CHALLENGING POLITICS:

INDIGENOUS PEOPLES' EXPERIENCES WITH POLITICAL PARTIES AND ELECTIONS

Indigenous peoples all over the world find themselves part of political systems that are not their own but created and defined by governments with alien rules and led by politicians. Over the last centuries, indigenous peoples have gained experience in dealing with these imposed systems of politics and with hitherto unknown social structures. The experiences are very diverse and the reactions to political systems vary.

This book gives an impression of and some ideas and inspiration on the issue of involvement of indigenous peoples in national politics. It may be seen as the beginning of a process that will hopefully lead to further discussion and co-operation within the regions but also at an interregional level.

The book is a compilation of articles initially written for a number of workshops on Indigenous Peoples' Experiences with Political Parties and Elections. The workshops took place between 1999-2000 in different regions of the world.

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Editor: Kathrin Wessendorf

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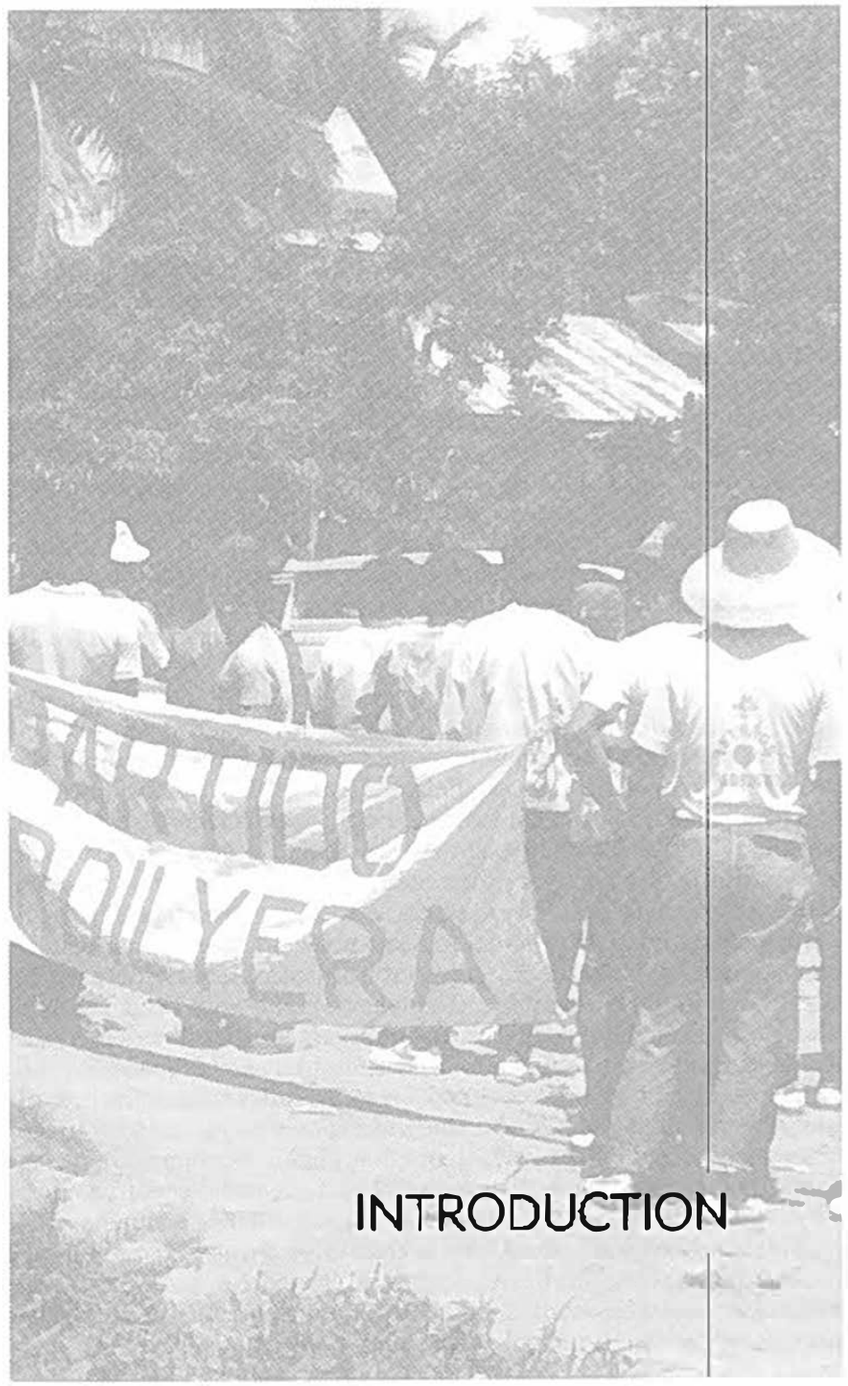


INTRODUCTION

INTRODUCTION

by Kathrin Wessendorf

Indigenous peoples all over the world find themselves "part" of political systems that are not their own but created and defined by governments with alien rules and led by politicians. Over the last centuries, indigenous peoples have gained experience in dealing with these imposed systems of politics and with hitherto unknown social structures. The experiences are very diverse and the reactions to political systems and strategies vary. Whilst some indigenous peoples have been able to influence the political context of their respective country, such as the Greenlanders or the Kuna, this context is still, in most cases, largely dependent upon the will of, and negotiations with, the nation-state. Nevertheless, forms of oppression, marginalisation and exclusion are faced by indigenous peoples in all possible contexts and political settings and can therefore be taken as a common experience.

