

# (Self)essentialisation of cultural differences: How peoples and States play hide-and-seek

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## Abstract

With the internationalisation of indigenous movements and the political articulations among different peoples over the previous twenty years, new discourses and actors have appeared on the international scene to claim specific rights in the name of cultural differences. In Argentina, this process gave new opportunities to peoples whose presence on the national territory had become invisibilised after nearly one century of republican ideology of national homogeneity. After a brief presentation of the indigenous situation in Argentina, the case of the Mapuche of the province of Neuquén will give a more detailed insight into how ethnic identity is co-constructed by the State's legislations and by the Mapuche's ethnic discourses. The rural communities are presented in this context as the only true and authentic way of life, while 70% of the Mapuche live outside this kind of structure. Currently, the leaders of the Mapuche organisations are asserting specific claims about their cultural differences through processes of self-essentialisation and construction of a new transnational Mapuche identity of a Nation-People.

KEYWORDS: indigenous peoples, indigenous rights, communities, nation, Mapuche

*Whereas the Mapuche nation exists in Nagmapu, Chile as well as in Puelmapu, Argentina, [and that] we have been neglected and our existence denied by both states, and given the current situation in which we find ourselves, it is imperative that we expand our historical struggle, creating various initiatives. One of these will be a flag, which will revive our history and philosophy, with the purpose of showing the world our reality in the perspective of a new relationship with the peoples of the world. We agreed to promote and publicise the Flag Design, to be approved in October, 1992, in all the communities.*

(Part of the resolution of the First Re-encounter of the Mapuche Nation, held on May 3–7, 1992, in Neuquen, Argentina)<sup>1</sup>

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<sup>1</sup> The resolution is published on: <http://www.nativeweb.org/papers/statements/identity/mapuche1.php>, accessed 11 August 2011.

## Introduction

Nowadays, we can observe a large movement toward re-ethnification in Latin America, which is led, for example, in Argentina by the rebirth of some peoples, like the Huarpe, the Ona, and the Quilmes, who were considered to have been extinguished for several centuries. Other ones, like the Mapuche (people of the land, from *Mapu*: land and *Che*: people), historically known as one of the most important groups in this country, are now increasing demographically since their right to self-determination has been recognised by the Argentinean Constitution and put into practice by the State. Based on fifteen years of anthropological research on Mapuche communities in the Argentinean Patagonia, I would like to show in this paper how the local definition of the ethnic identity by Mapuche themselves, as well by non-Mapuche,<sup>2</sup> is shaped by the decisions taken at an international level on the question of indigeneity and how peoples apply it, directly or indirectly, in order to define themselves. In studying these kinds of processes, I will analyse how ethnic identity is co-constructed by indigenous peoples as well as by the States and the International Organisations that deal with indigenous issues, and how boundaries are drawn to differentiate *Indians* from *Whites*.



Figure 1: Flag of the Mapuche nation

Several levels of definition of indigeneity will be taken into consideration. First, the actual international context, which defines who is indigenous and who is not, will be presented as well as the newest decisions taken on indigenous issues; specifically, the Declaration on the Rights of Indigenous People adopted by the General Assembly of the United Nations (UN) in 2007. Second, we will see how various types of international conventions, laws and/or treaties modify the relations between indigenous peoples and the States (national and provincial). Here, the specific case of the Argentinean way of dealing with autochthony since the final annexing of the last free indigenous territories at the end of the 19<sup>th</sup> century will be analysed. We will see how, after more than one hundred years of invisibilisation of the autochthonous population, the constitutional reforms of 1994 led to the reaffirmation of their specific identity by an important and unexpected part of the population. Through the case study of the Mapuche of the province of Neuquén, I will examine how indigenous leaders work, on both national and international levels, to construct their discourses on indigeneity to fit or challenge the definitions given by the States (national and provincial), in order to address their claims on territories and resources. Special attention will be given to the increase in the number of indigenous communities since

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<sup>2</sup> By using this kind of dyadic opposition, I re-address the Mapuche classification that opposes *Huinca* (non Mapuche) to Mapuche, as well as the terminology of the State which distinguish – as we will see further – *Whites* from *Indians*.

1960 and to their importance in the definition of the Mapuche identity. Finally, we will see how the affirmations of radical cultural differences by the Mapuche leaders cause processes of self-essentialisation and how their willingness to unite the Chilean and Argentinean Mapuche, as a single ethnic entity in their struggles against their respective States, led to the apparition of claims in the name of the *Pueblo-Nación Mapuche*, the Mapuche Nation-People.

## **The internationalisation of the indigenous question**

At the international level, various human rights bodies, instruments, and studies have been dealing – since 1980 – with the problems that indigenous peoples encounter, all over the world, in their relationships with the States in which they reside as well as with non-indigenous populations. Several international forums devoted to these questions emerged from the activities of human rights bodies that deal, for example, with minorities, slavery, servitude, and forced labour. In 1982, the first body dedicated solely to the concerns of indigenous peoples was established by a decision of the United Nations Economic and Social Council; the Working Group on Indigenous Populations (WGIP) of the Sub-Commission on the Promotion and Protection of Human Rights (then called Sub-Commission on Prevention of Discrimination and Protection of Minorities) was created. Twenty years later, in 2002, a Permanent Forum of Indigenous Peoples was launched. During the same period, needs for juridical regulations increased and some texts were redacted and approved by the States and the International Organisations. In 1989, the Convention Concerning Indigenous and Tribal Peoples in Independent Countries was adopted by the General Conference of the International Labour Organisation (ILO Convention 169); and on September 13, 2007, the Declaration<sup>3</sup> on the Rights of Indigenous Peoples was adopted by the General Assembly of the UN after over twenty years of work that had begun with the drafting of the Declaration at the Working Group in 1985, which was completed in 1993, and which was reviewed between 1995 and 2006 by another *ad hoc* Working Group. Despite the recent acceptance of the Declaration, the duration of the drafting process that lasted for more than twenty years had an impact on legislations in countries with indigenous peoples, and influenced the trend that was developing at the international level in the human rights machinery.<sup>4</sup> Several countries integrated part of the items and philosophy of the Draft Declaration into their own legislations and reflected them in how they defined indigeneity.

