



STUDIES OF THE AMERICAS

The Crisis of Multiculturalism in Latin America

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The Ethnicization of Agrarian Conflicts: An Argentine Case

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INTRODUCTION: NATIONAL CONTEXT

The indigenous population of what is now Argentina suffered probably more violence after Independence than during the colonial period. The dispossession of their lands accelerated through the nineteenth century as the country constructed its national identity with no regard for its indigenous population, to the point where it considered itself a ‘Nation without Indians’. The 1833 and 1880 campaigns of extermination of the Indian population, which formed part of a strategy of territorial expansion across the pampa known as ‘La Conquista del Desierto’ (‘The Conquest of the Desert’) came to form the basis of the building of the Argentine nation (Quijada et al. 2000), and also of extirpating ‘barbarism’, as in Sarmiento’s notorious formula ‘civilización o barbarie’, developed in his account of the chieftain of the hinterlands, *Facundo* (Sarmiento first pub. 1845). The ‘Indian’ was associated with the ‘Savage’, whose nature had to be tamed, just as the idea of a ‘desert’, referring to the vast expanse inhabited by Indian groups betrayed the denial to the Indians even of the status of ‘persons’ (Quijada 2003: 147), and the refusal to recognize them as full citizens, qualifying their status as ‘Indios argentinos’ (Gordillo

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and Hirsch 2010: 29). Fiercer perhaps than any comparable repression in South America in the Independence period, this was a campaign to ‘clear the land’ and also to create a labour force.

If Argentina has been thought of—and has thought of itself—as a nation without Indians, how can one explain the renewal of identity which is taking place today? In the pages which follow, we will go back over 40 years of the territorial and social struggles of the Indians in north-west Argentina who claim recognition as Diaguita-Calchaquies. We shall also see the strategies used by local landowners to undercut the case put forward by Indian organizations. The cases exhibit marked contrasts and are characterized by varying degrees of violence and much factional politics, but through them we can see the achievements which brought about the passage of indigenist legislation, its consequences in the positive recognition of Indian identity and the new rights which the movement has been able to demand, while also noting its ambiguities and its limitations.

These events form part of broad pattern of indigenous resurgence and ethnogenesis in Argentina in the past half century and especially since the passage of the Indigenous Policy Law in 1985.¹ In a territory the size of India, Argentina exhibits many regional histories with divergent patterns of indigenous occupation, eradication, survival, assimilation and now, resurgence, ranging from Andean populations in areas adjacent to Bolivia (Salta, Jujuy) to Araucanian Mapuche populations in the vast pampa plains to the west of the Andes and further groups in Tierra del Fuego. A survey in 2004–2005 gave a number of 600,000 people identifying themselves either as members or as first-generation descendants of native peoples (‘pueblos originarios’) out of a population of 38.65 million at that time (Gordillo and Hirsch 2010: 19).

After the rise of Perón, an epic march on the national capital known as the ‘malón de La Paz’ (the 1945 ‘Peace Festival’) was organized in 1946 by ‘campesinos Kolla’ who marched from the remote provinces of Salta and Jujuy in 1946. The government did not know quite what to make of this, and they were packed into trains and sent back to their provinces (ibid. p. 24). Nonetheless, Peronism included the Indians as citizens, though not as a distinct ethnic group, through its wage and social welfare legislation and the famous *Estatuto del Peón Rural*, promulgated in 1944 when Perón was still Minister of Labour under a military government, which established uniform rural wage and social entitlements, at least in principle.

After Perón's overthrow by the military in 1955, various specialized agencies were established with different names to handle indigenous matters, though to little effect, but there was a renewal of activism in the feverish Peronist-democratic interregnum of 1973–1976. Gordillo and Hirsch note that this was marked among indigenous leaders by divisions between some who gained positions in the state apparatus and others who were more concerned to preserve their autonomy (2010: 27). The subsequent military regime (1976–1983) brought repression for some and co-optation for others, but also a cascade of economic crises in the country as a whole, seriously affecting the cotton and sugar industries in the north-west and north-eastern provinces of Tucumán, Salta and Jujuy with their significant indigenous minority.

One response of those who have lost out as a result of these developments, and failures of development, has been to take part in movements of ethnogenesis among both rural populations living and working in deteriorated circumstances and also urban dwellers struggling to survive on the peripheries of provincial towns. Since 1990, there has been a constant pressure of indigenous activism from the north-east to the extreme south. The objections of those who say that they are not proper Argentines because of their family links in Bolivia and Paraguay, or (alternatively) that they are not 'real' Indians because they do not speak an indigenous language or 'dress like Indians', have been brushed aside. Gordillo, in a striking case study in Salta and Jujuy, tells of different ways in which people who have undergone proletarianization and who may not even have known the lands of origin from which their parents or grandparents were expelled by force or by economic necessity, have organized to reclaim or even seize lands to which they claim entitlement as *originarios*, that is, as native inhabitants and as heirs to colonial land grants ('mercedes de tierra'—see also Luis Vázquez in this volume) (Gordillo 2010, 2011). This makes it sound very different from some stereotypes of Latin American indigenous claims because the places where the protagonists live bear little resemblance to the forms of land tenure, self government or ritual cycles usually associated with those stereotypes, and they have largely lost touch with the rituals and language which they claim as theirs—although there are many cases in the north-east of Brazil, for example (Arruti 1997, 2013), and in Southern Chile (Bengoa 1985), of which the same could be said.

But the claims have found a way forward in the Argentine legal and political system, and although they rarely get full satisfaction, they do make headway thanks to the indigenist legislation and, perhaps more

importantly, to politicians who resist at first but end up making concessions. In a case study in the north-eastern province of Salta, Schwittay describes prolonged peregrinations around legal, bureaucratic and political arenas by a group of Kolla Indians in a claim going back to 1946. Alluding to ‘a certain European fascination with indigenous people’, the author also mentions a twinning arrangement with a city in Luxembourg, which provided funding for their campaigns and travel to Europe and other parts of Latin America (Schwittay 2003: 137). That campaign eventually achieved an expropriation in 1993, but the group had to wait till 2011, after an extra law had been passed in the National Congress, for definitive titles to 19,000 hectares to be finally handed over. The report of the ceremony carried all the hallmarks of political clientelism: the presence of the national director and other senior officials of the National Institute of Indigenous Affairs (INAI) and mention of the personal intervention of the President.²

LOCAL CONTEXT

‘Volveré y seré millones’.³ Thus spoke Tupac Amaru II in 1781 as he was about to be executed. His words have also been attributed to Tupac Katari, executed a few months later in what is now Bolivia. And then in 1952, it was the turn of Evita Perón, who is reputed to have uttered the same words as she lay dying, prophesying the renewal of the struggle of Argentina’s working classes, and the same prophecy was repeated to me in 2000 by Lalo Nieva, a local leader in north-west Argentina. For him, the Indians, who had been almost invisible in his country, were now returning to demand their rights. And indeed, his prophecy seems to be coming true: since the 1990s, the number of Indian communities has multiplied in spectacular fashion: in the year 2000, when I arrived in the province of Tucumán, the only communities to be recognized as indigenous were Amaicha and Quilmes, but since then another 20 have also achieved the same status, and in 2005, they joined together to form the Unión Diaguita Calchaquí.