In 1999, an indigenous organisation in South America approached IWGIA with the idea of holding a workshop on the impact or position of political parties in their region. IWGIA took up this idea and implemented it in a EU-funded program, which consisted of five regional studies, five regional workshops and a final workshop to summarise the outcomes of the regional workshops. The first workshop took place in Juchitán, Oaxaca, Mexico in November 1999 with participants from Peru, Ecuador, Colombia, Nicaragua and Guatemala, as well as a large delegation from Mexico. It was followed by workshops in Guovdageaidnu (Kautokeino), Norway; Poring, Sabah, Malaysia; Nadi, Fiji; Iqaluit, Nunavut, Canada and the series was rounded up by a final meeting in Nairobi, Kenya in November 2000.

The workshops were convened by local indigenous organisations in co-operation with IWGIA. The participants were indigenous researchers and politicians from the region plus one indigenous person from another region who would be able to contribute an outsider's view and at the same time learn about the situation in another region.

This publication is the direct outcome of this program and includes the regional studies that were prepared for each workshop. The regional studies compile existing literature about the respective regions and give an insight into different situations. They are individual pieces of work and very different from each other. But they all show the many possibilities and also the creativity indigenous peoples have used in finding a way of dealing with the dominant society's political manoeuvrings. The studies also served as a basis for discussions in the respective workshops. Some of the studies were rewritten after the meetings to include the outcomes of the workshops. However, this document does not claim to be complete. There are many regions and peoples that could not be included and many discussions, which took place in the workshops, are not reflected in the papers. Nevertheless, it gives an impression and some ideas and inspiration on the issue of involvement of indigenous peoples in national politics. It can be seen as the beginning of a process that should lead to further discussions and co-operation within the regions but also on an interregional level[1].

The following considerations draw a more general picture of indigenous peoples' involvement and strategies in relation to the political system in their respective country. Beginning with a very general outline of the different forms of political systems within nation-states, it looks at possible forms of involvement of indigenous peoples and finally considers their experiences and possible future strategies.

Nation-States' Politics

Nation-states express themselves in very many different forms of political systems, both in their principle as well as in their practice. But most of them nowadays declare themselves to be democratic with a multiparty, or at least a two-party, system, therefore having a "bourgeois democracy" with a multi-party parliamentary system. Nevertheless, the actual practice and implication of democratic politics depends very much on the government of a particular nation-state and, in some cases, it is rather difficult to discover the democratic element in a government that suppresses parts of the population of a country. Indigenous communities are very often confronted with repression and domination by so-called democratic governments although, in theory, they have the right to participate in the decision-making process either through involvement in party politics or by directly voting for candidates. Unfortunately, this basic principle is, in practice, useless in many situations, as is described in several of the articles in this volume.

Besides the multiparty democracies, there are countries with a one-party system or socialist regimes (e.g. China, Vietnam, North Korea). Indigenous peoples have suffered heavily from the unification of society and imposition of uniformity under socialist re-

gimes. As Rodion Sulyanziga explained in the workshop in Iqaluit, in the former Soviet Union all indigenous peoples were, to some extent, represented in the executive and legislative bodies at national as well as regional level. But the political expressions were reduced to the communist party's idea. Inclusion in politics is hardly perceptible, except through a complete indoctrination of the dominating political ideas and perceptions, resulting in the defence of alien politics.

Indigenous peoples can also find themselves under a military dictatorship, as in the case of Burma or Pakistan. A military dictatorship does not allow fair and equal participation in national politics and, very often, is especially repressive towards the indigenous groups in "their" countries. In Burma, indigenous groups fight for their rights in an armed struggle (see Husin, this volume).

But even in states, such as the Scandinavian countries, that are famous the world over for their humanistic approaches, their multiethnic policies and their emphasis on equal rights of every citizen, indigenous peoples find themselves marginalized and confronted with a surprisingly attitude of rejection when discussing collective rights (see Josefsen, this volume). The situation of indigenous peoples in such countries can still be altered and the commitment of the State to indigenous issues is most obvious in the budget allocated to indigenous issues and institutions.

Indigenous Systems Vis-à-vis "Modern" Political Systems

One topic that was discussed in several workshops, and which is of concern to many indigenous peoples, is the question of the difference between their own traditional government systems and that of the nation-state. One has to be careful when dealing with such opposite poles and, in many cases, they cannot be clearly defined when, as Jimmy Nâunââ stresses in the paper on the Pacific, many traditional institutions have been redefined or repositioned. Still, the element of traditional institutions and political systems in indigenous communities versus the political practices of the state is of great concern to many peoples and should not be underestimated.

In a so-called modern democracy, representativeness through political parties and elections are the main principles of governance. A majority wins over a minority and therefore the majority decides the further actions of the state. An adult franchise gives every individual over a certain age an equal vote. Every vote carries the same value. In some nation-states the participation and actual influence in politics of minority groups is secured by, for example, quota regulations.

