

# IWGIA NEWSLETTER

No. 39

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## IWGIA

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INTERNATIONAL WORK GROUP FOR INDIGENOUS AFFAIRS

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## ARGENTINA: INDIGENOUS POPULATION AND THE CHANGE FROM DICTATORSHIP TO DEMOCRACY

A Preface by Rosa Dierna

In Bolivia, 62% of the total population is indigenous and in Peru 46%; whites are an ethnic minority, yet they and mestizo sectors of the population hold the political and economic power. Nevertheless, with the native peoples constituting the majority both demographically and in terms of ethnic strength (derived from centuries of self-organization for survival and resistance), one could expect some changes with governments of the left - or at least with democratic governments. For example the possibility could arise for multi-ethnic states, not only in statistical terms but in terms of state structure and political action. This would mean self-management by communities and federations and equal participation of their representatives in both political government and in control of production.

Argentina is a country whose ethnic American history was shattered by the immigration policy which brought millions of Europeans over at the end of the 19th century. After more than one hundred years, we Argentinians are the descendents of those transplanted people. Only in recent years have we begun to see ourselves as really Latin American.

The indigenous population in our country does not only constitute a minority in terms of political and economic power, but also demographically. According to the last census, I believe that the country had approximately 28 million inhabitants, of which less than 1% might be indigenous. I say "might be" because censuses are always made from a non-indigenous perspective and so they are liable to be inaccurate, confusing and even omit entire groups.

In the 1970s a panindigenous movement arose throughout America. In those countries which are ethnically Indian and mestizo it has developed with an enormous force, in spite of

the limitations imposed by liberal governments or the repressive system of dictatorships.

Indigenous groups in Argentina have taken part in continental meetings held in Paraguay and Canada. The Mbya of Misiones province did not participate for reasons which will become apparent in my paper. Indigenous peoples of Argentina have also set up regional and national assemblies. The foci of this movement were Neuquén (south), Tucumán-Salta-Jujuy (northwest) and Chaco (northeast). Indigenous people are finding themselves forced more and more into salaried work, in their own regions (cattle ranches in the south, sugar, cotton, tobacco and wood businesses in the northwest and northeast) and on the periphery of urban centres (shanty towns and indigenous quarters of Buenos Aires, Comodoro Rivadavia and Resistencia). The effect is to brutally integrate them into the social struggles of national society, resulting in the breakdown of their ecological equilibrium, their social desintegration and their deculturation; but, because the peoples are always producing strategies of resistance, they are finding a new areas for political action. They are creating their own organizations and participating through them in parties, grass-roots organizations and national popular movements. For example, a Mapuche diputado appeared in Neuquén in 1973, and several indigenous organisations have been formed ( Confederación Indígena Neuquina, 1970, Federación Indígena del Chaco, 1973) and there were indigenous representatives on the North-eastern Agrarian League etc.). Even so, in some cases, native groups have not escaped political manipulation by parties and their representatives.

The period from 1973 until the military coup of 1976 was taken up by a Peronist government; this was a time of high political mobilization within the country as a whole. In the national universities, on social science courses and particularly in the case of anthropology, groups arose who supported and participated in the whole movement. When the Government

took a sharp turn to the right and the actions of the repressive system became evident in mid-1975, its force was naturally felt by the indigenous movement. Gradually, along with all the other organizations in Argentina advocating social change, it became destructured, from the beginning of the military coup and throughout the years of dictatorship. The Asociación Indígena de la Republica Argentina and the Centro Kolla (which appeared more recently) have both been working during the years of dictatorship in spite of the great problems such a régime can throw up.

Since December, 1983, the radicalism within the Argentinian government has opened up again a possibility for democracy in our country. This means that a space for mobilization and political organization has been half-opened for the oppressed of society and could imply a renewal of the process which was taking place in the 1970s, i.e. the creation of autonomous native organizations which would be integrated within:

- a) the American panindigenous movement
- b) popular movements of the national society

At the same time it is important to reopen the departments of anthropology in the national universities (during the dictatorship these were closed in Buenos Aires, La Plata, Salta and Rosario). In addition more support should be given to those places such as Misiones where anthropology departments still exist, particularly in regions with indigenous populations. These departments should be given an incentive to develop a policy of integrating university programmes to the needs and suggestions of native groups, of creating educational organizations, training students and researchers who would work in and for an anthropology committed to the pan-indigenous movement and the liberation movements of all America, as was agreed in Barbados in 1971 and 1979 and also at the Russell Tribunal in 1980.

Speaking particularly of Misiones province, it could be possible to get such a group of anthropologists and students to carry out work such as:

- to research and denounce:
  - a) the increasing expansion of national and multinational enterprises which trample on any indigenous people they find in their way.
  - b) the action of indigenist agents of both the Catholic and Protestant churches in the Province.
- to research and work to achieve:
  - a) the transferral of the ownership of land on the provincial state reservations to the indigenous people themselves, granting them titles of ownership instead of keeping them as mere occupiers who are always subject to the threat of violent expulsion.
  - b) that the provincial government forces the national and provincial Catholic Church to grant titles of ownership to the native people who live on their missions, at their centres or where there are projects.

In this way, being owners of the lands on which they live, they would have a primary solid foundation from which they can be heard as Mbya Guarani people when they put forward their proposals for self-management and participation. They should succeed and also receive state financial support to see these projects through to fruition.

Amsterdam, July 1984.

ARGENTINA: THE MBYA GUARANI IN MISIONES  
A Critical Approach to Indigenist Policy  
by Rosa Dierna

- For the Mbya Guarani -

Introduction

This paper stems from my work experience among the Mbya Guarani people when I was co-ordinating the Indian Affairs Department between 1979 and 1981. Misiones is a northeastern Argentine province, historically, culturally and ecologically linked to Paraguay and Southern Brazil.

Since the 19th century, the national societies of these three countries as well as Creole and European immigrants have expanded their economic interests into indigenous areas. These territories consist of forests and plateaus rich in natural resources such as oil (in the Argentine and Paraguayan Chaco), wood, rubber, tanine and palm oil (in the forest regions) as well as land for cattle raising. The relationship between the national society and the indigenous population can be seen as an "internal colonialism" where outsiders formed agrarian colonization frontiers for cattle-breeding and the extraction of natural resources. The interethnic relations between the settlers and the indigenous groups were of domination/subordination and reflected the class relations of the national society.

The national governments fought for dominance over these territories. There were many border conflicts and two big wars, the Guerra del Paraguay and the Guerra del Chaco. The three countries set up military bases in the area. As well as this, European religious missions, both Catholic and Protestant, were founded to convert the indigenous population.

Migration between Paraguay, Southern Brazil and Argentina has been constant, reflecting the situation in each country. In the past there were migratory movements when the large farms (estancia in Paraguay and fazenda in Brazil) concentrated land and dispossessed many peasant farmers. Nowadays many large-scale rural capitalist enterprises are depriving small producers of opportunities and they are migrating to Paraguay

and Southern Brazil.

The Mbya Guarani who live in Misiones, Southeast Paraguay and Southern Brazil constitute a special case of migration, because migration is a part of their mythology and worldview. They move almost constantly, searching for the Tierra sin Mal - the Land without Evil. The conditions in which they live nowadays makes this search for a better life more necessary than ever.

#### The Provincial Society

Misiones consists of subtropical rainforest and central altiplano regions. The province was first inhabited by Guarani when some were brought there by the Jesuits in the 17th century. As a result of invasions by the "mamelucos" (Portuguese/Indian half-breeds who terrorized the region at that time, looking for slaves and gold), the Guarani returned to Paraguay. Kaingang people from Brazil moved into Misiones during the 18th and 19th centuries as well as a few non-indigenous people, but the influx of immigrants was at its height between 1890 and 1940.

In the early years of this century Mbya Guarani people returned from Paraguay. To this day they move between Argentina, Paraguay and Brazil in accordance with kinship ties and their worldview.

The population of Misiones Province numbers 446, 357. The majority live in the rural area and others in centres such as Posadas (the capital), Oberá, Iguazú and Apóstoles.

The social and ethnic stratification of Misiones society covers several broad categories:

- 1) temporary workers (changarines): Indians, Creoles from Misiones and Paraguayan transient migrant workers
- 2) wage workers : Argentinians, Paraguayan immigrants & Indians
- 3) "intruder" farmers : Paraguayan and Brazilian immigrant farmers of European descent.

- 4) conservative farmers : Eastern European immigrants moving from Brazil.
- 5) speculative farmers : Scandinavians, central European and Japanese immigrants.
- 6) capitalist enterprises : Argentine Creoles, Brazilians, German and Japanese businesses, Brazilian land enterprises & banks.
- 7) bureaucratic workers : Argentine creoles and Paraguayans

The history of the province has witnessed the following economic activities: wood cutting from the forests and the gathering of 'yerba' herbs from the natural shrub growing areas called "yerbales"; the cultivation of yerba for the manufacture of the famous maté drink (an infusion of herbs); the cultivation of tung, tea as well as pine forests for the paper industry.

At the present time yerba, tea, tung, soya beans, tobacco and manioc are grown in the area. There are no large industrial enterprises except for some sawmills and factories to dry the yerba, tobacco and tea. In recent years the increase in the lumber and paper business has destroyed much of the natural forest and disrupted the ecological balance of the province. These businesses have also entered into building investments so that they can construct new towns for their workers.

The provincial government has plans for colonising the areas which have not been exploited. The ownership of this land is to be concentrated in very few hands. One plan (part of a more ambitious project for Argentina, Bolivia and Paraguay) plans to promote the settlement of white colonisers from South Africa to the regions of the province under expansion (see also in this connection IWGIA Document No.31 Eastern Bolivia: the White Promised Land by Norman Lewis).

Dams have been built on the Parana and Uruguay rivers to produce hydro-electric energy for Argentina, Paraguay and Brazil.

The changes in the water level and its contamination has resulted in the loss of fish, considerably destroying an important alimentary resource.

The regional society is quickly expanding throughout the provincial territory, incorporating the indigenous peoples in such a forceful way that a situation of interethnic friction is developing characterised by relations of domination by the national society over the subordinate indigenous population.

#### The Mbya Guarani People

The indigenous people of Misiones, the Mbya Guarani number about 1,300 persons according to the Preliminary Data Provincial Census in 1979. Their culture can be seen as that of 'tropical forest village farmers' with their major production of slash and burn agriculture working alongside hunting, gathering and fishing. The proportion of each activity varies among the groups as a result of both internal and external factors. The Mbya Guarani move around regularly in a nomadic or semi-nomadic fashion dispersing their small groups all over the province. Those living near Highway 12 came in the 19th Century whereas those near Highway 14 migrated more recently.

The major social unit of production and reproduction is the patriarchal extended family consisting of about 20 or 30 people. Women and men share subsistence activities. Even though they have political and religious leaders they are always organised in small groups of 50-150 people. They never have centralized communities or complex hierarchical social systems. Of all the Guarani groups the Mbya were the only ones who avoided the Jesuit missionary organization. They are a people sensitive to the spirit world, their religious feelings give meaning to their lives and their mythology explains their reality. They have their own traditional medicine and their own doctors and their young people are educated according to traditional patterns of cultural transmission. One of their most accomplished expertise is the production of exquisite basketry for both domestic and religious use.



Maps of Misiones Province, Argentina (Jørgen Ulrich).

### Interethnic Friction

#### 1) Incorporation into the Provincial Society

The Mbya Guarani people have been incorporated into the socio-economic structure of Misiones provincial society in the following ways:

- a) temporary workers in the chacras of farmers (men)
- b) wage workers in the rural enterprises (men and women - sometimes whole groups are employed through their leaders)
- c) artisan commercial workers (men and women produce the work men do the commercial aspects of it)
- d) housework service (women in urban areas)
- e) prostitution (women living in groups near the highways)

Some groups emphasise small-scale subsistence agriculture while other have hunting, gathering or fishing as their primary activity. However with the destruction of the forest and the elimination of their resources, the Mbya Guarani are being forced out of their lands, which are being occupied by strangers, and their subsistence activities are more difficult more difficulties daily. When they cannot produce enough for consumption they are forced to rely on the regional economic system which offers them consumable goods. These goods not only satisfy basic needs but also create new ones. The indigenuous people of the province then become wage earners to obtain money for these goods and begin to participate individually in the market economy.

The extended family is disintegrating into nuclear families (a trait of provincial society) and in some cases there are examples of people living alone. Contact with the authorities of the provincial or national society as well as political parties has created a new kind of leadership whose power and prestige is based on acquaintance with non-indigenous people. There are chiefs with "certificates of chiefdom" from the Governor of the Province, while others act as bosses over the people in their group for whom they arrange work as labourers in rural enterprises.

Native men go to towns to buy food and clothes as well as to drink in the bars, to go to the discos and the football games. The women and children go to town to the public health services provided there. Another reason for travelling there is to contact the church, usually more for assistance than for any religious reason. Exploitation faces native people when they go to the towns: sometimes the police imprison them for misdemeanors or lack of documents and they can languish in jail for months or even years because Indian people have neither recognised legal status nor legal rights; tourists and traders sometimes buy Indian basketry and wood-carvings at the road side for absurdly low prices; occasionally truck drivers or traders take the girls as prostitutes.

Children of the Mbya Guarani are pushed to go to the national primary schools where they have to learn the language and culture of the national society, devaluing, hiding and consequently losing their own.

All these examples show the provincial society penetrating the native groups, destroying their ecological relationship with the environment, proletarianizing and acculturating them while their social and ethnic identity disintegrates.

#### 2) Indigenist Policy

But how does the national society see these native peoples? Indios is a colonial generic name used by conquerors, colonisers, scientists and missionaries to refer to the indigenous peoples of the areas into which they expanded. These peoples were always a disrupting element which had to be eliminated for the expansion to go ahead. In order to solve the "Indian Problem", the national society created institutions for "Indian Policy", a special kind of interethnic relationship. The ideology of "indigenismo" has been developed to justify this policy and the accompanying practice. Examples of the forms indigenist practice can take are: social welfare or assistance (basically consisting of delivery of food, clothes, medicines and occasionally work tools; security protection (direct

military action controlling all projects and delivery of goods as well as training and incorporating members of the native population into special units of the army on the national borders); and social promotion through development programmes (which vary in the extent to which they have been prepared and scientifically researched).

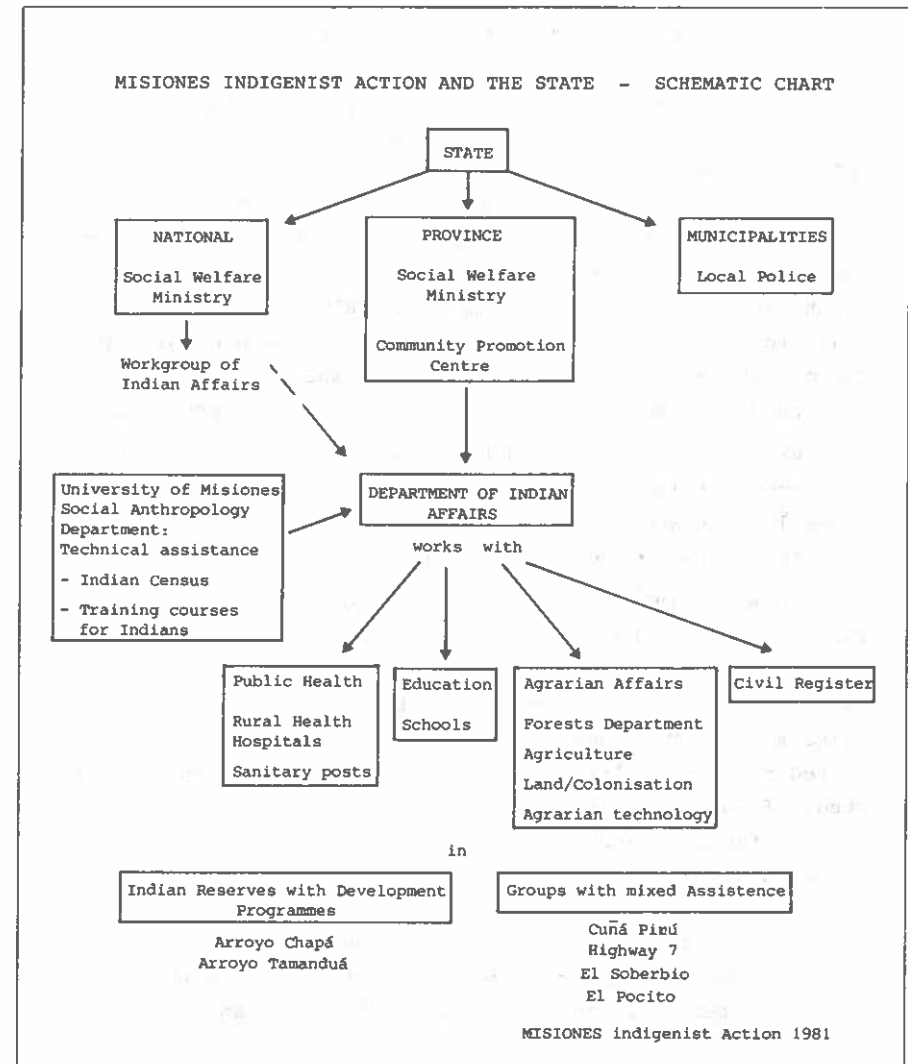
Different sectors of the national society make use of indiginist policy and the rest of the paper looks at this in detail. There are three sectors under review: the State, the Churches (both Catholic and Protestant) and the Centres of "Critical Indigenism for Social Action Research".

#### The State

Argentine law does not define the legal status of Indian thereby giving free license for the occupation of their lands and for their exploitation. The Indigenist policy of the state has been mainly based on paternalistic principles and oriented towards assimilation. Its work has oscillated between the types of action mentioned above. State policy towards indigenus people in Argentina depends not only on the political régime, but also on the good will, interest and background of those people working on indigenist policy.

An Argentinian military spokesman said in 1979, "there are no more Indians in Argentina". A civilian member of the government in Misiones told me once "why do you bother with development programmes, just let the Indians integrate through the best and easiest method - working as labour for rural enterprise". These quotes demonstrate that for many members of the Government, the rights of indigenous people do not exist. "With no Indians left in the country why should there be any special institutions for their support?" This argument can be seen in practice by government action.

Over the last few years, almost all the Offices and Departments of Indian Affairs were closed. At the national level a "Sector of Aboriginal Affairs" continued to work with a very small budget and practically no decision power. There is a



The State. (Chart by Jørgen Ulrich.)

"Dirección de Artesanía" in Formosa and Indian Affairs work is included within the "Dirección de Promoción de la Comunidad" in Chubut and Salta. In Misiones, the Social Welfare Ministry created a "Departamento de Asuntos Aborígenes" (Indian Affairs Department) in 1970. I worked there as the only member of staff for a year and a half, and from 1980 with a social worker. The policy of the department has always been oriented towards social assistance, although there have been some attempts at development programmes - mainly for agro-technical aid. These have the form of introducing modern machinery to improve the Mbya slash and burn agriculture, yet no facilities for training them to use the machines have been provided.

