Ronaldo Munck, *Contemporary Latin America*, (New York: Palgrave Macmillan, 2003), 47.
[153] Ronaldo Munck, *Contemporary Latin America*, 48.

dependency theory claims this intervention to be "detrimental and inimical to true development, which could only occur through 'de-linking' with the world economy."[154]

In addition to being a political and economic concept, development became a cultural discourse. Escobar notes, "It is crucial that development not be seen solely as an economic and political project but as an overarching cultural discourse that has had a profound impact on the fabric of the Third World. Moreover, the crisis of development must be assessed in terms of the broader crisis of the civilizational project of modernity."[155] Ideas of development perpetuated the hegemonic powers of the West over Latin America through the establishment of hierarchical values on Western cultures and practices associated with particular identities. Identities of "illiterate, landless peasants, women bypassed by development, the hungry and malnourished,"[156] became the central part of the development discourse. Thus, this rhetoric had negative effects as societies continue to use and nurture stereotypes created by the West to prove that Latin America needs fixing and intervention. However, these "illiterate landless peasants" are now becoming important agents in the creation of new social movements, which challenge such stereotypes and create new self-determined identities. The emergence of new social movements conveying alternative projects respond to the failure of development and prove that states have been unable to resolve social issues imperative to indigenous communities.[157]

---

[154] Ronaldo Munck, *Contemporary Latin America*, 48.
[155] Arturo Escobar, "Latin American Social Movements Theory and Research," 63.
[156] Arturo Escobar, "Latin American Social Movements Theory and Research," 65.
[157] Arturo Escobar, "Latin American Social Movements Theory and Research," 63.

Most recently, President García created a rhetoric aligned with this doctrine, attempting to gain popular support and congress' approval to introduce a set of new decrees that would further his neoliberal agenda. A clear example of this rhetoric can be found in a series of articles entitled "*El síndrome del perro del hortelano*," published between October of 2007 and March of 2008 in *El Comercio*, one of the oldest newspapers with a conservative upper class audience. President García makes a diagnosis of what is wrong with the country suggesting that mediocre idiosyncrasies of backward Peruvians, opposed to social "progress" and economic "development," need to change and align with his views. In his "*Síndrome del perro del hortelano*," Alan García referred to "*comuneros* of the Andes, the coast, and the Amazon Basin, and to the Peruvians who do not agree with his 'development' project"[158] as "*perros del hortelano*."[159] García argues that millions of hectares are not being utilized due to the lack of capital and willingness of a few "selfish" Amazonians who are keeping the land and opportunities away from all Peruvians. Furthermore, he suggests that the backward mentality of indigenous peoples, in this case of the Amazon Basin, is based upon a particular mindset, if I can't do it nobody can.[160] This attack, although mainly targeted towards indigenous activists, has homogenized different groups of the population that at a particular political moment disagree with completely different policies, García claims "son aliados del

---

[158] Rodrigo Montoya, "Con los rostros pintados: Tercera rebelión Amazónica." *Centre Tricontinental*; available form www.cetri.be/spip.php?article1305

[159] This name "El Perro del hortelano" or "The Dog in the Manger" is based on the story in Aesop's Fables.

[160] Alan Garcia, "El Sídrome del perro del Hortelano." *El Comercio*, 28 October 2007.

minero informal, del maderero clandestino, de la miseria campesina, del empleo informal y de la falta de mérito y esfuerzo."[161]

In his articles, Alan García rejects policies that give land to people who are unable to exploit it, "Para que haya inversión," he argues, "se necesita propiedad segura, pero hemos caído en el *engaño* de entregar pequeños lotes de terreno a familias pobres que no tienen un centavo para invertir."[162] While García opposes small social changes that can improve the miserable conditions of countless families, he supports large-scale changes perceived as development projects that show statistical results, but do not reflect real conditions. He claims, "Así pues, hay muchos recursos sin uso que no son transables, que no reciben inversión y que no generan trabajo. Y todo ello por el tabú de ideologías superadas, por ociosidad, por indolencia o por la ley del perro del hortelano que reza: 'Si no lo hago yo que no lo haga nadie'."[163]

Alan García's first article showcases his ignorance about cultural and historical trajectories of indigenous communities, doubting the legitimacy of their way of life, customs, and their indigeneity. He declares:

> Además existen *verdaderas* comunidades campesinas, pero también comunidades artificiales, que tienen 200 mil hectáreas en el papel pero solo utilizan agrícolamente 10 mil hectáreas y las otras son propiedad ociosa, de 'mano muerta'.
>
> Pero la demagogia y el engaño dicen que esas tierras no pueden tocarse porque son objetos sagrados y que esa organización comunal es la organización original del Perú, sin saber que fue una creación del virrey Toledo para arrinconar a los indígenas en las tierras no productivas.
>
> Y contra el petróleo, han creado la figura del nativo selvático 'no

[161] Alan Garcia, "El Sídrome del perro del Hortelano," *El Comercio,* 28 October 2007.
[162] Alan Garcia, "El Sídrome del perro del Hortelano," *El Comercio,* 28 October 2007.
[163] Alan Garcia, "El Sídrome del perro del Hortelano," *El Comercio,* 28 October 2007.

> conectado'; es decir, desconocido pero presumible.
>
> Although real peasant communities exists, there are also artificial communities that possess 200 thousand hectares on paper, but only use 10 thousand hectares for agriculture, and the rest becomes idle property.
>
> Deception and demagogy tell us that [indigenous] land cannot be touched because it is sacred, and that communal organization is the original organization of Peru; unaware that the viceroyalty of Toledo invented it to corner indigenous peoples in unproductive land.
>
> And against oil, [they] have invented the image of a disconnected native of the jungle, unknown but predictable.

In the first and second quotes, he questions the authenticity of indigenous communities and their use of land. A Jíbaro warrior, Marcelino Jowan, notes that indigenous people have a particular relation to land, "we produce, but we believe that producing does not mean to destroy our forests."[164] In the second and third quotes, Garcia's skepticism undermines the social organizations, ancient customs, and the cosmo-vision inherited by indigenous communities. This article showcases a lack of understanding and disregard for indigenous wellbeing and culture and reflects Western ideas of development, impregnated in García's policies.

Moreover, in this article Alan García denies the contamination of land, air, and water near indigenous communities. However, indigenous organizations have expressed their concerns with the negative impact the pollution of water and air and the contamination of now infertile land have on people's health.[165] In spite of serious allegations and formal complaints, Alan García continues to claim that mining and

---

[164] Beatriz Jiménez, "Los perros del hortelano muerden a Alan García," *El Mundo* (Spain), 11 June 2009.

[165] For more information about this problem see Cuarto Poder: Conflicto A Fondo (Aired: América Televisión, June 14th 2009); available from http://www.youtube.com/watch?v=E5x_XqHXhdM

other extracting activities do not have a negative impact on the environment:

> Sin embargo, apenas la décima parte de esos recursos están en proceso de explotación, porque aquí todavía discutimos si la técnica minera destruye el medio ambiente, lo que es un tema del siglo pasado, claro que antes lo destruía y los problemas ambientales de hoy son básicamente por las minas de ayer, pero en la actualidad las minas conviven con las ciudades sin que existan problemas y en todo caso eso depende de lo estricto que sea el Estado en la exigencia tecnológica a las empresas mineras y en negociar mayor participación económica y laboral para los departamentos donde estén las minas.
>
> However, barely one tenth of those resources are being exploited, because we still discuss whether mining techniques destroy the environment, which is a topic of the last century. Before, mining destroyed the environment and today's environmental problems are basically caused by old mines. Currently, the mines coexist with cities without problems, and all of this depends on how strict the state is on imposing technological requirements to mining companies, and negotiating economic and work participation for the regions where mines are located.

Based on the position of the Peruvian state, in which laws and regulations are not very strict, mining and other extracting projects have had a negative impact on the environment. In addition, issues continue to affect areas as "developed" as the United States, where people are negatively impacted due to extracting projects. The BP spill in the Mexican Gulf in 2010, is an example that shows the dangers associated with extractive activities.

In the Peruvian case, these activities represent a real threat to the health and wellbeing of people in the region. Indigenous organizations have informed the president, congress, energy and mining ministry, PERUPETRO, The Ombudsman's office, the regional government of Cusco, and the advocate of the Gas de Camisea project about many irregularities committed by mining and gas companies. In a September 2007, the pronouncement of the Machiguenga del Rio de Urubamaba

Council (COMARU) informed the people and institutions mentioned above about incidents with gas pipelines. They referred to them as reoccurring incidents that need to be remedied:

> El consejo Machiguenga del Río Urubamba, manifiesta a la opinión pública su preocupación ante los constantes incidentes que en otras ocasiones fueron denominadas por los técnicos y funcionarios de dicha empresa [Empresa Transportadora del Gas de Camisea – TGP, Compañía Operadora del Gas Amazónico – COGA] como 'caídas de presión, fugas, Burbujos' y hoy…afectan a nuestras Comunidades Nativas y Asentamientos de Colonos que viven traumatizados al no poder utilizar los alimentos que provee el Río Urubamba por temor de contaminación y pérdida de vida por respirarse gases tóxicos.[166] (sic)
>
> The Counsel of Machiguenga from Urubamba River expresses its concerns to the public regarding the reoccurring incidents that were previously described by technicians and workers [from Camisea Gas Transporting company – TGP and Operating Company of Amazonian Gas – COGA] as "pressure falls and leaks." Today, this affects native communities and *colono* settlements that are afraid to use food from the Urubamaba River for fear of contamination, and the possibility of losing their lives due to breathing toxic air.