Although indigenous people have played an active role in this system of governance, the system is alien to many indigenous groups. Decisions in many communities are taken after a consensus agreement and after consultations and long discussions. Decisions are made collectively and the opinion of elders is given special respect and regard because of their wisdom and experience. In other indigenous societies, it is the chiefs who make the decisions after consultations with their advisors, as described in the paper on the Pacific. The question of minority and majority vote is not relevant to the same degree as in a "modern" democracy.

The differences between the two systems of governance can marginalize indigenous peoples through non-participation because of a lack of understanding. Especially remote communities that are confronted with a lack of a western education and communication are, in general, not taking part in the activities of the wider society. In other situations, new forms of governance, which constitute a mixture of traditional and western styles of governance, can be found. In Kanaky / New Caledonia, the customary authorities are given more authority in the state and this is a first step towards more autonomy and self-determination (Nâunââ, this volume). Sometimes traditional forms of governance are rejected by the indigenous peoples themselves. This is especially the case where groups within the people, for example women, feel marginalized by traditional forms of government.

The difference between traditional and imposed systems of government and its implications was discussed in almost all the workshops[2]. It seems of great concern to indigenous peoples in most parts of the world and there is a strong need for local strategies, ideas and solutions.

Indigenous Responses to National Politics

One way of looking at indigenous responses to national politics is by distinguishing degrees of participation and non-participation. However, the extent of participation does not necessarily have to be an active decision.

In the case of **non-participation**, some groups have taken conscious political actions in order to reject the national political system. This, for example, is the case of the Naga (India), who explicitly boycotted elections as they do not consider themselves part of the national system but also because previous election results in no way reflected the concerns of the peoples and were pre-determined by manipulative methods. Vikheho Swu, member of the Naga People's Movement for Human Rights, stated very clearly in the workshop in

Sabah, "Thus the bitter experiences with electoral politics have resulted in the present anomaly of the state government becoming a pariah, with the civil society increasingly having to seek its own human rights and other fundamental rights outside the framework of electoral politics" (see also Bosu Mullick, this volume). Too many unfulfilled promises lead to a disillusionment and if not to boycotting, then at least to a lack of interest in national politics. There is no reason for voting if the results of this action cannot be seen. Furthermore, there is little interest in activities outside the local communities.

But many people do not participate in elections because of their scant knowledge about the system. The lack of education and communication with the communities makes it impossible for people to be informed about political developments and positions and therefore reduces the possibility for them to engage in the decision-making process in the state. This rejection of national politics is rather passive and results in very low voter turnouts. In some nation-states, the legitimacy of certain candidates can therefore be questioned and, in certain cases, has an influence on the outcome of the elections.

Forms of **participation** differ as much as the contexts in which they are carried out. One way of participating in national politics is by joining the mainstream political parties. In this case, the candidates have to follow the mandate of the party and are not representing the indigenous community as such. This can lead to individualism, opportunism and cooptation into the system, which results in the marginalisation and disempowerment of indigenous peoples. It can also lead to divisions in the communities, for example, if members of one community run for different parties and therefore split their supporters into groups. It can also lead to the emergence of an indigenous corrupt elite in power, that gives only lip service to the welfare of its people, and therefore to political misrepresentation (see also Husin, this volume).

On the other hand, progressive candidates, indigenous or non-indigenous, have the possibility of popularising the concerns of the indigenous peoples and putting them on the parties' agendas. This has been the experience in Malaysia, the Cordilleras and also in Indonesia. The first Inuk Member of Parliament in Canada, Peter Ittinuar, decided to defect from the democratic to the liberal party in order to be able to gain more advantages for the Inuit by being a member of the ruling party (see also Jull, this volume). It was mentioned several times in the workshop in Nunavut that the interests and concerns of the Inuit people were more important to Inuit politicians than the agendas of the parties they had joined. Being a member of a party had its final goal in achieving rights for the people.

Indigenous peoples have in some places formed their own political parties, as in some parts of Latin America (see Hernández / Cal y Mayor, this volume), the Philippines, Malaysia (see Husin, this volume) etc. Through their own parties, they have the possibility of getting candidates into parliament. These parties are, nevertheless, often weak at national level and have more influence at municipal or community level. In other cases, a voluntary rejection of a party system is possible, as in the case of Nunavut, where the Inuit decided not to form political parties through which to run their new government but to stick to the old system of electing the Members of the Legislative Assembly in their own personal capacity (see also Jull, this volume).

Participation in electoral systems can also simply take the form of voting for candidates that have indigenous issues on their agenda. Some indigenous people run as individual candidates in elections. The actual input of these individuals is highly dependent upon their respective situation and agendas, and is often contested. In most cases, they are not accountable to their communities and therefore do not have to follow the agendas of indigenous organisations or the aims of their indigenous communities. The risk that they are more interested in personal gains and influence is always present. But it also has to be stressed that participation is not an individual decision everywhere. In some indigenous communities, the group decides on the degree of participation and selects candidates in a traditional way, who would then represent the group in the national political system. The crucial factor here is to find ways of making individuals accountable. Participating in national politics can also be a venue for limited autonomy or representation within the framework of the wider state.