Political factions and the role of favouritism within government offices have manipulated the Indians into creating false leaders keeping them in control by means of documents which give their power some "legitimacy".

In March 1979 a "Programme of Integral Development" was established for the two Indian reserves in the Province. The programme, which was an old one, had been reworked by the Indian Affairs Department together with anthropologists from the University of Misiones. The first part of the project consisted of some preliminary research into areas such as: the study of land (to see possibilities for forestal and agrarian exploitation), a census of the Indian population of the Province and an analysis of the situation of the Indian people living there. The second part of the project was practical work such as moving the groups spread all over the province to the reserves, the social organization of production work, the use of modern machinery and development of health and education facilities.

With regard to the study of land I found that the two reserves had already come under a Correspondent Decree whereby the provincial government handed the lands over to the Social Welfare Ministry to be used by Indian groups living in the province. The Guarani peoples do not have ownership over this

land and can be removed at the whim of the Government or any rural capitalist enterprises. According to a "Study of Forest and Agrarian Resources", done by technicians from the Ministry of Agriculture, there were important resources in the two reserves. Woods and fertile lands make them very attractive for exploitation and cultivation.

The two reserves (Arroyo Chapa - 700 ha. and Arroyo Tamanduá - 3200 ha.) have been created out of land on which indigenous people from the Province had been settled for many years. However there were other inhabitants of the area. Many "intruders" (Brazilians and Eastern Europeans coming from Brazil) settled there and cultivated the land. When the reserves were established many "intruders" were told by the Mbya people that they should leave the land for them. In response the "intruders" tried to sell their houses and fields to the Mbya for absurdly high prices. When this failed to work the "intruders" turned to violence, burning houses, destroying crops and attacking native people to frighten them away from the area.

The Indian Affairs Department asked the local police to control the area and bring the recalcitrant "intruders" to justice. This did not work and the acts of violence continued. The Mbya could not organise any legal action because they had no recognised land titles and legally were in the same position as the "intruders".

The reserve resources were in effect open to anyone. Owners of sawmills extracted wood from reserve forests with no permits and "intruder" poachers stole animals and fish from the reserves. However when it came to their own subsistence, the Mbya were obliged to ask the Forestry Office for 'guides' when extracting wood from their own forests and for official permits for hunting and fishing - all this happening while "intruders" were simply taking what they liked from the reserve lands. This was completely unintelligible to the Mbya, one of whose leaders said "the products of the earth belong to all of us - that's what our father Namandú, says".

One technician from the Forestry Office evaluated the wood in the reserves and suggested the organization of its exploitation in the form of a cooperative. Unfortunately, lack of staff and money prevented this interesting possibility coming to fruition.

With regard to resettlement, the "Preliminary Report of the Census" was made by staff from the Anthropology Department of the University, students and also people from the Indian Affairs Department. This information enabled us to localize the groups, see their patterns of mobility and gain insight into their situation and style of life. This material as well as some Myba Guarani texts on culture patterns were provided by the IAD to technical staff from other collaborating state institutions. These collaborating bodies were asked to report on their visits to the reserves.

The Government ordered the transportation of the groups living in the areas around the reserves to settlements inside. It was necessary to talk at length with the Mbya leaders in order to explain the reasons for the move. One of the problems was the difficulty in settling together people who had traditionally been in conflict and were used to living in dispersed family groups. Another obstacle was the continuing violence by the "intruders" on the native population in the reserves which made many Mbya feel safer outside.

The total population of the Arroyo Chapa was 80 and in Arroyo Tamanduá, 150 once the relocations had taken place. However this number varied constantly because of the Mbya migratory habits. They would from time to time visit relatives in other areas of the province or go to Paraguay and Brazil—these trips could take weeks, months or even years. They would also move looking for better opportunities for work; in harvest season to the rural farm enterprises or at other times to nearby towns where they could sell their basketry.

Subsistence activities varied in the two reserves and there were different reactions to the IAD's agrarian projects. The smaller reserve, Arroyo Chapa, subsisted from very small scale agriculture and the traditional hunting, fishing and basketry pursuits of the Mbya. This work was supplemented by occasional wage labour by the men but because of the isolated location of the reserve this was infrequent.

Arroyo Chapa was led by Perumí, a traditionalist and somewhat conservative. He resisted IAD attempts to organize the agriculture but was inclined to accept basic material assistance for the reserve in the form of food, clothes and medicine. As production in Arroyo Chapa never reached subsistence level the reserve was always asking the Government for food supplies. This meant that a heavily dependent relationship developed.

Arroyo Tamanduá, being larger than Arroyo Chapa, was normally self-sufficient in food production and lay on good hunting and fishing territory. The leader of the reserve, Dionisio Duarte was acculturated and politically aware. The provincial authorities had considered him as the main Mbya chief for many years. His group could communicate easily with non-Indian people and the reserve had developed a strong and permanent infrastructure for organising their production activities. The result of this was that IAD found it much easier to coordinate their activities with Arroyo Tamanduá.

The people of Arroyo Tamanduá organised themselves for producing manioc, maize and tobacco for sale, tools and machinery were supplied by the Government. Some of the young men learnt to drive tractors and other farming machinery but this led to some problems. The local authorities and the farmers from the surrounding area would borrow farm machinery from the Mbya. They were used and often broke down but the borrowers would not repair them. This meant that tractors often were left broken for years. In addition to their own work, the people of Arroyo Tamanduá also worked as temporary labourers

on the land of these neighbouring farmers and also in the forestry, tea and yerba enterprises of the region.

In order to carry out the agrarian projects properly whether transforming agricultural activities or modernizing technology, technical agrarian staff were needed for tasks such as coordination, training, advising and organizing collective work with the Mbya. All the work that was done depended on the good will and free time of staff from the Agrarian Affairs Ministry or the National Institute of Agrarian Technology (INTA) and so there were difficulties in coherence and continuation of projects. State support was practically non-existent.

The people of Arroyo Chapa were far worse off in terms of food and general nutrition than those of Arroyo Tamanduá. Health problems were acute. Child mortality, diseases - particularly tuberculosis - and general health care caused enormous difficulties for the Mbya there. Health care consisted of fortnightly voluntary visits from a nurse who was the only staff of a sanitary post 20 kilometres from the reserve. She gave medicine, checked treatments, vaccinated and arranged transport for sick people to the post or to hospital. Sometimes she would seek advice from Mbya traditional doctors (the leader and an old woman). This nurse was really very respectful towards the Mbya and treated them warmly, opening herself to my suggestions that she should consider their traditional medical practices and medicines.

In Arroyo Tamanduá, until 1981, there were also voluntary health visits. A doctor and nurse from the town of 25 de Mayo would travel once a week to check the community. The neighbourhood primary school organized vaccinations. After 1981 a sanitary post was established within the reserve. The Government was persuaded to set it up on the advice of a doctor from the sanitary post at 25 de Mayo. He was one of the large landowners of the area and he used his political influence to get the reserve post started. Every day the post was attended



Medical Work. (Photo IAD. 1980.)

by an Indian nurse trained by this doctor. She worked in relation to the traditional doctor who was the wife of the chief. She was powerful and highly respected by indigenous and non-indigenous alike.

In 1980 the IAD organized a course for training native health promoters in order to enable the community to have a more independent and immediate health care. The participants on the course were: an anthropologist and social worker from IAD, an anthropologist from UNAM (Misiones University), a doctor and a nurse from the Rural Program for Public Health and 15 Mbya men (both from the two reserves and the groups outside which were being assisted by IAD). The Mbya participants had some basic knowledge of reading and writing in Spanish. The course involved one woman - the traditional doctor from Arroyo Tamanduá.

The non-indigenous participants had a basic knowledge of Guaraní language, cultural patterns and health vocabulary which facilitated communication. Work started with slides of everyday life shown to the participant groups as well as music and daily talk. From this we tried to encourage a discussion among the groups emphasising the importance of the exchange and inter-dependence of Western and traditional medicine. The course was held at a community center in Capióvi, near a Mbya group living at El Pocito.

There were some real problems bringing people together who came from different kinship groups and had different leaders. The conflict relationships which had existed between some of these people emerged during the two week period living together. But in spite of the sometimes violent discussions, it was a positive experience for them being together and organizing themselves, not only for the course, but for their own futures.

This training course was a new policy for the IAD, based on dialogue, self-organisation and instruction as to how to solve immediate problems in an independent manner. In order to make

the work on the course easier and to reinforce the responsibility and consciousness of the participants, we provided them with medical clothes, paper to write health reports on the patients, a brochure containing a simple and concrete synthesis of what they had learnt and photos of the course meetings.

When the course had finished we continued to follow the progress of the participants, seeing them every fifteen days and preparing more advanced training for them. Some of the Mbya course members had asked for further instruction during our evaluation of the program.

From a group of 16 people, only 3 worked as health promoters when they returned to their communities. It was very difficult for them to work at health care with any sense of continuity as sometimes the health promoters left their posts to do labouring jobs in nearby farms or forests. The situation in Arroyo Chapa remained the same after the course with the nurse still visiting fortnightly providing the local municipality were willing to help with transport.

The general lack of infrastructure and support staff was one reason why the health promoters were inclined to lose heart. The temptation to give up health work for more immediate necessities was strong and many felt fed up and frustrated.

No children went to primary school in Arroyo Chapa. Once I asked the chief whether he wanted any kind of school for the children and young people. He told me: "We already have one. Once a week I sit together with the children and young people and I teach them our history and traditions".

A primary school was established near the Arroyo Tamanduá reserve. The director was active in socially promoting the area and attracted native people to his school. He had a respectful attitude towards Mbya Gurarni culture and was open to talk about bilingual and bicultural education. However, in

As a whole the programme was viewed with suspicion.

It would have been interesting to coordinate such a programme together with the Social Anthropology Department of the local university. But this was not possible: each year the State cut back the budget of the Universities and particularly the Social Sciences such as Anthropology which is considered useless or dangerous in Argentina.<sup>1</sup>

Apart from the reserves there were several Mbya Guarani groups in other parts of the province. Near national highway 12, at a place named Cuñá Pirú lived a group led by Lorenzo Ramos. Its shifting population numbered on average about 60. They were related to groups on the Arroyo Chapa reserve. Lorenzo was young, strong and popular among the Mbya. He was

<sup>1</sup>. There have been some important experiences from projects of "Critical Indigenism" in Paraguay and Southern Brazil which may be of interest here. They were produced by workers in indigenist institutions, both official and religious, as well as from the universities. They criticised the policies of their institutions and posed the question of native peoples' rights to develop their own ethnicity. They participated with the group of anthropologists who wrote the "Declaration of Barbados I" in 1971 where they committed themselves to the liberation of native peoples and the changing of their own organizations. The projects in Paraguay were: Pai Tavitera (1972), Guarani (1976) and most important, Project Marandu (1971-5) for the training of native leaders. This last project was the impetus for native organizations across the continent. These projects were starved of funds and the last violently repressed. Participating institutions included the Catholic University of Asunción (Anthropological Studies Center) and international organizations which support indigenous peoples. In Southern Brazil, the Universities of Santa Catarina and Paraná, FUNAI (Federal National Indian Foundation) and international organizations set up Projecto Xokleng for a cultural change of the Xokleng which would respect their rights and ethnicity. This project was not successful at all. It was, as with the examples in Paraguay, repressed and failed to achieve its objectives. To think about such a project in Argentina under military rule was quite impossible.

practice, he just used his knowledge of the native language as an instrument for better communication with the aim of speeding up the process of "Hispanicization".

The Government completely ignored IAD proposals to establish bilingual and bicultural schools for the Mbya Guarani. The reason for this was that the "national language" must be taught at schools and Guarani was a "foreign language". This was in spite of the fact that the province lies within the Guaranitic Culture Area. Moreover as Misiones was in a "border area", it was extremely important that "national sovereignty" be controlled there - even more than other parts of the country.

The IAD elaborated and proposed a new programme to the national and provincial authorities in 1980 to work with both the native peoples inside and outside the reserves. The programme was oriented to the training, organization and self-management of the Mbya. The courses planned were: Guarani language and culture as a basic requirement for the staff of IAD and all collaborators; carpentry, leather work and pottery which could open up new independent work possibilities; health education, a basic knowledge of non-Indian law (documentation, rights and duties, land tenure); basic knowledge of commercial procedures and cooperative organization; information about where and how other Indian peoples live; and finally a workshop for activities for cultural expression which starting from their own cultural arts and crafts would develop into something which could save and reinforce their ethnic identity.

The Guarani course was rejected because the Government said that there was no need to master the Guarani language and culture in order to understand native peoples. They must learn Spanish and the "National" culture in order to live in Argentina. Some of the machinery for the practical work courses was accepted as technological aid is always considered useful. There was no money given to pay the staff to coordinate and teach. None of the other proposals received any reaction.

elected by this group and depended neither on the support of the State or the Church for his power. He felt himself to be essentially Guaraní yet he acknowledged the necessity to learn enough from the national society to survive and fight. The group lived on land which belonged partly to the State and partly to a forestry company and so eviction was a permanent threat. The IAD suggested to Lorenzo Ramos that he and his people move to the Arroyo Chapa reserve. However this was not possible because of a power conflict between the two leaders. The group received assistance from the IAD in the form of food, clothing, medicine and tools. The religious missions also helped in this way. Lorenzo Ramos made full use of the Indigenist agents from the national society with whom he made contact when receiving this assistance. At the end of 1980 a Swiss Protestant Mission, led by progressive Pastors, suggested that the group move to an area of land which had been bought especially for them. The object was to carry out a development programme. In April 1981 the group were just moving to this land.

Along provincial highway no.7 which crosses the Province from Jardín América in the west to Aristóbulo del Valle in the east, many small family groups were settled. All in all about 100 people were spread over the area. Their leader was Adolfo Ferreyra who also belonged to the kinship group of the Arroyo Chapa people. The lands on which they were settled belonged to the State, small rural businesses or farmers. They received assistance from the same sources as the people in Cuñá Pirú but to a lesser degree. They also refused to move to Arroyo Chapa because of kinship and power conflicts.

Some people from the Municipality of Aristóbulo del Valle prepared and presented to the Government a project for a natural reserve over a large part of the land between Jardín América and Aristóbulo del Valle encompassing both sides of the highway. They asked for land within the reserve for the people of Cuñá Pirú and Highway 7 to settle, There was no response

from the Government.

The men from Cuñá Pirú and Highway 7 worked mainly as wage workers for rural enterprises. They were easily contacted as they lived along the main roads. These enterprises would contract a whole group through their leader. Because of the more profitable wage-labour the people from these areas began to give up their traditional basketry work and fine wood-carving.

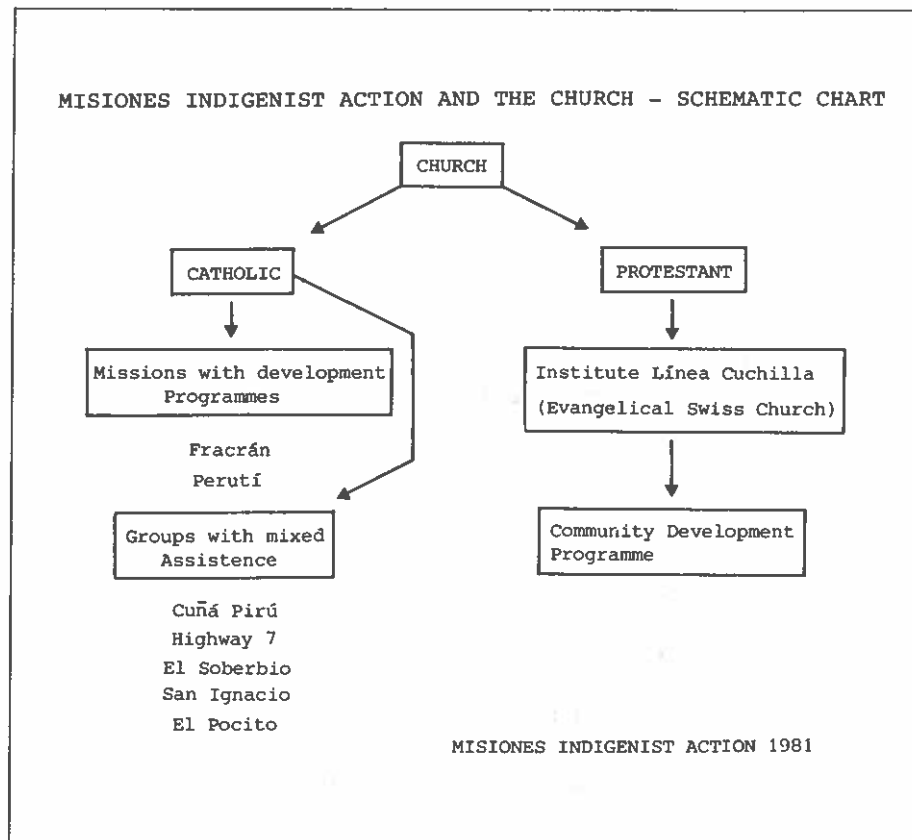
On the outskirts of Capióvi, a town situated on the national highway No.12 half way between Pasadas and Iguazú, lived the people of El Pocito. They numbered about 35 people and their leader, Bonifacio Ferreyra, was related to the Mbya of Arroyo Tamanduá. This group had been allowed to stay in their present settlement for 20 years by the owner of an area of forest land. The people of El Pocito were aided by some of the people in Capióvi. For example a school teacher brought them basic goods and medicines, materials for housing and tools. She also taught many adults to read and write and coordinated the sale of basketry.

El Soberbio, which was situated near the Uruguay river, by the Argentina/Brazil border, was inhabited by a group of about 150 people spread throughout private lands. The IAD together with the local municipality started the process of getting a reserve recognised for the area. The people lived on subsistence agriculture and their leader wanted no assistance except for land titles, medical care and support for basketry sales. The IAD gave this assistance.

#### The Church

The Catholic Church had two missions which carried out a development programme. The Mission land had been bought by the provincial bishop and the property was owned by the natives.

Fracrán was coordinated by a German nun who had been working in the mission for 11 years. The Mbya who lived there



The Church. (Chart by Jørgen Ulrich.)

were conservative and practised their cultural traditions to a high degree. A factor which supported this was the location of the mission in a reasonably isolated forest region near the Uruguay river. The leader was religious and highly respected by Indians throughout the Province. He was, however, always in conflict with Duarte, the chief of the Arroyo Tamandúá reserve.

For years this group lived from subsistence agriculture and basketry. The mission later provided support from the Catholic Church such as machinery, tools, seeds, housing materials etc. A school was established with Paraguayan teachers who were supposed to do "bilingual and bicultural education". As far as I could observe the classes, the teachers had no special background for their work. They did speak Guarani because they were Paraguayan but they did not have any particular respect for Guarani language and culture. Guarani was used to facilitate communication and to teach Spanish all the better. There were no special bilingual materials at the school.