Alan García's perception of how the exploitation of resources affects indigenous peoples in the Amazon and other regions is questionable. In spite of valid claims made by indigenous activists, Alan García's policies protect mining and extracting companies that negatively affect the environments of indigenous communities. The physical deterioration of the region has forced people to migrate, change their way of life, and stop using resources, land, and produce that were previously available. If the state perseveres allowing companies to carry on their practices and ignores the palpable claims of indigenous peoples, the Amazon will experience a physical and cultural genocide. Thus,

---

[166] AIDESEP, "Pronunciamiento del Consejo de Machiguenga del Río de Urubamba (COMARU)," 10 September 2007; available from http://www.aidesep.org.pe/index.php?id=12.

while Alan García claims that the Amazon has an extraordinary potential that is not being exploited to the fullest, native communities in the Amazon continue to experience the consequences and ramifications of land exploitation all around them.

While Alan García is using Western ideologies to challenge indigenous' customs and lifestyle, indigenous peoples in Peru have expressed that they cannot continue to be subjugated to a lifestyle determined by Western values. And, although García's supporters applauded his remarks, organizations such as The Peruvian Peasant Confederation (Confederación Campesina del Perú) have voiced their disagreement,

> Hay que subastar el país, hay que entregarlo todo al capital transnacional, desde las playas, pasando por las comunidades campesinas y terminando en las selvas amazónicas. Y quienes nos oponemos a ello, somos unos incompetentes símiles del perro del hortelano, que no comemos ni dejamos comer. Así de rústico es el nivel de elaboración argumental y de simplona la conclusión del mandatario que se presume moderno, globalizado y visionario… A veces una desbocada carrera neoliberal y privatizadora puede ser la manifestación de un síndrome, no del perro del hortelano, sino más bien del perrito faldero del capital transnacional.[167]
>
> The country must be auctioned off and given to transnational capital, from the beaches, passing through the peasant communities and ending in the Amazon Basin. Those of us, who are opposed to it, are incompetent simile, *Dogs in the Manger*; who do not eat or let others eat. This is the rustic argument of the president and his facile conclusion, claiming to be modern and a visionary… Sometimes the turbulent neoliberal and privatizing career can be a manifestation of a syndrome, not of the *Dog in the Manger*, but of the lapdog of transnational capital.

García's rhetoric was only the beginning; his articles sought to convince Peruvians about the benefits of implementing his legal decrees. Through the articulation of embedded Western ideas of economic development and social

---

[167] Confederación Campesina del Peru, "Alan García: el síndrome del perro del hortelano o del perrito faldero de las transnacionales," 6 November 2007; available from http://www.movimientos.org/cloc/ccp/show_text.php3?key=11238

progress, he was preparing the terrain to introduce "*la nueva ley de la selva*." This rhetoric was articulated to obtain approval from congress to legislate executive orders to facilitate and accelerate the signing of the TLC.[168] While he tried to ridicule indigenous demands and struggles by insulting their culture and lifestyle, the legislative decrees and the hostile rhetoric of President García activated social networks that intensified processes of resistance in the Amazon.

New *Ley de la Selva*

In 2006, president García signed a Free Trade Agreement (TLC) with the United States, which continued president Alejandro Toledo's economic policies established when he signed the TLC two years earlier. In order to better comply with the TLC García created a set of decrees to facilitate foreign investments and open the Amazon Basin and other regions for full extraction and exploitation. The legislative decrees promulgated by President García were possible because law 29157 "authorizes the executive to regulate different issues through legislative decrees, in order to facilitate the implementation of the TLC."[169]

The new "*ley de la Selva*" was a package of decrees promulgated by president Alan García and published on the official government's newspapers, *El Peruano*, in 2008.[170] Prior to these decrees, Law 28852: *Ley de la promoción de la inversión privada*

---

[168] Beatriz Jiménez, "Los perros del hortelano muerden a Alan García," *El Mundo* (Spain), 11 June 2009.
[169] Manuel Pulgar-Vidal and Milagros Sandoval, "Contenido Ambiental de los decretos legislativos promulgados al amparo de lo puesto por la ley 29157," *Sociedad Peruana de Derecho Ambiental*.
[170] For more informationa see Rodrigo Montoya, "Con los rostros pintados;" Beatriz

en reforestación y agroforestería promoted foreign investment in the region by allowing corporations to acquire up to ten thousand hectares of what the state considered wasteland through public auction for a period of 60 years. However, the new "ley de la selva" attempted to take this a step further by allowing the state to sell the land instead of giving it in concession. This section explains the most representative decrees passed by García.

Legislative decrees 1015 and 1073 allow community land to be parceled and individually owned. Decree 1015 "unifies the proceedings of the peasant and native communities from the highlands and the Amazon with those from the coast to 'improve' their agricultural production and competitiveness."[171] In addition, this decree reduces the number of votes needed to sell or give concessions on indigenous land. The decree indicates that in a communal meeting 50% plus one of the votes of the attendees can authorize the changes mentioned above. The decree allows a very small group of people to make decisions for the whole community. Prior to this decree, 66 % of the votes of the whole community were necessary to grant rights of individual private ownership or to parcel communal land.[172] Legislative decree 1073 gives provisional titles of parceled

---

Jiménez, "Los perros del hortelano," El Mundo; Jose de Echave, "Los retos actuales del movimiento social vinculado a la lucha por los derechos de las comunidades frente a las industrias extractivas: el caso peruano," (Paper presented at Conference of Canadian Companies Minino in Latin America, New York University, 9-12 May 2002); available from http://www.yorku.ca/cerlac/EI/papers/De%20Echave.pdf. The original "ley de la selva" (law of the jungle) claims that the strongest person imposes his will. People have attributed this name to García's decrees implying that since he holds power, he is imposing his will.

[171] Normas Legales *El Peruano* (Lima), 20 May 2008.

[172] This violates the right to previous consultation. As it will be explained in the next section, this consultations needs to take place through indigenous organizations and following their procedures.

lands to Amazonians. Through this decree, an individual community member becomes a *landholder* or "comunero posesionario" with a provisional title that can later become an individual proper land title.[173] This decree prevents the community from maintaining communal land since proper land titles are only granted to individually owned land.

Legislative Decree 1064 repeals the "ley de las tierras" and it "allows the state to demarcate and change the status of part of a community, exclude it from communal property, and transfer it to a third person."[174] The state can decide whether communal land has been "abandoned" and make decisions about it without *previous consultation*.[175] This decree grants great power to a state that lacks an understanding of indigenous culture, agriculture, and lifestyle. The relationship with the environment and the knowledge of the land has allowed communities to live on it and preserve it for centuries. Thus, the state's relativist understanding of how land should be treated, does not qualify Alan García or congress to make such decisions.[176] Legislative Decree 1090 known as "The Fauna and Forest Law," converts Amazonian land from forest to agricultural, if it is of "national interest."[177] This could potentially remove around 45 million hectares of Peru's jungles from the country's Forestry protection system, and allow the state to

---

[173] Rodrigo Montoya, "Con los rostros pintados," 6.
[174] Richard Chase Smith, "Bagua: la verdadera amenaza," *Poder* 360, 20 Jul. 2009; available from http://www.poder360.com/article_detail.php?id_article=2208
[175] Rodrigo Montoya, "Con los rostros pintados." This again, violates the right to previous consultation. The decree allows the state to conduct consultation by asking 50+1 people in a room, as opposed to having an open dialogue and including indigenous peoples in decision making.
[176] In "slash-and-burn," an agriculture system used by indigenous communities, people need to use large spaces of land to farm and continue a cycle, in which they have to wait to reuse a particular area. See Stefano Varese, *Salt of the Mountains*, 10-14.
[177]Montoya, *La Amazonia par alas empresas multinacionales* in "Con los rostros pintados."

expropriate land and give it in concession or sell to international corporations.[178] Finally, legislative decree 1089 gives COFOPRI (Organismo de Formalización de Propiedad Informal) the authority to establish new conditions for the formalization of land.[179] This organization has the power to change the boundaries and limits of private lands already registered, including native and indigenous land.

Through the articulation of a Human Rights discourse indigenous organizations, institutions, and NGOs deemed these decrees unconstitutional and called for their derogation. Two institutions were vital in the process of resistance: AIDESEP, The Interethnic Association for the Development of the Peruvian Amazon, and *La Defensoría del Pueblo*, an autonomous constitutional institution created by the 1993 constitution that "protects the constitutional and fundamental rights of people and communities, supervises the compliance of the duties of the public administration and the public services to the people.[180] In spite of the government's efforts, these two institutions along with people's daily struggles protected native land and their culture by forcing congress to revoke the legislative decrees.

"El Baguazo:" Indigenous activists and AIDESEP

Towards the end of the decade social organizations at a local, regional and national level organized in order to challenge the rhetoric and policies of the president.