The degree of electoral participation is often connected to factors such as promises of "development" projects, funds for community development, etc. made by politicians. Some parties and candidates take up issues that relate to indigenous issues and promote the indigenous peoples' agenda and concerns such as, for example, the recognition of their identity as indigenous peoples, of rights to land and resources, the promise of democratic participation in development programs etc. Another motivation for going to the ballot can be a relationship or affinity with one of the candidates. In that case, this relationship might be more important than the goals and aims of the respective candidate.

Experiences and Lessons Learned

The concept of party politics and electoral processes often does not recognize traditional or indigenous political systems. The indig-

enous peoples are, in many cases, a minority within the nation-state and therefore play an insignificant role in electoral politics, as candidates are not dependent on their votes. Indigenous peoples are therefore not strong enough for their proper representation in the state governance.

Indigenous peoples' own political parties seldom achieve major success in electoral politics and their own leaders are vulnerable to corruption and cooptation into the dominant political system. Electoral and party politics have often only benefited a tiny elite of indigenous peoples' society. It does not provide for proper accountability by elected officials to their constituents. Likewise, in many places money, cheating, bribery etc. dominate electoral processes.

The nation-states are prepared neither to accept indigenous peoples' rights to self-determination nor to respect their identity as "indigenous peoples", despite their participation in the dominant political systems of the respective countries. Indigenous peoples' participation in electoral processes and in party politics has, in many places, not been able to stop the process of the indigenous peoples' dispossession and marginalisation. Rather, their collective action has yielded more results through fighting for their rights as can be seen, for example, in the case of the Zapatistas in Chiapas or in some non-independent territories in the Pacific (Hernández / Cal y Mayor and Nâunââ, this volume).

Nevertheless, in certain situations where indigenous peoples form a majority in a particular area, and where one can find a strong unity or grass roots movement of indigenous peoples, the electoral process can serve to promote the indigenous peoples' agenda, concerns and issues and may also lead to some level of representation. This will be described in the papers on Latin America and on Canada, where indigenous peoples form a majority in certain areas and have been able to achieve certain degrees of self-government. In other regions, institutions have been created that secure a certain level of involvement in national politics and yet are, at the same time, separate from the national political institutions. This is the case with the Sami parliaments in Northern Europe (see Josefsen, this volume).

Possible Future Strategies

The future of the indigenous peoples' involvement in national politics lies in a truly democratic system of polity, where plurality of social systems, diversity of cultures and the rights of peoples are respected. The participants in the workshop in Nairobi therefore

stressed that the immediate strategy of indigenous peoples should be to compel the nation-states to recognize their existence as indigenous peoples, their traditional systems of decision-making processes and their rights to self-determination in the political, economic and cultural spheres. The party system and electoral process shall not be imposed on them, but rather, nation-states should provide the possibilities to develop mechanisms of self-governance in accordance with indigenous peoples' systems of decision-making.

Nevertheless, another realisation and consensus from the workshops was that, since the existence and operation of bourgeois democracy has become a reality throughout the world, indigenous peoples cannot remain isolated from it and have to participate in it in one way or the other. However, indigenous peoples can also challenge this system and offer a more viable system of decision-making processes and self-governance appropriate to their particular circumstances. The positive aspects of indigenous peoples' systems must therefore be strengthened. Consensus-building, mechanisms of accountability, representation based on the people's collective decisions, the role of elders in decision-making based on their wisdom and experience must be enhanced. Likewise, raising awareness of the wider civil society, mass education and unity-building can be an ongoing way of dealing with the electoral process and strengthening the indigenous peoples' movement for self-governance.

Any democratic space available in the dominant system can be utilized for advancing the interest and the collective benefit of the indigenous peoples. The successful use of these spaces will depend greatly on the unity and strength of indigenous peoples, rather than on reliance upon a few indigenous leaders. Likewise, the political, economic and social realities confronting indigenous peoples should lead to more collectively based responses and actions to advance their interests in the electoral process and should aim to prevent the worsening violations of their rights.

Forming alliances with other marginalized and oppressed sectors of society, based on respect of each other's rights and the development of a common agenda for struggle that is mutually beneficial, can lead to political gains and more democratic space within and outside the electoral process.

Given the unwillingness of many states to accept the ancestral rights of the peoples and their ongoing policy of treating the territories of the indigenous peoples as internal colonies, legal forms of struggle, including the electoral process can be considered. Nevertheless, lobbying for the recognition of ancestral land rights, adoption and implementation of international instruments promoting

indigenous peoples' rights and other collective actions of the indigenous peoples must be pursued.

Present scenarios of globalisation and resource exploitation also have to be integrated into the strategies of indigenous peoples and into their struggle for survival. The political empowerment, or any form of self-governance, of indigenous peoples therefore has to include control over their land and resources. It is imperative to develop a broad unity and cooperation among indigenous peoples and other marginalized sectors to protect the people's resources against exploitation by multinational companies.