There was a sanitary post at the mission with a doctor who visited once a week. Medicines were supplied by the Church. The nun frequently worked with IAD. She needed our support as sometimes there was not enough money supplied by the Church. In addition she was involved in conflicts with the religious authorities because she supported the Mbya leader's desire to preserve their traditional culture.

Peruti was the other mission. The Mbya there numbered about 150 people. They had a "mestizo" leader, elected by a native assembly which was organized by the Church. There was a history of internal conflict among this group and so for this reason there were always a population flow out of the mission. Some of these people moved to state reserves which caused some violent disagreements between the IAD and the coordinators of the mission. I have to say that I often felt we were just fighting over whether they were "my Indians" or "your Indians"-

that was real manipulation.

The coordinators of the development programme there were two people from Paraguay, a teacher and a medical student. Once a week an agrarian technician went there to check the agricultural work. A doctor from a nearby town visited the group once a fortnight. A Paraguayan teacher worked in the school doing the same kind of work as was done in Fracran. The mission also organized a stand on the main road for the sale of basketry and wood carvings.

Many family groups were spread around the outskirts of San Ignacio, a town near the Parana river in the Southwest of the Province. The Catholic Church assisted them by providing basic goods. Sometimes they organized courses for native people on subjects like "Health Education" or "Diets and Nutrition". This work was done in collaboration with Christian social organizations which worked with rural people in Santa Fé and Chaco.

The Protestant Church assisted the groups in the area of Cuñá Pirú, Jardín América and Capióvi from their education Institute Línea Cuchilla. Their main work was to buy the basketry which the Mbya produced and store it in a market they had at the Institute. They genuinely tried to pay as much as possible to the native workers and charged the buyers standard prices.

In 1981 the Institute bought a piece of land near their settlement and prepared a development programme, under the coordination work of a pastor. It was this pastor who arranged for the Cuñá Pirú group, under Lorenzo Ramos, to move into his land (as was mentioned above).

#### Centers of "Critical Indigenism for Social Action Research"

In addition to the elaboration and proposal for the programme for training and organization which was turned down by the state (see above), another parallel idea emerged at the time. In some towns there were people who assisted indigenous

groups, or who were interested in starting up some social work with them. These people ranged from being teachers, doctors and municipality employees to nuns and priests. When the IAD contacted them during its fieldwork among Guarani groups, it seemed interesting to coordinate all these concerned people into the actions of Indigenist Policy. This meant - protecting the Mbya from disturbance caused by manipulation from conflicting policy orientation and personnel; controlling the more paternalistic agents and complementing the small state budget with a supply of money raised from private sources.

The IAD promoted the development of this organization by contacting people and coordinating meetings in each town. During this work some progressive people appeared among the participants who were not oriented simply to notions of basic assistance, but also to the promotion of Mbya Guarani culture and the importance of considering native needs and desires. The IAD organized meetings every two months rotating among different parts of the province. In this way the "Coordinadora de Asuntos Aborígenes de la Provincia de Misiones" began.

The biggest difficulty in achieving a unified policy was the historical conflict between the State and the Catholic Church in the province. The IAD rejected the Church's policy of evangelization and missionary work as causing acculturation and ethnocide. But it has to be recognized that under the (then) military rule, the Catholic Church was more progressive than the State (for example the Church made use of documents of Puebla about the rights of native peoples and practised its social doctrine). The conflict was ameliorated somewhat by the participation of other sectors of society: the Protestant Church, Municipalities and people from non-native towns. In the end an agreement was reached about promoting socially the native population of the province with full respect to their language and culture. The "Coordinadora" was not a formal organization and eventually it was decided to transform it into

a body with legal status so that it could take decisions and ask for financial aid for projects. The idea was to create something which was parallel to the State which could act as a pressure on Government policy.

The group wrote statutes for the "Asociación Indigenista Misionera" and it was given legal status in 1981. It is interesting and important to note that this organization, which started as a mere assistance association, included in its statutes concepts such as: "all Indians of the province are members of the 'Asociación', with the right to vote, to participate in discussions and make requests according to their needs. When they feel that they need it, they can always get advice from the 'Asociación'. The 'Asociación' can plan and propose projects of social promotion as well as courses for native people and those working with them."

### 3. Native Self-Management

The indigenous people of Misiones never joined other indigenous organizations of Argentina, although they were invited. While the military were in power all the native organizations which had started in the 1970s had been starved of funds or dissolved.

In recent years there were some meetings by family heads to organize themselves and decide on a leadership for the Mbya of the province. Chiefs from Mbya in Paraguay and Brazil assisted with this but there were many conflicts between them and a single unifying leadership never emerged. The Mbya are not used to concentrated organizations such as 'Confederations' or 'Federations'. As we have seen above, the leader of Cuñá Pirú, Lorenzo Ramos, seems to realize that there is a possibility of a new kind of fight and organization for indigenous peoples. This involves incorporating an understanding of the workings of the national society in order to struggle for indigenous rights.

The Mbya have for centuries been the one Guarani nation



Mbya Guarani Girl. (Photo Bartomeu Mellá.)

which has not been subject to any form of domination. Penetration by the national society has been comparatively recent. Their capacity for ethnic resistance is high. Although they can present themselves as acculturated they are not to any great degree.

Finding and developing their own strategy of independent subsistence and a more egalitarian relationship with the provincial society are two goals for the future. However, they are a minority in Misiones - 1300 Mbya out of a total population of 446,357. They have neither political nor economic power.

The supporting action of a Critical Indigenist group could help, but the critical political and economic situation of Argentina accelerates indigenous peoples' incorporation into the wider society on the one hand, and prevents the operation of indigenous organizations and possible support group on the other. The Asociación Indigenista Misionera is an attempt at putting critical policies into action, but it is not any guarantee of effecting any critical results under the (then) military regime.

I felt completely powerless in the face of this dead-end perspective, and so I gave up my work. But in any case, I trust in the power of Mbya ethnicity to resist and find their way.

Amsterdam 1982

## AUSTRALIA: LAND RIGHTS

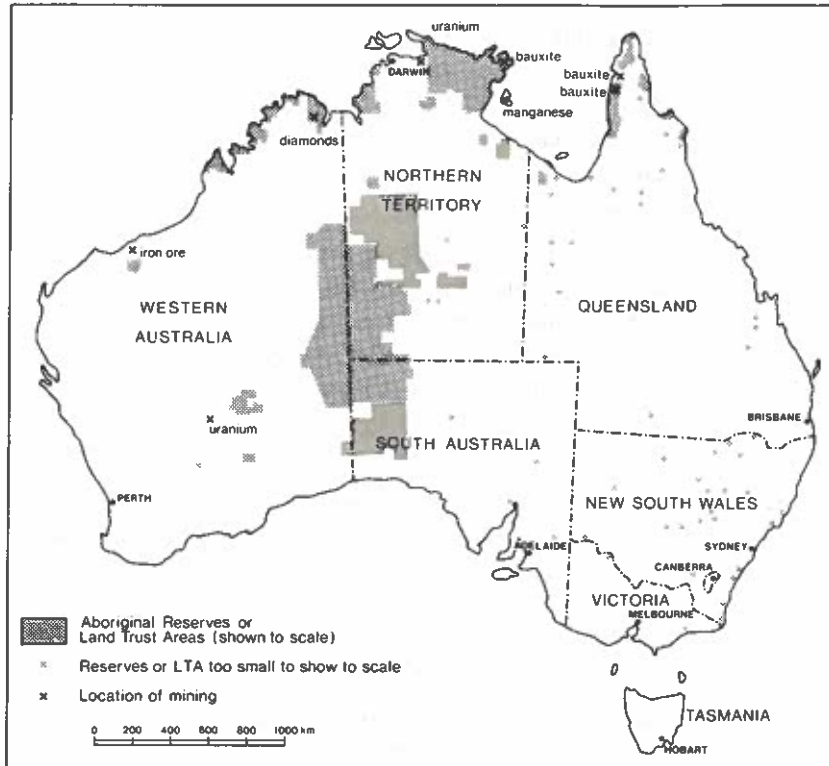
### The state of the nation

Aboriginal land rights, a term which has gained currency in Australia since the 1960s, has again erupted as a contentious and emotional issue, with the Federal Government committed to introducing national uniform land rights legislation. Mining, farming and racist groups are backing extensive campaigns against land rights and the Federal Opposition has decided to push them as a key issue at the Federal election after disowning its own trailblazing land rights legislation in the Northern Territory.

Aborigines officially comprise slightly more than 1 per cent of Australia's population (nearly 160,000 people), although this 1981 census figure is believed to be a gross underestimate. Victoria has the second lowest Aboriginal population (after Tasmania) while Queensland has the highest.

Aborigines own, lease or occupy reserves on nearly 12 per cent of Australia's land. This ranges from almost 450,000 square kilometres in the Northern Territory to about 34,000 sq km in Queensland, 19 sq km in Victoria and just one square kilometre in Tasmania. Most (614,000 sq km) is held as freehold (mainly in the Northern Territory), 210,000 sq km is mission reserve (mainly in Western Australia) and 74,000 sq km is leasehold (also mainly in WA).

The overwhelming majority of this land is barren or arid wasteland in the Northern Territory and South Australia. Aborigines cannot claim private land. If they are covered by land rights laws they can generally claim vacant Crown land which comprises about 32 per cent of Australia. However, this is misleading, because land claims are generally restricted to unreserved and unalienated Crown land, which is a much smaller percentage.



(Map by Jørgen Ulrich.)

### Bringing a principle down to earth

Most Governments see land rights as necessary to help restore what Aborigines lost through European settlement - a spiritual, economic and social base.

The basis of land rights legislation is the recognition of the prior occupation of Australia by Aborigines - a notion not accepted in Australian law, which abides by the legal doctrine "terra nullius", meaning Australia was an empty and unoccupied land when Europeans settled 200 years ago. The Federal Minister for Aboriginal Affairs, Mr Holding, has put before Parliament a resolution to provide such legal recognition.

The working definition of an Aborigine adopted for the administration of Commonwealth programs has three key elements: a person must be of Aboriginal descent, identify as an Aborigine and be accepted as an Aborigine by the community with which the person associates.

Land rights legislation allows Aborigines, generally through land councils, to claim a tract of unalienated Crown land on behalf of traditional owners. The council must prove either to a judicial tribunal or the relevant Government that its clients have traditional ties with that land. Other competing interests, for example, those of graziers or miners, are weighed by the determining authority. Not all land claims are successful.

Land rights for the most urbanized Aborigines, such as in Victoria and New South Wales, take account of the dispossession of Aborigines and the limited areas of claimable land by providing financial compensation (New South Wales) or expanding the criteria for claiming land (Victoria).

There have been several Government reports on land rights. The benchmark was the 1974 Woodward report commissioned by the Federal Government, which gave the basis for the Northern Territory Land Rights Act.

Out of this report flowed the five principles which the Federal Government has adopted for granting land rights: Aboriginal land to be held under secure title such as inalienable freehold title; protection of Aboriginal sacred sites; Aboriginal control over mining; access to mining royalty equivalents; and compensation for lost land to be negotiated.

These principles have formed a basis for State land rights laws although there have been some significant modifications.

Inalienable freehold title is the most secure form of title which can be given for land. The land cannot be sold or mortgaged. This form of title has been considered the most appropriate for traditional land rights because it is given to a community not an individual, and is generally given in perpetuity to Aborigines. This is consistent with the notions that land rights are a form of restitution and that Aborigines would not want to sell the land anyway.

Aboriginals have qualified control over mining on Aboriginal land subject to the national interest. The right of veto is consistent with the notion that Aboriginal people do not just own the surface of the land but belong to the land. It is also a concession to the historically adverse effects of mining on Aboriginal communities.

Once land rights have been granted to a community, Aboriginal owners have similar rights to other landowners under common law to prevent entry on their land. In the Northern Territory a permit is required if a person wishes to enter Aboriginal land. This does not apply to public roads which cross Aboriginal land.

Land rights do not recognise Aboriginal people as a separate or sovereign nation. People living on Aboriginal land are subject to local State or Territory laws.

#### Commonwealth faces a juggling act

It is telling that the Federal Government, which originally planned to introduce national land rights legislation this year, now prefers the term uniform land rights legislation (which will be introduced next year). The thrust of Commonwealth policy now is to seek mirror legislation in each State as pronounced in ALP policy from the recent national conference.

Except for the hastily prepared National Heritage legislation (which occurred because an earlier draft failed to gain inter-departmental approval), the Government has not moved on land rights despite urgent calls from Aboriginal groups in Queensland and the Northern Territory to intervene over local legislation they believed discriminatory.

The Commonwealth has not been prepared to play any cards at all. It is awaiting the outcome of the West Australian Seaman inquiry and the WA Government's legislative response. It is unlikely even to amend the troublesome Northern Territory model, which is regarded as inappropriate to deal with urban Aboriginal needs and mining.

Seaman is expected to recommend an entirely new approach to land rights with legislative proposals that cover not only Aboriginal interests but those of miners and pastoralists - for example, veto over mining.

Whatever he recommends, it is unlikely the WA Government will give veto over mining to Aborigines to the extent applying in the Northern Territory.

The Federal Government is already committed to further qualifying that veto when it does amend the Northern Territory Act, but there is every chance that Western Australia, given the torrid political climate over land rights, will greatly weaken Aboriginal control over mining. If it does that leaves the Federal Government in a politically excruciating position.

It must decide whether to introduce uniform principles which lower the Northern Territory criteria or bite the political bullet and top-up West Australian measures. Already the New South Wales Government has weakened Aboriginal veto over mining by excluding from their control a range of valuable minerals.

What chance of success would the Federal Government have if it took on two Labor Governments as well as the formidable Queensland-Tasmania axis?

It is possible the Commonwealth could introduce its own uniform principles and then, similarly to what happened with the uniform companies law, give the States a few years to get into line.

The tortuous process is rather like old-fashioned horse trading. Last year Mr Holding established an Aboriginal steering committee, representing Aboriginal groups such as the National Aboriginal Conference and land councils, to develop legislative proposals. This committee had its last meeting during February/March this year. Mr. Holding then deferred further discussions until the committee could identify some sort of Aboriginal consensus on the form national land rights should take.

Mr. Holding has also established a consultative forum for miners and farmers to discuss land rights legislation.

Between the States, diverse Aboriginal groups, miners and farmers, the Federal Government faces a delicate juggling act to produce acceptable legislation. Many Aborigines fear they will be the ones to lose out.

With the national election likely to take place in December, the Government is under considerable pressure to reveal its broad master plan, especially since the Opposition have unveiled its policy and the Seaman report will have reignited debate in the west. Some departmental officials are pressing for the early release of a Green Paper on na-

tional land rights.

But the harder political heads, faced with an apparently elusive Aboriginal consensus and growing rural backlash, believe it is better to wait. Just how the Government will deal with land rights during the election, other than to beat the anti-League of Rights drum, remains an enigma.

#### A national guide to progress Northern Territory

How the Federal Government amends the Northern Territory Land Rights Act, which may be unlikely until after the Federal election, will provide a strong indication of how far it is prepared to go in its national land rights package, especially over controversial issues like the Aboriginal right to veto over mining.

Nearly 24 per cent of the Northern Territory population is Aboriginal (or 29,088 people) and they have been granted about 32 per cent of the Territory in land rights. A further 13 per cent is under claims yet to be decided. There is virtually no claimable land left after that.

Under the 1976 act, claimable land was limited to the former reserves (about 19 percent of the Territory) and unalienated Crown land, which was generally unsuitable for pastoral and agricultural purposes. The NT Government has tried to defy the act by alienating vast tracts of land already under claim. In one instance it expanded the boundaries of Darwin by more than 4000 square kilometres but the High Court rules earlier this year that two such disputed land claims proceed.

Aborigines can veto mining but this veto is subject to national or state interest and has never been exercised. In addition to agreed compensation from mining companies, the owners receive royalty equivalents from the Commonwealth, with 30 per cent going to land councils and up to 30 per cent to a trust account for all territory Aborigines.



Ayer's Rock. (Photo Nina Jørgensen.)

The pressing political problem for the Government is the delays in mining exploration. While six major mining agreements have been successfully negotiated with the relevant land councils, these applied to projects on which exploration was already agreed before the act was proclaimed. No new exploration titles on Aboriginal land have been granted.

Since 1981, 165 exploration licences have been offered to companies but no agreement to undertake exploration has been completed. A major hold-up was a freeze on new exploration licences imposed from 1972, when the Woodward Commission was established, to 1981. The flood of applications after the freeze was lifted has often proved beyond the limited resources of the land councils, especially in Arnhem Land where it takes a long time to trace the traditional owners and identify sacred sites.

#### Queensland

Queensland has the largest Aboriginal population (nearly 45,000 people) and the third largest percentage Aboriginal population (nearly 2 per cent) but only 5 sq km of freehold title land is owned by Aboriginals. Nearly 20,000 sq km is reserve missions and 14,000 sq km is leasehold.

The State Government has not yet acted to give grants of deed in trust to Aboriginals or to instal Aboriginal management on reserves according to legislation it passed amid enormous controversy earlier this year. The legislation is not land rights legislation and fulfils none of the Woodward principles, although the grants of deed in trust are akin to a perpetual lease.

In effect the legislation disenfranchised Aboriginals from local governemnt elections. Some Aboriginal groups called on the Federal Government to intervene but it has kept a low profile, preferring to see if further amendments are introduced, as has been foreshadowed, and waiting until its

national land rights legislation is in place.

### Victoria

Victoria was the first State to grant Aboriginal communities freehold title to their land. In 1970 the State Parliament passed the Aboriginal Land Act which granted freehold title to the residents of the reserves at Lake Tyers in Gippsland and Framlingham in The Western District, amounting to 19 sq km or 0.01 per cent of Victorian land.

There are an estimated 6057 Aboriginals in Victoria (0.16 per cent of the population).

In March last year the Government introduced formal land rights legislation in the form a Land Claims Bill, but some Aboriginal groups have expressed reservations that it could reduce their autonomy and does not adequately address financial compensation. The bill also faces possible defeat in the Upper House. It provides for claims on Crown land over more than a third of the State except in cases of major public importance, such as power station areas. Most claimable land is unsuitable for agricultural use.

The bill does not create land councils but provides for land claims to be made by a group of at least seven Aboriginals. It provides Aboriginal right of veto over mining on Aboriginal land.

The Government is likely to defer parliamentary consideration of the bill until next year.

### South Australia

South Australia was the first State to introduce land rights legislation, under the Dunstan Labor Government, but there has been a watering-down of some land rights principles between the 1981 Pitjantjantara Land Rights Act and the recent grant to the Yalata community at Maralinga.

Barely 0.8 per cent of the South Australian population is Aboriginal (or 9800 people) and they have been granted nearly 19 per cent of the State in the barren north-west. In the largest single land rights grant, the Government handed over 10 per cent of the State to the Pitjantjantara people in 1981. Instead of introducing State-wide land rights legislation, the Government has proceeded on a case-by-case basis, similar to Canada and the United States.