All this amounts to a significant case of ethnogenesis, helped by the legislation passed since the late 1980s conferring cultural, social and territorial rights on native populations. The opportunities offered by these laws have contributed to the replacement of classic peasant or agrarian demands (for improvements in wages and living standards or changes in the terms of tenancy) by Indian demands for historic rights over the land

on which they live and work. Agrarian conflicts, here as elsewhere, have thus gradually become identity-based conflicts, resulting in a massive ethnicization of claims.

We start with the cases of Amaicha and Quilmes, whose inhabitants were the first in the province of Tucumán to claim Indian community status and demand rights over the land which they were inhabiting and working. Although the two communities are only 20 kilometres apart, they have very different histories: the people of Amaicha are a unique case because ever since the colonial period, they have managed their lands collectively, whereas the people of Quilmes, like many others, have lived as sharecroppers under the sway of landowners. Unsurprisingly, the *terratenientes* (landlords) have not accepted these demands passively, and we shall see the strategy which they have adopted in order to discredit the arguments of pro-Indian organizations.

In this chapter, we will recount the history of 40 years of social struggles and land conflicts, before turning to more recently recognized neighbouring Indian communities who have been involved in struggles over similar issues. The cases exhibit much variation, especially in the level of violence, but they also show that there has been much progress: the indigenist legislation laid the basis for a growing recognition of Indian identity and for rights-based demands to be met; but at the same time, there are also ambiguities and limitations.

HISTORICAL BACKGROUND

The Colonial Period and Independence

The Calchaquí Valleys where the events described in the first part of this chapter took place have a very dry climate and semi-desert landscape located at an altitude of 2000 metres. Above the valleys, the mountains rise through several ecological niches, from subsistence crop production at the lower levels to highland pastures between 3000 and 4500 metres. The rainy season in January–February brings a greener colour to the Valleys, and water storage systems are managed by community institutions.

During the colonial period, the vast areas inhabited by Amerindian populations lay beyond what were known as ‘internal frontiers’. At Independence, these frontiers represented an imaginary line from east to west, starting to the south of the city of Buenos Aires and extending as far as the Andes. To the south of the line lay the ‘desert’, a euphemism

denoting the complete absence or sparse presence of ‘white’ inhabitants, and a refusal to recognize the Indian groups as worthy of being treated as human beings at all (Quijada 2003). A second internal frontier lay to the north and included the Chaco region where Indian groups succeeded in preserving their autonomy until the beginning of the twentieth century. In the north-west of the country, the population was brought under the institutions of the Spanish colonial regime, but settlers ignored legislation governing the Spanish colonies which forbade the seizure of Indian community land. They justified this on the basis of the very small number of Indians in the region, and so removed them to more fertile lands where they would be obliged to work for *encomenderos*⁴ as a type of labour tribute. Once deported, the Indians could no longer reclaim their land because it was now legally the property of others. Thus, they eventually became mere tenants (*arrendatarios*) providing labour rent to their landlords plus having to comply with arbitrary landowner demands.

The Calchaquí Valleys are the site of the most prolonged Indian resistance against the Spanish conquerors, lasting 130 years until their last stronghold was defeated in 1640. The archaeological site with the ruins of their settlement has been a symbol of resistance nationwide ever since the nineteenth century (Guideccelli 2011a). There were rebellions against forced labour in 1562, in the period 1630–1643, and in 1659 (Isla 2009: 68). Settlers adopted the same strategy as that used by the Incas in putting down rebellions, namely, population removal. Quilmes is famous for having undergone exemplary punishment: most of its inhabitants were forced to walk 1500 kilometres to the outskirts of Buenos Aires, whence the name of the town of Quilmes in Buenos Aires province. Much of the land in the Calchaquí Valleys was granted to *conquistadores* as *encomiendas de indios*, under which the Indians were rounded up and had to work for an *encomendero*. Other lands were given the status of *pueblos de indios* (Indian villages) and their inhabitants had to pay tribute to the crown, with which came the right to own and manage their lands in common. In 1716, a Cédula Real conferring land title to what are said now to be some 60,000 hectares was awarded to the *pueblos de indios*. The autonomy did not last forever though, because although in the nineteenth century the Indians, with the disappearance of the category of Indian and the accession to formal citizenship, ceased to have to pay the labour tribute, the autonomy of the ‘*pueblos de Indios*’ also disappeared, being considered a relic of colonial rule (Rodríguez 2013). In this region, unlike the pampas, there would be no ‘Conquest of the Desert’: the north-west of the

country experienced a more peaceful evolution than the south, but even so, the situation of the native peoples left much to be desired. Thus, they were deprived of their inalienable rights and their collective entitlement over the land, which was now considered vacant, allowing the liberal state to sell it. At the time, it was argued that the Indians were not ‘civilised’ enough to work the land properly, and so it was better to leave it in more capable hands.

Land should pass into more industrious and reliable hands; this should be the main concern of governments so that the country may progress and avoid the enormous problems which exist in the deserted regions where it is owned in part by Indians who have been brought up in laziness and neglect. (López 2006)

In this new formally ‘egalitarian’ and liberal context, the Indians disappeared as an ethnic, juridical and fiscal category. But the denigrating representations inherited from the colonial period persisted, and since no new statutory instrument emerged to protect their title to the land, they lost independent means of livelihood as the country moved from the colonial to the Republican regime (Guideccelli 2011b; Rodríguez 2013). However, the image of sudden disappearance of the Indian population in the nineteenth century has to be nuanced: Indian representatives did bring lawsuits and did contest the official description of their lands as ‘unoccupied’. There are six cases in the archives in which Indians from the *pueblos* remind the authorities that they are still there and have not disappeared (López 2006). As we shall see, the community of Amaicha would be the only one to obtain collective title to its land. The community members claim that they still have the Cédula Real in their possession, but they refuse to show it to outsiders. It is also claimed that a ‘protocolización’, or certification was obtained in ‘the *cabildo* of Buenos Aires’ dated 1853 (Isla 2009: 148–9), after representatives of Amaicha won their case against the landowner who wanted to seize hold of their land. However, researchers have not found their title in the provincial land register, despite claims by people in the Amaicha community that it was registered there ‘before 1892’. But in any case, as Paz points out, the ‘cabildo’ of Buenos Aires had been abolished 30 years before 1853. Paz speculates that the story is an invention, that the colonial title probably does not exist, at least not physically, and that the date of 1853 was chosen because it is the year of Argentina’s Constitution (Paz 2006).