Conclusions

The experiences of indigenous peoples are very different, this cannot be stressed enough, and the same strategy does not apply in every region or community. The following articles describe some of the different situations indigenous peoples find themselves in and the different struggles and strategies they use to improve their situation. But they also show some results and successes in dealing with national politics or establishing own forms of governments and decision-making bodies.

It is important that indigenous peoples are able to decide for themselves what kind of political system they want to practise, how and if they want to join the national political discourse and activity and how they want to form their own governance, be it for example through a consensus style of decision-making or through a party system. After all, self-government is self-determination in its most basic form.

Notes

1 For further details on the workshops see the Annex to this volume.

2 In the Nairobi conference, Eva Josefsen mentioned that the discussion on traditional forms of government is not very central for the Sami. Something similar can be said about the Greenlanders, as they have actively decided to develop their own form of government along the lines of the Danish system. In Nunavut, on the other hand, the discussion about involvement of traditional forms of decision-making in the new territory has been going on intensively.

CHAPTER 1

INDIGENOUS PEOPLES WITHOUT POLITICAL PARTIES: THE DILEMMA OF INDIGENOUS REPRESENTATION IN LATIN AMERICA

by Margarito Ruiz Hernández
and Aracely Burguete Cal y Mayor

The last two decades of the 20th century have seen an accumulation of indigenous complaints, demanding that the national states of Latin America recognise their differences, their specific rights and put an end to all exclusion. The Latin American nation-states that emerged in the first decades of the 19th century systematically ignored the existence of indigenous peoples, who had existed long before the states were established. Due to the hegemonic nature of the Creoles/Mestizos, these states took on a typically Ladino/Mestizo ethnic profile, which ignored the presence of indigenous peoples. Exclusion and/or integration were the responses of these states and their societies towards the Indian communities. In the 1970s, and increasingly during the 1980s and 90s, indigenous peoples began to break their silence and claim a long list of demands, including the demand for political participation and representation[1].

At the same time, these demands were located within a framework of profound socio-economic and political transformations that were occurring in these countries, along with significant changes being experienced by the nation-state. Over the last twenty years, some of these countries have seen military regimes progressively replaced by civilian governments and processes of "transition" put in place. In others, there have been less spectacular changes aimed, allegedly, at the building of democratic regimes. Within this context of change, some indigenous peoples have had unprecedented opportunities for their age-old demands to be heard, not to mention some new ones as well.

Nevertheless, indigenous achievements have not had the same results in all Latin American countries. This new indigenous presence has indeed made itself felt in some countries, such as Ecuador, but in others, such as Honduras or El Salvador, there has been no significant presence achieved. And in some countries the struggle between the state and indigenous peoples has not stabilised. On the contrary, the lack of understanding has led to extreme polarisation, with indigenous armed uprisings in the last twenty years.

Similarly, the last two decades have witnessed the flourishing of a growing relationship between indigenous peoples and political parties in Latin America. Although the contact between the two has almost always been conflictive, their relationship has, nonetheless, been virtually inevitable due to the fact that these political institutions have, to date, held a monopoly over political representation in most Latin American countries. As indigenous peoples have increasingly included the demand for political participation and representation at different levels of government (local, regional, national and international) into their list of actions and demands, the scope for relationships between indigenous peoples and political parties has tended to increase.

The results of such relationships are mixed. In general, the relationship is a tense one, the parties showing little interest in ethno-national issues. This is particularly the case in places where indigenous peoples form demographic and political minorities. More recently, this relationship has shown some signs of changing but these signs are still in their infancy and doubts remain as to the possibility of deepening relationships between the two.

The aim of this essay is to explore the context and nature of these points of contact, the connections and relationships between the indigenous peoples and parties in Latin America. Political representation and participation on the part of indigenous peoples is not limited to the electoral arena. In fact, a significant part of indigenous political life takes place in the area of local government, where the appointment mechanisms and processes of legitimacy do not always involve elections as such.

Introduction

Whilst coordination between indigenous peoples and political parties is a new and contemporary phenomenon, it is also a phenomenon that dates back to the 19th century, when political institutions began to emerge on the Latin American subcontinent. There had in fact been relationships between political parties and indigenous peoples in several countries in the past, but these were isolated cases. In the 1980s and 90s, these relationships increased in quantity and also changed in quality. For this reason, in this study, we distinguish clearly between that which can be understood as a relationship between "indigenous people" and political parties and a different relationship – different in nature – between "indigenous peoples" and political parties.

The former refers to the participation of indigenous individuals who, for a variety of reasons, have achieved positions of power or representation within a political party or even within a government institution, when the said party gains power. The presence of indigenous people in the public administration holding senior responsibilities or occupying seats of popular representation is not a phenomenon unknown in the political history of Latin America.

In the 19th century, two indigenous Mexicans were presidents of the Republic: Benito Juárez, a Zapotec lawyer, and Porfirio Díaz, a Mixtec, both from the state of Oaxaca. Many of their staff were also from the same background. In Peru, during the 1970s, when there was a significant struggle on the part of the peasant/worker movement, four indigenous people won seats as deputies in the National Congress. Nevertheless, the achievements of individuals frequently tended to respond to the interests of the political institution in which they participated and their appointment did not necessarily (although there were exceptions) represent the interests or, even more importantly, the societal project of the indigenous peoples they came from.

