MANAGEMENT OF MULTICULTURALISM AND MULTIETHNICITY IN LATIN AMERICA

by

Diego A. Iturralde G.

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Management of Multiculturalism and Multiethnicity in Latin America[1]

by

Diego A. Iturralde G.[2]

in memory of
Guillermo Bonfil Batalla

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INTRODUCTION

At earlier meetings sponsored by UNESCO (Latin America and the World in the approach to the Year 2000; Caracas, 1988 and Quito, 1989), several participants agreed in pointing to diversity as a turn-of-the-century characteristic that would come to replace the trend towards homogeneity - of whatever feature - that had appeared to be unstoppable since the end of the Second World War. That idea was based on observation of the distorted development of the rural world (Warman), the observable processes of ethnogenesis in the Caribbean and in the very heart of the United States (Casimir), the emergence of new actors in large cities (Zanotta), the revitalization of popular cultures (Bonfil) and the increase in indigenous people's demands and organizing activities (Iturralde).[3]

It is therefore reasonable to suppose that the tensions caused by opposing trends (social diversity but a homogeneous model) could not be contained without major changes in the management of social processes. The tensions have matured and underlie the conflicts that have flared up in recent years in several countries of the region; some changes (at least in the constitutional and legal tradition and in the organization of the economy) have been made or are occurring at present. The unanswered questions that we asked then are now more relevant than ever: how should diversity be managed? How far should it be taken as a social potentiality? What research and debates are required to define new strategies?

Now the theme of multiculturalism and multiethnicity has been included as one of the three items proposed for a fresh research drive geared to decision-making and to a stronger capacity to manage social transformations. This highlights the fact that, several years later, there are still no clear policies on diversity, and the subject is not sufficiently well understood for new strategies to be based on it.

Since that time, circumstances have changed. Culturally and ethnically distinct sectors have won an active role in the debate on public policies and on what happens to institutions that are being modernized. Governance is dependent on their involvement in research, policy-making and the implementation of strategies to manage social dynamics.

This text aims to update - in a very brief synopsis - the future-oriented ideas that we put forward at those earlier meetings on the future of ethnic and cultural diversity in the region, express new thoughts on what we suggested then were the most critical problems[4] and place these ideas in the context of

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[3]   The contributions and conclusions of the two meetings and other studies on the subject have been published by UNESCO in Major Programme I: Studies and Documents series (Paris, French version).

[4]   The synopsis of the discussions was prepared by Guillermo Bonfil under the title 'La Problemática del Pluralismo Cultural-Documento General de Resumen' and code CAR/URSHSLAC/G.P.I/DOC 17 (Quito, May 1989).

favourable circumstances for intercultural and interethnic dialogue[5] so as to target the needs arising from the management of social transformations.[6]

A word of warning would not come amiss: any generalization about Latin America on this subject will obscure specific aspects of diversity, but it does make it possible to discern general trends.

THE FUTURE OF DIVERSITY

Diversity, which we described as an emergent phenomenon of the 1980s, has grown in depth and breadth during the last ten years and is gaining strength as a characteristic in the countries of the region as the century draws to a close.

The struggle to win recognition for collective rights attaching to the cultural identity of the various peoples, ethnic groups, regions, communities and classes has been the main thrust of the growing trend and has made considerable headway: ever more complex demands are put forward as possible alternatives, and cultures and diverse groups are increasingly organized as social actors who are taking their place more and more on the national and international scene.

Macrosocial processes during the last few decades have facilitated the revitalization of both indigenous peoples and local and regional cultures, and have given a stronger role to new social actors who create particular cultural systems.[7] They are all qualified to find appropriate responses to their situation by drawing on their original culture, giving rise to new identities that in turn increase diversity.

