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## **Making the invisible visible : the position of indigenous women in Mexico. A general overview of the challenges ahead**

Ortiz, Barbara

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## I. INTRODUCTION

Since colonization, indigenous peoples around the world have been oppressed, their ways of life and their traditions are endangered. Nevertheless, in many countries indigenous peoples have been able to maintain their cultural identity. In the 20<sup>th</sup> century, in the context of the introduction of international human rights standards, indigenous peoples urged to adopt specific rights that would end the ongoing oppression of indigenous peoples and would protect their tangible and intangible heritage.

The rights of indigenous peoples have been on the international agenda for more than fifty years. In 1957, the International Labor Organization (ILO) first attempted to elaborate an international instrument with the *Indigenous and Tribal Populations Convention*<sup>1</sup>. However, this convention was criticized for its integrationist approach, and was replaced, in 1989, by a new *Indigenous and Tribal Peoples Convention*<sup>2</sup>. This legally binding international instrument<sup>2</sup> aims to ensure the participation of indigenous peoples at all levels of decision-making, and addresses issues such as land rights, access to natural resources, employment, health, and education, among others. Even though the ILO convention has only been ratified by 22 countries, it has been influential for national and international policies (ILO, 2015).

The United Nations (UN) also included indigenous peoples' rights in several declarations, for example in the *Convention on the Elimination of All Forms of Racial Discrimination* (1966), and in the *Declaration on the Rights of Persons belonging to National or Ethnic, Religious and Linguistic Minorities* (1992), but these treaties mainly addressed individual rights. In 1982, the UN Economic and Social Council (ECOSOC) set up a Working Group on Indigenous Populations (WGIP). This group took on the task to develop an international instrument to protect indigenous rights. Finally, the General Assembly of the United Nations adopted the *Declaration on the Rights of Indigenous Peoples* in 2007 (UNDRIP). While this treaty is a non-binding instrument, it sets a benchmark for states. It includes 46 articles both on individual and collective rights, regarding most aspects of life: fundamental human rights, life and security, culture, religion, education, media, employment, political representation and participation, health, resources, land rights, etcetera (UN, 2007). In 2007, the UNDRIP was approved by 145 states (eleven abstained, and four states opposed), but since then,

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<sup>1</sup> ILO Convention No. 107.

<sup>2</sup> ILO Convention No. 169. ILO Convention No. 107 remains in force for 18 countries (ILO, 2015).

all of the opposing states have validated the declaration, resulting in a declaration that is almost universally endorsed.

The UNDRIP particularly addresses states, and urges them to take measures to improve the situation of indigenous peoples. Article 21 stresses the need for initiatives to ensure the economic and social development of indigenous peoples.

***UN Declaration on the Rights of Indigenous Peoples (UN, 2007).***

*Article 21*

1. Indigenous peoples have the right, without discrimination, to the improvement of their economic and social conditions, including, inter alia, in the areas of education, employment, vocational training and retraining, housing, sanitation, health and social security.

2. States shall take effective measures and, where appropriate, special measures to ensure continuing improvement of their economic and social conditions. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities.

*Article 22*

1. Particular attention shall be paid to the rights and special needs of indigenous elders, women, youth, children and persons with disabilities in the implementation of this Declaration.

2. States shall take measures, in conjunction with indigenous peoples, to ensure that indigenous women and children enjoy the full protection and guarantees against all forms of violence and discrimination.

Article 21 and 22 of the UNDRIP point to another important issue: the need to give particular attention to the situation of indigenous women. That will be the focus of the present research.

Indigenous peoples are often living in situations of marginalization and poverty. Furthermore, they are subject to discrimination and racism in a society where they are an oppressed minority. But the most vulnerable are indigenous women. Indigenous women are faced with multiple discrimination: they suffer from ethnic discrimination because of being indigenous, as women they are faced with gender based discrimination, and they suffer from economic discrimination and the stigmas of poverty (Herrera et al., 2014: 14).