Concurrently with the loss of their recognized status, the nineteenth century saw a process of subordination of the Indian population to capitalist production, as the development of maize, wool and leather production increased the demand for labour by large-scale producers who mobilized the state so as to tighten servile conditions: the institution of the *conchabo* required people in the Valleys to register as workers on estates and to return the following year on pain of imprisonment, although the effectiveness of this mechanism may be in doubt, since at the end of the nineteenth century there were more than 11,000 missing workers (Isla 2009: 77). Ultimately there was a large outflow of people from the valleys to the state capital of Tucumán and to Buenos Aires, and many estates became unproductive rentier properties earning an income only from tenants. By 1960, local people were relying heavily on Government employment and on development projects linked especially to irrigation. The population of the locality *comuna* of Amaicha were not very committed to the rebirth of their *comunidad* it was people from ‘distant hamlets who were to be the driving force behind what became the Comunidad de Amaicha (Isla 2009: 83). However, the involvement with the state also brought involvement in clientelistic politics, which was to affect the development of the project to reconstruct the indigenous *comunidad*.

TWO CONTRASTING SITUATIONS: AMAICHA AND QUILMES

Amaicha: A Special Case

Amaicha’s special features have made of it an emblematic case in the north-west of Argentina. During the Calchaquí Wars, the Valleys’ inhabitants were somewhat ambivalent with regard to the conquistadors. The *Cédula* of 1716 had granted them collective rights over their land, and subsequently, at different historical moments, some of their leaders played important roles in defending those rights (Rodríguez and Boullosa Joly 2013). Elsewhere in the region, however, former Indian lands were dealt with quite differently. Those belonging to the Quilmes Indians passed through various hands after the end of the nineteenth century, the inhabitants were reduced to living as tenants and their living conditions varied a great deal, depending on the status and the behaviour of their landowner. Although the Estatuto del Peón Rural imposed limits on the mistreatment of rural workers, the Peronist model of the time followed the principles of the then prevalent Latin American indigenism, which meant the

integration of Indian populations into the homogeneous, or ‘undifferentiated’, dominant culture of Argentina (Serbín 1981). Questions of ethnic and cultural distinctiveness were not considered, and all the emphasis was on the improvement of social and working conditions: the eight-hour day replaced a working day which previously went from dawn to dusk, and a legal right to a monetary wage and a pension was established. But in these distant places, there was little chance of obtaining a remedy if laws were flouted.

Quilmes and Its Bosses

In Quilmes, a series of landowners have been, and still are, present in its 14 localities spread across 40 square kilometres. According to Delfín Jerónimo, born in the area and one of the very first to organize in defence of Indian rights, now aged over 60, who at the time of our conversation was working at INAI, properties in the Quilmes area were divided into strips (*franjas*) extending up through several different ecological levels giving owners access to different types of land, from the river up to the top of the mountains. In Chañares, where he grew up, the landowner was a doctor, and Director of the Hospital in Santa María, a town some 20 kilometres away. Here the situation was not as oppressive as in neighbouring villages: ‘of course we had to pay the “third”: one third of the harvest and of the cattle. If you had ten animals you have to give three. In the Chañares strips the landowner was not so nasty: he would administer his oppression with a smile and did treat people with a minimum of consideration.’ He then recalls the doctor’s brother-in-law, who was responsible for the management of the property: ‘he was more prone to give himself airs. He would pass by our house on his way to the mountains. My father would offer him board and lodging. The guy strutted around with a rifle, a revolver and a knife in his belt. That image has stayed with me—a guy on horseback and armed.’ But in neighbouring villages, the situation was much worse: ‘the landlords were much more brutal: they would throw people out of their houses. In El Paso, a few kilometres away, if you couldn’t afford the rent, they’d take you to court. They would arrive with the police, because the judge and the police were on their side. They used the whip on people. In Chañares it was not so bad, but El Paso was dominated by large-scale cultivation, and people there were very frightened.

Delfín continues to describe yet another locality, 15 kilometres away: ‘On the Chico Cano family’s property it was even more brutal. Unlike

the owners of Chañares and El Paso, who lived in town in Santa María, these lived on the farm, next to the church and the school—all power was concentrated in one place. Until the 1960s, quite apart from the one third payment, there were additional *obligaciones*: tenants had to go and work in their fields without pay, or send their daughters to work as servants in their house. It was more difficult to get out from under that system and rebel against it and it lasted a long time.’

Delfín’s account shows how life could vary significantly from one property to another: the tenants’ conditions depended on how productive the land was and on whether the landowners lived on the spot. They also depended on the landowners’ own temperament and behaviour. While some treated their tenants with a degree of respect, others behaved like feudal lords and could count on the complicity of the local police and judiciary.

WINDS OF CHANGE

The early 1970s and 1980s in Argentina were the years of dictatorship (1966–1973) and then of the return of Perón, followed by further military intervention and the dark period of the ‘dirty war’ (1976–1983). Those years were also marked by severe economic crises, by erosion of workers’ rights, and by repression and authoritarianism throughout society and in the cultural sphere. Tucumán province had already been badly hit since the 1960s by the crisis of the sugar industry. Many men and women from the Calchaquí valleys would migrate seasonally to work on the sugar-cane plantations which were central to the local economy. The closure of most of the refineries caused a serious crisis which still affects the region. This, combined with the authoritarian policies applied in the province, led to a wave of large-scale mobilizations and labour and political conflict. On the pretext of eliminating guerrilla groups in the Tucumán jungle, General Antonio Bussi set up the ‘Operativo Independencia’ to put an end to these movements.⁵

Side by side with these political events, Indian organizations began to emerge in the country. Their emergence was linked to the establishment in Buenos Aires of a ‘Coordinating Commission of Argentine Indigenous Institutions’, which acted as an information centre for migrants from the provinces. Intellectuals influenced by liberation theology and by the 1968 movements in the USA and in Europe, played an important role in this movement to challenge discrimination in pursuit of emancipation.

Between 1970 and 1975, four Indian federations were established, as well as numerous local organizations. It is also during this period that indigenous parliaments were set up by the Mapuche in Neuquén and the Wichi in the Chaco region, and an indigenous confederation grew up in Tucumán.

Mobilization got under way in Quilmes in the late 1960s: the demands centred on local people's rights as cultivators of the land on which they worked, and on the improvement of their quality of life (health care, roads, communication, education and so on). The Indian question was not yet on the agenda. When the first indigenous census was conducted in 1965, the north-west of the country was considered to be a *mestizo* region. Tucumán was not even included, since it was not believed to have an Indian population (Garbulsky 1991–1992).

When in 1973 the first “Indigenous Parliament of the Calchaquí Valleys” met in Amaicha, Quilmes’ Indian organization joined the movement and demanded the expropriation of the large landholdings (Pierini 2011). It was a very important event whose memory lived on, and its 40th anniversary was celebrated in March 2013. It was at that Congress that the people from Quilmes decided that they would no longer pay their rent (*arriendo*) on the basis that they considered themselves the rightful owners.