In 1970, before the Working Groups in the UN were established, a Special Rapporteur, José R. Martínez Cobo from Ecuador, was appointed by the Sub-Commission on Prevention of Discrimination and Protection of Minorities for the study of discrimination against indigenous populations. In his final report, which was submitted to the Sub-Commission during the years 1981–1984, Cobo addressed a wide range of human rights issues that included a definition of indigenous peoples. The interest generated by this report led to the creation of the WGPI in 1982. The work carried out through this human rights body and in other fields of the UN followed the definition given in the Martínez Cobo Report, which must be understood only as a *working definition* because the definition itself was also

<sup>3</sup> From now on I will refer to this text as the Declaration.

<sup>4</sup> More than a few sectors of the most important International Organizations are concerned with situations that affect indigenous peoples: intercultural health care in the WHO; conferences on environment and biodiversity in the UNESCO; traditional knowledge and traditional cultural expressions in the WIPO; etc.

a point to be debated within the human rights bodies that deal with indigenous peoples:

Indigenous communities, peoples, and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing in those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems (Martínez Cobo 1986).

It is important to keep in mind that this oft-cited definition is in no way an official definition but merely an instrument that has facilitated the mission of the working groups. In fact, indigenous peoples have always refused to be bound by such a definition and obtained in 2007, in Article 3 of the Declaration 'the right to self-determination.' This means that each person may identify herself as indigenous, if she is recognised and accepted by his indigenous group as one of its members. This right had been previously accepted, in 1989, by the ILO Convention 169, which was the leading international instrument that affirmed the collective rights of indigenous peoples before the adoption of the declaration. Article 2 of the ILO Convention asserts: 'Self-identification as indigenous or tribal shall be regarded as a fundamental criterion for determining the groups to which the provisions of this Convention apply.' If self-identification is such a fundamental element in the struggle of indigenous peoples, this is because it preserves for these groups the sovereign right and power to decide who belongs to them, without any external interference.

## **The comeback of indigenous peoples at the end of the millennium in South America**

These fundamental changes in the definition of indigeneity and the multiplication of the human rights bodies and International Organisations dealing with indigenous peoples had important impacts in South America, as they occurred in a particular period in the history of this continent. In several countries (such as Argentina, which will be at the centre of this paper), dictatorships had been replaced by democratic governments and state constitutions were reformed at the end of the millennium to recognise multiculturalism, as well as the rights to racial, ethnic and/or cultural differences, in order to accept and to follow international laws and conventions. In several countries, grassroots human rights organisations occupied an important place in the rise of social movements and, at the end of 1980, they participated in the debates about the planned festivities for the 500<sup>th</sup> anniversary of the *discovery* of America by Columbus. Indigenous voices emerged from these organisations and new pressure groups formed by indigenous peoples were created that received significant support from existing human rights associations. They strongly criticised the way Latin-American States wanted to celebrate and to commemorate an event that represented the beginning of a long-time process of dismembering indigenous societies by killing, displacing and enslaving the original habitants of the entire continent. They also used this particular period to start challenging States by negotiating collective social and political rights that would better fit within the particular structures and organisations of the indigenous societies.

In Argentina, as in numerous other countries in Latin America (Bengoa 2000), it was particularly striking to observe the (re)apparition of indigenous groups, who claimed they belonged to peoples who were considered as having been extinguished (Huarpe, Ona, Quilmes), as well as the exponential increase of claims by groups whose social and political structures had been weakened by more than a century of assimilatory politics of *integration* drawn by the republican ideology promoted by the State. After the conquest of all indigenous free territories at the end of the 19<sup>th</sup> century, the Argentinean authorities wanted to give the same rights and opportunities to the entire population of the country. These politics and the discourses that accompanied them tended to create the impression that there were no remaining indigenous populations to be found in this country. To a certain extent, the State achieved its goal, as I discovered when I started my ethnographic fieldwork in Patagonia. On several different occasions, I was struck by the blindness of the inhabitants of Buenos Aires, or of other big cities, because they were surprised to see a European anthropologist coming to Argentina to do research with indigenous peoples. Several times, I was advised to go to Bolivia, Peru, or Brazil, or, when speaking more specifically of the Mapuche, Chile seemed to be the unique place where they were supposed to live.<sup>5</sup> The fact that ‘there are no more indigenous peoples in the land’ was a commonly held Argentinean belief testified to the efficacy of the invisibilisation of the autochthonous societies after the last war against indigenous groups at the end of the 19<sup>th</sup> century.