Based on the demands in the UNDRIP, this present research aims to provide an overview of certain challenges indigenous women are still confronted with, focusing on the case of Mexico.

The call for specific actions for indigenous women was included in the UNDRIP and in the *Outcome document of the high-level plenary meeting of the General Assembly known as the World Conference on Indigenous Peoples*<sup>3</sup> of 2014. In addition, the UN Commission on the Status of Women adopted two specific resolutions on indigenous women: *Indigenous women: beyond the ten-year review of the Beijing Declaration and Platform for Action (2005)*<sup>4</sup>, and *Indigenous women: key actors in poverty and hunger eradication*<sup>5</sup> (2012), which both urge for the adoption of measures to ensure the empowerment of indigenous women and protection of indigenous women's rights.

However, despite featuring on the international agenda, many problems still persist for indigenous women. It has been particularly difficult to go from theory to practice. Efforts and good intentions at international level have not always met with a response at national level, and it turned out to be even harder to implement national regulations on gender and indigenous topics at local level.

The latter is particularly true for Mexico. At an international level, Mexico has been involved in the development of these different instruments, showing a certain commitment to improve the situation of indigenous women. Yet at a national level, many issues regarding the rights of indigenous peoples and indigenous women still remain unchanged. Very basic needs are still not met by the Mexican government, and indigenous peoples are still facing severe discrimination within Mexican society.

It has to be noted that very few indigenous women were involved in the elaboration of the UNDRIP; this becomes obvious when looking at the declaration. The attention given to women in the UNDRIP

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<sup>3</sup> Resolution A/RES/69/2

<sup>4</sup> Resolution E/CN.6/2005/L.10

<sup>5</sup> Resolution E/CN.6/2012/L.6

is very general but also minimal, and the actions to be taken remain quite vague<sup>6</sup>. No reference is made to the issues indigenous women are faced with. This illustrates the lack of importance given to indigenous women, both by the non-indigenous and indigenous negotiating partners. The absence of attention for women's issues does not necessarily stem from unwillingness, but can also be the result of lack of awareness and knowledge regarding the role women play in society and in the development of communities. Anyway, it illustrates the subordinated position women still have in society in general. The limited and vague agreements on indigenous women's rights allowed states to easily put aside their commitments and limit their actions.

Thus, documents such as the UNDRIP do not clearly identify the areas where indigenous women's rights are still not guaranteed. This research wants to contribute to the visibility of indigenous women and to the identification of some of the fields where more action is needed.

## **A. Making the Invisible Visible**

This research will analyze the position of Mexican women, and more particularly indigenous women, regarding four specific topics: health care, political participation, media, and education. A wide range of subjects could have been chosen, but for the purpose of this work a selection had to be made. These four topics were selected because of the major influence they have on the situation of women within society. The analysis of these subjects gives an image of the level of emancipation Mexican women have been able to reach. Furthermore, these subjects are all relevant, not only for women, but for their communities as a whole.

This work wants to show general trends in the situation of Mexican women, especially of indigenous women, and possible directions for further research. Therefore, the scope will be general and not focus on one specific region or indigenous community. This choice was deliberate. It is important to show that certain issues are recurrent for indigenous women in different contexts. But, it is equally important to realize that the situation of an individual depends on many factors, thus the situations that will be described, are not necessarily true for every Mexican. When presenting an overview of the position of indigenous women, it is crucial to realize that 'the indigenous woman' essentially does not exist, just as 'the Mexican woman' and 'the woman' in general do not exist. These are constructed categories. All women are different and unique; they have different needs, different

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<sup>6</sup> This has also been observed by Carlos García Medina, and not only in international legislation, but also in the Mexican Constitution and in Mexican local state legislations (García Medina, 2010).

ideas, different possibilities, different lives, etcetera. Their situation depends on many factors, taking into account the broad context they are living in. It is therefore impossible to present the situation of 'the indigenous woman' in Mexico in great detail. Specific research is necessary to understand all needs and wishes of women in specific contexts. Each study will require other focus points; in certain communities, women will be vigorous political actors, for example, while in others they may be totally excluded from political participation. Therefore, general trends will be discussed in this work, inviting every scholar to question his or her specific research material.