---

[178] Rodrigo Montoya, *La Amazonia par alas empresas multinacionales* in "Con los rostros pintados."
[179] Rodrigo Montoya, *La Amazonia par alas empresas multinacionales* in "Con los rostros pintados."
[180] La Defensoría del Pueblo Website, "About Us Section"; available from http://www.defensoria.gob.pe/

Social organizations were very much connected through social networks, activated from the bottom-up and top-down. These processes began either at the local level and slowly escalated to obtain national recognition, from the bottom up; or they began at the national level with organizations such AIDESEP, activating social networks with local organization throughout the country in order to mobilize resources at the local level, from the top down. The social movement that reached its peak in 2009 with "El Baguazo" corresponds to a movement that was organized at the national level.

"El Baguazo" was the summit of this long struggle and marked a turning point for the Amazonian movement. In this process, AIDESEP organized at a macro-level, mobilizing dispersed actors and challenging the state from different directions. Rodrigo Montoya recognizes two moments that were key in the process of the social movement: the first in August 2008 and the second from April to June 2009. In August of 2008, the organization AIDESEP began to publicly ask the executive to open the dialogue with indigenous leaders in order to reach an agreement. At the same time, indigenous peoples Awajun, Wampis, Matsiguenga y Shipibo organized and began to block roads in different provinces of the Amazon Basin. The purpose of this move was to attain the president's attention and convince him to attend the meeting set up by AIDESEP officials in the town of San Lorenzo in the Amazon.[181] Meanwhile, AIDESEP also presented its institutional approach to the media, a set of goals they wanted to discussed with state officials, among them: to recover their ancestral territories as the only guarantee for the survival and *development* of indigenous peoples, to recover the right to indigenous

[181] Rodrigo Montoya, *Cronica de la rebellion Amazónica en dos momentos*, in "Con los rostros pintados." Typically organizations meet with the executive or congress in the Capital. However, leaders decided to hold the meeting in the Amazonian.

jurisdiction and the legalization to the customary right, to guarantee that all activities on indigenous territories are approved by indigenous peoples through their organizations and institutions and through proper consultation, to create an intercultural emphasis as a basis for the *development* of a multicultural, multiethnic and multi-linguistic state.[182] At the same time, a delegation from the Amazon arrived in congress. This delegation used ILO's Convention 169 to ask congress to derogate several legislative decrees. This was the first effective and visible win for the social movement; in spite of Alan García's claims to reconsider its decision, congress revoked decrees 1015 and 1073.

Notwithstanding this victory, Alan García did not make any efforts to open a dialogue with indigenous activists. To the contrary, he continued to ignore their claims. However, indigenous organizations once again worked together to mobilize peoples. On April 9 2009, a second strike began in the Amazon. This second mobilization lasted from April until June. At this point, different indigenous peoples and organizations began to mobilize at the local level, blocking roads and shutting down gas and oil stations in different regions of the country. Alberto Pizango, the president of AIDESEP, claims, "Our protests have been peaceful. We're 5,000 natives [in the blockades] that just want respect for our territory and the environment."[183] In addition to the overarching goals and reasons behind demonstrations, local organizations took the opportunity to include their struggles as an additional basis for their demands. Here are some examples of the mobilizations that took place in different parts of the country:

---

[182] Rodrigo Montoya, *Cronica de la rebellion Amazónica en dos momentos* in "Con los rostros pintados."
[183] Garargo Renique, "Blood at the Blockade: Peru's Indigenous Uprisings" *NACLA*, 8 June 2009.

- April 28 – Aguaruna peoples from Manseriche took stations 4, 5 y 6 of Petroperú.
- May 5 – Quichuas and Arabelas peoples blocked access to Napo River.
- May 8 – Hundreds of Awajun and Wampis peoples began a hunger strike in the coliseum of Bagua.
- Achuar, Witoto, Cocama peoples marched toward the Naval Base of Iquitos protesting against the support of the marines to the French company Perezco.
- May 10 – The Federation of Quichuas Peoples of San Martín and the Ethnic Counsel of Quichuas Peoples of the Amazon organized a significant manifestation. In response, the state declared a state of emergency in the departments of Cusco, Ucayali, Loreto and Amazonas, all areas with important gas and petroleum pipelines.
- May 11 - Awajun y Wampis peoples took Corral Quemado Bridge in Utcubamba. A few hours later protestors were removed by DIONES, leaving behind three people injured, seven people detained, and several people disappeared.
- May 12 – Quichuas, Awajun and Shawis peoples blocked the road Yurimaguas in Tarapoto.
- May 14 – In a manifestation from Imaza to Bagua protestors asked the police to release people who disappeared during previous manifestations.
- May 17 – Quichuas, Awajun, Shawis peoples took the road Tarapoto- Yurimaguas.
- May 18 – Awajun and Wampis peoples took station 5 of Petroperú, again.
- Machiguengas peoples blocked access to Machu Picchu.[184]

These events were part and parcel of a social movement that on May 19 influenced the Constitutional Commission of Congress to declare legislative decree 1090 "forest law" unconstitutional, and to revoke legislative decree 994 on May 26. This sequence of events demonstrates the importance of organizations and how social networks connect people and communities from different regions, creating a dynamic and cohesive movement with a common goal.

---

[184] Rodrigo Montoya, *Cronica de la rebellion Amazónica en dos momentos* in "Con los rostros pintado."

The governement's failure of the government to dialogue with indigenous communities led to the events known as "El Baguazo." In its wake, indigenous communities have suffered the consequences of president García's definition of the Amazon Basin being an "open, empty, bountiful and underdeveloped frontier and its inhabitants, obstacles to neoliberal modernizations and investment schemes."[185] This is how we arrive at June 6 2009. On this day, state authorities were expected to meet with protestors in Bagua; instead, the police arrived; who according to reports,

> Began firing live rounds into the multitude of indigenous protestors – many wearing feathered crowns and carrying spears. In nearby towns of Bagua Grande, Bagua Chica, and Utcubamba, shots also came from police snipers on rooftops, and from a helicopter that hovered above the mass of peoples.

Although in many cases the media and the state have misrepresented and criminalized indigenous activists and portrayed indigenous peoples of the Amazon as wild savages, many reports have recognized the injustice committed by the state through the police and the military.

What we see, though, is a social movement backed by strong organizations, capable of starting processes at the local and national levels, from the bottom up and from the top down. Moreover, strong social and political networks allowed organizations to strategize in different regions, conducting different projects at the local level to later concert efforts to achieve a common goal. Furthermore, indigenous leaders such as Alberto Pizango were (and are) respected members of the community capable of connecting with smaller local organizations in order to mobilize resources at the national

---

[185] Garargo Renique, "Blood at the Blockade: Peru's Indigenous Uprisings" *NACLA*, 8 June 2009.

level. Such leaders were also responsible for strategizing and adopting adequate legal tools to make claims and revoke the decrees. Thus, through this many layered process we see an important change in Peru, "AIDESEP's direct action campaign marked the emergence of Amazonian indigenous peoples as an influential and autonomous force in Peru's political landscape."[186] "El Baguazo" and the series of protests it encompassed had an impact on indigenous peoples' abilities to make claims using indigenous rights. Indigenous leaders and organizations managed to put their issues and claims as indigenous peoples into the national imaginary triggering a discussion on indigenous rights in Peru. Furthermore, they projected their issues at the international stage, exposing the Peruvian state's lack of commitment to indigenous rights, while at the same time using international legal platforms to promote their campaigns in Peru and to gaining international support. In what follows, we will pay closer attention to the legal framework used by Amazonians as a tool to protect their physical and cultural rights as indigenous peoples.

Legal Framework

Human Rights discourse is an international legal framework used by activists to protect their rights on a legal terrain. Although some critics consider it another way to maintain a Western cultural hegemony over indigenous communities, most people using these legal instruments understand that even though the document is not perfect, it offers legal rights that should be respected by the state. Andrew Clapham explains that for some, human rights is a "morally justified demand to rectify all sorts of injustices; for

[186] Garargo Renique, "Blood at the Blockade: Peru's Indigenous Uprisings" NACLA.

others, it is no more than a slogan to be treated with suspicion, or even hostility."[187] The language of the document can pose additional cultural and ideological challenges that do not translate to other cultures. An example is the emphasis several documents place on individual rights as opposed to collective ones. Since indigenous cultures are rooted in a collective identity, they may face challenges when appropriating a human rights discourse. In spite of the issue, these documents are a work in progress that can be used as a common ground to begin a dialogue with a Western-influenced government. The Amazonian indigenous movements shows how human rights can be used as instruments to defend indigenous rights, protect their culture, and co-exist with an oppressive government. In this case, indigenous activists have applied a strategy that jumps over national laws and institutions and makes claims to higher international organizations to mediate at the national level. This section explores how the content of these documents transcends their relativistic origins and becomes useful to peoples from different cultures and cosmologies.

There are two documents that are critical to indigenous organizations and indigenous movement in the Amazon: The Declaration of Human Rights of Indigenous Peoples of 2007 and The General Conference of The International Labor Organization's Indigenous and Tribal Peoples Convention 169 of 1989. The Universal Declaration of Human Rights states that *all* humans have inalienable rights that should be respected by all governments and states. Although this document is important, the Declaration of the Human Rights of Indigenous Peoples provides a more precise set of laws for the present

---

[187] Andrew Clapham, "Looking at Rights" in *Human Rights: A Very Short Introduction* (New York: Oxford University Press, 2007), 1.

work. This document was adopted by the United Nations on September 13th, 2007 and it claims that all people are equal, while recognizing the right of peoples to be different. It also stipulates that indigenous peoples should be free from any type of discrimination.