## The invisibilisation of indigenous peoples in Argentina

The need to build the national Argentinean identity of a white nation with an ethnic, linguistic and religious unity increased after the country’s fight for independence in 1816, and was more or less achieved by the end of the 19<sup>th</sup> century with the annexation, after years of bloody wars, of the last remaining free indigenous territories in the South (Patagonia) and in the North (Chaco) to ensure the total control of the State over its territories.<sup>6</sup> During the last quarter of the 19<sup>th</sup> century – under the pressure for land on behalf of the *estancieros*<sup>7</sup> and for food goods by the international markets because of the international economic crisis – the government of President Nicolás Avellaneda (1874–1880) made the decision to move forward on the free indigenous territories of the Pampa. Adolfo Alsina, Avellaneda’s Minister for War and Navy, put an end to the traditionally peaceful relationships that had been established with the indigenous peoples and, with the assistance of new technological resources like the Remington rifle and the telegraph, planned and carried out a first breakthrough on the territories of the Pampa. After Alsina’s death, Julio A. Roca (1878–1880) succeeded him and he directed the *Campaña al Desierto* (Campaign to the Desert)<sup>8</sup> in a joint action with the Chilean government, which was also carrying out a military operation to annex

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<sup>5</sup> As Menni (1995) points out, in Chile the Mapuche have been considered, since the end of the 19<sup>th</sup> century, as being a *problem* for the State, and thus overly visible, while in Argentina, they were supposed to have disappeared and had been invisibilised.

<sup>6</sup> I would like to thank Pedro Navarro Floria for the numerous historical data and information that he provided me and that will be discussed below.

<sup>7</sup> In Argentina, the large extensive cattle raising ranches – *latifundia* – are named *estancias* and their owners, *estancieros*.

<sup>8</sup> This campaign gave its name to the whole conquest of the Pampa and Patagonia (1875–1885), which is known as the *Conquista del Desierto* (Conquest of the Desert). The term of *desert*, which is very problematic, will be reconsidered below.

the Mapuche territories of the west of the Andean Cordillera. This campaign, which occurred in 1879, pushed the southern border of Argentina back to the rivers of Neuquén and Río Negro, where Patagonia starts. It caused an important relocation of indigenous populations and established the necessary bases for the colonisation of the river valleys of the north of Patagonia.

Roca was elected president (1880–1886) after his triumphal return to Buenos Aires. His primary goals had been reached; nevertheless, he continued the conquest of Patagonia between 1881 and 1883 with the *Campaña del Nahuel Huapi* (Campaign to the Nahuel Huapi) and the *Campaña de los Andes* (Campaign to the Andes) during which the persecution of the indigenous populations continued until the surrender of their last headmen in 1885. Because of the damage caused by these military operations, they can be considered to be genocide (Navarro Floria 1999: 104–6).

The process of invisibilisation of the Indians started before their military submission, as indicated by the use of the term of *desert* to describe the territories of the Pampa and Patagonia to be conquered. The period that bears the name of *Conquista del Desierto* in the official historiography presents a double problem through the utilisation of the term of *desert*. The first problem lies in the use of the term itself; the second, in the use that the *conquistadores* of the 19<sup>th</sup> century made of it. Indeed, the territories to which this term refers did not actually suffer from aridity – or in any case, not the majority of them, as only some areas of Patagonia can be regarded as semi-arid. On this subject, it is interesting to note that the idea of *desert* applied, at this time in Argentina, equally to the arid regions and tropical forests, since it referred to spaces empty of *Western civilisation*; namely, to territories propitious for the expansion of *civilisation* and *progress*. This reference to a lack of population relates obviously only to the *civilised* white peoples. In fact, if these places had really been so slightly populated, we should wonder why Roca had to raise large armies and to undertake several military campaigns over a period of more than a few years to annex them. Actually, the principal motivation of the campaigns directed by this general was the occupancy of new territories with the aim of exploiting their resources, and regarding them as a desert became an effective argument to justify their occupation.

The ideal of the *white*, *Christian*, and *civilised* nation of Argentina in the 19<sup>th</sup> century could be carried out only while making the Indian populations disappear – physically and symbolically. During the military campaigns, the indigenous peoples who did not perish in the military struggles and the raids against the civil populations (the Argentinean army also attacked the settlements where women and children remained) were deported as prisoners towards Buenos Aires to be then divided up in various urban centres of the country. Families were separated. Men were employed as bonded workers in the construction of the railroads, in the *estancias* located in the centre of the country and in the plantations of sugarcane in the area of Tucuman; others were forced to enrol in the army and the navy, and thousands of them were exiled in the prison of Martín García Island. The women and the children, meanwhile, were distributed among the wealthy families of Buenos Aires who needed servants (Varela & Font 1995: 178–9). The populations that escaped from death and exile remained, at this moment, as small hordes of isolated inhabitants or of wandering tribes deprived of lands and means of subsistence, witnessing the systematic destruction of their society.

## The new deal with indigenous peoples

After their defeat, indigenous peoples became of no interest for the State to the point that the same Article 67, Paragraph 15, of the Constitution of 1853 was still in force until the constitutional reforms in 1994. This paragraph, which defines the responsibilities of the National Congress, specifies that it has to: ‘provide for the security of the frontiers, to preserve the peaceful treatment of the Indians, and promote their conversion to Catholicism.’<sup>9</sup> It was replaced 11 August 1994 by Article 75, Paragraph 17, which states that the Congress has:

... to recognise the ethnic and cultural pre-existence of Argentina’s indigenous peoples, to guarantee respect for their identity and the right to a bilingual and intercultural education, to recognise the legal status of their communities and the communal possession and ownership of the lands that they traditionally occupy and to regulate the provision of other lands appropriate and sufficient for human development; none of these shall be transferable, transmissible or open to encumbrance or seizure. To ensure their participation in the management of their natural resources and other interests those affect them, the provinces shall concurrently exercise these powers.