When people recall the time of this first indigenous Parliament, the name that always comes to mind is Santana. After describing life under the regime of the *terratenedientes*, Delfín Jerónimo began to portray this highly influential figure in the Indian mobilization in the region:

He was a trade unionist who had been formed in either the port or the railway unions. He connected up with the indigenous movements and then he recognised himself as an indigenous person. He wasn't from a particular community and in fact he had been born in the lowlands of Tucumán, but so what? He recognised his indigenous identity. And he was the leader of the whole movement.

Santana aroused in us the awareness that we were Indians and that we had a right to the land. People were very submissive and they needed someone with a strong personality to stand up to the *terratenedientes* (landlords), to stop paying rent and to stop complying with the *obligaciones*?

Santana only lived in the valley from 1972 to 1975, but his role in the ethnicization of local agrarian conflicts is reiterated by the words of Mario

Quintero, another leader, who told me that Santana had ‘sown the seed of the Indian question and of resistance in Quilmes’. But even if he led the operations, as Delfín would later explain, ‘behind him there were people who had been organising for a long time in the area’. In fact, his father was the president of the conference held in Amaicha in 1973. Like other representatives in each locality, he knew people well and had a strong influence on those around him. So it was thanks to Santana but also to all the local leaders that the movement was able to get going in Quilmes.

THE MOVEMENT DURING THE DIRTY WAR: 1976–1983

The decision to stand up to the landowners and stop paying their dues intensified the level of conflict and violence. Then, with the beginning of the 1976 dictatorship, most of the inhabitants had no choice but to return to a posture of submission to the landowners. Because of the guerrillas of Tucumán, there was a strong military presence in the region and, according to people, present at the time the *latifundistas* took advantage of this. Several of them were appointed mayors of their localities (*delegado comunal*) by the military authorities in the province and used the office to denounce their tenants, accusing them of failing to pay their rent. The prohibition of any type of demonstration or social mobilization meant that meetings of local inhabitants seeking to recover their land rights were considered acts of subversion. The regime followed a neoliberal ideology and so any threat to the interests of large landowners was considered a threat against its principles, and therefore a ‘justification’ for repressive action. As a result, many people were imprisoned and tortured.

The hero of this period was Don Jesús, an inhabitant of Quilmes. He continued to refuse to pay his *arriendo*, and as a result received an expulsion order which led to a nine-year-long trial. He was regularly subjected to torture, including being hung upside down by his feet. The electric shocks administered on a wet mattress sent his body flying to the ceiling. His wife, Doña Rosa, now aged 85, went to Buenos Aires in search of help from law school students, and one of them, a native of the region, offered to work on a voluntary basis, leading to a very long trial. With the support of his defence lawyer, Don Jesús eventually won his case in a federal court at the end of the dictatorship. It emerged that the landowner who had brought the case did not possess proper title to the land. This was a turning point for the people of Quilmes, and after that they stopped paying *arriendo*. So it was also that Don Jesús became an example for other

activists, and the courtyard of his house became the headquarters of the Indian organization and its struggle for 20 years.

Back during the dictatorship, it was very difficult to sustain the struggle. Some young people migrated to Buenos Aires in search of work, like Pancho who later became the Cacique of the CIQ—the Comunidad India de Quilmes founded in the late 1980s. Delfín recounts how ‘in Buenos Aires I worked in construction, in sales, in all sorts of areas ... I met other Diaguita people ... and I already had some ideas about the Indian cause. I met Pancho who was meeting with Eulogio Frites, a Kolla lawyer who was very well informed and was at the head of the movement.⁶ This was the height of the dictatorship and it was impossible to hold a meeting, but a Methodist church nevertheless allowed us to meet in a back room, and it was there that we founded the Asociación Indígena de la República, which became important nationally and was the first Indian organisation to obtain legal recognition as a civil association.’

The transition to democracy in 1983 opened the way for a renewal of the movement which had first arisen in the 1970s. Migrants like Pancho and Delfín returned home. Delfín tells how the economic crisis at the time did not encourage him to stay in Buenos Aires, and that he missed his birthplace, so he decided to go back and make his life there. An examination of their life histories shows that many local leaders, like Pancho and Delfín, had spent long periods in the city. It was there that they made contact with indigenous politics, and in some cases went to university.⁷ As a result, they made of their Indian belonging a source of pride and not of shame, unlike so many of the other villagers. Having spent a long time away, they also could distance themselves from the local system of domination. It was therefore easier for them to shake off the conformity which held others in its grip (Boullosa July 2013).

LEGISLATION IN SUPPORT OF NATIVE POPULATIONS: FROM THE INTERNATIONAL TO THE LOCAL ARENA

The return to democracy brought a national debate about Indian communities, heavily influenced by the proposal in Geneva in the 1980s of a United Nations Declaration on the Rights of Indigenous Peoples (eventually adopted in 2007). The first Argentinian law in support of indigenous communities was passed in 1985, recognizing that there was a national interest in providing help and support to native peoples and indigenous

communities, and establishing their rights to land ownership. In the early 1990s, Buenos Aires witnessed a high level of indigenous mobilization, demonstrating the need for a more thoroughgoing debate on indigenous rights and for those rights to be enshrined in the Constitution. It was during this period that the INAI was created, and in 1994 the Constitution's provisions on the status of Indians, which had remained unchanged since 1853, were amended. The 1853 Constitution had granted to Congress the power to 'oversee the security of the frontiers; continue peaceful dealings with the Indians, and promote their conversion to Catholicism'. Now, under pressure both internationally and from Indian organizations, and in parallel with many other Latin American countries, Argentina changed its constitution, so that, in the words of the official English translation, it formally recognized the 'ethnic and cultural pre-existence of indigenous peoples of Argentina' (Section 75, paragraph 17), 'respect for the identity and the right to bilingual and intercultural education', and 'the status of their communities as legal entities, and the community possession and ownership of the lands they traditionally occupy'.⁸ Thus, Argentina adopted international indigenist rhetoric and became a 'multicultural' and 'pluriethnic' country.

But for all the fine words and agreements, indigenist laws are not always applied in practice in favour of the populations they are supposed to defend, because states are under no real obligation to implement them: they create powers and principles but do not stipulate measures governments are obliged to undertake. Some even say that these reforms are designed more to appease international public opinion than to improve the lot of their poorest citizens (Schulte-Tenckhoff 1997: 36; Le Bot 2006: 166).

Even so, these provisions do represent a new departure, especially in Argentina. Furthermore, they would become an important focus of demands from marginalized populations entangled in agrarian conflicts with no access to juridical instruments for their defence. In Quilmes, the CIQ was set up during this period in the mid-1980s, took for itself the name of the brave Quilmes warriors who fought for the defence of their territory against the Spanish conquerors, and was granted legal recognition as an association (*personería jurídica*) in 1984.