Furthermore, the problems women face can be the same for indigenous and non-indigenous women. Many of these problems are not unique to indigenous women. Urban high-class women can also be subjected to domestic violence, and non-indigenous women in rural communities can experience the same difficulties to access health care services. Yet for indigenous women, there is an additional dimension: their discrimination as individuals belonging to indigenous peoples.

Across the different chapters in this study, several topics will be discussed. First, the theoretical framework will be explained. This research is situated at the intersection of two paradigms: the indigenous paradigm and the feminist paradigm. As the indigenous paradigm is still in a developing stage, the focus will be on the concepts of feminist theory and feminist anthropology. Within these theories, special attention will be given to the criticism of the persisting male bias, and postcolonial criticism of the Western bias within the anthropological discipline.

A historical overview of the evolution of the feminist movement will be given in order to be able to place this research in its historical context. We will briefly look at the development of feminism in Europe and the United States of America. Then, we will turn more specifically to the evolution of the feminist movement in Mexico.

After defining the theoretical and historical frame of this research, four main topics will be addressed: health care, political participation, media, and education. Every chapter will analyze the general position of women in its context. Subsequently, the focus will turn to the situation of indigenous women.

First, we will look at one of the most basic problems for women, and especially indigenous women, namely the access to qualitative and adequate health care. In Mexico, even this basic need is not always met, and women in rural areas are the most vulnerable group in this regard. Some of the health risks Mexican women are confronted with will be identified, specifically the basic health risks related to reproduction and maternity. Regarding reproductive health, topics such as family planning and contraception, the risks concerning teenage pregnancies and early marriages, abortion, and

forced sterilization will be discussed. Here the importance of prevention and education will be stressed. Then the focus will turn to maternal health. The high percentages of maternal deaths in indigenous communities point to a larger issue: the need for an intercultural approach to health care in Mexico. Some of the difficulties of indigenous peoples visiting allopath doctors will be broached, and possible initiatives to improve health care for indigenous communities will be discussed. In this analysis, we will also consider the role of traditional medicine within the institutionalized Mexican health care system.

Next, the political participation of women in Mexico will be analyzed. Political participation is one of the indicators most often used to measure the level of female emancipation in society. It comprises both the right to vote, as well as the possibility to be elected and carry out a political mandate. In Mexico, universal suffrage at a national level was obtained in 1953. But, the question has to be asked whether Mexican women are participating in political life at the same level as men? Are they equally participating in local, state, and national decision-making processes? This chapter will first look at the national policy regarding female political participation, focusing on the use of gender quota, to be followed by an assessment of the participation of women at three different political levels: national, state, and municipal levels.

Political participation of women in rural and indigenous communities will receive special attention. Do these women experience limitations as a result of patriarchal social structures or can they participate in political processes? Do they have a voice and a vote in the local communities? Do they have access to all other political levels? In which spaces and to what extent can they participate? To understand the particular situation of indigenous women, the indigenous political context, and structural and cultural obstacles to participation of indigenous women will be explained. The situation in the state of Oaxaca serves to illustrate the position of indigenous women in the Mexican political landscape. Special attention will be given to the changes occurring in indigenous communities, to alternative forms and spaces of participation, and initiatives indigenous women are taking to secure a voice in political decision-making processes.