This fundamental transformation in Argentinean politics toward indigenous peoples is symptomatic of the general changes at the turn of the 20<sup>th</sup> century and was foreseeable some years before with the adoption of National Law 23.302 in 1985 and the signing of the ILO Convention 169 in 1992, even if it was not ratified until nearly ten years later in 2000.

It is very interesting to note that the most important law directed to indigenous peoples, the National Law 23.302/85, is addressed only to indigenous peoples who live and are recognised as communities as defined in the law’s name: *Protection and support to indigenous communities*. Even if this protectionist law came very slowly in force and despite the fact that Argentina is a federal State in which the decisions taken at the national level do not always have as great or the same impact as in the different provinces, many indigenous communities appeared in the late 1980s, and their number increased even more after the constitutional reform. The INAI (National Institute for Indigenous Affairs), which was also created by Law 23.302/85, runs the RENACI (National Register of Indigenous Communities). The process of recreation of indigenous communities is particularly interesting since it calls into question the idea that the Indians would have completely disappeared. People who had survived the *Conquista del Desierto*, along with the displacements of populations into prison camps and bonded labour at the end of the 19th century, had to suffer an additional *symbolic* disappearance, since they had to give up their community lifestyle, their culture, their language, etc., in order to *civilise* themselves. Until approximately 25 years ago, the Argentinean ethnic panorama could have given the impression that the goal of the *Conquista* was reached: *civilisation* had got the upper hand of *barbarity*; the indigenous survivors were considered as *assimilated* since they had, as it seemed, adopted the identity model of a white Argentina that the State had imposed upon them.

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<sup>9</sup> All translations are mine.

In the mid-1980s, this image changed, and the fact that the number of indigenous communities has been increasing all over the country since then testifies to the strength and the willingness of Indian populations to maintain their specific cultures, societies and ways of life. If, during more than a century, they maintained their customs in a hidden way in order to outwardly comply with the State's ideology, they are now appearing, since the States recognised their existence, on the political stage to claim their rights. A large number of indigenous communities (and sometimes entire people) have begun to emerge because the State allows them now to exist. From my point of view, this process can be considered a top-down ethnicisation. To analyse how indigenous people have challenged the State to affirm their particular identity, and have not always agreed to conform to the boundaries drawn for them by the State, I will now analyse in detail the particular case of the Mapuche communities in the province of Neuquén. This case study will show how indigenous people have reshaped the legal boundaries into which they have to fit in order to define themselves in a bottom-up process of ethnicisation.

## **The creation of communities: The case of the Mapuche in Neuquén**

In Argentina, Mapuche peoples are scattered among the Patagonian provinces of Neuquén, Río Negro, Chubut and Santa Cruz, and in the provinces of La Pampa and Buenos Aires, while the largest part of the Mapuche population lives on the other side on the Andes, in Chile. Despite their belonging to the same indigenous people, it is surprising how the Mapuche societies of both sides of the Andes, as well as of different provinces in Argentina, have different social and communitarian organisational structures. Inside Argentina, these variations have to be related to the federal political system and disparities in the regulation of the indigenous questions by the provinces in which Mapuche groups are situated (Briones 2005). The case of the Mapuche of the province of Neuquén presents interesting characteristics that enable us to understand the impact of the State's decisions in the process of reapparition and visibilisation of indigenous groups. The Mapuche have been established in this province, situated at the north-west of Patagonia, since the 17<sup>th</sup> century (Nicoletti & Navarro Floria 2000: 49).

After the *Conquista del Desierto*, indigenous families assembled in small groups that were known as *lof* in *mapudungun* (the Mapuche language). Until the creation of the provinces on June 15, 1955, by Law 14.408, the Patagonian territories (Neuquén, Río Negro, Chubut and Santa Cruz) were directly administrated by the national State. The headmen of the remaining *lof* had, by this time, to negotiate occupational land rights directly with the national authorities in Buenos Aires, more than 1,000 kilometres away from their settlements. After 1955, the relations between the provincial governments and the indigenous peoples took different trends as each new entity created a new juridical and political framework. Neuquén demonstrated, in the last 40 years, several examples of recognition of the Mapuche communities or *lof* that are linked:

... to the provincial style of constructing hegemonies, consisting of the parallel operations of confrontation with the national level (denounced for



his 'centralism') and of the province's construction through political and development strategies of sociocultural integration, accompanied by a strong state welfarism (Falaschi et al. 2005: 179).

In its wish to differentiate from the National State by integrating the Mapuche presence into the construction of his provinciality, the leading political party (*Movimiento Popular Neuquino*, MPN) – which has governed Argentina continuously since 1962, through one or another faction – started to recognise 18 'reservations' or '*agrupaciones*' (regroupings), as the *lof* were named at that time, in Decree 737 from 1964: 'Land reserves for indigenous regroupings [*agrupaciones*].' The importance of affirming 'the historical importance of the Mapuche in the formation of the society and the regional identity' (Briones & Díaz 1997) permitted an early recognition of the indigenous presence in this province while others only started to take the communities in account later in the 1980s, like Río Negro,<sup>10</sup> or in the 1990s, like Chubut.