The phenomenon is now more complex: individual cultures have staked a claim to territory as a condition for their own reproduction; they are experimenting with forms of autonomy and cultural control and have formed a battle front against the symbol that has been used to justify domination by one cultural group over others, namely, the unitary and homogeneous nation.[8]

Movements organized in recent years on the basis of demands for recognition of cultural and ethnic diversity have already elicited some responses from governments, institutions and society in general which tend to provide more ample facilities for perpetuating and developing diversity. Those responses have been made mainly within the constitutional and legal framework and take the form of a pledge.[9] Some countries are experimenting with measures to put into practice the changes entailed by these

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[5] This was the 'desirable scenario' that we identified in 1989; it seems to be closer than the scenario of confrontation as its alternative.

[6] This concern, which we did not raise very seriously at the time, is new to MOST.

[7] Such as indigenous migrants in cities, the Caribbean diaspora in old and new cities, the Chicanos and Hispanics in the United States in general, and people displaced towards frontiers as a result of economic, political or military pressures.

[8] Precisely for this reason, many of these groups have chosen self-determination as peoples, nations and nationalities.

[9] At least ten countries of the region have amended their Constitutions during the last decade to introduce some form of recognition of cultural diversity and to meet the demands of indigenous movements.

amendments;[10] many have not gone beyond verbal recognition. At the same time, antagonistic feelings and attitudes seem to have been exacerbated in some sectors[11] and measures are also being introduced experimentally to halt or reverse the gains of ethnically and culturally distinct groups.[12]

Members of these culturally distinct groups have greater access to higher levels of education, with the result that knowledge and techniques are available to them which are then reinterpreted and used to enrich diversity. Indigenous élites are formed in consequence, capable of formulating and promoting their own projects.

In these circumstances, they can now draw on a wider range of experience in self-managed development in all fields of social activity, including alternative education (bilingual and bicultural), productive projects based on the reinstatement and upgrading of indigenous knowledge and techniques, new forms of communication and/or use of the media, the development of forms of artistic expression that reflect specific cultural or local features and the emergence (and revival) of patterns of social and political organization geared to self-management and self-regulation.

THE DYNAMICS OF INDIGENOUS PEOPLES

One of the clearest expressions of the increase in and firm establishment of diversity in the region is the emergence, development and consolidation of indigenous movements. This phenomenon is occurring throughout the continent, although more so in some countries than in others, and calls into question all that might be considered essential to a society or nation: territory, language, religion, cultural tradition, socio-political organizational structures, economic processes and the enforcement of justice.

Indigenous people and communities have taken back, both really and symbolically, the territoriality that enables them to perpetuate their distinctive societies and cultures; they are rebuilding their unity and social continuity after centuries of fragmentation and have formed an organizational framework which is their basis for action in the competition for power and the conquest of areas of autonomy.[13]

However, there are some paradoxes in the indigenous peoples' movement that could be the cause of the crisis confronting it, and they have to do with the effort to build a platform for the common struggle, to form a broad

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[10] This is the case of indigenous territorial entities in Colombia, grass-roots participation, educational reform and territorial reorganization in Bolivia, and earlier yet, the regime of autonomy of the Atlantic coast of Nicaragua.

[11] I believe that this is true of the doctrine of national security, which is a reaction, for example, to recent indigenous mobilizing action in various countries.

[12] Language restrictions are increasingly being introduced in the 'Chicano' territories of the United States.

[13] In a paper prepared recently for UNDP, I have given an account of developments in relations between the State and indigenous people during the last ten years, reflecting changes in the relation between social diversity and the homogeneity of development models. To avoid repetition here, see 'Pueblos Indígenas y Democracia Nacional: después de 1992' in *Buen Gobierno para el Desarrollo Humano*, UNDP-ILDOS, La Paz, 1994.

organizational network and to win recognition on the national scene. A review of these paradoxes will convey a clearer idea of possible outcomes.

Building a common platform starts with reconciling the specific and varied demands of peoples and communities in local and regional spheres; but this operation implies formulating new categories of claims (such as autonomy, territory, self-regulation), and the means of symbolizing them (such as nation, nationality or indigenous people), which are useful for expressing demands and putting them forward as part of an overall strategy. This process of conversion entails the risk that the expectations and immediate urgent needs of the rank and file may not be met, because proposals must be formulated for the long term, setting aside the specific features of local demands.