AMAICHA AND THE RECOGNITION OF LAND TITLE: THE INDIAN REDEFINED

The idealized representations of Indians which had become common currency internationally and especially at the United Nations began to circulate in Argentine media during the 1980s, as the case of Amaicha illustrates. As we have seen, this community has managed its lands collectively since the colonial period, their periodic redistribution⁹ being directed by a cacique together with a delegate from the *comuna* (local government). This is a much less conflictive situation than in Quilmes and other places dominated by large landlords. Nonetheless, the history of the land which ultimately was designated indigenous community land was quite volatile:

Despite the apparent success of the mid 19th century *protocolización* [legal certification] of the Cedula Real, various donations and transfers were in fact made in the first half of the 20th century to the church, which then proceeded to convert the donation into urban building plots for some houses for families from the state capital (making it look rather like a ‘laundering’ transaction in which the church’s involvement disguised the true beneficiaries). The Supreme Court in the 1950s prevented the community from transferring land for a post office on the grounds that there was no such thing as community ownership and that the plot could not therefore be transferred by a community. The community, or its members, had usufruct, but ownership lay with the state, which did indeed transfer the plot to the post office. Later during the Democratic interlude of 1973-76, a new law was passed in the provincial assembly (Senado) which restored the recognition of the original colonial land grant, but this law, significantly, stipulated that the rights of third parties should not be affected: therefore the previous transfers of land to private property remained unaffected. An administrative decree in 1976, shortly before the military coup of that year, nevertheless enabled the executive to transfer plots held in usufruct to absolute property of the people concerned. This arose from a distribution of private ownership of individual parcels to members of a cooperative among whom there were both members and nonmembers of the indigenous community. Further title deeds were distributed by the notorious General Bussi in 1977. (Isla 2009, Chap. 4)

Successive institutional devices in Amaicha were used by claimants to gain formal control of land including a civil association, a cooperative (just mentioned) and eventually a campaign to gain recognition as a recognized indigenous community. This last device was also linked to a plan for an

integrated rural development project to be funded by an Italian agency, but it was riven by accusations of corruption involving the cacique Miguel Pastrana, who had been designated, amid some controversy, as lifetime president (Isla 2002, 2009: 120–125). Isla says that Pastrana was skilled at managing relationships with local elites and provincial politicians and in obtaining the certification from the INAI. As he pursued the case through the state apparatus, Pastrana received help from a Peruvian-born activist, Daniel Flores. Pastrana had met Flores at a meeting of the INAI in Buenos Aires, and asked him for advice about how his village could gain official state recognition as an Indian community, and so it came about that Daniel Flores became his ‘Secretary of Culture’ and went to live in Amaicha from 1988 to 1990. The story is taken up by Maria Balderrama, a schoolteacher in Tucumán and specialist in intercultural education, and also an opponent of Pastrana’s—who was later accused in the regional press of misappropriation of his association’s funds. She told us with some amusement how the cultural identity of the village was redefined at this time and she described the role of Daniel Flores in that process. During these two years, she explained, Flores taught ‘courses in identity’ for the local inhabitants:

Flores appeared in 1988. I heard him for the first time on the Valley’s only FM station – Radio Chango... since this was the local radio station Pastrana would speak on it every day to broadcast his message. One day he appeared together with Flores and started to talk about ‘amaicheña culture’, about the Amaicha people, their intelligence and their superiority, how they were superior to the Quilmes and all the other indigenous groups of the valley, and how they had a language of their own, land of their own... in fact how everything was their own. So if the Amaicha had been leaders in their heyday, how could they not have their own laws today? I said to myself ‘Where on earth has this personage come from?’

Maria has a clear recollection of Pastrana’s words on that day:

He claimed that the Amaicha Indians existed, whereas for my part I can’t say with any certainty that there have ever been any Indians called Amaicha. That is the name of the place but I don’t know if there were ever any Indians known as Amaicha or Ampimpa [the name of a hamlet] as he said. All the places in the area have quechua-derived names, but for him they referred to one or another group of Indians.

Maria went on to talk about the mysticism which Daniel Flores also introduced:

He would say that there were Amaicha ceremonies conducted by shamans meeting in secret places. I had to explain to my grandmother, who was listening with me, what a shaman was. A shaman, I told her, was a witch doctor in Inca culture. But there weren't any Amaicha shamans, not by the remotest possibility, or at least any shamans of the sort which he was talking about.

After this radio appearance Flores became a familiar figure around the village because he lived in Pastrana's house and accompanied him everywhere:

as 'Secretario Flores' he was Pastrana's right-hand man. He would open every meeting, every assembly with an invocation of Inti, the Inca sun, calling down who knows what, sacred destinies and things like that, so that the gathering would pass peacefully.

From then on representations of the Indians were reformulated, and the reformulation was done so that the inhabitants would fit in with the new juridical framework. Indian society was represented as the opposite of the plunder and pollution perpetrated by Western society: they venerated their ancestors, they were independent and spiritual and they preserved all their traditions (Bensa 2006; de l'Estoile 2007). In this narrative, recounted by Flores to the Amaicheños, 500 years of colonization, evangelization and exploitation had left them untouched, living apparently in a parallel world. Not that his listeners necessarily identified with the people of his fantasy, as Maria's account shows. But the pathetic image of their ancestors which they had internalized, inherited from the colonial period, began to change. Thus, Indian identity now became the unified platform for multiple demands, and among activists, the appropriation of these very poetic representations became fashionable as part of a campaign in support of quite concrete social and territorial rights.

And so in 1995, Pastrana obtained collective title to the Amaicha lands, and in 1998 he was invited to Geneva to represent Argentina's Indian communities at the United Nations.

THE QUILMES ORDER IS TURNED ON ITS HEAD

An Indian Organization Gains in Stature

Although the people of Quilmes have not obtained ownership of the land which they work, power relationships with the landlords in the area have changed substantially in the last 20 years. In spite of their very limited resources, through continuous struggle, travel, media appearances and national and international alliances, their leaders have acquired ever more visibility and legitimacy in their dealings with the landlords.

Pancho, the cacique of CIQ, the Quilmes community's organization, was elected when CIQ was founded and has been re-elected every five years ever since. I interviewed him at the time of my first fieldwork in 2000 and he described to me what it would take for a cacique to stand up to the local landowners. For him, the priority lay in establishing his authority, and he told me how the media helped him to achieve this:

If someone in the community has got problems I go to the police station, and now they listen to me. They listen to me because I'm on the television, I'm in the newspapers, I'm everywhere. If the television networks run in to me at a festival they mention that I'm there and ask me for a comment.

When a reporter points the microphone at him, Pancho told me, he lists the injustices inflicted on his people, raising issues of land and water supply, and regularly denounces police and judges. This exposure is then very helpful to him locally:

If the police turn up because of some problem or other, I go along and they don't take people away. And this is not because we are friends or because they like me. They listen to what I have to say because otherwise I will get angry and go off to criticise them in the newspaper or somewhere... You don't get heard because people like you but because they believe that you might be dangerous.

There is no doubt that journalists' interest in the Indian cause has helped to raise the profile of the CIQ's campaign. As a result Pancho, has gained recognition both locally and beyond and his media exposure has become an instrument of pressure, while the Quilmes landlords have lost much of their former power.