Indeed, in all political actions toward Mapuche peoples, their identity is defined in legal terms by their belonging to a particular social structure that defines their cultural difference: the *lof* or communities. Decree 737 is based on the Provincial Constitution of 1957, article 239:

Indigenous reservations and concessions will be maintained and even extended. Technical and economic support (assistance) will be given to this regroupings inclining to enable them to use the granted lands to improve the living conditions of the inhabitants and to tend to the progressive elimination of this de facto segregation.

With the years and despite a large migration trend from the rural areas to urban areas, and particularly to the city of Neuquén, the focus of provincial support to indigenous peoples remained concentrated on the communities, which grew, through their recognition in several other provincial decrees, from 18 in 1964 to 38 in 1998.<sup>11</sup> The focus on communities to define indigeneity was supported by the national context and Federal Law 23.302. This law was adapted locally in Neuquén in 1988 and an official definition of the communities emerged:

The indigenous community is defined as a group of families which recognise themselves like such, with their identity, their culture and their own social organisation, which preserve their traditional standards, rules and values, which speak or spoke their indigenous language, which share their common habitat on which they are established together or in a dispersed way; or to the indigenous families which unite in communities of similar characteristics, to take advantage from the benefits of law 23.302/85 (Ministerio de Bienestar Social 1988: 25).

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<sup>10</sup> It is interesting to note that the agenda of the most important indigenous organization of this province, the *Consejo Asesor Indígena*, guided its actions toward class-oriented politics that articulated indigenous claims with those of the peasants and small producers, describing 'economic exploitation and political domination before cultural discrimination and oppression' (Briones 2002: 105).

<sup>11</sup> Since the middle of the '90s other communities have formed, but they are not recognised by the provincial authorities, as we will see further.

All these legal frames are directed to the indigenous communities, specifically to the localised settlements recognised by the State, but they leave dispersed rural Mapuche settlers<sup>12</sup> as well as the Mapuche urban dwellers out of the definition of *Mapucheness*. This situation tended to create the idea that the communities were the prototype of the 'only authentic Mapuche lifestyle,' as they were the only structure for which a particular legal framework existed. Nevertheless, to be recognised as a community, a Mapuche group has to create a structure that is in accordance with the province's regulations; i.e. they have to form an organisation ruled by statutes that are almost similar to any association's or NGO's statutes.

The provincial government had increased the weight of the communities with the creation in 1970 from the *Confederación indígena neuquina* (Indigenous Confederation of Neuquén) – CIN,<sup>13</sup> which groups all the headmen of the different legally recognised communities of the province. If this structure would seem at first to be a Mapuche organisation, it is important to note that its creation was made during a meeting organised by the province's governor and bishop. In reality, the provincial government needed to create a structure to regroup all the communities with only one headman who could represent the *whole* Mapuche population in negotiations. This also tend to induce a certain power stratification in the provincial Mapuche society, stratification that is not common among Mapuche whose social organisation is relatively equalitarian in peacetime, because segmentation of power leads to the splitting of power among the different family chiefs (Kradolfer 2008). The structure of the CIN was similar to those imparted to the communities by the province: it was composed not only of a headman, but also by a committee formed by a second headman, a treasurer, a secretary, and several other members. All these persons are elected by the meeting of headmen (Parley<sup>14</sup>) for a period of two years.<sup>15</sup> The principal task of the CIN was to arbitrate problems inside and between communities, as well as to be an intermediate between the Mapuche and the provincial State, for example, in the processes of measurement and setting of landmarks in public lands allocated to the communities by the State.

## **The multiplication of Mapuche peoples and communities**

With the new National Constitution of 1994 and in the global context of the early 1990s that was favourable to indigenous peoples, new claims based on self-determination emerged from the indigenous population of Argentina. Associations of mainly young Mapuche peoples appeared, after the nation's return to democracy, in the cities where a large part of

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<sup>12</sup> It is very difficult to identify the communities because of their scattered settlement patterns, but also because nothing in the spatial organization suggests the presence of localities: there are no hamlets, no villages, and no cities; there are no streets, no alignment of houses, and no central places. Moreover, the political structures seem to be totally dismembered as power is split between the small units of the domestic groups (Kradolfer 2008; 2011).

<sup>13</sup> This structure changed its name in 1990 and became the *Confederación mapuche neuquina* (Mapuche Confederation of Neuquén) – CMN.

<sup>14</sup> The name of these meetings retakes the idea of the Parleys that were held between the Mapuche and the Spanish and after the Independencies with the Chilean and the Argentinean state representatives, when the Mapuche territories were still independent.

<sup>15</sup> In the beginning they were elected every year.

the indigenous population is living. These young people are descended from rural populations, but their fathers and mothers migrated to the cities in the 1950s and the 1960s to find work and better living conditions. Their organisations are aiming to help their brothers and sisters from the rural communities to secure ownership of the communal territories they are occupying, and to protect the Mapuche culture by keeping the language, customs, and handicrafts alive. In the movements toward internationalisation of indigenous claims of the late 1980s, the Mapuche made contact with other indigenous organisations and NGOs. Some of them were able to obtain logistical, technical, and financial support from NGOs and started to be very active in the defence of indigenous rights at an international level. The leaders of these organisations can be defined as cultural brokers (Bierschenk et al. 2000), as they are indigenous people who have acquired a detailed knowledge of the dominant ‘white’ social and political system of the Argentinean State, and are therefore able to mediate the relationship between both indigenous societies and national or international organisations.