When this operation involves more than a group of communities or an ethnic group and cuts across different traditions and experiences (as in the Andes and Amazonia for example) or involves people at different levels of development and/or with marked internal social and economic differences (as in Mexico or Guatemala), it is highly complex and may also be very vulnerable. This gives rise to the paradox that the higher and more complex the platform of the national movement, and the higher the level of its leaders' rhetoric, the less it seems to respond to specific local demands and thus to the complaints of community leaders.[14]

Much the same applies to organizational processes. Various social dynamics and a multiplicity of organizational forms must come together to produce higher and higher levels of unity. The operation whereby monolithic, national representation is constructed soon parts company with local community organizational dynamics and creates relatively independent structures of representation; competition, quarrels and splits then develop within the movement as it expands nationally.[15] Local organizations retain their territorial and basically productive character, whereas national organizations become ubiquitous and politicized and encounter difficulties in calling forth responses to meet the urgent needs of their rank and file. While some arm themselves with solidarity, others underscore the divisions by which they are demarcated.

One factor exacerbates this apparent paradox even more: the organizational experience of mountain indigenous people (mainly peasants) is based on pyramidal and territorial union models, a form that emulates the administrative organization of the State, is adopted in relation to the State and gives rise to hierarchical systems of representation and exercise of authority. By contrast, tropical forest people still retain a system based on kinship and ethnic (tribal) alliances and patterns of organization that are very unstructured from the political and administrative points of view. Reconciling these organizational dynamics and finding a common alternative to both is no easy matter.

The emergence and development of indigenous movements have so far dealt relatively successfully with these paradoxes; but the solutions lead to

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[14]   This paradoxical image is frequently used as evidence for a top-down style of management by the executive and to deny the movement's real character.

[15]   This is another paradoxical image that some use to argue that the movement lacks unity and to impugn the legitimacy of its leaders.

tense internal relations, causing splits and reorganization, progress and setbacks, changes in approaches and reshuffles within the executive.[16]

The need to cope with these paradoxes has raised the movement to a high level of ideological development, betokened by stronger indigenous identities, social recognition of the existence and importance of indigenous peoples and their cultures, and international recognition of their rights.

On the other hand, and in spite of their organizational strength, indigenous movements display limitations at the political level: shortcomings in operating according to democratic rules,[17] few proposals for the discussion of national issues,[18] and weakness in forming alliances.

Lastly, progress is only just beginning in one area, namely, in their capacity to work out solutions (technical, practical and economic) to meet the material development needs of peoples and communities and to support their organizational processes.

OTHER EMERGENT MOVEMENTS

What is happening to the indigenous movements is no exception; it is, rather, the most complex and probably the most widespread phenomenon on the continent, and a similar account could be given of the recent history of various groups that have been formed on the basis of projects to reconstitute (and reinvent) particular cultural identities, become new social actors and carry steadily more weight in national dynamics. It is worth mentioning some examples.[19]

In cities such as Lima, Mexico City, Sno Paulo, Santiago and La Paz, indigenous and peasant families that have migrated in recent times have reconstituted certain forms of peasant families that have migrated in recent times have reconstituted certain forms of community in their marginal urban settlements (new towns, housing estates, shantytowns, etc.) through which they reproduce and reinvent their cultural practices (including language) and, on that basis, devise ways and means of participating in the economy and organize movements to claim their specific rights. Informal trade (the black economy), so important for the renewal of capital in times of crisis, is considered to account for most of the activity of these 'new people', whose internal identity rests on old systems of solidarity and reciprocity, perpetuates

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[16] It is difficult to explain these dynamics in terms of traditional models of organizational analysis. If we consider the movement to be a network with an infinity of nodes of different values, some more sensitive to tension, and with strong and weak points, we shall probably understand its nature better, acknowledge the scope of its divisions and grasp its continuity.

[17] They act on the fringes of democracy, using pressure rather than negotiation, outside the rules of the game of institutionalized politics. This is one weakness of the movement, but also a flaw in the kind of democracy that excludes them.

[18] It is developing and growing as a self-absorbed movement.