In the last two decades of the 20th century, things began to change. We have witnessed an embryonic period of construction of a new relationship, in which the indigenous individuals who were beginning to accede to positions of representation in political organisations or government bodies did so within the framework of a collective negotiated strategy, where the indigenous vote was considered strategic and was noted and given instrumental value, and where direct benefits were sought for the indigenous peoples in question. Within this new setting, different indigenous organisations have sought and established alliances with political parties - either those in power or in opposition - as possible mechanisms for gaining power and political representation.

Indigenous representation without the mediation of political parties has begun to be a reality in some Latin American countries. This is due to the fact that, over the last two decades, the majority of countries have witnessed a crisis in their electoral and party political systems, which has weakened these political organisations considerably. The vacuum these have left has enabled civil society to become stronger and, within this, indigenous peoples have been empowered to achieve greater space – in both quantitative and qualitative terms – for their political participation and representation. These achievements pose enormous challenges, however, challenges that the region's indigenous movement will have to analyse and weigh up in order to define its strategies for representation and participation in the new millennium. In this essay, we will

attempt to identify some of these new efforts, along with some of their inherent challenges.

The Relationship between Indigenous Peoples and Political Parties: Background

In some countries more than others, the differences between the conservative and liberal political parties were made clear in the 19th century with regard to – amongst other things – the place the ethnic factor was to occupy in their concept of the nation and of a desirable society. The conservative political parties tended to hold up their European or "white" inheritance as the principal factor to be considered in the building of a national identity. The liberals, on the other hand, (during the 19th century and the first half of the 20th century particularly those of a nationalist nature) perceived the indigenous inheritance to be the most important value in constructing a national identity. In spite of these differences in perception, both trends nonetheless agreed that the contribution of the indigenous population should be placed firmly in the past, as an historical reference point, in the building of the nation.

For the conservative parties, the indigenous peoples were seen as part of a history of stigma, whilst for the liberals they harked back to a more glorious and mythical time. Both, however, agreed that indigenous peoples should be placed in the past and their presence was thus seen as undesirable to the future continuity of the nation. This concordance explains the fact that - in all Latin American countries - integrationist indigenism was a government policy applied equally and with no fundamental differences by both conservatives and liberals alike, regardless of the ruling government's politico-ideological profile. A general consensus existed that indigenous communities were inferior and had to disappear in order to create the greater, developed and homogenous, i.e. Mestizo, nation.

The strength of the integrationist paradigm reached as far as the politico-ideological tendencies of the Left. The Marxist political parties tended to justify the disappearance of the indigenous peoples on the basis of different, but equally integrationist, politico-ideological baggage. The Marxist theoretical perspective was not alien to the underlying evolutionist trend that fed social thinking at the time. They considered that social change, of necessity, required the disappearance of the peasantry (which included the indigenous) and their consequent proletarisation. Within the political programme of the Latin American Left, the indigenous population and its forms of social organisation were perceived as "remnants" which had to

"evolve" towards stages of "superior" societies, in which ethnic differences would be diluted as they became integrated into the national proletariat[2].

In summary, a tendency toward racism and ethno-Mestizo superiority was dominant within the majority of Latin American left-wing political parties throughout the 20th century, a tendency which perceived the indigenous as children who had to be led, and in which the parties and the state – and those that led them – had a plan to "solve" the so-called "indigenous problem".

Despite these limitations it cannot be denied that, since the 1920s in the case of Peru, or the 1940s and 50s in the cases of Ecuador, Bolivia and Mexico, to name but a few, the political parties of the Latin American Left have played an important role in the agrarian struggles that provided and/or restored land (with a clear peasant perspective) to many communities that were up against the power of the big landowners. This agrarian vocation on the part of the left wing parties was something that made possible their significant indigenous membership at the grass roots level, people who, at that time, were also making peasant-focussed agrarian demands.

The experience that many indigenous leaders gained during their membership of left wing parties was to be of significant importance. This experience was fundamental in fuelling a broad segment of the contemporary *indianista/autonomista* movement. The political biographies of a significant number of *indianista/autonomista* indigenous leaders over the age of 40 today highlight the roots of their training in the worker/peasant movements and/or in the communist or socialist parties – or even the guerrilla movements, in Guatemala, Nicaragua and Chile – of their respective countries.

By the end of the 20th century, the relationship between political parties and indigenous peoples had not substantially changed in the majority of Latin American countries. The relationship continued to be one of tutelage and the proposals continued to be focussed towards solutions, inspired by *indigenismo*. Nevertheless, things have not remained static. The most significant changes have occurred in certain theoretical innovations. A significant number of parties, particularly those of a conservative nature, have continued to hold evolutionary theories and to support the argument that indigenous societies are "backward" entities that have to "evolve".

Other parties have made their discourse more sophisticated. Initially in the 1970s, but more consistently throughout the 1980s, integrationist *indigenismo* changed its spots and was seen in a new light. From then on, its new political and ideological theoretical references were to be based around theories of cultural relativism. A significant number of political parties qualified their perspective

on the indigenous population, considering the previous policy of total extinction of indigenous cultures to be wrong.