Following healthcare and political participation, the image of women in Mexican media will be analyzed. In this research, the focus will mainly be on visual media, and on television in particular, being the most accessible medium for a wide audience and therefore the medium with the most significant impact (CONACULTA, 2010). Media have an important role in the manifestation and transmission of cultural values, ideology, and identity. Media also have an influence on the codification of gender, race, and class within society (Abercrombie, 1996; Beard, 2003: 87). The way women are portrayed in the media can illustrate how women are perceived, and what effects this



might have on their place in Mexican society. First, we will look at women working in Mexican media. Are both genders equally represented in the media industry? Are women and men working in the media treated equally, and do they get the same career opportunities? Are women reaching decision-making levels in media concerns? Secondly, we will turn to the way women are portrayed in media content. What image is shown of women, and how are gender relations portrayed, both in fiction and non-fiction content? This image will have an impact on the way women are perceived in Mexican society.

It is also important to focus on the image of indigenous women in Mexican media. The media seem to enforce existing discrimination and racism against the indigenous population. To contextualize the existing image of indigenous women, an overview will be given of the evolution of this image in Mexican visual culture. Next, the current image of indigenous women in Mexican media will be analyzed. The image of indigenous women does not only influence the perception of this group within Mexican society, it can also impact their own social and economic development. Thus we will question the influence of how indigenous women are portrayed on their self-image and self-esteem.

The last chapter will look at Mexican education. Education forms children intellectually, but also socially. Through education, among others, children learn about gender roles and gender relations. It is therefore important to analyze how gender is approached and treated in Mexican education, especially in rural and indigenous communities. Such analysis will lead to a better understanding of the way gender relations in Mexico are defined, but also how they are perpetuated and could be improved. First, a general overview will be given of the structure of Mexican official education. Then the main problems of the Mexican educational system will be identified. Next, the focus will lie on indigenous education and specific problems of Mexican education in a rural and indigenous context. Lastly, we will look at gender within Mexican education and the situation of indigenous girls. Does education improve the situation of indigenous girls in Mexico? Which opportunities does education offer these girls? Do they get the same educational opportunities as boys? Is education adapted to their needs?

## B. Methodology

It has to be pointed out that the different subjects in this overview deserve a more in-depth analysis and could be topics for larger and more detailed studies. This research is intended to give a general overview of the main challenges indigenous women encounter. Furthermore, the topics imply specific analytical contexts and distinctive theoretical frameworks, derived from various disciplines such as anthropology, sociology, psychology, education, medical anthropology, political sciences, communication, gender studies, etcetera. It is impossible to discuss all these frameworks in detail due to the variety of subjects in this work. Furthermore, this research also discusses very practical and basic issues of quotidian experience that go beyond the theoretical scope. Consequently, the theoretical analysis presented here should not be considered exhaustive, it only serves as a guideline for reflection. For an in-depth theoretical analysis, the reader will be referred to existing literature on the various topics.

This research required extensive literature study. Literature on Mexican topics is limited in Belgium; fortunately, however, the library of the Center for Mexican Studies of the University of Antwerp turned out to have an extensive collection of publications of the main Mexican research institutions, including major works on Mexican social sciences. In addition to the information obtained through literature study, official government documents from international institutions, such as the United Nations, as well as from Mexican federal and state governments, such as specific legislation and policy documents, were consulted. Current evolutions regarding public policy and reforms were monitored by means of Mexican online newspapers. Other visual media such as art, advertisements, and television shows, including *telenovelas*, were also consulted online. For the chapter on education, official educational material of the Mexican Ministry of Education was analyzed, in particular textbooks. The approach to all of these sources was qualitative and not quantitative; the goal was to get a general idea of the issues Mexican women, specifically indigenous women, are facing, and the way these issues are currently addressed.

Official statistical data were used subject to availability. The Instituto Nacional de Estadística y Geografía presents statistical data on a variety of subjects, however, many of these statistics are only based on official estimates, others are incomplete, and for some no gendered data are available (in these cases no distinction can be made between the data concerning women or men). Furthermore, different institutions sometimes present different results on the same subject, which even occurs within the same official institution. The lack of statistical data is not only a concern for research. More importantly, it shows that the Mexican government has no data on several crucial issues (e.g.

number of maternal deaths). Without information, it is virtually impossible to understand the extent of the problems, and consequently to develop adequate policies to address the situation.