[19] The examples given do not include groups formed on the basis of gender or generation, because I am not sure that they can be compared with the organizations dealt with here. This does not imply denial of their current importance as social actors.

itself symbolically in common religious practices and is a point of contact with communities of rural origin.[20]

Chicanos and North Americans of Hispanic origins in general have created a distinctive society and culture inside the very country that is supposed to be the most homogeneous on earth. Initially, the common language and shared forms of cultural expression brought together and distinguished these groups. The adversity of their lot as foreigners led them to make claims and devise their own cultural and economic projects and, ultimately, to become politically active in their own way within, and sometimes outside, the options offered by the democratic system.

There are at least three remarkable cases of groups re-forming after migration forced upon them by economic, political and/or military factors: cities and towns created by migrants (mainly indigenous or peoples of a common rural origin) on the Rio Bravo border (Mexico-United States), villages of indigenous coca-cultivating settlers in the Bolivian Chapare and the People's Communities of Resistance in Petén, Guatemala. For different reasons in each case, these are communities formed on the basis of their original identity, which work out new economic and cultural solutions and become players in key processes determining the future of the nation.[21]

A recent phenomenon which typically illustrates these dynamics is the emergence of small organizations of black population groups and the formation of nation-wide Afro-American movements in countries such as Colombia, Ecuador, Peru and Bolivia. These are in general relatively small and economically marginal population groups which have retained very few traces of a common identity, know little about their own history and are reinventing a culture and organizing major group actions.[22]

Lastly, the dynamics of local and regional groups which are now demanding the deconcentration of power and the decentralization of State administration, on the grounds of their specific traditions and ability to resolve matters concerning them more effectively,[23] could also be viewed in the context of broader cultural and ethnic diversity.

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[20] These groups are formed mainly in connection with the need to secure land ownership and basic public services. Later, they demand and sometimes win self-management rights and distinctive ways of exercising local authority. In the process, they create or reinvent particular traditions and forms of expression for their distinctiveness, which are also useful for marking spatial and social boundaries.

[21] In such cases, the original identity may be abandoned, then taken up again and transformed.

[22] The origin of this phenomenon is associated firstly with the 'continent-wide movement "500 years of indigenous, black and popular resistance"', and secondly with pan-African movements of the Caribbean, the United States and Africa (Gabriel Iturralde, personal communication).

[23] The case of local and regional groups and organizations and their struggle to have their rights recognized is the one that best highlights the complexity of the phenomenon, because, as these are clearly demands for and disputes over economic and political control (within the processes of the distribution of income and authority) they are formulated and put forward as seeking to defend local traditions.

UNSOLVED PROBLEMS

The emergence and resurfacing of social groups that are ethnically and culturally distinct and their growing importance in recent years in the countries of the region have powerful effects on the management of social life and its transformation: all movements of this nature, which have a relatively clear perception of themselves, develop in opposition to the State as the expression of a model of organization of the whole social fabric, based on unity and homogeneity, an assumption and aim which these movements contest and which these social actors oppose as constituting a refusal of, or impediment to, their main demand, namely, to be recognized and treated as different.

When the State has started to make the requisite changes for the modernization of society, this opposition has become even greater, and culturally and ethnically distinct peoples, communities and groups have stepped up their efforts to modify the main aspects of national organization in line with their claims.

There are some areas in which this opposition is now very strong, giving rise to tensions for which solutions are not always to be found in the established order. These areas concern mainly the following:

(i)   the absence of a territory-based system to ensure that these distinct groups have access to and control over facilities and resources for their material and cultural perpetuation;[24]

(ii)   the exclusion of peoples, ethnic groups, regions, communities and cultural groups in general from the democratic machinery of access to power through their own forms of organization, and the impossibility of ensuring that they have autonomous political structures with which to realize their capacity for self-management and self-government;

(iii)   the maintenance of a flawed system of administration of justice which neither provides equitable access for the population as a whole, nor takes distinctive cultural and ethnic traits into account, nor permits any degree of self-regulation, nor validates indigenous rules for the settlement of conflicts;

(iv)   the exclusion of ethnic and cultural communities from decision-making and plans relating to their own development, from the administration and execution of operations and from access to technical and financial resources to promote it, and from participation in the management and benefits of national development.