The following articles from the Declaration of Rights of Indigenous Peoples discuss indigenous peoples rights to their lands, especially when connected to their lifestyle and cultural heritage:[188]

> Articles 8.2: States shall provide effective mechanisms for prevention of, and redress for: (a) Any action which has the aim or effect of depriving them [indigenous peoples] of their integrity as distinct peoples, or of their cultural values or ethnic identities; (b) Any action which has the aim or effect of dispossessing them of their lands, territories or resources; (e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.[189]

President García has contributed to the criminalization of indigenous activist who are protecting the rights stipulated by this document. In addition, the state has aired propaganda that directly violates article 8.2.[190]

> The next two articles protect native communities' cultural rights:
>
> Article 11.1: Indigenous peoples have the right to practice and revitalize their cultural traditions and customs. This includes the right to maintain, protect and develop the past, present and future manifestations of their cultures, such as archaeological and historical sites, artifacts, designs, ceremonies, technologies and visual and performing arts and literature.

---

[188] United Nations, *Declaration of the Human Rights of Indigenous Peoples, 2007* (G.A. Res. 61/295- a/res/47/1), Article 8.2.

[189] Alan Garcia has certainly acted against this article. He has created a rhetoric that targets indigenous peoples and their cosmologies and he has produced commercials and propaganda targeting and criminalizing indigenous peoples protesting against his policies and implying they are terrorists; video available from http://www.youtube.com/watch?v=I0a1yIeJJiI&feature=related

190

> Article 20: Indigenous peoples have the right to be secure in the enjoyment of their own means of subsistence and development, and to engage freely in all their traditional and other economic activities.

According to these articles, peoples of the Amazon should not be expected to assimilate into a national project; rather they shall preserve their culture and include their customs and lifestyle into any national projects that affect them.

In addition, article 23 reinforces indigenous peoples' right to maintain and create their own strategies for developing land tied to their heritage. Also, article 26 stipulates that

> 1. Indigenous peoples have the right to the lands, territories and resources, which they have traditionally owned, occupied or otherwise used or acquired. 2. Indigenous peoples have the right to own, use, develop and control the lands, territories and resources that they possess by reason of traditional ownership or other traditional occupation or use, as well as those which they have otherwise acquired. 3. States shall give legal recognition and protection to these lands, territories and resources. Such recognition shall be conducted with due respect to the customs, traditions and land *tenure systems* of the indigenous peoples concerned.

Article 29 explains that indigenous peoples have the right preserve and protect their environment. Article 30 stipulates that states shall take the necessary measures to prevent the disposal of hazardous materials on indigenous lands without their *prior consultation*. However, corporations have frequently conducted their activities irresponsibly, disregarding the protection of the environment. COMARU's Pronouncement of Native communities stated several violations of both articles. In spite of Alan García's claims about the environment, many rivers in the Amazon Basin are contaminated, land is sterile, and areas have been deforested.[191]

---

[191] This *reportaje* briefly mentions the pollution in the region. "El Conflicto a Fondo," en *Cuarto Poder* (América Televisión, 14 Jun. 2009), parte 2; available from

According to these articles, indigenous peoples have the right to maintain the land that supports their cosmology and way of life, to develop their land as they see fit, and to protect their environment. Furthermore, article 18 states that indigenous peoples have rights not only to keep their land, but in addition, to "participate in decision-making" that will affect them directly. Lastly, article 34 indicates that indigenous peoples have the right to maintain their institutional structures and their distinctive customs, traditions, procedures, and practices. Alan García's decree 1015 attempted to change the way decisions are made in local native communities, which clearly violates article 34. The Peruvian state has threatened indigenous culture, languages, and existence without any regard to the legal body of work Peru ratified. These articles protect indigenous peoples' lifestyles, which cannot be preserved if their environment is destroyed. The devastation of their environment would force indigenous peoples to lose their lifestyle and centuries long-preserved customs.

In addition to The Declaration of Human Rights of Indigenous Peoples, The International Labor Organization Convention 169 provides indigenous people with tools to open a dialogue with the states on a legal terrain. ILO (OIT in Spanish) is a "tripartite UN agency that brings together governments, employers, and workers of its member states in common action to promote decent work throughout the world."[192] On January 17th 1994, Peru ratified the convention, which "requires that indigenous and tribal peoples are *consulted* on issues that affect them." It also states, "indigenous peoples are

---

http://www.youtube.com/watch?v=ubuySdVlLb8 (Accessed 5 May. 2010).

[192] International Labor Organization, *Convention of Indigenous and Tribal Peoples 169*, (Geneva: C169, 1989), http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm.

able to engage in free, prior and informed participation in policy and development processes that affect them."[193] According to Carlos Soria, once the convention went into effect, in this case February 1995, the government had to adapt legislation and develop the necessary actions to implement it.[194] Unfortunately, the vague language of the original document has forced ILO to clarify the issue of previous consultation in order to stop states from misinterpreting this fundamental issue.

> Article 1b states that the convention applies to
>
> > Peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.[195]

Based upon their historical trajectory, indigenous peoples of the Amazon Basin qualify as a group that is protected by the articles of this convention. Article 2b indicates that governments "shall promote the full realisation of the social, economic and cultural rights of these peoples with respect for their social and cultural identity, their customs and traditions and their institutions." Article 4 stipulates,

> 1. Special measures shall be adopted as appropriate for safeguarding the persons, institutions, property, labour, cultures and environment of the peoples concerned. 2. Such special measures shall not be contrary to the *freely-expressed wishes of the peoples concerned*. 3. Enjoyment of the general rights of citizenship, without discrimination, shall not be prejudiced in any way by such special measures.

---

[193] ILO, Convention 169.
[194] Carlos Soria, "Los pueblos indígenas Amazónicos peruanos," 7.
[195] ILO, Convention 169, Article 1b.

This indicates that the social and cultural identities of the peoples of the Amazon Basin have to be acknowledged and their wishes respected when making decisions that will directly impact them, their livelihoods and lifestyles.

Article 14 notes that land traditionally occupied by indigenous peoples shall be recognized and their rights of ownership and possession shall be protected. Article 15 also tackles the issues of sub-surface affecting indigenous peoples in Peru. This article stipulates:

> 1. The rights of the peoples concerned to the natural resources pertaining to their lands shall be specially safeguarded. These rights include the right of these peoples to participate in the use, management and conservation of these resources. 2. In cases in which the State retains the ownership of mineral or sub-surface resources or rights to other resources pertaining to lands, governments shall establish or maintain procedures through which they shall *consult* these peoples, with a view to ascertaining whether and to what degree their interests would be prejudiced, before undertaking or permitting any programmes for the exploration or exploitation of such resources pertaining to their lands. The peoples concerned shall wherever possible participate in the benefits of such activities, and shall receive fair compensation for any damages, which they may sustain as a result of such activities.

Although Alan García can make claims in regards to subsurface, his ability to make decisions about land is restricted by this article, as indigenous peoples need to be consulted.

Articles 6 and 7 of the document address the relationship that should exist between the state and indigenous peoples. Article 6 states that the process of *consultation* needs to respect the institutions of indigenous peoples and shall take place in good faith. The Peruvian government has failed to comply with this article and attempted to change the way decisions are made and the amount of people needed to make changes through legislative decree 1015. Article 7.1 states,

> The peoples concerned shall have the right to decide their own priorities for the process of development as it affects their lives, beliefs, institutions and spiritual well-being and the lands they occupy or otherwise use, and to exercise control, to the extent possible, over their own economic, social and cultural development. In addition, they shall participate in the formulation, implementation and evaluation of plans and programmes for national and regional development, which may affect them directly.

Section 4 of the same article stipulates that "Governments shall take measures, in co-operation with the peoples concerned, to protect and preserve the environment of the territories they inhabit." Once again, this article indicates that indigenous peoples should be involved in the decision-making process of issues that directly affect them.

Social actors have interpreted the right to previous *consultation* differently based upon their perception and interests. This is such a controversial issue that the ILO website recognizes the problem, "The challenges of implementing an appropriate process of consultation with indigenous peoples have been the subject of a number of observations of the ILO's Committee of Experts, as well as other supervisory procedures of the ILO"[196] The guide to Convention 169 considers Articles 6 and 7 cornerstone and "basis for applying all other" articles.[197] These articles are means for conversation, "consultation is not merely the right to react but indeed also a right to propose; indigenous peoples have the right to decide their own priorities for the process of development and thus exercise control over their own economic, social, and cultural development."[198]

---

[196] ILO Website, Convention 169; available from http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm

[197] Indigenous and Tribal Peoples' Rights in Practice: A Guide to ILO Convention 169, ILO: 2009, 59.

[198] Indigenous and Tribal Peoples' Rights in Practice: A Guide to ILO Convention 169, ILO: 2009, 60.

The International Labor Organization website expands on what consultation means, they note that indigenous people need to be able to engage in free, prior, and informed participation,

> Consultation should be undertaken in good faith, with the objective of achieving agreement. The parties involved should seek to establish a dialogue allowing them to find appropriate solutions in an atmosphere of mutual respect and full participation. Effective consultation is consultation in which those concerned have an opportunity to influence the decision taken. This means real and timely consultation. For example, a simple information meeting does not constitute real consultation, nor does a meeting that is conducted in a language that the indigenous peoples present do not understand.