This research was complemented by fieldwork in Mexico. Due to the limited time available, this fieldwork consisted of various short stays, primarily located in Mexico City, and in the state of Oaxaca, although other places were briefly visited too (e.g. the town of Cuetzalan del Progreso in the state of Puebla). The main goal of the fieldwork was to conduct various in-depth interviews to supplement research. No surveys were used because they tend to fracture experiences; as the questions are formulated and coded in advance, women's individual experiences and understandings may get lost. In general, within Women's Studies, qualitative methods, such as semi-structured and unstructured interviews, are preferred. This enables to ask in-depth questions, and to include unexpected topics emerging during conversation, thus reaching a broader understanding (Maynard, 2005: 31). Although not all interviewees are quoted literally in this work, their contributions and insights helped to contextualize and better understand certain situations.

First, I spoke with Dr. Soledad González Montes, from the Programa Interdisciplinario de Estudios de la Mujer (PIEM) of the Colegio de México. Dr. González is a renowned scholar in the field of Mexican women's studies. She carried out research on various topics that will be discussed here. I also met with Dr. Jeanett Reynoso Noverón from the Centro de Lingüística Hispánica of the Universidad Nacional Autónoma de México. Dr. Reynoso conducted many interviews of both indigenous and non-indigenous persons for her own linguistic research. During her work she often stumbled upon personal stories illustrating the situation of women in Mexico. As a result, she has taken a special interest in the topic of gender issues. The input of these two scholars was particularly important to understand the difficult position of studies on women within Mexican academia. To have more background information on the education system in Mexico, Graciela Pinet Cabrera was interviewed, a recently retired teacher who worked both in private and in public elementary schools in the state of Mexico.

As a next step, organizations currently working with indigenous women were approached and interviewed. The four organizations contacted are located in the city of Oaxaca. The Casa de la Mujer "Rosario Castellanos", an NGO actively engaged in gender equality in the state of Oaxaca, gives special attention to the situation of indigenous women and girls. The NGO Nueve Lunas gives professional trainings to traditional midwives in an intercultural context, and advocates for the humanization of delivery. Ser Mixe is a mixed indigenous organization by and for Mixe people, which includes gender issues within the scope of their activities. Finally, the Instituto de la Mujer Oaxaqueña is the governmental institution of the state of Oaxaca working on gender equality

policies. The experience of all these organizations in working with indigenous women in the field contributed to understanding the issues indigenous women are facing in their daily lives. In the context of their work these organizations meet women from different indigenous peoples in Oaxaca, women living in different situations and with different needs. They can thus give a general and nuanced perspective on the situation of indigenous women.

Subsequently, in-depth interviews were conducted with indigenous women and girls. First three adult indigenous women were interviewed: Judith Bautista Pérez (Zapotec), Zaira Alhelí Hipólito López (Zapotec), and Flor Julián Santiago (Mixtec). They were all in their thirties, from Oaxaca, with higher education degrees, and each actively working for the emancipation of indigenous women from different positions (government, indigenous movement, and health care). For these interviews, the choice of indigenous women with a higher education level was deliberate. I wanted to interview women familiar with indigenous cultures from within, as well as feminist theory and academia. They can share particular insights about the situation of indigenous women, based on their experiences in both cultural contexts. At the same time, it was important for this research to give a voice to indigenous women, and to show their agency potential, to show they have the necessary knowledge, academic background, and motivation to speak up for themselves and to conquer new spaces.

Next, I interviewed a number of young indigenous girls between 16 and 21 years old. In the Casa de la Mujer “Rosario Castellanos” in Oaxaca, Adriana Márquez Altamirano was interviewed. This young Zapotec woman from the district of Ejutla, Oaxaca, was 20 years old when I interviewed her. She had been a bursar of the Casa de la Mujer during her two last years of higher secondary school.