The act provides for a veto over mining and for arbitration. During exploration, Aboriginal owners are entitled to compensation for social disturbance. Inability to agree on this caused a deadlock in negotiations over a major exploration agreement between the Pitjantjantara community and BHP, but BHP refused to participate in arbitration.

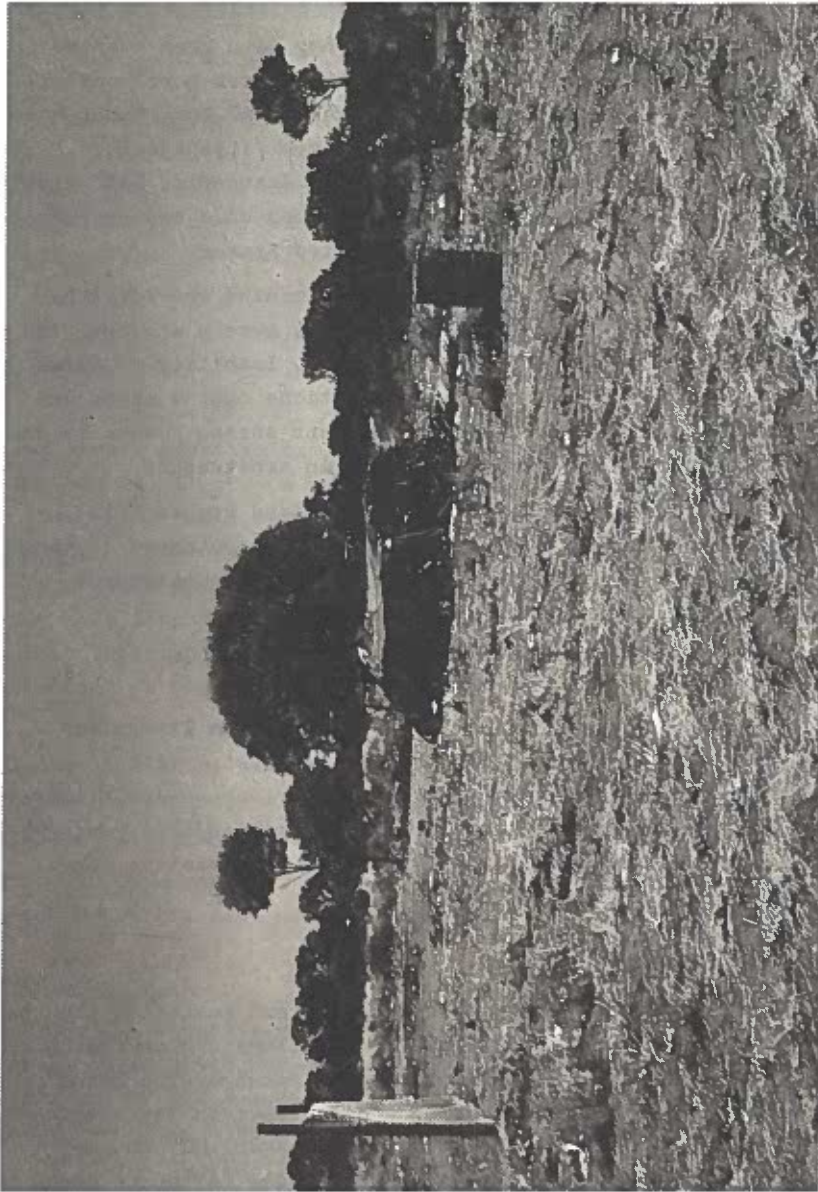
After the Government's Maralinga Land Rights Bill involving a grant of 76,000 sq km was nearly defeated in the Upper House, it dropped the rights for compensation for social disturbance before exploration.

### Tasmania

There is no intention on the part of the Tasmanian Government to introduce land rights legislation for its 2688 Aboriginals, who presently own only one square kilometre of land. Aboriginal groups took heart earlier this year when a State poll revealed that a majority of Tasmanians supported Aboriginal land rights.

### Western Australia

All eyes in Canberra are upon Western Australia and the Seaman inquiry which will have a great impact upon the Federal Government's national land rights package. The Burke Labor Government, elected with a commitment to introducing State land rights, appointed Mr Paul Seaman, QC, to inquire into possible legislation. He is due to report next



Aboriginee Camp. (Photo Nina Jørgensen.)

month.

In what has become the most comprehensive land rights inquiry ever in Australia, Mr Seaman has examined more than 200 official submissions and has interviewed more than 1000 people. About 2000 Aboriginal people have been involved in bush meetings since May last year.

In his discussion paper issued earlier this year, Mr Seaman noted that he was not convinced that the Northern Territory model was appropriate and suggested that land claims be based not only on traditional ownership but also on long association with the land. He also suggested that Aboriginal owners have veto over mining and negotiate compensation but not royalties.

The State's 31,000 Aboriginals (or 2,5 per cent of the population) own 36 sq km of freehold land. Another 190,654 sq km is in the form of reserve missions and 40,000 sq km is leasehold.

#### New South Wales

Like Victoria, New South Wales has introduced land rights tailored to suit the needs of dispossessed Aboriginals with limited access to unalienated Crown land. Accordingly, the State's Aboriginal Land Rights Act, passed last year amid Aboriginal protests, set aside 7.5 per cent of the State's land tax for 15 years for Aborigines to buy land on the open market. This should amount to \$14 million a year.

Aboriginal groups argued that the bill failed to provide adequate compensation for the highly urban Aboriginal population which did not want to seek land in "rubbish" areas of the State - which is virtually the only land left for claim. The per capita figure available for land purchase and other expenses of land councils is less than \$150 a year. There has only been one successful land claim on vacant Crown land so far under the act and Aborigines presently own

180 sq km (or 0.02 per cent) of the State's land.

The act also limits Aborigines' right of veto over mining, excluding Aboriginal control over gold, silver, oil or coal found on their land.

There are about 36,000 Aborigines in NSW comprising about 0.68 per cent of the population.

Source: The Age 16/8/84



BOLIVIA: ETHNOCIDE IN THE PANDO RAINFOREST

By Wigberto Rivero Pinto

Up until the end of the last century, right into the time of the Bolivian Republic, there lived thousands of indigenous people in the jungle area which is now the Department of Pando. They were owners of their lands and possessed a rich culture. They respected life, defended what was theirs and took care of their environment.

In numbers these people probably comprised the majority of the then Pando population forming families and communities throughout the length and breadth of the indomitable Amazon rain forest. They sought no more resources than were necessary to survive, harmed no one except in self-defence and respected only the wealth of land, rivers, animals and living.

The comparative quiet of those peaceful times was interrupted by the thunder of rifles and sound of machetes. It was the arrival of "civilised" white men who had come to conquer Gran Beni, country of the legendary "Paititi". They did not find golden cities or decorated temples, instead they found a variety of cultures and peoples who had a natural right to inhabit the region.

"Paititi" remained a legend, but rubber became history. In the old Noroeste colonial territory which lay above the llanos de Moxos, there began a period of economic boom and human disaster. The installation of outposts in the forest for the use of rubber exploitation heralded the extermination of indigenous ethnic groups there.

These indubitable facts can still enflame emotions in spite of the decades which have passed, yet, to know them is everyone's right and to keep quiet about them is to go against history and deny the truth to future generations who should never be ignorant about the past of their land and people.

### The Caripunas

The Caripunas were farmers who lived a sedentary life. They are known for having built large solid houses and making manioc flour. In addition they grew maize, sweet potatoes, plaintains, sugar cane, fruits and kept domestic animals. Hunting and fishing were also important activities.

These indigenous people occupied a region stretching from the the Río Datimanu (Orthon) to the Madera, an area with rivers suitable for good and effective navigation. Their trails went in all directions through the forest and the settlements would consist of about 50 families living in groups of houses surrounded by a stockade. At entries there would be sentries to sound the alarm in case of danger.

According to the accounts of the last century, the Caripunas would attack the crews of boats transporting goods from San Antonio to Mamoré to the east of the Río Beni. They also attacked the rubber settlements from the lower Beni and Orthon up to Puerto Rico. Their attacks were well prepared and details such as land and numbers of the enemy were examined closely. The fearlessness of their fighters was such that when taken by surprise and captured, they would prefer to die than to surrender to a white master.

When a Caripuna died in combat or in a fierce assault, he was taken immediately to the centre of the village where he was buried with other heroes. At this place the survivors would dance over the dead celebrating the triumph of immortality. During this they would call on the aid of their ancestors to ensure the traditional valor of the tribe (Gaceta de Norte 1893:1).

Much has been spoken of the rubber industry in terms of it being valient and upright, however its direct participation in the extermination of indigenous peoples is frequently overlooked. Nicolás Suárez, the "King of Rubber" played his part in this as the following story shows: "Before founding Cauchela

Esperanza, Don Gregorio died in 1873, killed by Caripuna "savages" on the Río Madera. As a result of this Don Nicolás Suárez as the only surviving brother of a family who had disappeared while exploring and treasure seeking in the jungle, with fearlessness and bravery as well as courageous patriotism, exterminated the terrible barbaric Caripunas who had caused so much harm to travellers on the Madera." (Chávez Portillo, 1947 El Beni y Nicolás Suárez, La Paz.)

This is only one example of the tragic fate which pursued the Caripunas. Today these people no longer exist in the Pando rain forest although some families managed to flee to the north settling on Brazilian territory.

### The Pacahuaras

Until the 1970s the Pacahuaras lived as nomads, fleeing from "civilised" men who hounded them down on every side. Their natural habitat was the forest area between the Río Orthon and Abuná along the rivers Negro and Pacahuara. They were friendly, peaceful and generous. They lived in communities of about 20 families with their own political system and economy.

Since the rubber boom began, the Pacahuaras have been wiped out like animals by the rubber seekers. Only two families have managed to survive this genocide. One made friendly contact with some outsiders and now lives on the Beni river. The other probably still lives nomadically near the Río Negro if they have not yet suffered the same fate as their ancestors.

In a short time, the Pacahuaras could be gone for ever. From being an organised people masters of a large area and with a large population, they have been wiped out like other cultures, victims of "civilisation" which kills indigenous peoples in the name of progress.

### The Araonas

Of all the ethnic groups who lived in Pando, the Araona were the most important. Extremely peaceful they lived all

through the rainforest zone. There we can still find living people who recollect their culture; we have the names of the their former huts and settlements along the countless rivers rivers of the Bolivian Northeast region.

The Araonas were massacred as a whole, just as a dangerous animal; their sad story is seeped in the bloody colonisation of the Northeast. To demonstrate the nature of this history, the explorer Fawcett notes, "A Swiss and a German from a settlement below the confluence of the Madidi have recently attacked the "savages" with great severity. They destroyed a village and carried out the killings of men, women and children who had their heads smashed against trees so that their brains spilled out...these fighters told me that in the settlements it was considered a great sport to throw Indian babies into the air and catch them on the point of a machete." (from Exploration Fawcett).

Today the Araonas live with their culture in decline, relegated to the headwaters of the Río Manupure confronting an uncertain and ever more desolate future. Their lack of numbers have seriously affected their traditional exogamic marriage practices which is lowering their reproduction capability. This situation has received no help from the State or any other institutions.

#### Other groups

Little is known of the other groups who once settled in Pando. There are occasional references and stories which show that they did exist but that for the single fault of living in lands coveted by the conquerors, they were killed genocidally. They only remain in memory or on an obscure page of history, the brave tribes of the Pamas, Capuibos, Sinabos, Perintin, Iñapare, Aras and Toromonas....

At the end of 1983, a trip on the River Madre de Dios brought to attention the existence of a nomadic tribe living on the Toromonas and Asunta affluents, almost on the Peruvian

border. If this information is correct, it is probable that these people could be Toromonas families who have fled constantly from settlers and who have remained uncontacted up to this date. We are justly afraid that the indigenous tragedy will again repeat itself; something should be done to protect the lives of those who have always been the losers.

#### The Indigenous Drama

Pando has lost the history and rich cultures of its one-time inhabitants. Many of the young will not have their own identity and will have to forge one on the basis of values which are foreign, imported and even destructive. They will not be able to talk of their ancestral heritage nor demonstrate their own indigenous characteristics. The indigenous tribes who once developed from their own consciousness have mainly been destroyed, taking with them the memory and the ideals of a people who rose against the oppressor.

The barbarity of those who were considered "civilised" consisted of taking pleasure in the sufferings of indigenous forest people who were powerless and unable to resist and who were subjugated to exploitation and death. This ethnocide took place in the lands of Northeast Bolivia and was hidden by short memories, yet these crimes remain unpunished by the judgement of history.

The future of these peoples should be all of our responsibility, for only by knowing about and participating in one reality can we avoid repeating such holocausts of indigenous blood.

The ethnic groups of the Bolivian Amazon, in spite of having been enslaved and assassinated, have never lost their will to live as free persons, as conscious human beings...as real Bolivians...

Source: Boletín Chitakolla Año 2 No.10 Julio/84

## BRAZIL: SITUATION OF THE INDIAN IN BRAZIL

By Mario Juruna DF

As a Xavante from the community of Namunkurá, as a representative of the indigenous communities in Brazil and also in my capacity as the 1st Indian with a seat in the House of Representatives and President of the Indian Commission in the Brazilian Parliament, I wish to draw the attention of my brother Indians in all continents to the situation of the Indian in Brazil and to tell of our efforts to free ourselves from the discrimination we Indian people suffer and of our struggle for self-determination.

After almost 500 years of colonisation by non-Indians in Brazil, the indigenous population, once estimated as more than 6 million has today been reduced to 120 thousand.

The frontiers marking the occupation of our territory are advancing at such a rate that, in the last twenty years, Indian lands have been reduced by more than one half.

During this same period the Brazilian government established the Indian Statute which was intended to save the last survivors of the Indian nations.

Since then the application of this law has been very difficult because it has encountered insurmountable barriers in the form of other legislation designed to promote economic occupation of those very areas already legally defended and protected for Indians.

Helped by idealist groups and defenders of Indian rights, the indigenous communities of Brazil, have themselves become aware of their role and are pushing their demands as far as armed struggle to gain respect for their territory.

The movements representing the Indian demands have been victims of repression, even armed repression, and several indigenous leaders have fallen, cowardly murdered by hired assassins. It is important to remember with great respect the name of our brave comrade Guarani Marçã de Souza, the most recent

victim of colonialist repression against the Indian people of Brazil.

Gatherings and meetings are being instigated among the indigenous leaders in Brazil and these congresses are gradually increasing the resistance of the indigenous people.

My own election as Federal Deputy, elected by non-Indians, is the result not only of my personal struggle in the defence of my people, but also a result of the awareness of Brazilian public opinion on the Indian problem.

My presence in the Brazilian Congress, was a shock for the more conservative wings of Brazilian society, who did not approve of seeing a representative from a conquered ethnic group alongside the members who were conquerors, participating equally in the voting and legislating.

In the face of cultural discrimination, I tried to assert myself as representative of the indigenous communities in the legislature and with the creation, on my proposal, of an Indian Commission of 25 members in the House of Representatives. I was elected its first President, an office I hold up to the present time.

This Commission followed from its establishment in October 1983, all the acts of the Government and the legislative power over the Indians of Brazil, and it has been a forum of debates for Indians to present in public the problems which they face.

In spite of the advances we made through our presence in the Brazilian Congress, the Government tried to annul my mandate as Federal Deputy, when last year, in full session of the House, I defended the Pataxó Indians and accused the Ministers of State of being compromised with the stealing of Indian land.

This demonstrates the difficulties which the Brazilian Indian still faces to raise his voice and defend that which means so much to us - our land.

At the present time, I am concerned at the situation facing my brothers the Sateré-Maué and Munduruku, who live in Amazonas. They have had their lands invaded by the French company Elf Aquitaine who are exploring for oil with authorisation given by the Brazilian government.

This French company Elf Aquitaine, besides invading indigenous territory, have, in their search for oil, caused incalculable harm to the Munduruku and Sateré-Maué through destroying the forest, shooting animals and leaving unexploded dynamite all over their territory, placing the lives of the Indians at risk. 4 Sateré-Maué Indians died as a result of handling Elf Aquitaine bombs and after several condemnations, 197 dynamite bombs were removed from within the forest.

Elf Aquitaine is fleeing from its criminal responsibility to the allegation that it should have paid compensation for the damage it has caused, which to this date has not happened, because the Indians are still protesting about the harm done and the responsibility of the company for the deaths of their brothers, as well as the risk which they have been running and still run with their territory completely "mined" by explosives buried throughout the whole Munduruku and Sateré-Maué area.

Also important is what happened to the Waimiri-Atroari people, who in 1970 were 3,000 Indians and today are scarcely 500. Their territory and reserve was cut by the road which links Brasilia and Caracas in Venezuela and as a consequence of this many Indians died.

In 1981 the Waimiri-Atroari reserve was deprived of a third of its area which was handed over to the mining company Paranapanema, for the installation of a project to extract cassiterite (consisting of a \$27,750,000 investment). The project started work right in indigenous territory and the Indians, the majority of whom had still not had contact with Brazilian society, survived only by fleeing the presence of the strangers in their own habitat.

In addition a hydroelectric dam is being constructed on the river Uatumã, known as Balbina, which by blocking the river will form a huge lake, flooding another part of Waimiri-Atroari territory.

Brazilian society through mining companies, agricultural projects, hydroelectric schemes and highways, is advancing speedily and haphazardly against Waimiri-Atroari territory provoking their extermination as a people. There have been many complaints on the matter, yet little has been achieved in defence of the Waimiri-Atroari.

I would like to draw your attention to the situation of 9000 Yanomami, who live in the frontier region between Brazil and Venezuela, who in spite of apparently having their land protected by a legal interdict, have found themselves invaded by garimpeiros (miners) looking for gold and cassiterite. They have been the target of attacks by companies of great power looking for rare minerals.

The Yanomami keep little contact with Brazilian society and are completely unaware that their territory could be the target of greater concerns which are being planned by organs of the Brazilian government and state or private companies who are trying to fill the area with development projects turning into the mainstream of Brazilian society. These plans have no consideration for the guaranteed natural rights of that Indian nation and according to the Constitution of Brazil itself.

With regard to the creation of a Yanomami Park, the Brazilian government is still studying the possibility. In spite of complaints and the efforts of all working in defence of the Indian peoples for assistance from the official body which provides such help, it is still very uncertain. Meanwhile there are occurring cases of epidemics which could be avoided and cases of other infectious diseases.

For this reason it is extremely necessary that the Yanomami Park be created immediately. The land should be demarcated and there should be an effective assistance work programme established in the area, principally for preventative medicine.

Comrades, barely four specific cases tell of the situation of the Indians of Brazil. The Munduruku, the Sateré-Maué, the Waimiri-Atroari and the Yanomami, these are among hundreds of groups in the same situation.