The most serious case in which there is a concentration of such problems is undoubtedly that of indigenous peoples, and the struggle for the right to their land is undoubtedly the focus of their mobilizing action.

Indigenous people throughout the region are clamouring for the restitution of land on which they had allegedly settled before the processes of dispossession and colonization; they also demand unlimited control over underground and water resources, animal and forest species, and places

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[24]   Territorial control is a State monopoly. The delegation of sovereignty (like competence and jurisdiction) devolves only upon administratie bodies of a municipal character. Access to resources for the necessities of life is confined to land use.

traditionally held to be sacred. Consistent with this claim, they oppose any form of development that is attempted without their participation and consent.[25]

The territorial claim of other culturally distinct groups is less ambitious but combines in equal measure claims to property, control (authority) and a share in the management and benefits of material resources.

Many demands for the restitution of land are obviously unrealistic and/or lack sufficiently cogent arguments in their favour; others, like ownership of the subsoil or the archaeological heritage encounter apparently insurmountable obstacles in the basic legal systems of Latin American States: demands for territorial control are prejudicial to the concept of national sovereignty and opposition to the development and use of strategic resources sets the general right of society and the rights claimed by particular groups at odds with each other.

There are, it would seem, two types of obstacles to consider: those that concern the demands themselves and those that concern the possibility of meeting them. Demands of a territorial character are not sufficiently well thought-out, ranging from strictly agricultural claims to aspirations to self-management of the national heritage, and are founded on the only possible and reliable law: property law;[26] at the same time, they impugn the legal or administrative measures for the protection of strategic resources by the State, which, in societies marked by inequality, have restrained and indeed still restrain unfair appropriation and monopolization by the dominant classes.[27]

However, the dominant legal systems in the region offer no alternatives whereby these demands might be met; once again, the right to property has pride of place as the only option for regulating access to material resources and these actors are excluded from the systems of protection and administration of public property.

The development of democracy, the improvement of electoral machinery, the general adoption of the political party system and the strengthening of forms of corporate representation have left traditional institutions of representation and social organization based on ties of a cultural, ethnic or regional character out of account. Meanwhile, control over one's own culture, which is indispensable for its survival and as a means of sustaining a specific cultural identity, requires the exercise of autonomous decision-making by each group.

The defence and expansion of those political and management facilities are indispensable conditions for ensuring the development of each culture, and demands to that effect culminate in the demands for various forms of autonomy, which imply recognition of culturally distinct social systems as units which are political components of the State. This demand has been made

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[25] In particular, action to oppose the building of highways and dams, oil-drilling and mining in general, and the development of archaeological sites and/or tourist sites.

[26] As it has been an instrument of dispossession, it is considered to be the only instrument for recovery.

[27] Although they have not been totally effective, these measures have so far impeded the total loss of strategic resources (mines, deposits, forests) in the region and have made it possible for part of the profits accruing from their exploitation to be invested in national development.

particularly forcefully by indigenous organizations in the region and is increasingly shared by other regional and culturally diversified groups.[28]

Failure to respect the rights of minorities (demographic and/or political) is frequent, and is aggravated by discriminatory practices by judges and the shortcomings of judicial systems. The fact that these minorities (ethnic, cultural, linguistic and regional) have ever closer contacts with national life puts them in an increasingly weak situation with regard to the judiciary and makes them the victims of the aberrations of a system that is rapidly breaking down.[29]

Indigenous movements have included among the aims of their struggle the demand for equitable access to justice and to the right to regulate their lives in accordance with their customs and to settle their legal affairs before their traditional authorities. Some leaders call this 'the right to our own law' and are contributing to the creation of a new category, *indigenous law* which is defined in contrast to national law.[30]

This new demand (or this new form of expressing indigenous demands) runs up against a judicial system based on principles such as the universal application of law and the unity of jurisdiction and due process, which does not recognize custom as a source of law and which generally penalizes any exercise of justice outside its own authority. The problem thus arises of judicial plurality (plurality of rights and/or plurality of systems?) which is intimately bound up with multiculturality and multiethnicity.