From their creation these urban organisations chose, in Neuquén, to work in strict collaboration with the rural population to legitimise their actions because the ‘true’ Mapuche are located, in the eyes of the State – and in many cases for the NGOs as well – in the communities. Consequently, when the young urban leaders speak, they are doing it in the name of their brothers and sisters from the communities. To challenge the State and to answer it in the same words, they retake the image of the community as being the ‘only and true’ lifestyle of the Mapuche. In this way, they contribute to the construction of an idealised and romantic image of the community’s everyday life that is presented as radically different from the one of the other small rural non-indigenous stockbreeders.<sup>16</sup> The cultural differences are shown in all spheres of life: religion, education, health, etc., and are displayed as incompatible with every other non-indigenous culture. In doing this, the Mapuche organisation nourished a discourse on the essentialisation of indigenous societies that has been active in the Argentinean State since its creation at the beginning of the 19<sup>th</sup> century.

In November 1990, during the 12<sup>th</sup> Parley of the CMN (before CIN, see above), new lines of leadership that were sensitive to the arguments of the organisation’s leaders merged to criticise the traditional authorities of the CMN who were too closely bound to the interests of the ruling political party of the province. This convergence between rural and urban Mapuche voices led to the incorporation of the organisation’s leaders into to CMN – in between, they had been integrated into communities and were authorised to participate in the CMN – and to the creation, in 1992, of the umbrella structure of the COM (*Coordinadora de organizaciones Mapuche* – Coordination of Mapuche Organisations).<sup>17</sup> The COM defends ‘the axiom “Toward a New Relationship”, with the purpose of uniting and representing rural and urban Mapuche under the symbolic guidance of the activists

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<sup>16</sup> As I have already mentioned, in Río Negro, the Mapuche organizations adopted a different position as they chose to fight together with all the small producers, adopting a class position more than an ethnic one.

<sup>17</sup> The rise of urban organizations and their integration in the CIN/CMN, as the creation of the COM, are described in Briones (1999: chapter 2).

and “traditional authorities”” (Briones 2002: 107). In the name of their differences, the COM started to have a very critical discourse against the state politics toward Mapuche populations and condemned the process by which the provincial authorities of Neuquén recognised the communities. The statutes that were from the outcome of the latest processes, as well as the election of a committee that had been retaken from the functioning of *white* associations and NGOs, were declared to be in contradiction with the traditional Mapuche organisation.

In 1994, in a conflict between the habitants of the not-yet-recognised community of Kallfvcura and the company *C eramica Zan n S.A.*, which exploited a clay quarry within the fields used by the Mapuche,<sup>18</sup> the minister of the provincial government proposed that the community write up a new statute. This work was done by the community of Kallfvcura in collaboration with the COM and the statute was made public in a meeting organised by the COM in September 1995. As it appeared that the official recognition of Kallfvcura would be difficult to obtain from the provincial authorities, the COM acted as a broker between the community and the national State and addressed the application for the legal recognition to the INAI’s chairman. This was also a way for inscribing this process of writing Mapuche statutes in the larger context of the entire federal State, and to give an example to be followed by other indigenous peoples of Argentina. After obtaining some changes to the original version of the statutes,<sup>19</sup> the INAI accepted the application of the Kallfvcura community under Federal Resolution 4811/96 of the Secretariat of Social Development. Due to fact that Argentina is a federal state in which the provinces are in charge of the indigenous questions, the communities of Neuqu n that adopted the INAI-Mapuche statutes are recognised by the INAI and listed in the RENACI, but are officially *ignored* by the provincial state authorities. This results in a game between Mapuche and local authorities in which it is impossible for the latter to disregard the legal existence of the former at national level, but at the same time, as the Mapuche groups have not gone through the ‘normal’ local procedure to obtain provincial recognition, they cannot be considered as communities and are, consequently, not officially listed as such. For the Mapuche organisations, which are more often confronted by the provincial state authorities, it is also more comfortable to negotiate their recognition with the *distant* national State, which is not relevant for indigenous matters at local levels, thus avoiding a strict day-to-day relationship.

The statutes presented to the INAI were first written for the Kallfvkura community in 1996 and then retaken by others<sup>20</sup> that were recognised at a national level. Thus, the number of communities increased between the mid-1990s to present from 37 (communities recognised at provincial level) to 56 in 2005 (personal communication of Miguel Antipan from the Provincial Education’s Council). This means that 19 communities are – or are on the way to being – recognised only by the INAI. Some of these new communities were created

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<sup>18</sup> For more detailed information on the effects of the mining activities on the community, see Falaschi et al. 1996: 330–47.

<sup>19</sup> The changes had been requested by the General Direction of Legal Affairs to suit the national legal standards.