I have brought out these cases so that you can gain some notion of the situation of the Indians of Brazil. Even though each Indian Nation confronts its own problems there is nevertheless a common enemy - the ever-increasing advance of Brazilian society straight into the territories of the Indians.

This advance over the last 20 years has its cause in the unstoppable and uncontrollable race to accumulate wealth - a characteristic of the dependent capitalism in which Brazil finds itself facing its international creditors.

It is necessary for the International Community to raise its voice in defence of the indigenous peoples of the world, who lie under the threat of becoming victims of this economic order which is already overcoming the countries of the third world.

Indians want to be recognised as independent peoples capable of determining their own destinies and for this purpose it is necessary that their sacred lands, cradle of their tribes, be respected as indispensable areas for the survival of each people.

This is what I have to say.

Statement presented by Mário Juruna to the Working Group on Indigenous Populations, Geneva, 1984.

#### BRAZIL: NEW INDIGENOUS PUBLICATION FROM UNI

In July this year the União das Nações Indígenas - UNI - brought out the first edition of its Jornal Indígena. Dedicated to the victory of the Xocó people, it presents a clearly written and comprehensive indigenous perspective of events in Brazil. In the first editorial, Alvaro Tukano writes about UNI and the indigenous struggle in Brazil.

"A union of Indians is necessary because we are being watched closely by civilization. Today we are 200,000. We are only 150 tribes of which about 135 speak their own language. Were our ancestors so few in number? Certainly not. On the Atlantic Coast alone some 5 million died and on our northern rivers still more. They died fighting invaders of their land, they died from diseases while others died of hunger in captivity. The Portuguese colonists were barbarous because they enslaved and had no respect for our ancestors. Look! We have lost many people, undoubtedly more than 10 million. And today? How are we? The robbing of lands, fighting and the death of leaders still continues. Colonialism has not stopped but on the contrary the danger has increased. Our first "Indian Journal" sets out the dangers facing indigenous populations and whoever thinks there are none can read and comment.

"Before facts such as these Indians can no longer remain silent and cannot stand aside to let the invaders in. For this reason the Indians met for a second time in Brasilia to get to know their companions who had similar or greater experience fighting for their rights. Those tribes who have already had their lands demarcated can be certain that many other groups have not had their's guaranteed. For this reason they are fighting hard for their survival. The situation of the Indians in the north-east, such as the Pataxo, is very sad. At this moment they are suffering because groups of landowners threaten them with their henchmen and cowardly pay assassins to kill the Indians. The Indian suffers the most because he fights for his rights, because he knows that some

FUNAI employees are not working together with the Indian community. Do you know why they don't? Because they have no commitment and do not understand the Indians, and they think that they are there to give orders. But they are not. All FUNAI employees are paid by the Government to protect and help the Indian. So the Indians should make their demands to the functionaries and their superiors who are in their offices in Brasilia who live at public expense. Whites do not explain these things, they keep them hidden.

For this reason we have the Union of Indian Nations UNI to correct the bad work of these public employees. UNI exists because the Indian exists and it was created for the Indian. Today UNI has 46 member councils centred at various tribes. One cannot say that UNI does not exist for it exists where there are Indians. We have to make our own history. Each tribe must make its own history. You are UNI."

Jornal Indígena publishes a wide cross-section of news from all over the country. We reproduce here two examples:

1) Fazendeiro (farmer) kills Kiri Indian

The Kiri Indians from the Mirandela region of Bahia are suffering violence on a large scale.

When fazendeiros and armed men surrounded them with the intention of taking their lands, one Indian was killed and 3 more wounded.

In Aldeia Liri, where we held a big meeting in October 1983, the situation is getting more difficult.

Cacique Lázaro Liriri, directed the life of his community with much caution, avoiding starting any fighting with the fazendeiros. Since the time they had taken back their lands which had been invaded by the fazendeiros, the Liriri had suffered much persecution.

The invaders of Kiriri land never left them in peace and were constantly around and close by wanting to invade again.

FUNAI authorities and the governor of the state of Bahia are under an obligation to clarify what happened. They are responsible for punishing the culprits in case such Indian massacres should be repeated.

Anaf-Bahia, Associação Nacional de Apoio ao Índio - is preparing a big demonstration in Salvador, Bahia, to denounce this crime. We will succeed in punishing these murderers. Enough of invaders of Indian lands! Enough of murder!

2) News of the Kaingang

The Kaingang of Paraná made a very important meeting on June 26th. It was a meeting to speak of the case of Ximbanguê. In this area the Indians are being threatened.

Many colonist families are within Indian land. They are not allowing the Indians to make their fields.

Two years ago, a commission of Kaingang Indians, took a letter to the President of FUNAI in Brasilia asking him to resolve this question. Since then, nothing has been done and the Indians are in the same situation of wretchedness.

At the meeting which was held recently and was attended by Alvaro Tukano, representative of UNI-Sul, the Kaingang gave a time limit for FUNAI to get rid of the colonists. It is the second time that FUNAI had received such a time limit.

In thirty days from July 5th they would expect a solution from FUNAI on August 5th. If nothing was done by then they would decide the question themselves.

The Kaingang of Toldo Ximbanguê are asking that they be guaranteed their right to live in peace and want their land free of colonists. This area is 2,000 hectares.

The FUNAI delegation in Curitiba sent an employee there which solved nothing. The Kaingang demand the presence of the delegate of FUNAI in person to resolve the case. They say

that FUNAI until now only makes promises never specifies that the colonists should go.

The FUNAI delegate has said that on the 4th of July he would talk with the people concerned. We all wait for this visit and demand a solution.

These examples show the good work being done by Jornal Indígena. IWGIA wishes this new publication a long future and success in its struggle for the rights of the indigenous peoples of Brazil.



#### CANADA: MINISTER INTRODUCES INDIAN SELF-GOVERNMENT LEGISLATION

On June 27th this year, John Munro, Minister of Indian Affairs and Northern Development presented the Indian self-government bill. This long-awaited legislation was prepared by Indian leaders and officials from the Department of Indian and Northern Affairs. Senior government advisers diluted it and provided for more controls. The bill has been accused of being paternalistic and not strong enough by Indian leaders although, as in the case of the proposed Australian legislation reviewed in IWGIA Newsletter no. 37, it is a policy shift. Although a conservative government is now in office in Canada, it is likely that something like this will become law in Canada in the next couple of years.

In the fall of 1982 the Department of Indian Affairs and Northern Development put forward discussion papers which outlined a devolutionary approach to self-government, based on the existing system of Band Governments. This approach was criticized partly for its content and thrust, but also for the perceived lack of formal consultation with Indian people.

As a result, the federal government decided to continue its initiatives in this area but to expand its consultation process. A Special Committee on Indian Self-Government was mandated by the House of Commons in late 1982 to conduct hearings and make recommendations. The Committee consisted of members from all three political parties as well as an ex officio Indian member, and a number of native liaison members who were engaged in the research and drafting of the report. The Committee tabled its unanimous report on November 3, 1983. It contained 58 recommendations, the foremost being the need to establish a "new relationship" between the federal government and Indian people, primarily through the legislative and constitutional recognition of Indian self-

government.

On March 5, 1984, the Minister of Indian and Northern Affairs tabled the Response of the Federal Government to the Special Committee Report, indicating the government's acceptance of the need for a new relationship and its intention to introduce General Framework Legislation for the recognition of Indian Nation Governments.

The legislation, which was eventually introduced in Parliament on June 27 is an enabling bill which sets out a general framework within which detailed provisions for the recognition and implementation of Indian Nation Governments may be worked out. The legislation respects the diversity of Indian Nations by providing a base from which a wide range of specific arrangements might be possible. The legislation will apply only to those Indian Nations who choose it.

In his speech John Munro said that "the legislation reflects the major recommendations of the committee in the following way:"

1. It is the legislative measure which provides for the recognition of Indian Nation Governments. It does not displace nor is it a substitute for constitutional processes and initiatives.
2. It makes provision for areas of competence to allow Indian Nations to govern themselves effectively, including the three areas of education, child welfare, and health care which were noted to be of critical concern by the committee.
3. It gives Indian Nations clear legal capacity. This is a necessary first step to assist in the economic development of a nation.
4. It reflects the principle of political and financial accountability to members.
5. It provides for the necessary flexibility which will accommodate the range of government arrangements which are required by the diversity of Indian Nations.

6. It deals with the protection of traditional lands immediately outside the lands over which Indian nations have full jurisdiction.
7. It addresses the issue of multi-year agreements including grants and powers of taxation negotiated between the Federal Government and the Indian nations.
8. It creates the recognition panel while not precluding the possibility of other structures; this panel is the key structure of government recommended by the Committee.
9. It foresees the recognition of Indian nations which may be comprised of more than one band.
10. It gives Indian nations the legal power to deal with resources with respect to which they have a legal interest.
11. It allows Indian nations to develop their own membership codes.
12. It is one more step in the attempt to establish a new relationship between the Federal Government and Indian nations.

"The main steps to recognition as an Indian government will be:

1. Indian bands will consult with the minister responsible and the panel on the requirements for application for recognition.
2. Subject to certain requirements, the minister will provide one-time funding to the applicant to develop information which will be required by the panel in particular with respect to an internal constitution and to engage in the negotiation process on the funding agreement relating to the exercise of certain powers. Funding will also be provided for negotiation of the exercise of additional powers at the time of or subsequent to recognition.
3. Once the Indian nation has formulated its written constitution, established a membership code and negotiated a funding agreement with the minister, it will submit its application to its membership for ratification.
4. The application will then be submitted to an independent recognition panel that would review it, satisfy itself that the criteria and requirements of recognition had been met and, if satisfied, issue a recognition order."

Specific criticisms of the proposed legislation centre around the composition of the panel which will determine the recognition of Indian Nation Governments. Three Indians and three Non-Indians will have an "independent Chairman."

Areas such as economic foundation and land rights are not dealt with in the legislation nor is the resolution of outstanding land claims. This is in complete contrast to the Australian proposed legislation which concentrates entirely on land rights to the exclusion of self-government.

The most clearly defined criticism of the Canadian government's approach was published in a recent article by Marie Smallface Marule. The article makes the following points on indigenous governments:

"The legislation of rights of Indigenous governments in Canada should follow the establishment of the principles of Indigenous rights in the Constitution. Efforts to reverse the process must be suspect. That caution is required is emphasized when consideration is given to the present historical period within which the Indigenous Nations of Canada find themselves. Decolonization is not complete and re-organization of internal mechanisms of self-government as well as the philosophies and ideologies within which this re-organization must take place have not been finalized. Therefore, any legislative action at this time would not be determined by Indigenous peoples in the communities and consequently must necessarily be taken within a neo-colonial framework.

"The crucial basis for Indian self-government is the economic one. The right of Indigenous Nations to their territories, resources and the control of these is only one important aspect of the viability of Indigenous governments. Other aspects are the need for just compensation for appropriated wealth derived in the past at great cost to Indigenous Nations and an equitable share in the present and future wealth. A further aspect of indigenous economic rights is the need for protection of their continued enjoyment of these. This includes adequate protection from adverse effects of economic activities around their territories such as pollution of their water, land and air resources. Most important, is the right to prior consent before any changes are made to constitutional and other legal provisions protecting Indigenous rights.

"Finally, if Indigenous self-government is to be a realization of self-determination, the time and means for determining its provisions is required. The constitutional provisions required are well understood in terms of principles and do not require the detailed specifications of legislation. The present negotiations on constitutional protection of Indigenous peoples and their rights are proper only on the basis of general principles. Unfortunately, the government of Canada and its provinces have approached these negotiations with very limited, specific and legalistic concepts of Indigenous rights. Furthermore, the whole constitutional negotiating process gives jurisdiction to provincial governments in Indigenous matters, therefore promoting conflicts of interest while undermining Indigenous rights.

The framework of discussions provided by the Government of Canada for both legislative and constitutional negotiations is one of charitable indulgence of a great power for its impoverished subjects. It refuses to enter into negotiations recognizing the Indigenous right to sovereignty. Without this recognition, rights provided by legislative or constitutional processes will be on the basis of political will of Canadian governments and not on the basis of recognition of the existing rights of Indigenous peoples as provided by International Law."

Sources: Marule, M.S. Indian Self Government in Canada WCIP Newsletter 4 Feb, 1984.

Communiqué, Background and Statement by John Munro MP  
Ministry of Indian and Northern Affairs, Canada.

## EAST TIMOR: EAST TIMOR PRELATE REPORTS ABUSES

by Peter Wise

The population of East Timor, caught up in Indonesian efforts to stamp out a guerrilla movement on the island, is suffering "disease, hunger, persecution and the loss of freedom," according to the head of the Southeast Asian island territory's Roman Catholic Church.

In a letter sent to this Portuguese capital, the Rev. Carlos Filipe Ximenes Belo, the apostolic administrator of the East Timorese capital, Dili, wrote that Indonesia has stepped up its antiguerrilla operations in the nine-year effort and the rural Timorese were being forced to abandon crops and to fight against their countrymen.

(In Djakarta Wednesday, Secretary of State George P. Shultz met with Indonesian Foreign Minister Mochtar Kusumaatmadja. A U.S. spokesman said Shultz voiced concern about human rights, especially the situation in East Timor.

A letter to Shultz signed by 123 House members last week said more than 100,000 people had perished as a result of the Indonesian occupation, and called on Shultz to raise the issue. The spokesman said Shultz did not mention or present the congressional letter.

(In Washington, a State Department official who visited East Timor in February, the time of Belo's letter, differed with the account by the churchman. The desk officer said he found fighting to be sporadic and the Indonesians to be clearly in control, with problems of food supply generally resolved and medical care improved.)

Belo, who is a native East Timorese, wrote of the alleged forcible recruitment of local fighters, "It is surprising that in this island of so many battalions, helicopters, tanks and bomber planes, " the Indonesians should need such militiamen.

Belo's letter is a rare independent account of events in East Timor, where Indonesia has imposed a rigorous news blackout since it invaded, and subsequently annexed, the former Portuguese colony in 1975. Dated Feb. 11, 1984, it was smuggled to Belo's predecessor, Msgr. Martinho da Costa Lopes, who retired here two years ago. He showed the letter to foreign journalists.

Numerous allegations of the use of torture, largescale jailings, disappearances, famine, torture, and the death of more 200,000 Timorese in the wake of the invasion have been difficult to confirm or dismiss because Indonesia has restricted access to the territory.

The churchman's letter confirms earlier reports that the Indonesian military launched a major offensive last summer with the aim of defeating the guerrillas of the Revolutionary Front for an Independent East Timor, the national resistance group known by its Portuguese acronym, Fretilin.

Belo wrote that the Indonesians "thought they would clean up the situation by the end of December 1983, but we are already in February and the end of the military operation cannot be seen ... there are 10 battalions in Lospalos (a principal town) alone," but "the Indonesians cannot win the war".

His account is corroborated by more recent reports of refugees coming here. One who arrived last month said military activity was intense, with frequent arrivals of troop reinforcements and a military hospital plane flying wounded Indonesian soldiers home weekly. Refugee estimates of the military strength in Timor vary from 10,000 to 20,000 troops.

One refugee said he had seen the funerals of two soldiers killed last month in an exchange of small-arms fire with resistance fighters on the outskirts of Dili, suggesting the combat zone was approaching the capital.

In his letter, Belo described widespread jailings throughout the island, with 600 imprisoned in Dili alone. They are

going to be tried in military courts. Other people have disappeared. We do not know if these courts are impartial or if there are defense lawyers," he wrote.

His account was supported by informed western sources monitoring the situation in Timor who said several hundred suspected Fretilin sympathizers are thought to have been sentenced this year by secret military courts. Recently arrived refugees said repression was causing large numbers of people to flee the towns for the mountain strongholds where Fretilin is based.

Many of them said they intended to side with the guerrillas. Many civilians sought refuge in the bush with Fretilin in the early years of the conflict but the insurgents later urged them to go back to the towns as civilians fell victims to bombings and food shortages.

The Catholic church "is being persecuted and accused and our schools are being searched and the students interrogated," said the prelate.

Source: The Washington Post, July 12, 1984.

## INDIA: ECOPOLITICS AND THE ADIVASIS (1)

by: Tapan K. Bose

The tribals who once protected the forests which in turn protected them, are engaged in a fierce struggle all over India against the predators otherwise known as industrialists, forest contractors and politicians to prevent any further damage to the ecological balance. Fortunately for the tribals and for the ecological system, this struggle is now becoming a part of the wider struggle for democracy and socialism.

On April 20, 1981, about 100 Gonds were killed in a police firing at Indravelli, a small market town in the tribal district of Adilabad in Andhra Pradesh. The Gonds had gathered to hold a rally and a meeting under the banner of Ryotu Coolie Sangham to protest against the alienation of their lands and harassment by Forest Department officials. On the evening of April 19 '144 Cr PC' was imposed on Indravelli and the whole area swarmed with Armed Police and Senior Officials. "As the Gonds bewildered by the sudden cancellation of permission for the meeting were pleading and insisting on their right to go ahead with their meeting the superintendent of Police forced the Revenue Divisional Officer to order firing. When they tried to run away in panic and confusion, they were met head on by an open jeep emerging from the local high school whose armed police occupants fired at point blank range upon the fleeing Gonds, the policemen hiding in the trees and haystacks nearby also opened up their trained guns to add to the toll."

The fleeing Gonds were chased for at least 30 km from the spot as dead bodies were found in Utnur town, Ichoda town and in Muthnor village. It was an unprovoked premeditated murder of an unarmed people by the law enforcement machinery of the state. All the Gonds had carried "were lathis" (long bamboo poles), which they normally take with them while travelling.

(1): Paper prepared for Seminar on "Environment and Peoples Action", June 21-22, 1983, Gandhi Peace Foundation, New Delhi.



(Map by Jørgen Ulrich.)

After the firing, most of the jails in the district and nearby ones were filled with Gonds arrested in the "Taluks" (county) or in Indravelli, including those who had come to attend the weekly market (Shandy) at Indravelli.

What the Andhra Government did in Indravelli on April 20, 1981, was a repetition of what the Bihar Government had done in the iron mining township of Gua in Singbhum in September 1980. About 3000 tribals had gathered at Gua to present a memorandum to the Forest Range Officer and the Block Development Officer demanding their rights to the forest of the area and the restoration of their lands. The tribals were also protesting against atrocities committed by the Bihar Military Police who were posted in large numbers in the area. As they were finalising the memorandum, a contingent of the BMP with two magistrates arrived at the meeting. The tribals were told to disperse as 144 Cr PC had been imposed on that area. The tribals presented their memorandum to the magistrates and dispersed. However, as they gathered at the local bazaar to hold a meeting, the magistrates reappeared with the police and asked their leader to surrender. The leader surrendered. He was taken into custody and the magistrates left the scene taking him in their jeep. The police however, lingered on. They encircled the tribals with rifles pointing at them. In the face of such provocation, a second speaker got up to tell the tribals to disperse peacefully. As he was speaking, the police pounced on him and started beating up the speaker after dragging him down. The tribals protested and tried to restrain the police from manhandling their leader. This provoked the police to open fire. In all, 37 rounds were fired indiscriminately, killing and maiming innocent people. The tribals who carried bows and arrows retaliated in self-defence. As many as four policemen and 25 tribals were killed on the spot and hundreds injured. Curfew was immediately imposed, and a news black-out attempted. It is learnt that during that week armed police visited several villages and local hospitals and killed injured tribals in cold blood.