In addition, they explain that consultation must take place "through the appropriate procedure and through the representative institutions of these peoples."[199] This emphasizes the importance of *representativity*, since consultation needs to take place under the norms of the indigenous organizations and/or tribal institutions representative of the peoples being consulted in order for the consultation to be valid.[200]

The Peruvian state has continuously disregarded these articles, particularly the right of previous consultation, and prevented attempts of indigenous organizations to discuss the issues. For example, the day the "Baguazo" occurred, leaders of the organization were supposed to meet with representatives of the state; however, this peaceful dialogue never occurred and a violent confrontation with the police took place. A consultation needs to take place within the legal parameters established by the

---

[199] ILO Website, Convention 169
http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm
[200] ILO Website, Convention 169
http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm

community and through their organizations. García has not complied with many of these articles, including the right of consultation; and in fact, he is looking for ways to maneuver around the state's responsibilities.

For indigenous peoples of Peru, the right to consultations has become one of its stronger weapons. The "Proyecto político de los pueblos y comunidades originarios/indígenas del Perú (Andinos, Amazónicos y Costeños)" determines that one of the principles upon which the indigenous movement works is the right to previous consultation. This is how they have interpreted this right:

> Derecho de ser previamente y permanentemente informados y consultados cada vez que se propongan medidas legislativas, administrativas, planes y programas de desarrollo, y en todo aquello que consideremos pueda involucrarnos.
>
> Consultas efectuadas desde todos los niveles de gobierno, mediante los procedimientos que los pueblos y Comunidades consideramos adecuados.
>
> Consultas deben ser adecuadas mediante información plena y transparente…admitiendo opciones de consentimiento u oposición expresados libremente y con conocimiento de causa, y cuyos resultados sean vinculantes.
>
> Derecho a la revisión de convenios, concesiones y contratos y todo acuerdo o políticas que nos afectan.[201]
>
> The right to be consulted and informed every time a new legislative and administrative measure, development program and anything else that pertains to us is proposed.
>
> Consultations must take place at all governmental levels, through procedures that communities and indigenous peoples find adequate.
>
> Transparent and complete information should be provided during consultations… allowing [peoples] to consent or freely express their

[201] Movimiento intercultural de los pueblos del Perú (MIP), "Proyecto político de los pueblos y comunidades origionarios/indígenas del Perú (Andinos, Amazónicos y Costeños)," *Manuscript* (Lima, January 2006).

> opposition with full knowledge of causes and possible binding consequences.
>
> The right to review agreements, concessions, contracts and every policy that affect us.

In addition, they explain that the state must recognize and accept popular direct consultation or via referendum conducted by communities. Although the state has portrayed indigenous activists as agents of violence opposed to peaceful agreements, these descriptions of consultation suggest that peaceful consultation is paramount to these communities.

The case of the Amazon Basin shows the Peruvian state's lack of commitment to comply with the articles of this ratified document. In addition, the peoples of the Amazon have to deal with a major obstacle of subsoil, which according to Peruvian law belongs to the State. However, as the convention states, even in cases where the subsoil is property of the state, dialogue and consultation needs to take place. Indigenous people of the Amazon have freely expressed their disagreement with the government's measures and in spite of these major hurdles; indigenous peoples have been able to use this convention successfully.

A Constant Struggle

Indigenous organizations have officially reported many violations committed by the state and international corporations. The legal decrees presented in this thesis threaten the livelihoods and cultural preservation of indigenous communities. In addition to the state's violations of legal documents, indigenous communities have to deal with companies' negligent extractive practices that should be condemned by authorities.

Indigenous organizations and international authorities have reported through legal and official documents several violations made by the state. The "Informe sobre la situación de los derechos de los pueblos indígenas en el Perú," for example, denounces that the state has continuously overlooked the negative impact activities of international corporations are having on indigenous communities and their territories.[202] This report shows that the Peruvian state has failed to create the propitious environment for the implementation and fulfillment of indigenous rights, and instead continues to be the first to prevent them from taking place.

In 1999, the committee on the Elimination of Racial discrimination pointed out several concerns and offered recommendations to comply with the international documents: "el comité lamenta que en el informe periódico falte información sobre los indicadores socioeconómicos que caracterizan la situación de las poblaciones indígenas, campesinas y de origen africano." Moreover, "preocupan al comité las informaciones que indican que la constitución de 1993 ya no garantiza totalmente la imposibilidad de enajenar y utilizar las tierras comunales de las poblaciones indígenas." This same committee requested that the state provides information about how the issues in question were improved by the next report. However, until 2008 these observations had not been addressed by the Peruvian state.

---

[202] Grupo de trabajo sobre pueblos indígenas de la coordinadora nacional de derechos humanos para el consejo de derechos humanos de las NN.UU. en el marco de la evaluación periódica universal del Estado Peruano (Organizaciones miembros del grupo de trabajo: Asociación Pro derechos Humanos - APRODEH, Centro Amazónico de Antropología y Aplicación Práctica – CAAAP, Derecho Ambiente y Recursos Naturales – DAR, Instituto del Bien Común, Paz y Esperanza adn Grupo de Trabajo Racismos de Ungurahui). "Informe sobre la situación de los derechos de los pueblos indígenas en el Perú," *Manuscript* (April, 2008).

In 2000 the Inter-American Human Rights Commission brought to the attention of the Peruvian State several issues that needed to be rectified.

> La comisión fue informada sobre la explotación desmesurada de los recursos naturales y materia prima de la selva peruana en territorios indígenas. La acción de empresas madereras y petroleras en esas zonas, sin consulta y consentimiento de las comunidades afectadas, ocasiona en numerosos casos un deterioro en el medio ambiente, y pone en peligro la supervivencia de estos pueblos.[203]
>
> The commission was informed about the excessive exploitation of national resources and raw materials in the Peruvian Amazon and indigenous territories. In many cases, timber and oil companies' actions in those areas, without consultation or consent from the affected communities, have caused the deterioration of the environment and have endangered the survival of these communities.

The commission offered suggestion on how to fix these issues:

> (5) Que asegure, en consonancia con lo estipulado por el Convenio 169 de la OIT (ILO), que todo proyecto de infraestructura o de explotación de recursos naturales en área indígena o que afecte su hábitat o cultura, sea tramitado y decidido con participación y en consulta con los pueblos interesados con vistas a obtener su consentimiento y eventual participación en los beneficios.
>
> (7) Que ayude a potencializar el papel de las poblaciones indígenas para que tengan opciones y puedan retener su identidad cultural, al tiempo que participan en la vida económica y social del país, con respeto a sus valores culturales, idiomas, tradiciones y formas de organización social.
>
> (5) To ensure, consistent with what is stipulated on ILO's Convention 169, that every project pertaining to infrastructure, the exploitation of national resources in an indigenous area, or their habitat or culture, must be arranged and decided upon after consultation by indigenous peoples with the purpose of obtaining their consent and eventually allowing their participation in the benefits of such projects.
>
> (7) To help improve the role of indigenous people in order to preserve their cultural identity, and participate in the economic and social life of the country, respecting their cultural values, languages, traditions and way of

[203] Grupo de trabajo sobre pueblos indígenas, "Informe Sobre la situación de los derechos de los pueblos indígenas en el Perú," 4.

social organizing.

The 2005 report shows that this had not been mended and it requested that the state looks into these issues. However, the implementation of the "ley de la selva" shows that the state has no intention of complying with its obligations.

This report offers several instances where the Inter American Commission of Human Rights found human rights violations and made suggestions on how these issues can be remedied. However, the Peruvian state has remained hostile to suggestions and found ways not to cooperate. Moreover, the same violations were committed multiple times even after the state was informed and received suggestions on how to solve the problems. The report concludes the following, "El estado ha actuado de manera negligente en cuanto al cumplimiento de sus obligaciones internacionales y no ha atendido las constantes observaciones y recomendaciones de los organismos encargados de vigilar el cumplimiento de estos instrumentos."[204] The analysis of this report yields two observations; first, the state maintains the same stance towards indigenous peoples in spite of its claims of inclusion and integration; and second, the state's agenda does not include or visualize indigenous peoples in their normative system or in its public politics.

This brief analysis shows that "*la ley de la Selva*" sought to change the Amazon Basin forever by promoting foreign investment and selling the Amazon Basin through the appropriation and privatization of land. By examining Alan García's decrees and the international documents used by indigenous activist, this chapter illuminates the existing relationship between the Peruvian state and indigenous peoples of the Amazon, in which

[204] Grupo de trabajo sobre pueblos indígenas, "Informe Sobre la situación de los derechos de los pueblos indígenas en el Perú," 3.

power relations are contested through the articulation of indigenous rights. As part of the process of globalization and multiculturalism, people of the Amazon have found a legal body of work that protects their rights to land, culture, language, and lifestyle. Moreover, indigenous activists are challenging the state at different levels with every-day forms of resistance and using their indigenous identity as the fuel for the movement. These documents provide legal resources that have been mobilized by indigenous activists in order to revoke the legislative decrees. This new social movement is using this rhetoric to expose indigenous struggles and ultimately improve the position of indigenous peoples in the national stage. Finally, this chapter shows that indigenous activists have inserted their organizations in international spaces where their struggles and demands are being heard and supported by international authorities. Through this strategy, the indigenous movement in the Amazon has been able to achieve a significant goal: to protect their land and resources.