In addition, I had the opportunity to stay a week at the Casa del Estudiante Triqui. This NGO, located near the city of Oaxaca and founded and supported by Belgians, provides housing to Triqui girls and boys to give them the opportunity to follow higher secondary education away from their turbulent home towns. During my stay, I had informal conversations with the students, in particular girls, on various subjects such as life in their communities, experiences in non-indigenous secondary school, views on love and marriage, and dreams and expectations for the future<sup>7</sup>. Through these candid conversations, I gained insight into issues indigenous girls are facing on a daily basis, the difficulties they have to overcome at school and in Mexican society as a whole. But, it also showed me these girls’ spirit and motivation to advance in life, without losing the respect for their indigenous traditions and heritage.

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<sup>7</sup> Most of the students I spoke with in the Casa del Estudiante Triqui were minors. To protect their privacy, pseudonyms will be used when referring to their testimonies.

Finally, all of these sources complemented my personal experiences visiting Mexico every year since I was a child, and having informal conversations with my Mexican family and friends on an infinite number of subjects. While this knowledge had to be supplemented with knowledge on indigenous cultures, my personal involvement with Mexican society offered the advantage of having a certain level of understanding of Mexican non-indigenous culture and mentality, and the position of women within this society.

It has to be noted that this research tries to do justice to indigenous women's voices, however, this has proven to be a challenge. Several indigenous women were interviewed, but other sources by indigenous women are limited. This does not mean indigenous women are not speaking up, it rather shows indigenous women get little opportunities and limited spaces to voice their points of view. Consequently, as a researcher, one is in constant danger of doing exactly that what one is questioning, i.e. of reproducing the marginality and thus the stereotypes one wants to deconstruct. This is very unsatisfactory for the author, but at the same time, it confirms the problems that still exist in the representation of indigenous women.

### **C. Mexican Anthropology: Where Are the Women?**

In a number of cases, anthropology (including archaeology and history) has wanted to stand up for indigenous rights, and criticized the ineffectiveness of national and international institutions. However, anthropology has been anything but a good student itself. In general, traditionalistic anthropology remains dominated by Western scholars, most often by white, male, middle-, or high-class Western scholars, who keep treating the indigenous persons they study as passive and subordinated *objects*: the 'Others', the former 'savages', which have no voice and can only be understood through the interpretation of the anthropologist. Furthermore, the masculine predominance has led to a male bias in anthropology. There are important exceptions and cases of influential female anthropologists (see below II.A), but they cannot be considered mainstream (yet). In many anthropological works on Mexico, we still find that women are almost invisible. There is rarely any attention for the specific point of view of women in the communities, which might be due to the choice of conversation partners. When the anthropologist arrives in a community, men, who are in charge, will take up the role of spokesman, and will thus be the most accessible persons to interview. Women are often less easy to approach for male researchers, as, for example, women in some communities are prohibited from talking to strange men, or feel ill at ease doing so. As a consequence, often mostly male subjects are interviewed. Thus, studies on indigenous communities

tend to reflect first and foremost the view of the men in the community. Problems arise when the researcher interprets these male views as the generally accepted point of view of the entire community, and validates them without critique, from a position of cultural relativism. The question is rarely asked whether women – the other half of the community – feel the same way about the discussed issues. The majority of anthropologists working on Mexico fail to include a gender perspective in their work, and a male bias continues to dominate the discipline.

In Mexican anthropology, women are frequently presented as passive figurants. Where women are mentioned, it is usually to refer to their role as wife and mother only, and to discuss marriage or birth giving traditions. Many researchers describe women as merely taking care of the kitchen, household, and children. Their participation in daily community life, in rituals and social activities is often ignored. The roles women perform are not considered to be valuable, but rather an extension of their 'natural' caring tasks. Researchers tend to have a Western patriarchal perspective on the division of labor and the importance of household chores. In their description of women's roles, they often do not value the work of indigenous women. With their Western bias and preconceptions, for example, they do not consider cooking to be important. However, in indigenous communities, cooking the food for celebrations is one of the most important tasks. There will be no celebration if there is no adequate food for all the guests. Being the host of a celebration is a gigantic task that demands extensive organization and planning for months in advance<sup>8</sup>. The food preparation for offerings is also a very important task women have to perform. This specific food has to comply with strict rules. These tasks are not secondary, they are complementary to those of men, and essential within the community. Nevertheless, anthropologists are often not showing this type of information. When looking at rituals in general, they rarely discuss the role, experience, and perspective of women. Another example of a female role that is undervalued, among many others, is the role of women as cultural agents. Women play a crucial role in the upbringing and education of the next generation, and in the cultural transfer of social conventions and traditions. However, Western (male) anthropologists often do not realize the value of these tasks within the community.