### History of Exploitation

For the past 30 years, the tribal inhabitants of Jharkhand area have been demanding a separate state. In 1952, when the Jharkhand party was formed, they had 32 members in Bihar assembly and had earned the prestige of being the main opposition party. Historically, Jharkhand had a distinguished position of its own in the early habitation of India. The Jharkhandis led a fairly independent life even under the Mughal rule. The British had changed this area into a region of colonialist rule and plunder. The Jharkhand people waged relentless struggle against the British to defend their independence. However, they were no match for the tricky manoeuvres and military might of the British. Consequently, the entire region plunged deeper and deeper into misery.

Chotanagpur Area is considered the Ruhr of India. During the British period and after independence, massive industrial development took place in this area. Coal, iron or other important minerals and rich forests attracted investors from all over. Some of the biggest industrial units are located in this area. Yet the local tribes have not only not benefited, their condition has fallen from bad to worse. Industrialisation and urbanisation, till 1971, displaced 17 % tribal families from their homes. It has also successfully kept the local population away from this modern sector. Although, tribals comprise between 40 and 60 % of the total population, in none of the major industries is the labour force more than 5 % tribal; in some of the biggest firms like TISCO (Steel works) Bharat Coking Coal Ltd., (Dhanbad) tribals are much less than this. As a result, the urban, industrial and mining developments have had almost no advantages for the tribals. These have become small, modern non - tribal enclaves in the middle of large areas of rural, tribal underdevelopment. The tribals of this area are being pushed out to find work in the tea plantations of Assam and Bengal, in the brickfields of Uttar Pradesh and Haryana, in the jute mills of Calcutta and in the construc-

tion industry in northern India.

For 26 years, Jharkhand party had been agitating peacefully to draw the Government's attention to the plight of its people. Having failed, on the 15th of August, 1978, it had decided to take to the path of "direct action". Since then, the politicians, Government and a section of the press have all become very critical of this movement. It has been called, "a fanciful daydream of the Tribals", "manoeuvring of the missionaries", "a conspiracy of foreign agents" (CIA or the like). Some people view this movement even as an expression of narrow sectarian mentality.

The firings of the tribals in Gua and Indravelli and the popular reaction to the Jharkhand movement in Bihar, is symptomatic of the ruling class's attitude towards the tribes in India. Be it Gonds, Bhils, Santhals, Warlies, Kols, Mundas, Oraons in the center belt or the Nagas, Mizos, Meiteies and Boro Kacharis of the North-east, wherever these tribes are demanding their rights and a just share of the resources their areas, they are being dubbed as anti-national, parochial elements. If they become militant, they are being immediately declared as extremists. Behind this smoke-screen of defending national interests against parochial tendencies and democracy against extremist violence, the Government hides its blood-stained claws of greed, exploitation, plunder and mass murder.

### Mineral and Forest Wealth

In 1971/72 India's mineral output was Rs. 5426 million and timber Rs. 989 million, a total Rs. 6415 millions. As much as 85 % of India's mineral wealth comes from the south-east-resources triangle of Orissa, east Madhya Pradesh, parts of West Bengal and the Chotanagpur area of southern Bihar. At taluk level, most of this is mines in predominantly tribal areas. Similarly, over 50 % of the national timber output comes from tribal areas. Even on the most conservative estimate, in 1971/72, nearly Rs. 4000 million of forest and mineral resources had come from the areas of tribal predominance. The total ex-

penditures on the special programme for backward classes in the Fourth Plan period, from 1969 to 1974, was Rs. 1,410 million. On an average the annual expenditure could not have been more than Rs. 28.2 million. When we juxtapose this input of Rs. 28.2 million with the output of resources worth Rs. 4000 million extracted from the tribal area, we have the motive behind the Government's reaction to the tribal movements. At this point, I feel like quoting from two sources, one the Prime Minister, Mrs Indira Gandhi and the other from a study jointly sponsored by the Government-financed academic institutions like the Indian Institute of Advanced Studies and the Indian Council of Social Science Research. Mrs Gandhi had said in 1969 in Ranchi, that the... "big industrial complexes have not come up to peoples expectations", and that "The Adivasis have been denied their due share". Shiri S. C. Dube in his introduction to the study titled "Tribal Heritage of India" concludes, "in its handling even of the turbulent situation in tribal areas the Government has shown admirable restraint, patience and imagination. With some lapses, its policy has been fairly consistent: Understanding accomodation, and reconciliation have been its watchwords... It has consciously tried to stabilise cultural pluralism and to harmonize tribal interests with those of the region and country". The first is an example of understatement, the latter is that of disinformation.

As much as 50 % of India's tribal population live in the forest areas. As with industrial development and mining, the first commercial exploitation of forest resources took place under the British rule, But it was after 1952 that most severe restrictions were placed on the traditional tribal rights to forest. The 1952 forest policy converted all the remaining rights of the tribals into "concessions" to be controlled by forest departments. The result of these restrictions was that the tribal, the one time "lord of the forest" was reduced to the status of a "wage slave" at the mercy of the forest department and the forest contractor. The forest departments consider the tribal villages in the forests as "labour camps". In order

to survive in the forest these tribals have to work for the forest department at very low wages whenever it requires them to, even if this conflicts with crucial periods in agricultural cycle. they have no tenancy rights in the villages and are thus subject to summary eviction if they failed to comply with the department's demands.

#### Commercial Forestry

The forest departments have been exploiting the forests essentially for commercial purpose. This had led to massive destruction of forest resources in the Himalayas, North-East and in the central Indian forest belt. The result is serious imbalances in our ecosystem. Since the early 70s the commercial exploitation of the forests has intensified because of the increased requirements of paper mills, rayons and plywood industries. Forest Development Corporations have been set up in 18 states to plan commercial species on extensive scale primarily to serve industrial needs. Vast areas of good forests have been clear felled, the timber sold to generate profits for those corporations and, deforested areas replaced by commercial species like teak, eucalyptus and tropical pines. Fruit trees, especially wild mango, have been felled because the wood of these trees is suitable for plywood industry. Destruction of bamboo forests by paper mills in Southern India has thrown thousands of basket weavers out of job. Hundreds of miles of road have been constructed in the central Himalayas without regard to the geological and forest preservation aspects. Once the roads were laid down, virgin forests became accessible to timber contractors. Uttarkhand, once known for its dense forest of oak, burans, pine, deodar and other species, now lie denuded.

Along the Himalayan rivers hundreds of kilometres of land strips are now cluttered with cactus, and the whole region is gradually turning into desert. The result of this shortsighted forest policy was that in 1970, 1000 sq. km area was inundated by flash floods, which washed away 6 motor bridges, 10 kilometres of road, 366 houses and destroyed 500 acres of standing

paddy crops on the hill slopes. The one-mile long and half-a-mile wide Guana lake which was about 100 metres deep was levelled with slit, sand, stones and log debris. Several canals and land even 100 km away from the flood source were choked. In 1977, 10 sq. km area in Pithoragarh district was crushed under landslide. On August 6, 1978, occurred the biggest landslide of the country in the Gairaridhar catchment of Kanoldiyagad a tributary of Bhagirathi, in Uttar Kashi district. This 3.75 km long and one km wide landslide had created two separate lakes in Bhagirathi that eventually burst and destroyed several villages. The Manori-Bhali hydro-electric project was severely damaged. In Tehri district, landslides have destroyed thousands of acres of forest and farmland.

In Kashmir, the situation has gone so far that even the Chief Conservator of Forest had to warn the state that the forests of the state were in "worse condition" than when conservation began 100 years ago. He has also blamed faulty resin tapping for drying and eventual death of thousands of pine trees in Kashmir. According to him, Rs. 1.500 million will be required over the next 20 years to rehabilitate the pine forest.

In Himachal Pradesh, the situation is not much different. Forest has been one of the main victims of this revenue-hungry state. In 1977-78, Hamichal exchequer had earned Rs. 92.7 million from timber. In 1980-81 this had shot up to Rs. 160 million. Out of the 0.56 million cubic metres of timber felled in 1980-81 in Hamilchal, 85% was for commercial purpose. Upper Assam has native trees like Hollong, which are best in the world for plywood. With the improvement of roads, communications and railways, the natural forest in Upper Assam and the North-Eastern States, had become easy prey to the plywood industry. As many as 52 plywood factories operate in Assam alone. In 1981 the plywood industry of Assam exported Rs. 100 million worth of plywood out of the state and contributed Rs. 200 million to the Central and State exchequer. The wood supplied to the millers is highly subsidised. Timber priced at Rs. 1.485

per cu. m. in the market is given to the plywood factories at Rs. 500 per cu. m. for tea chests and Rs. 740 for plywood. As Assam's forest can meet only 22% of the needs of the plywood industry, the rest comes from Arunachal, Meghalaya and Nagaland. The rich bamboo forest of Nagaland have been completely destroyed. The Nagaland Paper and Pulp Mill had to declare lock-out for lack of raw materials about five years ago.

The most important consequence of deforestation in the North-East has been heavy silting of Brahmaputra and its tributaries get choked resulting in floods that destroy thousands of acres of farm land, villages and killing hundreds of cattle and human beings. The Brahmaputra Flood Control Commission has already confirmed this through various studies.

#### Lease to the business houses

In the central Indian Forest Belt, the Governments of Madhya Pradesh, Orissa, Bihar and Andhra Pradesh are all practising commercial forestry. Thousands of acres of natural forests have been lost to the timber industry. Presently, these states are engaged in clearing thousands of acres more of natural forest to grow pine, eucalyptus and other commercially important species. Even under the name of social forestry on village land, monoculture of commercial species are being encouraged. In Gujarat, Karnataka and Tamil Nadu, these World Bank-funded programmes have displaced thousands of village poor. It is interesting that the programme which was intended to ameliorate the poor man's energy requirements has been converted into captive plantations of paper mills and synthetic fibre manufacturers. Between 1950 and 1980, out of the 31.82 lakh hectares brought under forestry plantation in the country, 25.93 hectares was for industrial and fuel wood and 5.99 lakh hectares for environment purpose.

Between 1980 and 1981, Swedish International Development Agency, USAID and World Bank have given Rs. 1466 million for social forestry projects to the State Governments of Uttar Pradesh, Gujarat, Tamil Nadu, Madhya Pradesh and West Bengal. More funds have been promised to other states for similar pro-

jects. As a recent FAO report points out, forest in Western Europe has been saved from the clutches of the industrial sector by the ecology movement. In the last 10 years in western Europe forest has registered a growth of 10 per cent. But the requirement of timber and other forest produce has not really gone down. One wonders whether through such development aid these countries and other international agencies are trying to assure themselves of future supply of industrial timber. If the governments of the developing countries divert the funds from social forestry to production forestry these donor agencies cannot be blamed. Yet they and their countries will be ensured a steady supply to their own forests.

The state Governments have also leased out to the Birlas in Andhra Pradesh, Madhya Pradesh and Orissa. Bihar Government has leased out its bamboo forest to the Sahu Jain group. Reserve forests areas have been leased out to Gwalior Rayon in Kerala. Sometimes, the Forest Departments also auction portions of reserve forests for collection of Tendu leaves and other minor forest produce. For example in Bihar, Sal seeds are auctioned to Hindustan Lever Ltd. The net surplus earned from forest by the country in 1980 was Rs. 1,150 million, an increase of over 11 times since 1950.

#### The New Forest Bill

On 25th August, 1980, the Central Board of Forestry had finalised the draft of the new Forest Bill. The Forest Department and the Ministry of Agriculture have finally identified the enemy of the forest—the tribals and rural people who live in the vicinity of forests! The entire blame for the massive deforestation in the Himalayas, in the North-East and in Central India, which had seriously endangered the ecological balance has been put on the shoulders of these people.

The provisions of this Bill clearly show pro-rich, pro-urban and anti-rural poor bias. The Bill tries to formulate certain definitions very widely. Thus, "forest includes any land containing trees and shrubs, pasture land and any land whatsoever which the State Government, by notification, decla-

to be forest for the purpose of this Act". It is clear from this that Governments can even declare lands without any trees or shrubs as forest lands. Similarly, forest produce is defined as to include trees, leaves, flowers, fruits, latex and other produce and parts of trees as well as 11 types of grass, creepers, orchids and moss and all parts of produce of such plants. Under this Act, in all forests, the Central Government acquires the right to impose duty on timber while State Government can levy all other "forest produce". Further, the State Government acquires complete rights to appoint any "person", "company", "corporation" or "cooperative society" for the trade and transport of all forest produce. "No order of the State in this regard shall be liable to be questioned in a court of law".

All offences committed under this proposed bill are cognizable. They include even casual activity like walking in a forest or picking a flower. Forest officials are vested with magisterial powers and may arrest any person without a warrant, "if a reasonable suspicion exists". In a trial, the forest official can "conduct the prosecution". No legal procedures can be launched against a forest official for, "anything done by him in good faith under this Act." This Act would have meant death to the 20 million forest tribals in our country. Hundreds of tribal organisations, voluntary agencies and democratic institutions in the country opposed this proposed bill. They demanded not only a modification of the bill but a complete reconsideration of the forest policy. The protagonists of the bill are maintaining a solemn silence, but it is understood that the draft bill is being revised. What will be the content of the revised bill is anybody's guess while it continues to hang on the forest tribals like the sword of Democles.

Ecology, environment and afforestation are the catchwords today. Even the Government has set up a Department of Environment. But the tragedy lies in the fact that most of us are forgetting that the process of commercialisation of forest, has reduced the tribals, one time "lord and child" of the forest, to poacher, illegal trespasser, thief and vandal. We are ignor-

ing the fact that it is not the tribals who are responsible for the ecological crisis, the terrible floods and the landslides, the change in the rain cycle, massive soil erosion and loss of soil nutrients; it is the commercial interests that have brought about this calamity on us. This process has also alienated the tribals, both physically and psychologically from the forest. While their needs and dependence is still there, they have no vested interests to protect the trees as they are no longer the beneficiaries. Hunger and greed, have both contributed to the decimation of the forest. But in this, the greed of the contractors, traders and industrialists have played a major role. It is true in most cases, it is the hungry tribal who had wielded the axe that felled the trees illegally. But behind this were the combined greed of the contractor and the corrupt forest officials. No contractor can cut trees without the knowledge and the connivance of the forest officials.

#### Ecology-the Peoples' Cause

Ecology and environment has been destroyed by the ruling class. Industrial development was planned without regard to pollution. All that this class has ever cared for is profit. Social needs have never been its concern. Even the Government financed Public Sector is less concerned about social needs than the profit it can generate in pure monetary terms. In this game of profit ecology was the first casualty.

The struggle for restoration of ecological balance is an integral part of peoples' struggle for survival. The Chipko movement in Uttarkhand is the best example of how common people could save the environment. This movement had begun in March 1973, in the remote hill town of Gopeshwar in Chamoli district. The villagers had saved 10 ash trees by hugging them when the contractors had come to cut them. The movement had reached its climax in 1974 when the women of Reni had barred the path to the forest to prevent the contractors and the men from cutting the trees. All over in Uttarkhand, village people have stopped the felling of trees. This movement finally forced the

the Uttar Pradesh Government to recognise the traditional rights of the local people and ban felling of trees in the catchment areas.

The tribals all over in the central belt are demanding the restoration of their traditional rights to forest. In Jharkhand, and in Bastar region they are fighting a battle against the conversion of natural forest into production forest. In Bihar, the state wants to replace the natural forest with teak, while the Madhya Pradesh Government wants to grow only pine trees in Bastar. Through this struggle for restoration of their traditional rights, the tribals are also combating their own alienation from the forest. They are reemerging as protectors of forest. The other important outcome of these struggles is the emergence of democratic alliances between the tribals and other exploited classes of our country. The Jharkhand movement, the movements in Bastar, Adilabad, Dhulia and Dahanu, the Girijan struggle, the Chhattisgarh mine workers movement and several other ongoing struggles in the tribal areas no longer explicitly tribal versus non-tribal in nature. They have become broad-based and encompassing the demands of other local communities. These movements have become an integral part of the Indian people's struggle for democracy and socialism.

Source: The Other Side

## INTERNATIONAL: UNESCO BREAKS NEW GROUND

IWGIA has recently received a copy of the conclusions and suggestions of the regional Meeting of Experts on the Study of Ethnodelopment and Ethnocide in Europe, held in Karasjok (Norway) from 29th of May to 2nd of June 1983, organised by UNESCO in collaboration with the National Commission of Norway. Below we reproduce the conclusions and suggestions relating to indigenous affairs.

A. Conclusions

1. Ethnic minority groups and indigenous populations have a basic human right to respect for their life, culture, institutions and language, as well as a fundamental right to the territory in which they live. All states with ethnic minority groups and indigenous populations should respect and safeguard these basic human rights. In particular, they should respect and promote ethnodelopment and refrain from any form of ethnocide.

2. Ethnodelopment is understood to mean that each ethnic minority group and indigenous population has the right to extend and consolidate its own culture, by strengthening its independent decision-making capacity and thereby directing its own development.

3. Ethnocide is understood to mean the denial to an ethnic minority group or an indigenous population of its basic rights to enjoy, develop and transmit its own culture and language, either individually or collectively. Such denial constitutes a gross violation of human rights and fundamental freedoms laid down in a number of important international instruments and, in particular, violates the rights of ethnic groups and

indigenous populations to full respect for their life and cultural identity.

4. Respect of the basic rights of ethnic minority groups and indigenous populations and with regard to ethnodelopment should include:

(a) enabling ethnic minority groups and indigenous populations to acquire political institutions of their own choice and delegating their political, economic and social and cultural decision-making powers to freely and democratically constituted assemblies, as well as:

(b) respecting the right of ethnic groups to form associations with other ethnic groups and indigenous populations.

5. With regard to ethnodelopment, it should be borne in mind that political power and influence are often unequally distributed within ethnic groups. This applies, in particular, to women. In devising strategies for promoting ethnodelopment due attention should therefore be given to the position of women in ethnic groups.

6. If an indigenous population lives in a sovereign state which grossly denies the fundamental right of such a group to respect for its cultural identity and its free development and, in particular, does not ensure full respect for human rights for all without distinction as to race, sex, language or religion, this population is entitled to resort to all available democratic means to bring about respect for its rights. If such means are not available, or prove unsuccessful, the indigenous population is entitled, as a last resort, to separate from the state where it lives and to decide freely whether to constitute a separate entity with international status, or to live in a state where its basic human rights and fundamental freedom may be fully respected.