CONCLUSION

The Amazon Moving Forward

The social movement in the Amazon follows a very specific social trajectory. As the first chapter described, indigenous peoples in the Amazon were not part of the national indigenous imaginary that created complex ethnic relations in the Andes. The different ways in which education was transmitted in the Andes and in the Amazon and historical trajectories had implications on how organizations emerged. In the Amazon, the proliferation of bilingual education, which unexpectedly promoted the preservation of indigenous languages and culture, forged an identity embracing indigenous culture. In the case of the Andes, in contrast, social interactions between the state and indigenous peoples created ethnic and social hierarchies and most organizations developed following Western values, language and ideology. Furthermore, it was mainly *mestizo* intellectuals who in the twentieth century tried to restore indigenous culture and in some cases organized communities. Although the role of education was significant in the highlands and the lowlands, their relationships with the state, the way this education was introduced, the information that was introduced, and the time period in which the social struggles emerged created two very different social movements.

The first chapter also showed the critical role indigenous leaders have in the Amazonian social movement. In the present, social movements in the highlands and the lowlands are making important efforts in educating their youth and training indigenous leaders that can carry on the social movements. Since the 1980s, Amazonians have taken control over the education of their youth and the education of bilingual teachers. In 1988,

FORMABIAP (Programa de Formación de Maestros Bilingües de la Amazonía Peruana or The Training Program of Bilingual Teachers in the Peruvian Amazon), opened its doors, training social actors capable of designing, implementing, and conducting innovative education to address the needs and aspirations of the indigenous peoples:

> Es una institución gestionada por las organizaciones indígenas amazónicas que brinda servicios orientados a la formación de recursos humanos capaces de liderar propuestas educativas innovadoras y de desarrollo sostenible sustentadas en el reconocimiento de los derechos colectivos de los pueblos indígenas, las mismas que enraizadas en su herencia cultural (conocimientos y valores) y enriquecidas con los aportes de otras culturas, promueven la valoración positiva de la diversidad.[205]
>
> It is an institution run by the Amazonian indigenous organizations that provides services directed toward the formation of human resources, in which they are capable of leading innovative educational and sustainable development initiatives, supported by the recognition of collective indigenous rights, which are rooted in their cultural heritage (knowledge and values) enriched with other cultures' contributions, promoting the appreciation of diversity.

This program has been internationally recognized for their work on cultural and heritage preservation with the "Bartolomé de las Casas Award" in 2002 and the "Convenio Andres Bello 'Somos Patrimonio' Award" in 2004. This program continues to inculcate the importance of an indigenous identity, while providing the tools to become local leaders, insert themselves in the national and international arenas, and continue the legacy that the current movement is creating. Furthermore, one can see the impact of such programs by the role bilingual teachers perform in the current social movement. As mentioned, several leaders including Alberto Pizango are trained bilingual teachers.

---

[205] FORMABIAP, "Presentación"; available from http://www.formabiap.org/ver.php?id=1102.

Social movements have recognized the importance of having a strong leadership that can maintain and produce a strategy for the movement. In the Amazon, the strategy has been to adopt indigenous rights found in international documents in order to claim that their land is vital to their physical and cultural survival. Although scholars and authorities question the legitimacy of their indigeneity, indigenous rights grant these communities the right to self-determine and self-identify in order to preserve their culture. Through their indigenous identity, they are forming a different type of movement rooted in their indigeneity, changing the course of social movements in Peru. The new social actors and leaders in the Amazon are challenging ingrained social hierarchies and revamping an understanding of social and historical roles by finding ways of being indigenous, that move away from terms such as *indio* while embracing their heterogeneous indigenous identity. Indigenous leaders and organizations in the Amazon have been able to effectively articulate an indigenous identity that is more difficult to claim in the highlands because of the Andean historical trajectory.

Using international documents that support indigenous claims became an effective strategy available as international discourses and ideologies were introduced in Peru. This ideological as well as economic shift took place in the 1990s, when the state opened up the economy to international markets and social theories and policies were adopted by the state. As the second chapter explained, while neoliberalism was detrimental to indigenous communities by increasing poverty in rural areas, intensifying land appropriation by the state and corporations and negatively impacting indigenous environment with extractive projects; multiculturalism created spaces where indigenous culture was accepted and "celebrated" in the national arena. Alejandro Toledo's

"neoliberal multiculturalism" tacitly endorsed the indigenous rights activists began to claim, creating spaces where indigenous issues were acknowledged and their struggles recognized.

The last chapter introduced the relationship that existed between the state, particularly during Alan García's presidency, and the movement in the Amazon at a particular political moment. This chapter showed how Amazonian activists challenged the state to conduct the consultation process stipulated on the international documents through indigenous organizations, respecting their local institutions and following their procedures; thus, establishing different power relations. During the late 2000s, the social movement in the Amazon took an active approach to revoke the legal decrees enacted by president García known as "ley de la Selva." In 2009, AIDESEP called for the derogation of decrees: 1015, 1020, 1064, 1073, 1089, and 1090.[206] Furthermore, the *Defensoría del Pueblo* presented claims of the unconstitutionality of Legislative Decrees 1015, 1064, and 1090 to the Constitutional Tribunal. The constant mobilization and the legal body of work presented to congress forced it to derogate decrees 1015, 1073, 1064 and 1090, as they were found unconstitutional. This was not easy; it was a process of struggle and resistance that took several years in the making, a new social movement. However, it shows that the strategy proposed by the social movement has been effective for these indigenous communities. Moreover, as these short-term goals were achieved, long terms goals including protecting the cultural rights of indigenous peoples and their land, developing their region based on their values, insuring their cultural survival and

[206] Richard Chase Smith, "Bagua: la verdadera amenaza," *Poder* 360.

improving their social and economic conditions, continue to be on the agenda of indigenous movements in the Peruvian Amazon.

In the present, social movements in the highlands and lowlands are creating positive change for the social struggles in Peru. Social organizations have had a prominent role both in the highlands and lowlands. In the Andes, CONACAMI (Confederación Nacional de Comunidades del Perú Afectadas por la Minería) acts to unite communities from different regions struggling with the consequences of mining activities. CONACAMI was a response to resist the expansion of transnational companies between 1997 and 1998. This confederation represents ancestral native communities who are using collective rights to fight the abuses of transnational companies, extractive activities, and national and global policies, to build economic, social, and environmental justice.[207] In recent years, the Peasant Confederation of Peru (CCP), perhaps the most established peasant organization in the country, has gained political success and access to decisions-making spaces in national institutions. From this organization, three women, María Cleofé Sumire, Margarita Sucari, and Hilaria Supa, were elected into congress and took the oath in Quechua. Although a small step, these women are changing hierarchical notions of race and language in the Peruvian congress and the national consciousness.

The social movement in the Amazon has adopted a different route. As opposed to injecting their struggles and leaders in the national institutions, it has inserted itself in the international arena, gaining access to international legal tools and rhetoric that have

---

[207] CONACAMI Website, Quienes Somos, February 2001; available from http://www.conacami.org/website/index.php?option=com_content&view=section&layout=blog&id=15&Itemid=265

proven appropriate and helpful to their struggle.[208] Through being very much connected to the international global discourse, indigenous leaders have filtered the Amazonian movement into the international discussion, while creating alternative spaces in the national stage. This study has shown that by using this international legal discourse, indigenous activists jump over the national constraints and make claims that are not part of the national legal framework, but that have to be respected by the state, creating new dynamics and raising discussions about indigenous rights and citizenship.

Finally, "El Baguazo" has had a significant impact on the movement and the trajectory of social movements in Peru. In the Amazon, indigenous issues have been politicized, contributing to a debate where indigenous cultures and rights can be conceived in a different light. Through these protests, they have exposed their struggles, opened up spaces to express their rights and demonstrated that their claims are validated and supported by prominent international authorities. In the national context, they have also created positive change. This indigenous movement has introduced an effective way to claim rights to land, which has led to the inclusion of a right to consultation in the national normative in August of 2011.[209] Although, the state's agenda behind this move is yet unknown, it certainly shows that the claims made by the Amazonian social movement are creating new dynamics in national politics that can favor other indigenous communities. In addition, concepts of indigeneity have spread to other parts of the country where in 2011, indigenous activists in Puno, southern Peru, organized as Aymara

---

[208] Although Andeans also have an international platform, for the most part Amazonians have established strong networks with international organizations and are very present in international discussions about indigenous rights.

[209] El Comercio; available from http://elcomercio.pe/politica/1275166/noticia-presidente-humala-promulga-hoy-bagua-ley-consulta-previa

peoples articulating indigenous rights in order to prevent mining projects from taking place.[210] While the long-term effects of the movement remain to be seen, I claim that this movement has transformed the way indigenous peoples organize, the articulation of their struggle, and they have raised new questions about indigenous citizenship and rights in Peru. Although small progress has been achieved, this movement is embracing indigenous culture and positively changing social dynamics and ethnic hierarchies in the country

[210] Although this can be partially attributed to Puno's closeness to Bolivian and the cultural similarities to indigenous communities in that country, I would argue, that interactions between the state and Amazonian communities and the results of these struggles open new opportunities and inspired other regions to begin to make similar claims.