Lastly, development, understood as a process of replacing traditional practices and values by others adapted to the shaping of a homogeneous national destiny, is, by definition, incompatible with the strengthening of particular identities and with the maintenance of diversity, and the much-tried methodologies for promoting participation do not in themselves dispel this opposition. Tensions over development stem from its definition and result in the exclusion of the points of view of those who should benefit from it and in a denial of their access to management.

Modernization programmes imply a dismantling of social policies and development agencies within the State machinery, and a degree of transfer - more rhetorical than real - of responsibilities to the private sector (understood as civil society). Also, as already stated with regard to indigenous movements, one of the organizations' weakest points is that they have little capacity for carrying out programmes and projects of social and material development. The gap between the two is being occupied by a host of private institutions (NGOs) which have been involved in management and in technical and financial mediation, but although, in the final analysis, they have helped to change the style of interventions, they have not created lasting local capacities among the

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[28] G. Bonfil, op. cit. in note 4 above.

[29] Indigenous and other local 'minorities' tend to be the first victims of new crimes and special repressive measures as in the case of drug-trafficking.

[30] Some studies have been produced on this process, *inter alia* the collections of articles published by Stavenhagen and Iturralde in the book *Entre la ley y la costumbre: el derecho consuetudinario indígena en América Latina* (Instituto Indigenista Interamericano and Instituto Interamericano de Derechos Humanos, Mexico City, 1989, in Ribadeneira (comp.) *Derecho, pueblos indígenas y reforma del Estado* (Ed. Abya Yala, Quito, 1993), and in the journal *Crítica Jurídica*, Nos. 11 and 12 (Instituto de Investigaciones Jurídicas de la UNAM, Mexico City, 1992).

beneficiaries, they have frequently supplanted their ideas and they tend to modify the characteristics of basic demands.

The multiethnic and multicultural character, now acknowledged, of national groups calls for a new conception of development as an impulse arising from communities' cultures, interests and ways of doing things; it requires a redefinition of the roles of the various actors in local, national and international contexts and safeguards regarding resources, democratic decision-making and fair distribution.

POSSIBLE SOLUTIONS

Tensions relating to the system of access to land resources can be resolved in two ways: by making demands feasible over and above their essentially ideological purpose, and through legal reform over and above the system of ownership. Recent reforms to the constitutional tradition in respect of indigenous land in Brazil, Colombia, Mexico, Nicaragua and Paraguay, some experiments with the system of administration of natural resources, forestry reserves and protected areas in Bolivia and Brazil and the achievements of the indigenous struggle in Ecuador are all paths that might be followed.

The solution to the territorial demand should at the same time meet the demand for autonomy by modifying the system of delegation of authority. Indigenous peoples and other groups that demand autonomy for themselves should see this as a possibility within the framework of the restructuring and reorganization of the State and should develop the skills required to take advantage of it. Some proposals have been made to modify central systems for the delegation and exercise of authority in favour of regions, local organizations and indigenous bodies, but no critical assessment has yet been made of their scope and application in practice.[31]

Instruments have still to be developed to facilitate and enforce participation through indigenous forms of organization and traditions within the framework of democracy, accepted as a desirable form of government.

The confrontation entailed by the opposition between indigenous law and national law entails solutions relating to the territorial system (which defines jurisdiction), the spheres of autonomy (which establish authority) and the judicial system (which establishes due process). Recent constitutional reforms in Mexico, Bolivia, Paraguay and Colombia have acknowledged that there is some value in traditional systems of achieving justice and in voluntary submission to customs and traditions. Only Colombia's legislation makes the territory-authority-justice combination possible. Many efforts are still being made to find a possible solution based on pluralism.