The decline of the landlords' power is also the result of the decline in their economic position. Land in this semi-desert region is not very productive, and one of the leading families has, for decades, been torn by internal disputes among its numerous members concerning the division of inheritance. Furthermore, their title deeds are apparently not in order, and they have decades' worth of unpaid taxes, all of which weakens their position vis-à-vis the CIQ.

Recently, in December 2013, I interviewed one of the members of this family, Manuel Martinez, and he told me the history of his family and of their land, and gave me his views on the Indian organization and its campaign to gain ownership of the land.

Quilmes' Landowners on the Defensive

Martinez is about 40 years old. Born in Quilmes, he grew up in the city of Tucumán where his mother was a lawyer. He is widely travelled, and lived for a few years in Israel. He is qualified as an English teacher but has not got a teaching job, and occasionally works in the tourist industry. People often speak of him as a hippie, living a Bohemian lifestyle on a meagre income like many others in the region. He told me that he was born in San José, eight kilometres south of Santa María, and that his great-grandmother used to trade with Bolivia, travelling by mule. She sold leather, salt and all the other goods of the time, which enabled her to buy 30,000 hectares of land.

I am not the son of a settler who massacred everyone before seizing the land. No, the rule of law has existed in this country for 200 years. My great grandmother worked and bought this land, unlike these supposed Indians who want it for free... They only claim ancestral origins because they want to steal the land. It is theft. What does it mean to cite a royal decree published by a foreign power in 1700 as a legal document? It means that the rule of law in Argentina, in fact all the country's laws, do not exist.

Manuel Martinez was here invoking the right to private property and noted that it too is enshrined in the Argentine Constitution. Agrarian conflicts have sharpened in recent years ever since the land has been declared suitable for viticulture, as in the neighbouring province of Cafayate. Manuel Martinez now wants to return to his family farm to establish a vineyard, and so there have been several conflicts with the Indian organization

which, he says, wants to grab his entire property. Martinez said that he had offered 150 hectares to Pancho a few months before but had not received any response.

Although Martinez agreed that ‘in part the land should go to those to work it’, there is also another story behind his offer, namely that it aims to avoid his vineyard project being destabilized by Pancho. Also, later in the conversation, I learned that the land being offered has been in dispute with other heirs for 40 years, and that his title deeds are not clear. This might well explain why Pancho has not responded. Furthermore, to accept a gift of land from a landowner would be to recognize the legitimacy of the landowner’s ownership.¹⁰

Thus, we can see how the Quilmes CIQ has grown in strength and legitimacy even while the landowners have lost influence. The inhabitants also now call themselves *comuneros* in the image of those in Amaicha who manage their land collectively.

THE ROLE OF THE ‘HUMAN RIGHTS INDIANS’

While the situation in Amaita and Quilmes has significantly improved, other places tell a different story and the situation of some of them is reminiscent of that described by Delfín in Quilmes in the 1970s. For example, in 2002, in Chasquivil, a village high in the mountains of Tucumán’s humid zone, neighbouring the Calchaquí Valley, the situation was particularly worrying for the early twenty-first century. Houses were protected from the elements by makeshift plastic sheets; the inhabitants were unable to get straw to repair their thatched roofs and the landowner forbade them from using tinplate instead because it was not picturesque enough. The ‘obligations’ the inhabitants had to fulfil included ten days of unpaid labour per month, with no food provided, which for people who lived far away meant nine nights every month sleeping on damp ground; in addition, they were expected to give half their cattle, which far exceeded its annual yield. Timoteo, a man of 63, complained that the previous year ‘el doctor Martín’ had demanded ten animals: ‘where on earth will we find 10 animals if we haven’t even got enough to eat?’ He then recounted the punishments: ‘if we couldn’t pay he would summon us to what he called “meetings”. He would call us together and then call us into another room one by one to punish us. Punish us? Was he our father? How can anyone do such a thing? He frightened us stiff. Gradually, over the years, people started to leave ... some died.’ If the inhabitants wanted to cultivate their

parcels they had to ask permission, and occasionally the owner would seize the crop. Hunting and fishing were forbidden. They could not even collect firewood to cook and heat their dwellings. If a villager wanted to receive a visitor, a written request had to be submitted three days in advance and it would probably be rejected. Timoteo was in despair: 'Forty years ago we lived peacefully, but then the land was sold with us included, like animals. Since then life has become unbearable.'

Another inhabitant of Chasquivil, Simona, told of a foreman who would hide behind rocks and call 'el doctor Martín' on his cellphone to inform him of any misdemeanours: if someone disobeyed they could be expelled. A 30-year-old man, Cayetano, told of the case of someone who had failed to pay his debts ten years earlier and had been expelled. His house was burnt down and he lived for years in a grotto with his wife and children. It killed him. Since Cayetano's own household was also threatened, he made some inquiries about the villagers' rights and got help from Miguel Condori. Condori, who lived in Amaicha but had been born in Chasquivil and had himself had experience of the regime there, helped them in their inquiries. With his pick-up truck he came several times to run 'secret meetings' with activists who had some legal connections. It turned out on inspection that Doctor Martín's title deeds were not in good order—a situation which usually is due to years of unpaid taxes and can render the title invalid. The inhabitants began to watch the erosion of the landowner's authority.

This was the time when activists and an NGO called *Abogados del Noroeste Argentino en Derechos Humanos y Estudios Sociales* (ANDHES—Northwest Lawyers for Human Rights and Social Studies) were devoting themselves to these issues: they would inform the inhabitants of the region of their rights and help them with their inquiries. One woman described them to me as 'the human rights Indians who came to help people who lived on landlords' land'.

INDIAN COMMUNITIES PROLIFERATE IN THE REGION

Thus it came to pass that places where the Indian origin of the inhabitants had been hidden from view began to demand recognition as Indian communities, and after 2002 they began to multiply among people who had been living in the same place for generations, often in very insecure circumstances. The wave of demands was further stimulated by Argentine

ratification in 2001 of ILO Convention 169, which provided the platform for Indian communities to organize.

With the proliferation of communities in the province of Tucumán, local leaders came together in 2005 to create the ‘Unión de los pueblos de la Nación Diaguita’ (Diaguita Peoples Union). Today it represents 20 villages and has a website.¹¹ Every month, representatives of the groups organize assemblies, and one of their victories has been the inclusion of article 149, on the rights of indigenous peoples, in the 2006 reform of the provincial constitution of Tucumán. Another successful campaign arising from this mobilization was the achievement of a degree of legitimacy for the Quilmes organization, despite the internal conflicts which weakened its effectiveness. Chasquivil has been another success story: since 2002, their Indian organization has brought about the invalidation of the title deeds of ‘Doctor Martín’, and the inhabitants of this remote settlement can now live in peace.