BIBLIOGRAPHY

Amayo Zevallos, Enrique. "¿Por qué estudiar la formación histórica y la problemática actual de la Amazonia?." *Espiral* 5 no. 015 (Mayo-Agosto, 1999): 73-105.

Arce, Moisés. "The Sustainability of Economic Reform in a Most Likely Case: Peru." *Comparative Politics* 35 no. 3 (April, 2003): 335-354.

Arce, Moisés. "The Repoliticization of Collective Action After Neoliberalism in Peru." *Latin American Politics and Society* 50 no. 3 (Fall 2008): 37-62.

Aramburú, Carlos Eduardo Bedoya and Jorge Recharte. *Colonización en la Amazonía*. Lima: CIPA, 1982.

Arellano-López, Sonia. "El rol de las organizaciones no gubernamentales en la promoción de conservación y desarrollo: relaciones con agencias internacionales, instituciones estatales y organizaciones nativas." (Working Paper 61, New York Institute for Development, 1990),

Balaguer, Alejandro. "Peru: Façade of Democracy Crumbles." *NACLA* 26 no. 1 (July, 1992).

Barthem, R.B., Charvet-Almeida, P., Montag, L.F.A. and Lanna, A.E. "Amazon Basin, GIWA Regional Assessment 40b," in *United Nations Environment Program 2004*, University of Kalmar, Sweden.

Bebbington, Anthony. *Minería, movimientos socials y respuestas campesinas: una ecología política de transformaciones territoriales*. Lima: IEP and CEPES, 2007.

Bebbington, Anthony and Humphreys Bebbington, Denise. "Actores y ambientalismos: continuidades y cambios en los conflictos socio-ambientales en el Perú." Iconos 35, A (2009).

Belaunde, Luisa, Hernán Coronado, Alonso Santa Cruz, and Lourdes Soldevilla. *Ciudadanía y cultura política entre los Awajún, Asháninka y Shipibo-Konibo de la Amazonía Peruana*. Lima: Centro Amazónico de Antropología y Aplicación Práctica CAAAP, 2005.

Bonilla, Heraclio. *La trayectoria del descencanto: El Perú en la segunda mitad del siglo XX*. Lima, Fondo Editorial del Pedagógico San Marcos, 2009.

Buechler, Steven M. "Beyond Resource Mobilization? Emerging Trends in Social Movement Theory." *The Sociological Quarterly* 34, no. 2 (May 1993): 217-235.

Calderon, Fernando, Alejandro Piscitelli, and Jose Luis Reyna. "Social Movements: Actors, Theories, and Expectations," in *The Making of Social Movements in Latin America*," edited by Arturo Escobar and Sonia E. Alvarez. San Francisco: Westview Press, 1992.

Carrion, Julio, ed. *The Fujimori Legacy: The Rise of Electoral Authoritarianism in Peru*. University Park, Pennsylvania: Pennsylvania State University Press, 2006.

Chirif, Alberto. *El saqueo Amazónico*. Ceta: Iquitos, 1983.

Chirif, Alberto and Pedro García Hierro. *Marcando territorio: progresos y limitaciones de las titulaciones de territorios indígenas de la Amazonía*. Copenhague: Denmark, IWGIA: Grupo Internacional de Trabajo sobre Asuntos Indígenas, 2007.

Clapham, Andrew. "Looking at Rights" in *Human Rights: A Very Short Introduction*. New York: Oxford University Press, 2007.

Crabtree, John and Jim Thomas, ed. *Fujimori's Peru: The Political Economy*. London: Institute of Latin American Studies, 1998.

De la Cadena, Marisol. *Indigenous Mestizos: The Politics of Race and Culture in Cuzco, Peru, 1919-1991*. Durham: Duke University, 2000.

De la Cadena, Marisol and Orin Starn, ed. *Indigenous Experience Today*. New York: BERG, 2007.

Escobar, Arturo. "Culture, Economics, and Politics in Latin American Social Movements Theory and Research," in *The Making of Social Movements in Latin America: Identity, Strategy, and Democracy*, edited by Arturo Escobar and Sonia E. Alvarez. San Francisco: Westview Press, 1992.

Fondo Indígena. *Tendencias de la Institucionalidad estatal y las politicas públicas respecto al desarrollo indígena en América Latina y El Caribe*. La Paz, Bolivia: Fondo Indígena, 2007.

Foweraker, Joe. *Theorizing Social Movements*. Boulder: Pluto Press, 1995.

García, Maria Elena. "The Politics of Community: Education, Indigenous Rights, and Ethnic Mobilization." *Latin American Perspectives* 73 no. 2 (April, 2000): 89-101.

Greene, Shane. *Customizing Indigeneity: Paths to a Visionary Politics in Peru*. Stanford: Stanford University Press, 2009.

Gunew, Sneja. "Postcolonialism and Multiculturalism: Between Race and Ethnicity." *The Yearbook of English Studies* 27, in The Politics of Postcolonial Criticism (1997): 22-39.

Hale, Charles. "Does Multiculturalism Menace? Governance, Cultural Rights and the politics of Identity in Guatemala." *Journal of Latin American Studies*, 34 no. 3 (August, 2002): 485-524.

Handelman, Howard. *The Struggle in the Andes: Peasant Political Mobilization in Peru*. Austin: The University of Texas Press, 1975.

Harvey, David. *A Brief History of Neoliberalism*. New York: Oxford University Press, 2009.

Hernández de Gante, Alicia, Adrián Gimate-Welsh and Manuel Alcántara Sáenz, ed. *La reconfiguración neoliberal en America Latina*. Mexico: Universidad Autónoma de México, 2010.

Hunefeldt, Christine. *A Brief History of Peru*. New York: Checkmark Books, 2004.

Kapsoli, Wilfredo. *Los movimientos campesinos en el Perú*. 2d ed. Lima: Atusparia, 1987.

Kokotovic, Misha. *The Colonial Divide in the Peruvian Narrative: Social Conflict and Transculturation*. Oregon: Sussex Academic Press, 2005.

Kymlicka, Will. "The Rise and Fall of Multiculturalism?: New Debates on Inclusion and Accommodation in Diverse Societies," in *The Multiculturalism Backlash: European Discourses, Policies and Practices*, edited by Steven Vertovec and Susanne Wessendorf. New York: Routledge, 2010.

Lathrap, Donald. "The 'Hunting' economies of the Tropical Forest Zone of South America: An Attempt at the historical Perspective," in *Peoples and Cultures of Native South America: An Anthropological Reader*, edited by Daniel Gross. New York: The Natural History Press, 1973.

Lee van Cott, Donna. "Indigenous Movements Lose Momentum." n.p, n.d.

Lingán, Jeannet. "El Caso de Cajamarca," in *Definiendo Derechos y Promoviendo Cambios: El Estado, las Empresas Extractivas y las Comunidades Locales en el Perú*, Martin Scurrah, ed. Lima: IEP and OXFAM, 2008.

Mallon, Florencia E. "Political History from Below" in *Peasant and Nation: The Making of Postcolonial Mexico and Peru*. Berkeley: University of California Press, 1995.

Manrique, Nelson. *El tiempo del miedo: la violencia política en el Perú, 1980-1996*. Lima: Fondo Editorial del Congreso del Perú, 2002.

Margheritis, Ana and Anthony W. Pereira. "The Neoliberal Turn in Latin America." *Latin American Perspectives* 34, no. 3 Contested Transformations (May, 2007): 25-48.

Mariategui, Jose Carlos. "*7 Ensayos de la interpretación de la realidad Peruana*." Lima: Amauta, 1943.

Mauceri, Phillip. "State Reform, Coalition, and the Neoliberal Autogolpe in Peru." *Latin America Research Review* 30, no. 1 (1995): 7-37.

McCarthy, John D. and Mayer N. Zald. "Resource Mobilization and Social Movements: A Partial Theory," in *American Journal of Sociology* 82, no. 6 (May 1977): 1212-1241.

Méndez, Cecilia. *Incas si, indios no: apuntes para el estudio del nacionalismo criollo en el Perú*. Lima: IPE, 1993.

Munck, Donald. *Contemporary Latin America*. New York: Palgrave Macmillan, 2003.

Nemetz, Patricia and Sandra Christensen. "The challenge of cultural diversity: harnessing a diversity of views to understand multiculturalism." *The Academy of Management Review* 21, no. 2 (Apr., 1996): 434-462.

Nicahuate Paima, Juan. *El Sheripiari como agente socializador a través de la práctica médica en la cosmovisión Asheninka*. La Paz, Bolivia: PINSEIB, PROEIB Andes, and Plural editores, 2007.

Park, Yun-Joo and Patricia Richards. "Negotiating Neoliberal Multiculturalism: Mapuche Workers in the Chilean State." *Social Forces* 85, no. 3 (2007): 1319-1339.

Postero, Nancy. *Now We Are Citizens: Indigenous Politics in Postmulticultural Bolivia*. Stanford, California: Stanford University Press, 2007.

Postero Nancy and Leon Zamosc. *The Struggle for Indigenous Rights in Latin America*. Brighton and Portland: Sussex Academic Press, 2004.