With regard to the development of ethnic and cultural diversity, many challenges are not yet being taken up. In the context of modernization and at the height of the crisis, the challenge of development linked to identity is emerging as the key to reorganizing all the factors that influence the tensions between social diversity and the homogeneity of the model: territory, autonomy, justice and identity. The kind of management of change that brings with it an

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[31]   See note 10 *supra*.

inkling of possible solutions calls for an extensive overhaul of the concepts and practices that led to the problems in the past.

Although some experiments have been successful, appropriate strategies have not been defined, access to technical and financial resources is limited and subject to tiresome intermediate procedures, levels of technical capacity are still very low, and institutional roles remain confused.

The advances, paradoxes and limitations of the indigenous movements must be seen as closely bound up with changes which, at the other extreme, have been occurring in States. There have been changes in the constitutional and legal[32] tradition, a trend towards the institutional treatment of indigenous problems[33] and new strategies for development action.[34] It should generally be recognized that in the last ten years indigenous peoples have taken the initiative, and that changes have been made by States in response to their mobilization. Indigenous dynamics tend to be clear and enduring, whereas public policies are erratic.

Attitudes in international co-operation (bilateral and multilateral) for indigenous development have also changed and are changing: a new body of regulations is in the pipeline,[35] institutions and their programmes are changing and indigenous demands for territorial security, management autonomy and recognition of their rights[36] are changing, at least verbally.

Responses (governmental, institutional and social) to the demands of other emergent sectors are not as unambiguous as responses to the demands of indigenous peoples. They do, however, exist or are in preparation: adjustment and decentralization programmes proposing to transfer certain responsibilities, resources and hence authority to local levels of management; even privatization and deregulation may contribute in some measure to this process. Fields such as education, health, administration of the historic and cultural heritage and management of non-strategic natural resources are beginning to be placed under municipal or community jurisdiction and even in private hands.

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[32] Some of these changes call for in-depth transformation of key judicial institutions such as the territorial system, the administration of justice and the right of ownership.

[33] In recent years the old National Indigenous Institutes - the incarnation of assimilation policies - have been giving way to new bodies (Secretariats, National Commissions, etc.) that act as inter-institutional co-ordinators and mediators with indigenous organizations, and play an important role in the debate on new laws.

[34] A good example of this trend is the establishment of development funds to support initiatives (projects) formulated by the communities themselves, such as the National Solidarity Programme (PRONASOL) in Mexico, the Fund for the Development of Marginal Rural Areas (FODERUMA) in Ecuador, the Social Investment Fund (FIS) and the Peasants' Fund (FC) in Bolivia, the Indigenous Development Fund (FODIGUA) in Guatemala and other similar experiments on the continent.

[35] The adoption of the Convention concerning Indigenous and Tribal Peoples by ILO, No. 169 (1989), the establishment of the Fund for the Development of Indigenous People of Latin America and the Caribbean (1992), the proclamation of the International Decade of the World's Indigenous People (1994) and the preparation of a United Nations Declaration on the Rights of Indigenous Peoples are major milestones in the emergence of a new legal environment for relations between States and indigenous peoples.

[36] The Inter-American Development Bank, the World Bank and the International Fund for Agricultural Development have adopted specific directives to foster indigenous development and increase direct investments in the sector. Various bilateral co-operation agencies (Belgium, Holland and Denmark) have adopted strategies along the same lines.

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Some programmes of international technical and financial co-operation now enthusiastically support small- and large-scale community enterprises, the establishment of self-managed mechanisms for the settlement of conflicts, linkage to the global market and, in general, the development of organizational forms of civil society. At any event, although they do not set them up, they do recognize, encourage and support culturally distinct social groups by these measures and help to dispel to some extent the homogenizing cloud that has hung over national projects of the region since the beginning of the century.

INTERETHNIC AND INTERCULTURAL DIALOGUE AND RESEARCH

The management of social transformations cannot ignore, as in the past, the presence of actors who are organizing to recover and strengthen their ethnic and cultural identities, nor can it disclaim the legitimacy of their demands or disregard the dynamism of their organizational structures.