THE LANDOWNERS’ RESPONSE

For their part, the landowners have not been inactive, and they have organized themselves against demands for the restitution of land which they believe to be their rightful property. They created an online magazine pointedly entitled *pueblo originario* (native people) in which they take on for themselves the rhetoric of the Indians who base the legitimacy of their demands on the claim that ‘they were there first’. They claim to be the true ‘native people’ and present themselves as victims. Their strategy is indeed a surprising one, and with its name and its discourse their web page could easily be mistaken as belonging to an indigenous organization. But of course it is devoted to a rebuttal of the land claims of the ‘so-called’ indigenous organizations.

Here is the email they sent out in November 2012 announcing the creation of their website:

We, landowners of Tucumán, wish to publicise our situation in relation to the attacks against private property perpetrated by pseudo-Indian communities, which have been directed against us since 2005. The purpose of our newspaper is to inform, and to tell the truth about what is happening in our province. Private property is a human right, enshrined in the constitution. We have posted on Facebook all the articles published in our online magazine. Thanks to Facebook you can also get in touch with all the people

who have been supporting us from the beginning, and you can share these contacts with your friends. Today we have 2156 followers. You can also recommend our magazine to other people so that they can support us in our struggle. We will continue to publish research on property documents and on the true history of Tucumán. Please feel free to get in touch with us and to send us material on these issues, even when they concern other provinces. Thank you.¹²

The post shows how those who are normally labelled perpetrators can also present themselves as victims. They too can invoke human rights and go in search of support. Thus, Manuel Martínez recalled his great-grandmother's native origins, and how she had purchased land at the end of the nineteenth century. On the other side of his family, his father, who was of Spanish and Italian origin, came from Buenos Aires, leading Manuel to complain of the discrimination he was suffering: 'I was born half-gringo. That is why they call me a *terrateniente*, a white man ... with this renaissance of indigenism, I have become the last living Spanish conquistador, for that is how they see me. So when you go on Facebook and you read about the *terratenientes*, you will know that it's me they're talking about ...'.

It is fairly clear that in the discourse of CIQ activists, the use of the dichotomic formula 'Indian/White' has increased significantly. This was brought home to me in my two fieldwork periods conducted between 2000 and 2002. In 2000, Gustavo, a young man deeply involved in Indian organization, described the oppression suffered by the local indigenous populations without using the word *blanco*, but in the second conversation in 2002 he used it 21 times. This dualistic approach is certainly useful in promoting their demands; the celebration of identity is an important stage in enabling a movement representing people with a long history of exclusion and stigmatization to raise its profile and representativeness.¹³

But Manuel Martínez sees this binary categorization as another type of discrimination and attacks the ambiguity of the Indian identity claimed by local inhabitants. 'They call me *terrateniente*, white. But if you call them *kollas*, they get angry.' Here he puts his finger on problems of self-recognition which do indeed trouble many of the inhabitants. The words *indio* and *kolla* have indeed, for a very long time, been terms of abuse, and still today they retain their pejorative connotations inherited from the colonial period, as described by Cynthia Alejandra Pizarro for the neighbouring province of Catamarca (Pizarro 2006), and this contributes

to contradictions in the proliferating claims for identity in the region (Boullosa Joly 2013). Martinez uses them to undermine the legitimacy of their struggle. And he then goes on to elaborate on the stereotypes implicit in the juridical classifications which activists would have to follow if their demands were to be consistent: ‘If you say that you are descended from Indians, then you shouldn’t use Nike trainers, you shouldn’t speak Spanish, you shouldn’t pray to God—then you would indeed be consistent with your demands!’ The non-correspondence between the local inhabitants of today and their representation of their precolonial ancestors has led many to accuse them of being pseudo-Indians, *indios truchos*, as we saw in the opening message sent out by the landowners’ organization. And the long-standing idea which has been so deeply rooted in Argentina since the nineteenth century, that there are no Indians left in the country and that they have disappeared from its territory, also contributes to this suspicion aroused by the newly created communities. Manuel Martinez finishes by saying, ‘They just invoke their ancestry in order to steal our land’.

So the landowners see themselves as victims in the face of native claims, and indeed in some cases, depending on their economic and political resources, they were finding themselves in difficulty.

CONTRASTING STORIES: FROM VIOLENCE TO IMPUNITY

If in Quilmes and Chasquivil local inhabitants have gradually been able to affirm their rights, they have done so in part by violence. For the most part, activists took many risks before gradually extending their rights. Furthermore, in several cases, the situation remains very conflictive, and not everywhere has progress been encouraging. Once again much depends on the positions of landowners and on the economic and political issues at stake.

The Trancas region, the most fertile part of Tucumán province, is a case in point. One of its most influential landowners is a law professor at the University of Tucumán: in addition, he belongs to the provincial oligarchy and was a member of the National Constitutional Assembly in 1994. Since most of the lawyers in the region have studied under him, and his sons are also lawyers, he is in a position to protect his fellow-landowners and also influence significantly the conduct of justice in the province. His family therefore combines their ownership of some very productive agricultural enterprises (soybean production and cattle-raising) with substantial

political influence. Like other owners of these kinds of *hacienda*, his aim is to develop ever larger holdings and to remove the people who have been living on their land for generations so as to open up more cultivable areas to his own production. Numerous cases of people being expelled have been denounced by the Indian organizations, but if they cannot challenge the power of the *latifundista*, then there is not much they can do.

For example, a particularly violent confrontation occurred between a landowner, Dario Amin, and the inhabitants of Chuchagasta, who, in their attempt to seize control of his land, set up a roadblock to prevent him from entering a quarry. Eventually, the landowner arrived, accompanied by Luis, also known as ‘el niño Gomez’, a former police officer. Both men were armed and Amin also had a video camera. He filmed the henchman killing one of the people there, Javier Chocobar. The video was posted online on October 12, 2009, and was widely resent on the Internet; it was posted by the newspaper *La Gaceta* and carries the caption: ‘Los instantes previos al asesinato de Javier Chocobar’, referring to the victim as ‘el cacique Chocobar’.¹⁴ Despite this evidence and many protests by the region’s Indian organizations, the crime has remained unpunished for six years.

In the video, Amin says to his henchman, noticing that the protesters had cameras, ‘let them take pictures: in any case in court no one will take any notice of them’. (The Spanish original uses more colourful language: ‘nadie les dará bolas al tribunal’.) And indeed, in this case, he was right: no one took any notice of the victims.

This crime became known in the province as ‘the Chocobar affair’, but no amount of demonstrations, websites and press statements could change a justice system which seemed to have ground to a halt, and took no notice.