<sup>20</sup> Between November 1996 and October 1997, the COM presented not only the application for Kallfvcura’s community but also for N rkinko’s and Kaxipayi n’s communities and, later, for more than ten others.

in urban areas, testifying for the existence of *Mapucheness* also in the cities and no longer only in rural areas. The Mapuche presence in the towns also became more visible in the last census of population that was realised in 2001 (INDEC 2001) and with the *Encuesta Complementaria de Pueblos Indígenas* (ECPI; Complementary Survey of Indigenous Peoples)<sup>21</sup> in 2003. As ethnic belonging was defined by self-determination, it allowed 113,680 persons to recognise themselves as Mapuche in Patagonia. The ethnic panorama changed first, as this number was superior to all previous evaluations,<sup>22</sup> and second because the Mapuche established in urban areas (localities of more than 2,000 inhabitants) represent the 71% of the total Mapuche population of the Patagonian provinces. For the rural areas, only 60% of the population is living in communities while the rest of the Mapuche are small stockbreeders who live scattered in family groups throughout the Patagonian territories.

## From peoplehood to nationalism

The new statutes written by the COM are interesting because they show the way in which Mapuche leaders want to describe their own culture, institutions, and political practices for non-Mapuche interlocutors.<sup>23</sup> As they were discussed between COM and INAI, the statutes went through different draft versions until final acceptance by the Argentinean federal authorities. I will refer here to the first text made public during the conference, *Primer Seminario Regional 'El Derecho Internacional y los Pueblos Originarios* (First regional seminar 'International rights and indigenous people'), organised by the COM from September 29<sup>th</sup> to October 2<sup>nd</sup> 1995, as it presents the way in which the indigenous organisations take a stand regarding their relationship with the State; before that, the statutes had to be modified to fit the Argentinean legal standards, which interestingly mean avoiding the words of *autonomy* and *nation-people* and erasing all statements that could assert any specific kind of sovereignty. The *Estatuto autónomo del Lof Kallfvcura* (Autonomous Statute of *Lof Kallfvcura*)<sup>24</sup> is divided into five parts:

- a) Act of Constitution of the Lof Kallfvcura (*Acta constitutiva del Lof Kallfvcura*)
- b) Historical Antecedents of the Indigenous People – Mapuche Nation (*Antecedentes históricos del pueblo originario – nación mapuche*)<sup>25</sup>
- c) Principles of the Autonomous Project of *Lof Kallfvcura* – Land of the East<sup>26</sup> (*Fundamento del proyecto de autonomía del Lof Kallfvcura – Puel Mapu*)
- d) Membership of *Lof Kallfvcura* (*Pertenencia al Lof Kallfvcura*)
- e) Autonomous Statute of the *Lof* community *Kallfvcura* (*Estatuto autónomo Lof comunidad Kallfvcura*)

<sup>21</sup> Available at: <http://www.indec.mecon.ar>.

<sup>22</sup> The earlier census of indigenous population dated from 1966-1968 (*Censo Nacional Indígena – National Indigenous Census*). Only 33,352 Mapuche were identified as such, because only people living in the rural areas in groups of families could be censused as indigenous. After this date, the State apparatus decided to take a non-discriminatory position and refused to distinguish the indigenous population from the rest of the Argentinean residents in future censuses.

<sup>23</sup> For a more detailed analysis of the statute, see Briones (1999: chapter 6).

<sup>24</sup> It will become Statute of *Lof Kallfvcura* in its last version.

<sup>25</sup> It will become Indigenous Mapuche People in its last version.

<sup>26</sup> The Mapuche organizations speak of *Puel Mapu* (Land of the East) and *Ngulu Mapu* (Land of the West) to refer to Argentina and Chile.

In this text, the Mapuche place themselves in a symmetric posture, as a Nation, with the Argentinean authorities in asserting their position on international rights such as ILO Convention 169 for self-determination:

According to Western concepts, we the Mapuche are a Nation People (*Pueblo Nación*), for we belong to a sole linguistic, social, cultural, material institutional and territorial community ... The right to self-definition is an imprescriptibly, inalienable right that we start practicing by writing this very Statute (Lof Kallfvkura 1995).

They deploy their peoplehood in the very terms of nationalism, presenting their unification through elements that defined the nation in the 19<sup>th</sup> century's common sense, and are listed in the statute: a territorial unity, a common language, a political-institutional union, a shared history, a religious unity, etc. This leads to the construction of a radical differentiation from the rest of the population, which renders the assimilation of the Mapuche into the National States almost impossible, for 'the Statute reflects in essence the difference of indigenous institutions and cultures as opposed to state institutions' (Lof Kallfvkura 1995). These differences are focused by the use, all over the statute, of Mapuche concepts that do not allow non-Mapuche lectors to understand the text; as, for example, in Art. 16:

The NOR MOGEN in the LOF has its origins in the INADUAMVN. We reach agreements through the KIMELTUN, the agreement through consensus which guarantees his acceptance, the way of living together and his application.

To celebrate agreements in the LOF, the following requirements have to be fulfilled: ELDVGUN – ELANTUN – XAFKIN – RUF FELEAL (Lof Kallfvkura 1995).