Studies carried out by teams of both male and female researchers have experienced they obtain different, but also complementary information, after speaking respectively to male and female local experts (for example Manuel Gutiérrez Estévez<sup>9</sup>, personal communication; Moore, 1988: 1). When researchers do not include women's voices in their research, they are not excluding a minority, they

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<sup>8</sup> For a study on the importance of the kitchen in Mexican communities, see: M. E. CHRISTIE (2008), *Kitchenspace. Women, Fiestas, and Everyday life in Central Mexico*, Austin: University of Texas Press.

<sup>9</sup> Dr. Manuel Gutiérrez Estévez, professor emeritus of the department of anthropology (Historia de América II) at the Universidad Complutense of Madrid, carried out extensive fieldwork in Mayan communities. He discussed this issue during one of his classes on Mexican and Central American ethnography.

are in fact excluding half of the community. This might be possible for very specific research focused on men, but not when studying a community as a whole. Furthermore, gender relations are essential to understand social relations and power structures within the community. Including the female point of view is thus important as it allows the researcher to deliver more complete, and therefore more accurate, research results.

An important step towards the inclusion of women in research is to become gender sensitive, and not to take gender for granted. Including a gender perspective is not only necessary in studies on topics obviously related to women; all anthropological research should give attention to gender. In certain specialized research areas, including gender might not seem very relevant; however, in the vast majority of anthropological research, gendered questions can be asked. Gender should be one of the standard indicators for researchers to take into account. Including a gender perspective can lead to new and more complete understandings of the studied society as a whole, and will result in more inclusive research.

Including a general gender perspective is essential, but the anthropologist should take it one step further. Women are not only invisible within the discipline: when looking at the reality of indigenous communities, it becomes obvious that indigenous women are facing many challenges in society at large. Although the Mexican government has taken initiatives to improve the situation of women, both in urban and rural contexts, indigenous women are still suffering from unequal access to a number of basic services. In addition, indigenous women experience multiple discrimination: because they are women, because they are indigenous, and often, because of the stigma of poverty. Anthropologists and other scholars have a social responsibility here. They have the opportunity and moral obligation to engage not only on an academic, but also on a social level, in order to improve the visibility of indigenous women, and bring the problems of these women to the attention of a larger audience. They can raise awareness within the academic world and in politics, and they can offer their support in denouncing deplorable situations. Certain anthropologists take up their social responsibility, for example regarding access of indigenous communities to natural resources. Such a social commitment is also needed for the situation of indigenous women. In general, social scientists should strive to develop an inclusive and socially engaged discipline.

## D. Definition of Indigenous Peoples

When is a person, male or female, considered to be indigenous? There has been debate on the adoption of a definition of the concept of 'indigenous peoples'. In 1986, José R. Martínez Cobo, Special Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, presented the elaborate *Study on the Problem of Discrimination against Indigenous Populations*, in which he proposed a working definition:

“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 (UN, 1986).”

Article 1 of the *Indigenous and Tribal Peoples Convention* (No. 169) of the ILO does not include a definition, but gives a general description of the peoples to whom the convention applies:

“1. This Convention applies to:

(a) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations;

(b) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

2. 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 (ILO, 1989: Art. 1).”