In an open letter to President Cristina Fernandez de Kirchner, intellectuals, academics and journalists protested against the situation.¹⁵ Apart from Chocobar, the letter lists the numerous crimes committed against the Qom people in the province of Formosa whose perpetrators have remained unpunished, naming murders committed since 2010. They lament the escalating violence and the apparent incapacity of the state to mediate in these conflicts. They note that these violent abuses of power are taking place in the most economically dynamic regions of the country where there is significant growth in agriculture, oil and tourism, and they also note that armed groups follow the orders of businessmen with impunity, and that no authority is bringing them to account. The statement concludes as follows: ‘If the provincial government are unable

to free themselves from their local structural constraints, then it falls to the national state to undertake the necessary changes. If a country like ours, inhabited by dozens of indigenous peoples who are our fellow citizens, allows them to continue to be killed without placing all the necessary resources and instruments at the service of the truth, then the human rights policies which the majority of society encourage support and monitor, will be under threat.¹⁶

CONCLUSION

Indian identity has been defined and redefined at different times, but it is clear that 'to be an Indian' is always tied to a juridical framework relating to the ownership of land or its despoliation. Throughout the nineteenth century, in Argentina, the native populations, quite apart from the overwhelming violence perpetrated against them in the pampas, became invisible by their exclusion from public debate and legal classification. Reclassified as *criollos*—that is as people of mixed but ill-defined ancestry fitting the description of an average Argentine—they were left with no rights to the land on which they lived and which they worked. It is only at the beginning of the 1970s that Indian demands began to be heard, and only with the transition to democracy in 1983 did they reach a broader public. Against this background, the passage of multicultural legislation was obviously a crucial milestone. But these changes at the national level must also be related to the international context and to the United Nations declarations and conventions on the rights of indigenous peoples. The language of these documents had a very strong influence on the redefinition of identities both nationally and locally. Groups who claim recognition as Indians are not at all cut off from the wider world, as is evidenced by the external actors who provided a crucial induction into the ways of indigenous struggle at various points—among them Santana in Quilmes, Daniel Flores in Amaicha or the Tucumán human rights lawyers in neighbouring villages. With the help of these outsiders the local leaders came to master the text of the multicultural laws and also learnt the language which was needed to advance their demands successfully. The ethnicization of agrarian conflicts which previously had either lain dormant or been formulated in purely socio-economic terms, became possible as a result of the work of the external agents and the local leaders. These ethnic movements therefore should not be analysed from an essentialist point of view, but rather as social movements fighting to

change power relations in postcolonial contexts characterized by severe and persistent discrimination (Abercrombie 1991; Canessa 2007; Bosa and Wittersheim 2009).

The role of the media and of social networks has also been extremely important. Activists are helped in their struggle by journalists, while websites, electronic newspapers, Facebook and Twitter enable them to publicize their demands widely and campaign for support. The example of the Cacique in Quilmes, Pancho, showed how he could disseminate his demands to promote the movement and protect his followers in the face of local power structures.

But we have also seen how this promotion through the media, or media-tization, can contribute to the reification of stereotypes. Differential rights and the rhetoric which accompanies them can have a polarizing effect. The binary formula opposing Indians and whites is developed in the discourse of the Indian movement and becomes deeply rooted by being repeatedly invoked in struggles which ground the rights they demand in identity. The definition of an Indian is regularly questioned in Argentina, and this questioning is used by land owners to undermine the claims of villagers by criticizing them for not behaving like their ancestors.

This case study, therefore, has shown the double-edged character of government measures in support of Indian rights, and of the issues of identity-based classification which they raise, as well as the complexity of the process in a country whose national identity was built on the denial of the very existence of its native population from the mid-nineteenth century onwards. Those measures have opened the way for marginalized peasant populations of Indian descent to stand up and demand their rights, even if these advances have been limited. The achievements of the movement vary according to local conditions and also according to the productive potential of the land involved: it is perhaps sad, but not surprising, to note that where landowners possess substantial economic means and political influence, progress in the recovery of land by native populations can be severely impeded.

NOTES

1. Ley sobre Política Indígena y Apoyo a las Comunidades Aborígenes, no. 23,302, September 1985.
2. 'Expropiación al ingenio y refinería San Martín de Tabacal permite restitución territorial' reproduced by Argentina Indymedia <http://argentina.indymedia.org/news/2011/08/790700.php>

3. 'I will return and there will be millions of me'.
4. The Spanish colonial regime conceded to *encomenderos* the labour tribute owed to the crown by the *indio* population—so they received free, quasi-slave, labour.
5. Antonio Bussi (1926–2011) was named military governor of the province of Tucumán in 1976 and during his two years as governor more than 1000 people are said to have disappeared at the hands of the security forces in 'Operativo Independencia'. Eventually in 2003, he was convicted of the disappearance of one single person, but in the meantime, as a skilful practitioner of clientelist politics, he had been elected to various positions on eight occasions.
6. *Kolla* refers to the inhabitants of the higher plateaux of Northern Argentina. In the past it has had a pejorative ethnic connotation, but with the indigenous renewal it has become a source of pride for people involved in the movement.
7. This fits in with accounts of native militancy in many parts of the world; see Bosa and Wittersheim (2009).
8. See the legal website: <http://www.biblioteca.jus.gov.ar/>. The original Spanish reads as follows: Reconocer la preexistencia étnica y cultural de los pueblos indígenas argentinos. Garantizar el respeto a su identidad y el derecho a una educación bilingüe e intercultural; reconocer la personería jurídica de sus comunidades, y la posesión y propiedad comunitarias de las tierras que tradicionalmente ocupan; y regular la entrega de otras aptas y suficientes para el desarrollo humano; ninguna de ellas será enajenable, transmisible ni susceptible de gravámenes o embargos. Asegurar su participación en la gestión referida a sus recursos naturales y a los demás intereses que los afecten. Las provincias pueden ejercer concurrentemente estas atribuciones.
9. All traditional collective land institutions have a system of periodic redistribution to reflect demographic changes, migration, family size as well as shifts in local power structures.
10. The sensitivity of this matter is illustrated by an internet exchange concerning a landowner who gave some land to a municipality: in the communication, the word 'give' is placed in quotes and a tweet from the Indian organization Unión de los Pueblos de la Nación Diaguita contests the implied legitimate ownership.
11. Cf.: <http://uniondiaguita.redelivre.org.br/2014/07/09/atamisqui-teratenientes-donan-territorio-indigena-a-la-municipalidad/>
12. <http://pueblooriginario.com.ar/facebook>. The Facebook page entitled 'Pueblo Originario Kilmes' however seems to be defunct, or at least inactive.

13. The discourse of these CIQ leaders bears a resemblance to that of Indian leaders in the USA described by Dean MacCannell. In order to emphasize their difference, they drew attention to the moral and cultural decadence of whites and at the same time proclaimed the superiority of Indians (MacCannell 1992: 162).
14. The moments immediately before the killing of Javier Chocobar. http://www.youtube.com/watch?v=xZq_mzJSO5M
15. <http://comunicacionpopular.com.ar/carta-abierta-de-intelectuales-y-periodistas-a-la-presidenta-por-la-inaccion-del-estado-frente-a-la-represion-y-asesinatos-de-miembros-del-pueblo-qom/>
16. The comunicado denounces 13 killings in the northern and north-western provinces of Formosa and El Chaco, plus that of Javier Chocobar.

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