From this point of view, transformations must aim to take diversity, as a fact and a factor of conflict, and turn it into plurality as a societal characteristic accepted by governments, institutions and the actors themselves, so as to promote growth. It is therefore a matter of building pluriethnic and pluricultural societies (and States) based on recognition, respect and the promotion of a multiethnic and multicultural reality.[37]

The transition from 'multi' to 'pluri' depends on one primary, basic condition: interethnic and intercultural dialogue. The actors have reached a certain point in the scenario and have had their say; the responses so far have not established dialogue, because they are made as concessions or reactions to emergencies by governmental and institutional bodies that are not perceived as partners. More suspicion and disputes arise from ideological and political stances than from real exchanges about the objectives and processes of social change.

The various experiments in bilingual education syllabuses afford a good example of the limitations and possibilities of interethnic and intercultural dialogue. There are processes that give pride of place to assimilation of the dominant language, even though this implies a weakening of the mother tongue and results in subtractive bilingualism that gradually leads to the loss of the original language, which is used merely as an instrument of Hispanicization. There are courses aimed at the acquisition of a second language while preserving the mother tongue, which create active bilingualism and, depending on the circumstances, favourable levels of biculturalism. There are courses that seek to strike a balance between languages, or even to revitalize the weaker and make it a tool of learning and of daily life: they lead to a rewarding form of bilingualism and biculturalism, namely, acquired plurilingualism and pluriculturalism.[38] Balance between languages also means balance between cultures and, ultimately, between the abilities of the societies that speak them.

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[37] E. Hamel has proposed that 'multi' or 'pluri' be used in the sense for language and education (a proposal which I consider very useful) in 'Pluralismo cultural, linguístico y educativo'. Toranzo (comp.) *Lo pluri-multi o el reino de la diversidad* (ILDIS, La Paz, 1993).

[38] Hamel, op. cit. in note 37 *supra*.

Dialogue among peoples and cultures can also be a mere instrument of assimilation, or of the acquisition of new skills (those of another ethnic group or culture), or of the restoration of balance among interlocutors, including measures of positive discrimination in favour of the underprivileged. This last form of dialogue is the one required in order to build a plural society.

But dialogue is somewhat more than negotiation or a means of achieving tolerance. It must be understood as investigation, as debate, as the construction of a set of common development goals. This implies many reforms of policy and practice, new methodologies for scientific and technical work, institutionalized structures for reconciling diverging interests, and a redistribution of resources for research and of research findings.

The objectives proposed in the 1988 and 1989 meetings[39] are still valid:

(i)   encouragement of systematic information about the characteristics and trends of pluralism in the region;

(ii)   encouragement of the creation of facilities for constructive interethnic and intercultural dialogue;

(iii)   promotion of intercultural scientific debate on alternatives for the development of various cultures;

(iv)   promotion of experimental development projects based on local people's own identity and culture;

(v)   publicity of experiments, achievements and problems connected with the restructuring of national societies as pluriethnic and pluricultural entities.

Topics for discussion and research which have become urgent:

(i)   the overhauling of systems governing the acquisition and distribution of material and technological resources so as effectively to ensure that peoples and communities have access to them, that they are managed sustainably and that they are preserved as the heritage of the society;

(ii)   the qualitative improvement of systems of representation and government to enable social communities and cultural groups to be involved directly and autonomously in controlling their own destiny and to participate in national life through democratic procedures;

(iii)   the establishment of judicial systems based on the harmonization of cultural traditions and rights with the full implementation of the rights of society;

(iv)   the establishment of models and strategies of identity-based development;

(v)   the creation of an ideology and climate of opinion based on respect for, and positive appraisal of, cultural diversity.

The management of social transformations calls for thorough reform of legislation now more than ever before. Although the region's laws have been imposed on it and the legal tradition does not recognize the system of treaties between the peoples and the State as legally binding, the time has come to

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[39]   G. Bonfil, document mentioned in note 4 *supra*.

acknowledge that it is necessary to work out, with the involvement of all social actors, a new body of laws consonant with that long-standing cultural and ethnic diversity, that latent and much-abused diversity which, according to Guillermo Bonfil, represents the deep roots of the real America.