## B. Suggestions

### - General Suggestions

1. The material basis of culture is the decisive importance for the indigenous peoples of the world. Without the economic basis for cultural life, the concept of cultural identity loses its meaning and ethnodevelopment becomes an empty concept. It is therefore of the greatest importance that peoples be secured the right to their land within the framework of their right to self-determination.
2. A major facet of the right of indigenous populations to self-determination is the control over natural resources located in the area where the group lives.
3. Financial support should be provided to minority ethnic groups and indigenous populations on their demand, to enable them, among other things, to publish and circulate newspapers, magazines and books in their own language, as well as to establish their own radio and television systems.
4. Assistance, consultation or other co-operation should be offered to state authorities for the establishment of their policy on ethnodevelopment, culture, education and language, in accordance with the aims and objectives of the ethnic minority groups or indigenous populations concerned.
5. When an ethnic minority group and/or indigenous populations are spread over the territory of more than one sovereign country, financial means and other support to such groups should be provided jointly by all the countries concerned as well as with the help and co-operation of the whole international community.
6. Every ethnic group and indigenous population should be free

to establish solidarity with other ethnic groups and indigenous populations whether or not they are dependent on the same state. Whenever a culture is in danger of being destroyed, every one belonging to that culture is affected.

7. Due consideration should be given to the question of ethnic minority groups and indigenous populations and endeavours should be made to draft a Charter of the fundamental rights of ethnic minority groups and indigenous populations.
8. Non-governmental organizations dealing with ethnic minority groups and indigenous populations should be given moral and financial support for the purpose of achieving their aims.
9. Ethnic minority groups and indigenous populations should provide information and relevant material with regard to the implementation of the UNESCO Declaration on Race and Racial Prejudice to the Director-General of UNESCO for use in his report to the General Conference.

### Suggestions With Regard to Particular Categories of Groups

The Sami people should gain the status of:

- (a) An authentic national population with the right to unity and political self-determination, and to concrete control over the disposition of their land and resources.
- (b) The Sami people should be encouraged in the development of a unified Sami elected body with real authority in crossborder co-operation.
- (c) The creation of a Sami College with several functions, but with emphasis on teacher-training programmes is essential for the concrete ethnodevelopment of the Sami people. The scope and nature of such an institution must be determined by the

Sami people by means of appropriate and democratically selected organs, and in the same way, a Sami-controlled school-system from nursery school through to secondary level should be established.

#### Special Suggestions

1. In the view of the importance of censuses for the assessment of the number of persons belonging to a certain nationality and speaking a certain language as a mother tongue, UNESCO should study, on an interdisciplinary basis, the issue of census and, more generally, the demographical registration of ethnic minority groups and indigenous population; it should also give due consideration to the problem of the use of census data with a view to avoiding such data being utilized against ethnic groups and their members.

2. UNESCO should pay special attention to the importance of cultural monuments and sites of ethnic minority groups and indigenous populations. They represent a very important part of the cultural heritage of peoples and are instrumental in futhering the knowledge of the past; at the same time, they constitute a reservoir of cultural identity and identity management.

3. UNESCO should draw the attention of Member States to the fact that modern industrial expansion - usually decided upon by the majority of the population - eventually deforms old physical structures that form a significant part of the cultural landscape. Member States should therefore be called upon legally to protect cultural monuments and sites of ethnic minority groups and indigenous populations.

4. UNESCO should draw the attention of Member States to the need to protect indigenous art (whether "folklore", "folkhandicrafts" or other creative manifestations) from:

(a) uncontrolled reproduction;

(b) dissemination for exclusively commercial purposes;

(c) the exploitation of indigenous artists without due compensation.

5. In view of the importance of names of communities (ethnonyms), persons (anthroponyms) and places (toponymes), in expressing and maintaining the identity of ethnic groups, UNESCO should convene an interdisciplinary committee of experts in order to establish guidelines for:

(a) the protection of ethnic names in official usage;

(b) the granting to the people concerned, of the right to a certain name;

(c) the designation of places by the names used or chosen by the ethnic groups living in the area.

6. UNESCO should make a sustained effort to translate the basic documents relating to human rights into the languages of the various ethnic groups, and provide for the widest dissemination of such documents in each of these ethnic groups.

7. The work undertaken by the Sector of Social and Human Sciences in the field of ethnodevelopment, ethnic and minority groups, language policies, in particular mother tongue education (i.e. the "vernacular principle" originally proposed by UNESCO) should be closely co-ordinated with the Programme of the Education Sector.

## LEBANON: EVICTION FROM THE ROSE-RED CITY

The ancient Nabataean capital of Petra, settled at least 2300 years ago and inhabited by Bedouin for much of the time since, is about to be depopulated.

The government of Jordan is moving ahead with its plans to resettle about 100 Bedouin families, 450 people, who live in stripped cave-tombs amid the spectacular rock-cut ruins of the Nabataean Kingdom. The Jordan Department of Antiquities wants to preserve the existing ruins, to enable archaeologists to excavate the estimated 70% of ancient Petra still buried beneath centuries of wind-blown sand and earthquake debris. Jordan also aims to develop the unique site as a tourist attraction. Its lucrative Holy Land trade was destroyed when Israel captured the West Bank and Jordanian Jerusalem in the Six Day War.

Petra flourished as a main junction in the east-west spice trade under 10 Nabataean kings dating from about 168 B.C. to 106 A.D. when the region was finally annexed by Rome. It was built in a sandstone canyon. Its visual appeal remains the facades of tombs sculpted into the sides of red and salmon coloured gorges displaying a balance of Hellenistic and Oriental influences.

The resettlement programme is not unique to Petra. The Government for years has been encouraging the settlement of Bedouin into new towns with running water, health clinics and schools to improve the living standards of nomads, or as one of them put it, "to civilize us." Here the Bedouin are to move into about 90 government red brick houses, provided free of charge, two kilometres north of the antiquities site. There seems to be a sense of urgency to move the Bedouin now that a £3.5 million four-star hotel has opened at Petra's gateway to provide comfortable lodging for international tourists.

"The people here think Petra belongs to them," said Yousef Alami, director of Jordan's Tourism Project and the man responsible for resettlement. "But it is not theirs. This is an antiquities site. It is part of a national history. It is important internationally and must be protected." According to Alami, Bedouin have posed a threat to Petra ever since archaeologists and tourists began coming in numbers in the 1950s. "the Bedouin change the facades of the tombs by adding doors. Planting and digging cesspools alter the site. From 1968 we have had a law forbidding the sale of antiquities, and since then they have been digging up objects and selling them."

The Petra Bedouin are meeting the cultural and social clash head on. At a recent town meeting under a tall shady tree, four police officials tried to obtain the signatures of male Bedouin promising to accept the government housing and begin moving within a week. But amid loud arguments, they refused. This attracted the attention of Prime Minister Ahmad Obeidat, who then visited Petra on a tour of southern Jordan. Apparently acquiescing to some of the Bedouin objections, Obeidat, according to sources in Amman, appointed a commission to reach a compromise solution.

The Bedouin have a long list of complaints. They are outraged at the type of housing they are being asked to accept. Each dwelling has just four rooms. But the Bedouin are accustomed to living in large caves, and have allowed themselves the luxury of taking over additional caves among the ruins as their needs arise. "We have very big families," explained a Bedouin named Hani, "and we like to entertain guests. A man named Abu Saksakahan has three wives, and maybe he will marry another." A further objection is that resettlement will deprive the Bedouin of their source of income. The Bedouin entrepreneurs of Petra make no secret of selling artefacts to tourists, with the most enterprising among them being in 600 Jordanian dinars a year (£1.200)

Source: article by Scott Macleod, Guardian 31/8/84

**MALAYSIA: TEARING THE HEART OUT OF A TRIBE**

Deforestation is an ugly word to Sarawak's tribal communities. So it should be.

The adverse environmental effects of logging and clearing vast areas of forest have been written about extensively but not their effects on the people who live there.

Logging may be one of the main income earners for Sarawak but our field officer reports that the resultant destruction is widespread.

Take the Baram District for example. Here, in an area of 8,521 square miles with a population of 52,993 mainly composed of indigenous tribes (Ibans, Kayans, Kenyahs, Kelabits, Punans) there are more than 40 logging camps with the number rising as the State Government approves more timber concessions.

The once-forested district of Baram has been reduced to bare patches of eroded, barren and useless land. Tribal communities which once depended on the forests as their main source of food, medicine, building material and income now face an uncertain future.

"The people shouldn't have allowed the area to be exploited (by timber companies) because now we are slowly feeling the effects of the exploitation," a resident in Rumah Akeh, 40 miles from Marudi, complained.

Other communities feel the same way. A Punan community in Sungai Patah, Baram is up in arms against two timber companies which have started to extract timber from the forest surrounding their longhouse.

The Punans claimed that they were never consulted about the logging of the forest. They refused compensation from the companies saying that even though they may have needed the money, they needed the land and the forest much more.



Front Terrace of a Kajan Long-house. (Photo Hanne Robenhagen and Henrik Schleicher.)

The headman of Long Kawi, Satok Lawai, pointed out: "We have to have our surrounding forest as it is, because it is where we get our daily food to ensure our survival."

Other tribal communities face the same problem.

In Sungai Pelutan, logging activities and indiscriminate use of poison for fishing have destroyed a Punan community's forest and fish resources. The Government's decision to lease out to Syarikat Kruntum Sdn Bhd 800,000 acres of forest for logging will not only directly affect Kenyahs, Kayans and Punans in the area, but also those living downstream from the logging area.

The Kerangas forest between the Tinjar and the Baram river is also up for grabs affecting communities in Long Kesseh, Baram and the people of Long Loyang and Long Atun from the Tinjar side.

The list goes on and on.

One thing is clear: no matter what the profits from logging, it is only the small elite that benefit; the majority of the tribal communities have to bear the brunt of destroyed forests and barren lands.

"It is difficult to understand why development in the interior areas here means just logging companies extracting timber," said a school teacher from Sungai Abang, Akah Baram. "This, no doubt, enriches the owners of the companies, but what about the local people whose livelihoods are adversely disrupted?"

"It is very unfair to our people here. We are already poor. We need help to improve our food production. Everything we need is very expensive.

"Yet nothing is done about this and the logging companies make us poorer."

"Logging companies are for the politicians," said one

bitter resident. "They are only interested in the timber and how much they make."

A college student from another longhouse summed it up: "Timber is politics, therefore if you support the right man, you get a timber area. You become rich and influential."

One group insists that this is what happened when they applied to lease out the Kerangas forest. They were turned down, the reason being that: "the feature of the forest is very mountainous and it does not possess the economic potential to be exploited."

One of the applicants, Ajeng Jok, said: "we do not have the proper connections. And he was surely vindicated when, a short time later, the Kerangas forest was leased out to a logging firm.

Not satisfied with the profits from the forest products, many timber companies go out of their way to deny compensation to tribal communities.

For instance, resident of Rumah Akeh, did not receive the compensation they were promised when they agreed to give up their land rights. After the timber concession was approved by the State authorities, the timber company involved refused to make any compensation other than the \$M48 per family given during the State Election in 1979.

Sarawak tribes all too often have no say in their future, or are misled by timber companies or government authorities. Their future is being decided by businessmen and politicians - whose only concern is profits, not their welfare.

Source: article by Sahabat Alam Malaysia, Sunday Star 17/6/84

## NEW CALEDONIA: KANAK PROPOSALS REJECTED

In May, the Kanak Independence Front (IF), sent a delegation to Paris in order to reaffirm and defend their proposals for independence before the Administration, the National Assembly and the Senate, prior to the final status vote by the Parliament.

However, on 16 and 17 May, the Commission of Constitutional Bills of the National Assembly rejected the proposals of the IF, and, instead, adopted the status proposal for autonomy advocated by the French government.

On 28 and 29 May, the National Assembly discussed the political status project for New Caledonia. However, of the 488 representatives of the Assembly, only 17 were present at the debate, a clear message of disregard for the Kanak people.

Assemblyman Roch Pidjot, the sole Kanak representative was given only eight minutes to deliver his opening statement, with no further time allotted subsequently. However, opponents of the Kanaks were given all the time necessary to articulate their opinions regarding the fate of the Kanak people.

Following the debate, results of the vote were: 7 for the government proposal, 6 against and 3 abstentions.

In spite of the Assembly's rejection of the IF's proposal, the IF has maintained their position, and, according to Front representative Yann Uregei, the Front has rejected the statute suggested by the French government because it does not guarantee Kanak independence which would not even be addressed until 1989.

Massive in-migration by the French has rendered the Kanaks a minority in their own country. The Kanaks now represent a mere 40% of a total population of 150,000. Thus, the IF has advocated an electoral reform which would restrict voting to the Kanaks and to others born in New Caledonia of parents also born in New Caledonia.

The IF fears that without the electoral reform that they advocate, they run the risk of obtaining a white neo-colonial independence.

Thus in June, the IF sent a delegation to the UN to update member nations on the latest developments regarding their political status, in hopes of alerting UN representatives, and particularly the members of the Committee of 24, as to the gravity of their situation.

The following month, on 28 July, the IF Congress met to define their next strategy. From this Congress came three outlined positions: a total rejection of the French government's proposal for autonomy; withdrawal from all government institutions; an active boycott of the upcoming elections.

However, in an unexpected development, the LKS (Kanak Socialist Liberation Front), one of the five member parties of the IF, has withdrawn from the Front. They explained the move as a desire to participate in the elections.

In an interview in the August issue of Pacific Islands Monthly, IF spokesperson Eloi Machore, when asked whether the withdrawal was indicative of problems within the Front responded "Not at all.... LKS is one of the five parties in the IF and they have the right to question and propose ... I see LKS'S comments more as part of the debate and reflection that is going on inside the IF at the moment."

Meanwhile, the New York Times has reported that on 31 July, in Paris, the French National Assembly voted into law the government's proposal for autonomy for New Caledonia.

The next IF Congress is scheduled for 24 September, when the IF will reassess steps taken thus far and develop a more complex future strategy for independence.

Source: Pacific Bulletin Vol.4 No.3&4 August 1984

Statement by the Asociación Interétnica de desarrollo de la Selva Peruana (AIDSESP)

The author of the following article lives in the community of Villa Gonzalo, anexo Puerto Galilea (río Sabtiago), in the centre of Huambisa territory.

The testimony presented clearly illustrates the problems deriving from the colonisation policy which the Government is carrying out in the northern frontier areas. We would like to underline the following points:

- that even though the Government justifies its colonisation of frontier zones as the pushing forward of "live frontiers", the colonists are being settled in areas far from the frontier; more than 160 kilometres in fact.
- that even though the aim of the colonisation programmes of the Government is to 'open up the agricultural frontier", the settlements are taking place on already cultivated land.
- that even though the Government proposed to colonise in order to "fill out the frontier demographically", the settlements are made in areas already populated.
- that even though the Government saw colonisation as a means of creating new jobs, everything happened to the contrary. According to estimates, the settlement of 15 colonists means the displacement of more than 30 families (150) from the area.
- that even though the Government speaks of "organised and well-planned colonisation", it has taken place in an improvised and arbitrary manner: peasants are sent anywhere without taking into consideration conditions in the area, which provokes conflicts between the Peruvian colonists and the indigenous inhabitants.
- that even though they talk of colonisation as being in the "national interest", colonisation (and the colonists) are used by the old exploiters to reinforce their position of power against the communities.
- that even though the Government speaks of colonisation as something which will save the country economically, State funds

have benefitted neither regional development nor the population already living there. The high cost of colonisation only benefits the recruiters, the "professional developers" or the politicians. These exploiters, in addition to enriching themselves from the projects, use the unsuccessful colonists as cheap labour and expand their own lands at the expense of abandoned plots.

- that even though the Government has promised in national laws and international agreements to respect the rights of the communities and assure their survival, they are allowing violence and armed aggression to plunder them of their means of subsistence.
- that even though the Government portrays the jungle as the "El Dorado" of modern times, planning great model cities, they are failures. For example "Democracy City" (Ciudad Democracia) consists of three dwellings and 15 inhabitants.

#### PERU: COLONISTS INVADE NATIVE COMMUNITIES

In the Department of Amazonas, Bagua province, El Cenepa district around the region of the Río Santiago on the northern frontier of Peru, there are settled native communities of the indigenous groups Aguaruna and Huambisa living all along the river area on land they have occupied for centuries.

This area is also called the frontier zone or "living frontiers", where one can frequently see the great influx of colonists, taking advantage of the present democratic government's colonisation policy. This policy is based on a utopic notion of "the jungle as an uninhabited and unexploited region".

#### The Case of "Ciudad Democracia"

An example is that of Ciudad Democracia, a small colonist settlement, situated a few kilometres from the Río Santiago at the beginning of its confluence with the Marañón.

The origin of this recent mestizo settlement is complicated as we do not know if they were authorised to occupy the area in which there are already communities both nucleated and dispersed. In fact, we have reason to think that they were not authorised to settle there.

Juan Encinas, a Huambisa from Pierto Galilea, interviewed the head of the colonisation project a few days after they took possession of the lands now known as Ciudad Democracia, at the beginning of 1982.

This colonist told Encinas that they had not received any authorisation to occupy this area of the Río Santiago, but rather the area called "Falso Paquisha", situated on the Río Cenepa on the frontier with Ecuador. He said that they had presidential authorisation to occupy the frontier zone with the objective of revitalising the area and obstructing any direct imminent aggression from Ecuador.

But they never reached "Falso Paquisha" according to the colonist, for when they were on the road to the Río Cenepa at Imacita, they arrived at the offices of the Ministry of Agriculture. There the owner of a cattle business, Snr. César López met them, who is an inhabitant of "La Poza" (a mestizo settlement on the Río Santiago). He told them that there was unoccupied land on the Río Santiago and that they should go to that area. He was referring to lands belonging to the once Yujagkim community, situated at the mouth of the Putushim affluent of the Río Santiago. The inhabitants of this settlement, annexed to the community of Belén (Aguaruna) had, before the invasion, its own school, that is to say they constituted more than 30 inhabitants and lived from their horticultural work in their fields, such as plantains, yuca, oranges, cacao etc.

The group of colonists decided not to go to "Falso Paquisha" but to the area of the Río Santiago pointed out by Snr. López. There they reached the lands of Yujagkim, whose population were kept from their property by threats of armed attack. Since

then they have received no compensation for their losses, as all the laws say they should. The people of Yujagkim have moved to another river up from Putushim ("Putoche") and have formed a community more distant but with the same name.

The colonists have usurped indigenous territory so that they can settle themselves on the land. They have violated rights recognised in law. It is in the interests of the cattle colonist from "La Poza" to open up possibilities for expanding the lands which colonists own in the area to gain from the resources which the Government has given for colonisation projects. He also probably wanted to help his own people (most of the colonists come from Piura). The colonists ended up in a different area to that which they had been authorised to settle and the project "Ciudad Democracia" (which is a failure) was made on the Río Santiago far from the frontier zone which had been intended for them.