A typical refrain was repeated within a large number of political parties who offered, *"to incorporate indigenous people into national life, whilst respecting their cultural characteristics"*. It was probably the so-called "green parties" who most clearly expressed their support for cultural relativism by emphasising certain indigenous values as something that should be protected, and even emulated, by the rest of national society. Some of them even declared the indigenous to be "guardians of the land" and considered traditional indigenous organisation to be a paradigm of society that should be "restored".

Following the success of cultural relativism, after the 1980s, this discourse progressively shifted its focus and became more oriented towards economy and marginalisation until it turned hegemonic again. During the 1980s and into the 1990s, the majority of Latin America's political parties considered the so-called "indigenous problem" to be a result of the situation of poverty and extreme marginalisation in which the indigenous population lived. It was for this reason that, at the end of the millennium, the solutions offered in the programmes of the majority of Latin America's political parties were characterised as welfare policies. For these parties, the ethno-national problem was no longer a problem of a political or cultural nature but was now limited to the socio-economic sphere.

Nevertheless, the reality of Latin America is such that there are plenty of examples with which to remind governments, societies and political parties that the so-called indigenous problem is much more than a question of hunger and poverty. In fact, the several million dollars invested by multilateral organisations such as the Inter-American Development Bank (IDB) and the World Bank in structural adjustment compensation projects have not been – and are still not – sufficient to prevent the indigenous armed uprisings that have frequently occurred in Latin America over the last two decades. Virtually all Latin American countries have experienced indigenous uprisings of one kind or another. In some cases the people involved have called them "peaceful uprisings" but in others, people have reached the beginning of a new millennium with their weapons still hot in their hands.

Towards a New Relationship between Indigenous Peoples and Political Parties

The construction of a new relationship between indigenous peoples and political parties implies the establishment of a new alliance

between both actors, in which the nature of the integrationist paradigm is modified, moving towards a pluralist relationship that enables indigenous peoples to become full political subjects. This new relationship is beginning to be constructed by means of two contradictory and tense issues: a) a growing indigenous empowerment that has enabled a new activism, in competition with the parties, and b) a deep crisis of the political parties, which has minimised their influence at national level.

Over the last two decades, different conditions have been created in Latin America that have produced changes in the political arena. This has led to a repositioning of indigenous peoples and political parties, enabling certain conditions to be created that have weakened the political parties whilst at the same time opening up the possibility of strengthening indigenous actors.

Although this list is not exhaustive, some of the conditions that have made these changes possible are: a) the eruption of an indigenous movement in a paradoxical context where, on the one hand, indigenous struggles are becoming stronger in their activism but, on the other, indigenous peoples are at the same time being weakened by the increasing integration of markets and new capital penetration into natural and genetic resources, and b) economic and political reforms: reform of the state in Latin America, where the paradox is that as weak channels for the democratisation of these societies have opened up, this has also been the arena in which a crisis of the political parties as legitimate representatives of society has occurred. This combination has made the creation of certain conditions possible, which may facilitate the construction of new relations between indigenous peoples and political parties.

Repositioning and Indigenous Political Visibility

In the fight to defend their natural and genetic resources, indigenous peoples have instigated protest movements, many of which manage to draw attention by resorting to spectacular actions such as massive and self-sacrificing marches, accompanied by mechanisms of pressure (such as road closures, blockades, seizure of buildings and so on). These achieve a high impact in the media, both at national and international level. Such movements frequently move rapidly from demanding the resolution of specific problems into the wider arena of political demands. This happens because indigenous movements currently tend to have national states and their economic policies as their main adversary. The indigenous movements – armed or peaceful – of the last two

decades have directly challenged the states and thus touch upon sensitive issues in the political arena.

In this context, the leaders of social movements rapidly tend to become actors who extend their influence towards the political arena. This has been a recurrent formula that has demonstrated the great potential the indigenous movements have for gaining political visibility. But although this is a start, it may also be a dead end and the strategy has its weaknesses. Many of the indigenous leaders who have emerged from protest movements have frequently been highly vulnerable. Their leadership was previously built on the basis of concrete demands in response to the problems of the people they represented. Their grassroots supporters demand solutions. The solutions are often long in the making. While awaiting their arrival, distinguished leaders often receive political offers for forthcoming elections. Given this situation, the grassroots that supported them as social leaders are not always ready to maintain them as political leaders through electing them or their parties. Despite some exceptions, the electoral results frequently and almost always end in disaster and in the decline of the leaders.

The Example of CIDOB

In South America, some of the Amazonian indigenous movements are of this nature. The example of the indigenous peoples of the Bolivian Amazon basin is a case in point. The Confederation of Indigenous Peoples of Bolivia (CIDOB), which was the product of long processes and major efforts at unity for the construction of a regional organisation, culminated in the holding of a *"March for Dignity and Territory"* in 1990. With this march, the indigenous peoples of this region and their organisations managed to get society and the Bolivian government to recognise their right to ownership of their territories and natural resources. These achievements, however, were not enough. An agrarian Law was needed, which would guarantee the security of their lands and territories. A new march, this time with the slogan *"Territory, land, political rights and development"* was again initiated in 1996. Apart from an agrarian Law, the demands proposed on that occasion included legal reforms that would create a new concept of *"Special indigenous municipalities"*, along with the granting of identity papers to the indigenous population, which would facilitate, among other things, their participation in elections.