After further debate on a possible definition, Erica-Irene A. Daes, Chairperson-Rapporteur of the UN Sub-Commission on Prevention of Discrimination and Protection of Minorities, recommended in 1996 to abandon the idea of a fixed definition. Based on the findings of the UN and the ILO, she identified certain key elements that characterize indigenous peoples. These different elements can vary depending on the context, but they can serve as guidelines:

- “(a) Priority in time, with respect to the occupation and use of a specific territory;
- (b) The voluntary perpetuation of cultural distinctiveness, which may include the aspects of language, social organization, religion and spiritual values, modes of production, laws and institutions;
- (c) Self-identification, as well as recognition by other groups, or by State authorities, as a distinct collectivity; and
- (d) An experience of subjugation, marginalization, dispossession, exclusion or discrimination, whether or not these conditions persist (UN, 1996b).”

Finally, in 1997 the Working Group on Indigenous Populations followed the recommendations of Daes, opposing a formal and universal definition that would be adopted by the UN Member States. The Working Group considered that a definition was neither necessary nor desirable, as it would be impossible to capture the diversity of cultures and living contexts of indigenous peoples worldwide. Thus, self-identification was considered the most fundamental criterion to define whether a person is indigenous (UN, 1996a & 1997a).

In the case of Mexico, Article 2 of the Mexican Constitution indicates similar elements to identify indigenous peoples:

“Article 2. The Mexican Nation is one and indivisible.

The Nation has a multicultural composition, originally based on its **indigenous peoples**, who are **those descending from the populations that originally inhabited the country’s current territory at the start of colonization, and who retain their own social, economic, cultural, and political institutions, or some of them.**

**The fundamental criteria to determine to whom the provisions on indigenous peoples apply, shall be the self-identification of their indigenous identity.**

Indigenous communities are those that constitute a cultural, economic, and social unit, settled in a territory, and that recognize their own authorities according to their uses and customs.

Indigenous peoples' right to self-determination shall be exercised within a framework of constitutional autonomy, safeguarding national unity. The recognition of indigenous peoples and communities will be comprised in the state constitutions and laws, that will include the general principles established in the previous paragraphs of this article, as well as ethnolinguistic and land settlement criteria (Cámara de Diputados, 2014a)<sup>10</sup>."

The historical priority of indigenous peoples and the conservation of cultural distinctiveness are seen as characteristic elements. But Mexico also considers self-identification as the main indicator to define whether a person is indigenous or not.

Self-identification is a valuable concept because it gives every individual the right to make a personal decision, and prevents people from being excluded or included against their will. However, it can also raise certain questions. In Mexico, for example, centuries of racism and discrimination caused many indigenous persons to be ashamed of their indigenous background, preferring not to be identified as indigenous. For self-identification to be an optimal indicator, people have to be able to be proud of their heritage and identify themselves as indigenous without fear or shame. This is not yet the case in Mexico.

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<sup>10</sup> Original:

"Artículo 2o. La Nación Mexicana es única e indivisible.

La Nación tiene una composición pluricultural sustentada originalmente en sus pueblos indígenas que son aquellos que descienden de poblaciones que habitaban en el territorio actual del país al iniciarse la colonización y que conservan sus propias instituciones sociales, económicas, culturales y políticas, o parte de ellas.

La conciencia de su identidad indígena deberá ser criterio fundamental para determinar a quiénes se aplican las disposiciones sobre pueblos indígenas.

Son comunidades integrantes de un pueblo indígena, aquellas que formen una unidad social, económica y cultural, asentadas en un territorio y que reconocen autoridades propias de acuerdo con sus usos y costumbres.

El derecho de los pueblos indígenas a la libre determinación se ejercerá en un marco constitucional de autonomía que asegure la unidad nacional. El reconocimiento de los pueblos y comunidades indígenas se hará en las constituciones y leyes de las entidades federativas, las que deberán tomar en cuenta, además de los principios generales establecidos en los párrafos anteriores de este artículo, criterios etnolingüísticos y de asentamiento físico (Cámara de Diputados, 2014a)."