Romero Ramón, Alberto. "Aspectos legales sobre las comunidades nativas de la Amazonía Peruana," in *Panorama Amazónico* 2, no. 3, (1978). 5-26.

Ruckert, Laura and Arne Ruckert. *Post-neoliberalism in the Americas*. New York: Palgrave Macmillan, 2009. 3.

Ruiz Torres, Guillermo. "Neoliberalism under Crossfire in Peru: Implementing the Washington Concensus," in *Internalizing Globalization: The Rise of Neoliberalism and the Decline of National Varieties of Capitalism*, edited by Susanne Soederber, Georg Menz, and Philip G. Cerny. New York: Palgrave Macmillan, 2005.

Scurrah, Martin ed., *Definiendo Derechos y Promoviendo Cambios: El Estado, las Empresas Extractivas y las Comunidades Locales en el Perú*. Lima: IEP and OXFAM, 2008.

Smith, Richard Chase. *A Tapestry Woven from the Vicissitudes of History, Place and Daily Life: Envisioning the Challenges for Indigenous Peoples of Latin America in the New Millenium*. Lima: Ford Foundation and Oxfam America, 2000.

Soederber, Susanne, Georg Menz, and Philip G. Cerny, ed. *Internalizing Globalization: The Rise of Neoliberalism and the Decline of National Varieties of Capitalism*. New York: Palgrave Macmillan, 2005.

Soria, Carlos. "Los pueblos indígenas Amazónicos peruanos: en busca del desarrollo sostenido." (Paper presented at Foro Ecológico del Coloquio internacional de Derecho Internacional Ambiental, Guadalajara, 2002).

Stahler-Sholk, Richard, Harry E. Vanden, and Glen David Kuecker. "Introduction Globalizing Resistance: The New Politics of Social Movements in Latin America" in *Latin American Perspectives* 34, no. 2 (March, 2007): 5-16.

Smith, William D. "Multiculturalism, Identity, and the Articulation of Citizenship: The 'Indian Question' Now." Review of *Making Indigenous Citizens: Identities, Education, and Multicultural Development in Peru* by Maria Elena Garcia; *Mayas in the Marketplace: Tourism, Globalization, and Cultural Identity* by Walter E. Little; *The Struggle for Indigenous Rights in Latin America* by Nancy Grey Postero; Leon Zamosc; *Contesting Citizenship in Latin America: The Rise of Indigenous Movements and the Postliberal Challenge* by Deborah J. Yashar. *Latin American Research Review*, 42, no. 1 (2007): 238-251.

Stoll, David. *Fishers of Men or Founders of Empire? The Wycliffe Bible Translators in Latin America*. London: Zed Press, 1982.

Strokes, Susan. "Democratic Accountability and Policy Change: Economic Policies in Fujimori's Peru." *Comparative Politics* 29, no. 2 (Jan, 1997): 209-226.

Vanden, Harry E. "Social Movements, Hegemony, and New Forms of Resistance," Latin American Perspectives 34, no. 17 (March 2007): 17-30.

Van den Berghe, Pierre and George P Primov. *Inequality in the Peruvian Andes: Class and Ethnicity in Cuzco*. Columbia: University of Missouri Press, 1977.

Van Dijk, Teun A. Editor. *Racism and Discourse in Latin America*. Translated from Spanish by Elisa Barquin and Alexandra Hibbett. New York: Lexington Book, 2009.

Vargas Llosa, Mario. "Question of Conquest: What Colombus wrought, and What He did not." *Harper's Maganize* 281 (1990): 45-53.

Verase, Stefano. *Salt of the Mountains: Campa Asháninka History and Resistance in the Peruvian Jungle*. Translated by Susan Giersbach Rascón. Norman, University of Oklahoma Press, 2002.

Vertovec, Steven and Susanne Wessenford, ed. *Backlash to Multiculturalism*. New York: Routledge, 2010.

Warren, Kay B. and Jean E. Jackson, ed. *Indigenous Movements, Self-Representation, and the State in Latin America*. Austin: University of Texas Press, 2002.

Yashar, Deborah J. "Resistance and identity Politics in an Age of Globalization." *Annals of the American Academy of Political and Social Science*, 610, NAFTA and Beyond Alternative Perspectives in the Study of Global Trade and Development (March, 2007): 160-181.

Yrigoyen Fajardo, Raquel. "Peru: Pluralist Constitution, Monist Judiciary – A Post Reform Assessment" in *Multiculturalism in Latin America*, edited by Rachel Sieder. New York: Palgrave Macmillan, 2002.

Online Newspapers and Magazines, Websites and Online or Unpublished Manuscripts

AIDESEP Website. *¿Cómo estamos organizados?*. Accessed September, 2011. http://www.aidesep.org.pe/index.php?id=2

AIDESEP Website. *Historia del AIDESEP*. Accessed Septmber, 2011. http://www.aidesep.org.pe/index.php?id=3

AIDESEP. *Porqué y cómo se construye el AISEDEP: La historia de la organización indígena*. Publicaciones AIDESEP.

AIDESEP Website. "Pronunciamiento del Consejo de Machiguenga del Rio de Urubamba (COMARU)," Accessed September 10th, 2011. http://www.aidesep.org.pe/index.php?id=12.

COICA Website. *Objectives*. Accessed October 8, 2011. http://www.coica.org.ec/ingles/organization/Objectives.html

COICA Website. *Vision and Mission*. Accessed October 8, 2011. http://www.coica.org.ec/ingles/organization/vision.htm

CONACAMI Website, *Quienes Somos*, February 2001. http://www.conacami.org/website/index.php?option=com_content&view=section&layout=blog&id=15&Itemid=265

CONAIE Website. *La Historia*, May 2010 http://www.conaie.org/sobre-nosotros/historia

Confederacion Campesina del Peru. "Alan García: el syndrome del perro del hortelano o del perrito faldero de las transnacionales." Last modified Nov, 6, 2007. http://www.movimientos.org/cloc/ccp/show_text.php3?key=11238

Consejo Aguaruna y Huambisa, June, "Declaración unitaria de las comunidades Wampis Awajum del Río Santiago frente a la exploración y explotación de hidrocarburos en el lote116 por la empresa HOCOL S.A.," *Manuscript* 2007.

De Echave, Jose. "Los retos actuales del movimiento social vinculado a la lucha por los derechos de las comunidades frente a las industrias extractivas: el caso peruano," paper presented at Conference of Canadian Companies minino in Latin America, New York University, May 9-12, 2002, http://www.yorku.ca/cerlac/EI/papers/De%20Echave.pdf, (Accessed 17 May 2010).

FORMABIAP Website. *Presentación*. Accessed October 8 2011. http://www.formabiap.org/ver.php?id=1102.

García, Alan. "El Sídrome del perro del Hortelano." *El Comercio* (Peru). October 28, 2007.

Grupo de trabajo sobre pueblos indígenas de la coordinadora nacional de derechos humanos para el consejo de derechos humanos de las NN.UU. en el marco de la evaluación periódica universal del Estado Peruano (Organizaciones miembros del grupo de trabajo: Asociación Pro derechos Humanos - APRODEH, Centro Amazónico de Antropología y Aplicación Práctica – CAAAP, Derecho Ambiente y Recursos Naturales – DAR, Instituto del Bien Común, Paz y Esperanza adn Grupo de Trabajo Racismos de Ungurahui). "Informe sobre la situación de los derechos de los pueblos indígenas en el Perú," *Manuscript* (April, 2008).

International Labor Organization. *Convention of Indigenous and Tribal Peoples 169*. Geneva: C169, 1989. http://www.ilo.org/indigenous/Conventions/no169/lang--en/index.htm.

Jiménez, Beatriz. "Los perros del hortelano muerden a Alan García," *El Mundo* (Spain), June 11, 2009.

La Defensoría del Pueblo Website. *About Us Section*. Accessed May 15 2010. www.defensoria.gob.pe/

"Managing social risk: notes from the Peruvian Amazon" in *Petroleum Economist: The Authority on Energy*, August 5th, 2011. http://www.petroleum-economist.com/Article/2879378/Managing-social-risk-notes-from-the-Peruvian-Amazon.html

Manuel Pulgar-Vidal and Milagros Sandoval, "Contenido Ambiental de los decretos legislativos promulgados al amparo de lo puesto por la ley 29157," *Sociedad Peruana de Derecho Ambiental*.

Montoya, Rodrigo. *Con los rostros pintados: Tercera rebellion Amazónica*. (Lima: CENTRI, 2009). http://www.cetri.be/spip.php?article1305

Movimiento intercultural de los pueblos del Perú (MIP), "Proyecto polífico de los pueblos y comunidades origionarios/indígenas del Perú (Andinos, Amazónicos y Costeños)," *Manuscript* (Lima, January 2006).

Rénique, Gerardo. "Blood at the Blockade: Peru's Indigenous Uprising." NACLA (Online), June 8 2009.

Smith, Richard Chase. "Bagua: la verdadera amenaza." *Poder* 360 (Online), July 20 2009.

Uhling, Anne. "Deafhood and Indianess: Indigeneity as a Cultural Construction" (Presentation at American Indian Workshop, Tromso, May 2008).

United Nations, *Declaration of the Human Rights of Indigenous Peoples, 2007* (G.A. Res. 61/295- a/res/47/1).