Snr. López is now the leader and organiser of this group of colonists and their deeds show that they are against the native communities and favour genocide and ethnocide. According to the account of another leader in the area, López formed part of the management of a Cattle Co-operative which was created in the name of all the Huambisas. They worked for him but never benefited from it. This, in fact, is the origin of his present cattle business. The native people have only served him as a source for his profit.

These colonists from Ciudad Democracia have several times passed themselves off as professionals and employees of the state social assistance and visited neighbouring communities such as Belén. Sometimes they encounter a mishap by having to answer difficult questions and they end up by confessing their ignorance.

They also boast about being the "City" of Democracia when in reality it cannot be with only 15 inhabitants. They are also trying to have their own school and to start a

Secondary College which would be fully equipped. When there are no pupils for the school they go round from community to community asking for a boy or girl to make up the requirement by 27 pupils, because without them "they will take the school away from us" they say. This ostentation of "Ciudad Democracia" looks as if they treat their settlement as the centre of the world. But the centre of what? Undoubtedly of genocide and economic destruction.

Another aspect which we would like to point out about the problems Ciudad Democracia is causing is that it has turned itself into an information centre for other colonists coming to invade lands, some using violent methods. An example of this is the following case.

#### Armed colonists come to Chigkanas

In August 1982 a group of 20 colonists, all armed with revolvers and machetes, were guided by a known boatman up to the mouth of the Río Chinganaza, whose original name is "Chigkanas". A few kilometres from the native community of "Villa Gonzalo" is situated the annex "Boca de Chigkanas".

The indigenous inhabitants were not informed of the arrival of the colonists, that is to say they entered without any authorisation from the head of the community, much less from the Ministry of Food and Agriculture. Their intention was to go up river and sieze the land for their use and convenience. To get there, they asked that they might be given petrol, but they couldn't get any. As they could not make the trip, they spent their time walking the length and breadth of the chacras examining the land. This was told by a half-mestizo companion.

As soon as the news had been passed on to the community all the people waited for their return. The same day, the colonists were invited to a special assembly of the community in which the men, women and children of the community met to find out the aims of the colonialist aggressors and why they

were armed without any reason? As would be expected, the Apu (head) of the community, José Yacum, in front of the assembled Huambisa, asked the colonists why they were armed and if they were police agents or whether the community contained and troublemakers or murderers. The head of the colonists was unable to answer the questions so we thought that they were committing an offence through ignorance. Nevertheless what they had done constituted a real aggression and outrage against Huambisa society and a threat to their physical security and their territorial integrity.

For this reason, the people quickly ordered them out of the community with angry cries, forbidding them to continue with this violation.

#### The case of Colonists in Yutupis-Nuevo Jerusalén

The other case which we would like to present and which also stems from "Ciudad Democracia" is as follows:

In early May 1982, a group of 120 colonists, most of whom came from Piura, travelled up the upper Yuypis (an affluent of the Río Santiago), carrying chain saws, axes, machetes etc. and a great quantity of goods for presenting as gifts. According to the local inhabitants, they looked like a lumber or oil company and to be wealthy.

Along their way by the muddy areas of the river, they took possessions from the dispersed communities and laid claim to their lands and goods...When they reached the nucleated community of Nuevo Jerusalén, which had its own Primary School, they met with total unequivocal resistance.

Not long afterwards most of the colonists began to suffer physical and economic instability and, following the advice of the people of Jerusalén, they left the area and have not returned to invade any other territory.

But immediately after this, a small group who remained in the area moved to settle on the land belonging to a dispersed

group of Huambisa and Aguaruna neighbouring Puerto Galilea.

These colonists on installing themselves there, kept out the indigenous Aguaruna, usurping their land and taking over their dwellings and chacras of cacao, plantains, yuca, etc. The inhabitants provided no resistance to this for they say that the colonist told them they had presidential authorisation and threatened to attack them with the support of the armed forces if the natives people intended to prevent their settlement.

For their part, the Huambisa community dispersed to neighbouring lands and from the start have kept up a strong resistance. Sometimes they have been thrown off their lands and at present they are in open conflict. But what we cannot be sure of is that this take over has the support of the Ministry of Food and Agriculture. Any such claims are erroneous and incompatible with the findings of a group of native people made at the end of January this year. They found out from the colonists what their situation was. Snr. Agustín López, from Piura, said that in the beginning they were 120 colonists who had entered the area with authorisation for 120 hs. per person. Now, however, there were 34 making use of them. Then his brother Snr. Samuel López intervened and said that at the time there were no more than 19 colonists and that the colonisation area had no name. After which the same man showed them his certificate of possession on which was registered the following:

Owner: Samuel López Umbo

Possession Certificate No.26 - 80 Hectares

Name of area "Los Algarrobos"

Electoral card No.0555752

Piura - Farmer

Issued by the Ministry for Food and Agriculture rom Imacita (local office of Bagua region - Amazonas).

On the basis of this investigation and on examining the Possession certificate, we can affirm that they have no

authorisation at all for the use of our lands. According to López, the colonisation area had no name, yet the Possession Certificate says "Los Algarrobos" as the name of the land plots, an area totally unknown to us.

We are asking: to what zone does this refer?

In the same way, he said that they had authorisation for 120 has. per person while in the certificate there are only 80.

In addition, to keep out and take over from the indigenous population of an area is to violate rights recognised in the State Constitution and the Law of Native Communities.

As a result of this, if the indigenous people take note of this case and take appropriate measures in accordance with their customs, they will be infringing no law. On the contrary, we will be fulfilling the normal dictates for rescuing our heritage which has been handed down to us by our ancestors and which is ours by right. They were the first users of this land, not just since a few years ago but for hundreds of years. There exist human fossils throughout the great jungle which prove this. Now it is we who must remain in occupation of this territory for the survival of our people.

Source: Voz Indígena (Boletín - AIDSESEP) Mayo/Junio, 1984

## USA: CHEYENNE PEOPLE FIGHT THE MULTINATIONALS

In May, IWGIA was delighted to receive a visit from Don Littlewolf, a Cheyenne chief. He discussed the present problems which his people is facing and put forward his ideas for their solution. The Indian Reorganization Act of 1934 offered the Indian peoples of the United States a form of government which they would try out for 50 years. They were told that if it was not to their liking after that they could always change it. 50 years is up on November 23, 1984. "When the election comes, we have to get our people in the driver's seat" said Don. "We must use the strength which our spiritual life provides to put the people's case forward and once more control our destiny."

One of the most pressing problems for the Cheyenne in recent years has been the development of reserve lands for coal, strip mining and gas or oil exploration. This has caused conflicts between the tribe and the multinationals concerned as well as within the tribe itself. Throughout the world, indigenous people are facing the terrible choice between the lure of money offered by the multinationals to people who have suffered for so long and signing away rights which have been hard fought for by their ancestors. For Don, no money would compensate for indigenous rights. He left the following case to illustrate the problem:

During the 1960's, the BIA<sup>1</sup> and the Department of the Interior approved several hundred thousand acres of coal leases on the Northern Cheyenne reservation to Peabody, AMAX, Chevron and other corporations. By the early 1970's, 56 per cent of the reservation was under lease for strip mining, including over 16,000 acres to Peabody Coal alone. For all of this land, the tribe received two and a quarter million dollars - or about \$9 per acre - and a royalty of 17.5 cents per ton. In addition, the Peabody lease approved in 1966 included a 12-cent-per-acre bonus in conjunction with the royalty payment.

1. Bureau of Indian Affairs

The standard bonus being paid then to other (white) landowners was between \$16 and \$100 per acre!

In 1972, Consolidation Coal Co. (CONCOL) came directly to the tribe with a plan to construct four coal gasification plants that would have been fed with 30 million tons of Cheyenne coal. They offered a bonus of \$35 per acre, a royalty of 25 cents per ton, and a \$1.5 million donation for a new tribal health center. This offer marked a turning point in Cheyenne-corporate relations - at least for a few years.

The Northern Cheyenne realized they had once again been sold down the river by the BIA, since CONSOL's offer far surpassed anything the government had negotiated for the tribe. More importantly, they began to get an idea of what "development" truly meant - polluted air and water and enormous gouges in the earth.

In 1973, the Tribal Council voted unanimously to direct the BIA to cancel all coal leases on the reservation. In 1976, the tribe successfully petitioned the Environmental Protection Agency (EPA) for Class I air status under the Clean Air Act. This action effectively blocked plans two years later for two coal-fired power plants just north of the reservation (Col-strip plants 3 & 4).

But because of the depressed economy on the reservation and outbacks in federal programmes, a pro-development faction took control of the Tribal Council in 1978. They abandoned all plans for self-development of tribal resources and instead began to look towards corporate development and the immediate cash it would bring. The EPA finally approved plans for Col-strip 3 & 4 in 1980 and the council settled for a cash payment and technical assistance from Montana Power instead of challenging the decision on the basis of their Class I air status.

That year, the tribe also began closed negotiations with Atlantic Richfield Co. (ARCO) that would give the corporation rights to all gas and oil explorations on the entire reserva-

tion. In spite of much popular protest against this contract and a complete absence of any kind of public forum to discuss the people's concerns, the Council signed a 33-year non-lease agreement in May, 1980. In return for their signatures, ARCO gave the Council \$6 million in "up-front" money.

ARCO started their seismic explorations on the reservation in 1981. Even though this blasting was destroying the land and the underground water supply, they were allowed to continue - until June 10, 1982. That day a seismic crew came onto Charles White Dirt's land intending to blast there. Mr. White Dirt and his son-in-law Charles Sooktis, Jr. refused to allow them on the land, saying that that particular area was sacred.

White Dirt, headman of the Elkhorn Scrapers Society and respected elder of the Northern Cheyenne, believes that the land in question is sacred and should be used for ceremonial purposes only. If ARCO blasts there, he maintains that the spirits inhabiting the land will leave, never to return, and the spiritual nature of the land will be destroyed forever. His responsibility is to pass both the land and the spiritual beliefs and practices along intact to succeeding generations and to defend both with his life if necessary.

Elsewhere see what ARCO has done. In 1980, there were more than 40 legal actions against ARCO including antitrust suits and complaints by Alaskan natives that ARCO has abridged their aboriginal rights. The Laguna Pueblo people of New Mexico used to have a beautiful agricultural valley with the Rio Paguat running through it. Now that river (the peoples' drinking water) runs through the Andaconda (ARCO-owned) Jackpile mine. Waters run green from the toxic wastes dumped into it - stomach cancer is increasing. As a result of daily blasting, radioactive dust has spread over every inch of the Pueblo. The Corporate monster does not care, profits are high. In Wyoming, state-federal auditors recently uncovered \$1.5 million in roy-

alties that ARCO was not paying (i.e. stealing). We also know them as part of the infamous ETSI pipeline - an ecologically disastrous project that would do irreparable harm to our water system and land. It was pushed through by "emergency sessions", no time for people to study the issues, etc.

Since 1983, an emerging pattern of violence, murder, and political intrigue has dominated life on the Northern Cheyenne reservation. According to attorney Bruce Ellison who represents Charles White Dirt and other traditional tribal members in a class action suit against the ARCO:

The violence is definitely related to the lawsuit. There are serious questions being asked by more and more people as they find out about the total lack of protection of sacred areas, the water of the land, and the relatively little compensation for the destruction being planned and carried out by ARCO .... I've noticed a growing concern; more and more people are expressing that they've been lied to as to the nature and scope of the ARCO agreement. The feeling is that ARCO officials and those few people in the tribe who saw this as a way of getting rich have lied to the Northern Cheyenne.

The class action suit against ARCO is still pending. The final draft has been filed but no court date has yet been set. Charles White Dirt, the Elkhorn Scrapers Society, and other traditional Northern Cheyenne are plaintiffs in the case. Defendants include the Northern Cheyenne Tribe (as a corporate entity), the Superintendent of the Bureau of Indian Affairs for the Northern Cheyenne reservation, James Watt Secretary of the Department of the Interior, and ARCO.

The suit was a result of the interest of many Northern Cheyenne people who came to Mr. White Dirt and expressed a desire to join the battle against ARCO's destruction of Northern Cheyenne land. This class action suit is concerned in part with the National Environmental Policy Act and the Historical Preservation Act, according to Jeff Renz, another attorney working on the case.

Ellison described the original agreement as being pushed

through by ARCO flashing money in front of people who have had so little for so long. The proposed multi-billion dollar project is supposedly for oil and gas exploration and development; yet a sinister kind of "exploration" is destroying the water supply of the people and raising questions about the real nature of the project.

Shot holes in the original agreement were supposed to be a quarter of a mile apart; instead they are 330 feet apart. The area used for blasting was supposed to be 250 square miles; instead it is 900 square miles. Blasting was supposed to use 150 pounds of dynamite; 260 pounds are being used instead.

This "exploration" pattern strongly suggests an area that has been bombed. It also suggests coal exploration. The contract promised to blast no closer than one quarter of a mile from wells, springs, or streams. ARCO is blasting right next to water supplies, leading to speculation that they intend to effectively destroy the land by ruining its water.

Said Ellison:

If water is destroyed, you destroy the ability to use the land - hunting, farming, crops - all would be gone... You might as well open it up for strip mining. In fact, that seems to be the plan. The day we filed the original suit, we tried to reach (tribal attorney) Calvin Wilson, but he was gone, engaged at that time in negotiations with Decker Coal Co.

There is no protection in that contract. More and more people are finding out that the whole ARCO deal is to the detriment of the people and to the detriment of the earth.

In 1983, nine Northern Cheyennes died. Puzzling incidents such as a car "accident", suspicious fires, and elections being recalled on a technicality have plagued reservation people, particularly those who have actively taken a stand against ARCO.

#### Political Intrigue

A major victory in their fight for survival was gained by the Northern Cheyenne people in the district recall elections.

During the 1982 election, the pro-development faction lost an unprecedented six of the eight seats in the Lame Deer District. These pro-ARCO people were replaced by candidates running on a platform that represented the mandate of the people. In the subsequent election, all six retained their seats by a significant majority of votes. In some cases the tally doubles.

The newly elected (pro-people) council members have been active in listening to the needs of their constituents. Several programmes for employment and for all-around development of the Cheyenne people were initiated. These include establishing the Tribal Employment Rights Office and the Cutaway Tool Company, funding alcohol treatment programmes, negotiating timber sales, distributing coal cancellation funds, creating the Administration of Native Americans, and establishing long range plans designed to better the overall condition of the Northern Cheyenne. However, the fight against ARCO still goes on for the issue is survival - not only of the Cheyenne people - but of the Earth and all her children.



## WEST PAPUA: IN DEFENCE OF TREES

by George J. Aditjondro

Recently, a Westerner and an Indonesian exploring for oil in Sorong, the Bird's Head region of Irian Jaya (West Papua), were killed by tribals.

They were drilling in the tribe's sago stand, the Melanesian "food barn" which is often a woman's domain. According to tribal law, intruding without permission into someone's sago grove is regarded as a severe offence or insult punishable with death.

In Irian Jaya, development is colliding with tribal interests, the introduction of Western and Indonesian-style development slowly changing the man-nature relationship. The cultural needs of tribals and the rich resources on one hand, and wrong perception and pressing needs of the Government on the other hand, have turned on a rapid process of land alienation.

The process has uprooted the Irianese tribal communities from their natural environment, speeding up urbanisation, unemployment, juvenile delinquency and alcoholism. Land clearing to resettle the thousands of transmigrant families, logging exempted from sound economic and ecological obligations, mining and infrastructure projects - all this "development" has put a heavy toll on the Irianese land and people.

Irian Jaya is Indonesia's easternmost and largest province, adjacent to Papua New Guinea on the eastern half of the world's second largest island. Irian Jaya covers more than 41 million hectares, more than 70 per cent of which is still covered by forests.

Culturally and ethnically, Irian Jaya belongs to the Melanesian racial stock of the Southern Pacific. The province is inhabited only by 1.1 million people, or a density of 2.8 persons per square kilometre. Since 1980, Javanese transmigrants

brought in by the Government have caused a population hike of about 10 per cent per year, doubling the province's population to 2.5 million by 1990.

This will turn the population balance between lowlands and highlands upside down, with the majority crowding the lowlands and encroaching upon forested mountains when no lowland soil is to be exploited.

Only 474 hectares of non-forest land are considered suitable for resettling Javanese and Balinese transmigrants. In the Five-Year Development Plan starting 1984, 200,000 transmigrant families or one million people more, will resettle in the province. This means 400,000 hectares more deforested or even forest land will have to be cleared for agriculture.

Already, there are plans to convert for resettlement 20,000 hectares previously set aside for the Merauke-Kumbe forest reserve. The provincial capital is also growing westwards, smashing down thousands of sago trees to clear space for office and houses - an example of urban sprawl swallowing smaller village communities around.

Out of seven million ha. of productive forest land, three million ha. have already been allocated to 12 timber concessions. These companies have already cut more than 40,000 ha. in the last three years. In 1982, one of the companies suffered heavy losses when it was attacked by rebels and 50 Malaysian workers were kidnapped for several months.

While the West Papua Independence Movement (OPM) claimed credit, observers have attributed the attack to tribals whose lands and forests were appropriated by the Indo-Malaysian joint enterprise without due negotiation and compensation.

One of the first things the Dutch colonial administration did in Irian Jaya was to change tribal land ownership and rights of forest usufruct - an attitude that has not changed with the integration of the province into Indonesia. Three laws issued by Indonesia imply de facto nationalisation of all Indo-

nesian citizens, corporations and the state. In Irian Jaya, concessions up to 10,000 has. could be awarded by the Governor.

Alienation of land and forest usufruct often happens without lengthy government decrees or regulations. Out of fear of being branded as a separatist, many tribal landowners have released their land for private as well as public purposes. Between ordinary citizens, alcoholic drinks and business marriages often smooth the transfer to the more aggressive and entrepreneurial migrants.

Hundreds of hectares of tribal land have changed hands in Jayapura, Manokwari and Merauke districts over boxes of beer and wine. A lot of migrants in Brak, Sentani, Mamberamo and Merauke have also married local women to get access to tribal lands, forests and waters.

A late-comer in the timber rush, Irian Jaya concession holders have been exempted from log exportation and allowed commercial cutting, even before paying licence fees. In general, Malaysian expatriate loggers are paid much higher income for doing the same jobs locals can do.

In some companies, locals are asked to cut their own trees for an outrageous wage of only US\$4.50 per cubic metre. In one company, ethnic Irianese workers are discriminated against workers brought in from Kalimantan (Indonesia) and Sarawak (East Malaysia).

Probably the biggest case in mining history here is when 10,000 hectares of Amungme tribal land were granted to Freeport Minerals (United States) to mine copper, gold and silver ore. Promises of education, health care and employment made by the company have not been fulfilled.

Instead, the Government tried to resettle the Amungmes side by side with the coastal Mimika tribals near the Timika airport - a scheme which failed.

(Source: Ecoforum, Vol. 9 No. 1, 1984)

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