In the terms of the Mapuche leaders, the Mapuche Nation has an exclusive relationship with the two national States in which it is now located, and the reference to nationalism allows the Mapuche leaders to recreate an area of Mapuche influence that crosses the national borders to integrate as well Mapuche populations from Argentina as from Chile. Thus, their claims concern the whole *Wall Mapu* (*Wall* = universe, *Mapu* = land/territory): 'the historical territory [that] belong[s] to the Mapuche Nation' (Lof Kallfvkura 1995). This territory is divided into four main regions: *Puelmapu* (Land of the East), *Pikunmapu* (Land of the North), *Lafquenmapu* (Land of the Sea, the western Pacific costal region) and *Huillimapu* (Land of the South). To identify the Argentinean and the Chilean Mapuche, the terms of *Puelmapu* and *Ngulumapu* (Land of the West) are respectively used. The interest for bringing together Mapuche of both sides of the Andes, as a same people with shared claims, emerged at the beginning of 1990 during the *First National Conference of Mapuche Original Authorities and Personalities* in April 1990, and on March 1991 during the *Second National Conference*... both of which were organised in Chile. The claims for a Mapuche nation are rooted in the specific history of this people, whose sovereignty was recognised first by the Spanish authorities and later by the new states of Argentina and

Chile. During the Parleys that were held until the 19<sup>th</sup> century, the Mapuche were legally recognised as an independent and sovereign ethnic nation with territorial autonomy that could negotiate in political terms with other nations upon their frontiers and sign peace treaties (as, for example, the Treaty of Quillín in 1641, which established the frontier of the Mapuche territories south of the Bío-Bío river in *Ngulu Mapu*).

Thus, the actual nationalist discourse lies in historic continuity as well as on a firm affirmation of difference, as we can read on the Web page: [mapuche-nation.org](http://mapuche-nation.org): ‘Their identity as an autonomous nation together with their awareness of being part of a distinct cultural and historic heritage and spirituality has created a socio-political movement which draws on communal aspirations’.<sup>27</sup>

However, as shown by authors like Zapata Silva (2006), while it makes no doubt in the discourses of the Mapuche leaders that the actual concept of the Mapuche Nation is in continuity with the historical structure of the Mapuche society, some anthropologists like Foerster and Vergara (2000) analyse the actual national Mapuche identity, which they define as ‘ethnonational’, as being a contemporary phenomenon emerging from the new Mapuche organisations and leaders.

## Conclusion

The Mapuche case that I have examined in this article shows us how international, national and local levels are, nowadays, connected when indigenous organisations fight for specific rights. Without any decision in the International Organisations, it is doubtful that the different national constitutions would have been changed in order to recognise the multiculturalism of their States. At the same time, the articulation of indigenous movements worldwide gave them the opportunity to create a unified political front (even if local situations present a much more heterogeneous panorama) and enter into firm contacts. In the Mapuche case, this situation made it possible for leaders of both Argentina and Chile to unify their claims and to appear on the international scene with a political discourse regarding the transnational Mapuche Nation, operating an important shift in their claims. The interesting point of this movement is that the most radical leaders are fighting to create an independent indigenous nation; meanwhile, the trend in Latin America is going more in direction of multicultural states. This particular situation is rooted in a vision of the Mapuche Nation as older than the Argentinean and Chilean States and having been disarticulated by the armed invasion of the free Mapuche territories at the end of the 19<sup>th</sup> century. More than a hundred years later, this nation is supposed to be recreated after a national liberation struggle. As the title of one of Briones’ works (2002) states, activists declare that: ‘we are neither an ethnic group nor a minority but a Pueblo-Nación Originario,’ a term that she translates in English as ‘an aboriginal people-as-nation’.

To survive the effects of the military campaign of the end of the 19<sup>th</sup> century, the indigenous people from Argentina had to conform to the state’s liberal republican ideology and to occlude their cultural differences. Little by little, the invisibilisation of the first inhabitants of the continent led to the idea of a State lacking indigenous populations. In the actual claims, however, which address the national and provincial administration, the Mapuche people appear

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<sup>27</sup> Available on: [http://www.mapuche-nation.org/english/main/feature/m\\_nation.htm](http://www.mapuche-nation.org/english/main/feature/m_nation.htm) , accessed 10 August 2011

as very modern and traditional at the same time. They address the state as a nation, build a new form of definition of their culture, and at the same time, they make a claim for collective rights that will fit their particular social organisation better than individual rights. After years of domination by the State, they now present themselves in a symmetric relationship, as the Mapuche consider that they are a Nation, and they have assumed a new political position in which they speak for themselves without the help of anybody. The claims in the name of indigeneity, and the international regulations in this field, give them the authority to speak and take part in political processes. They are now active social subjects with political weight.

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## **POVZETEK**

Z internacionalizacijo avtohtonih gibanj in politične artikulacije med različnimi ljudstvi v zadnjih dvajsetih letih, so se na mednarodnem prizorišču pojavili novi diskurzi in akterji, ki zahtevajo posebne pravice, v imenu kulturnih razlik. V Argentini je ta proces dal nove priložnosti ljudstvom, katerih prisotnost na nacionalnem ozemlju je po stoletju republikanske ideologije nacionalne homogenosti postala nevidna. Po kratki predstavitvi razmer avtohtonosti v Argentini, bo primer ljudstva Mapuche iz province Neuquen dal podrobnejši vpogled v to, kako etnično identiteto skupaj konstruirata državna zakonodaja in mapuchejski etnični diskurzi. Podeželske skupnosti so v tem kontekstu predstavljene kot edini resnični in verodostojni način življenja, medtem pa 70% Mapuchejev živi izven tovrstne strukture. Voditelji mapuchejskih organizacij trenutno vzpostavljajo posebne izjave o njihovi kulturni različnosti skozi procese samo-esencializacije in gradnje nove, transnacionalne mapuchejske identitete kot nacionalnega ljudstva.

**KLJUČNE BESEDE:** avtohtona ljudstva, avtohtone pravice, skupnosti, narod, Mapuche

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