Apart from the experience with protest actions, the indigenous movement has had much-talked-of triumphs but also significant

defeats, which have left the communities, regions and organisations involved deeply discouraged. The construction of the indigenous movements as political actors is the result of a long process of "learning on the job", which has cost them dearly, and which has required significant changes along the way. Over the last two decades, the continent's indigenous movement has changed its strategy for political negotiation and has moved from a confrontational/worker stance (courtesy of their radical left background) towards a strategy of negotiation and cumulative rights, where negotiators and indigenous leaders are almost always ahead of the proposals of other political actors, parties and even government officials.

Abandoning its class-based radicalism (which stamped on them the ideology of "the total seizure of power") has enabled the indigenous movement to progressively open up spaces for negotiation on the basis of a combination of pressure, mobilisations, demands, proposals and lobbying. Unfortunately, this indigenous opening up has frequently been sidelined by governments. The majority of Latin American indigenous movements have a history of negotiating agreements that remain unfulfilled on the part of the state, as was happening at the time of writing this article with the San Andrés Larrainzar Accords between the government and the Zapatista National Liberation Army (EZLN) in Mexico.

This practice is perceived as a government strategy that is pledged to reduce the legitimacy of the leaders and to debilitate the movement. This was, in fact, the outcome of the march that led to the electoral participation of the CIDOB leaders. The government's strategy to weaken the movement was to damage the image of the CIDOB leaders: the government did not fulfil the agreements that had been signed in 1996 and as a result, faced with a lack of concrete results, the leaders' popularity dropped dramatically. The repercussions were felt in the electoral disaster suffered by the organisation when trying to get their leaders elected to the national congress as deputies. It also caused strong reactions within the movement.

Some Conclusions

Successful indigenous experiences have shown that the representation achieved by the indigenous movement has been largely snatched from the hands of the parties as a result of indigenous political action and not as a generous ideological concession on their part. And although, as we have seen in the case of CIDOB, indigenous movements generally make qualitative leaps at the time of mobilisations, once they move from local low impact demands to demanding

political rights and regional development - as in Bolivia - or to achieving the consolidation of a movement that leads to proposals of wider national interest - as in Ecuador - or even international interest - as in the case of the EZLN - these achievements in the political arena are often not sufficiently solid – nor do their organisations have a sufficiently solid structure – to enable them to ensure concrete implementation of what has been negotiated.

The structures are often exceptionally fragile. One serious weakness is a lack of consistency in the social and political fabric of the indigenous communities and regions, which prevents the burden of power from being supported, once achieved. This is particularly so when the power format is based on institutions or organisational and representational forms that are not those of the communities themselves. In many regions of Latin America, the organisational structures where power must be exercised (communal, municipal and/or regional) operate on a different logic or with a different political culture to that of the communities, sometimes with polarised factions and a scarcity of technical specialists, to name but two problems. This makes it difficult for the indigenous movement to consolidate its political advances in the community sphere, causing discouragement in the face of the challenge to obtain the concrete implementation of political achievements in local and community government.

In short, although favourable conditions do exist to enable the rapid consolidation of indigenous peoples' political activism, the results of this activism are rarely satisfactory to the requirements of the indigenous struggles because the results obtained generally bear little correspondence to the initial demands of the movement through which they achieved their position in the political arena.

Crisis of the Political Parties

Given that they have strengthened their own channels, indigenous people often ask whether it is advisable to continue to search for new relationships with the political parties and wonder if it would perhaps not be better to give up searching for this relationship. This makes sense given the profound crisis that the system of representation of political parties in Latin America is undergoing. The presence of parties among the indigenous communities and peoples generally leads to disastrous experiences. Indigenous testimonies constantly locate the starting point of a conflict in the arrival of the political parties. And what is on offer from the political parties is always based on an ignorance of the existence of the other political

cultures, jurisdictions and form of organisational representation that a diverse indigenous organisation implies. Indigenous political culture, jurisdiction and other forms and mechanisms of appointing their representatives are not, generally, recognised by political parties, where competition and power struggles are inherent in the political culture.

In the current climate, the existing political organisations are in a crisis, and form weak channels of representation. Capital and private corporations have been the most important protagonists of economic integration. In the political arena, changes related to structural adjustment policies have led to deep transformations in terms of the size and role of the state and have required a repositioning of the political actors. They have therefore promoted very diverse political reforms. In spite of the significance of such changes, the political parties have nevertheless remained marginal in nature.

Some analysts have asserted that the political parties have been notably absent from the processes of negotiation that have accompanied the structural and political changes in Latin American countries over the last twenty years. But more than this: the political parties have not only been largely absent from the proposals but from the responses too. In fact, in all Latin American countries, these political institutions have lost the capacity to provide alternative solutions to the basic problems now faced by a large proportion of the population (including the indigenous peoples). These people are excluded and increasingly impoverished as a result of neoliberal economic policies. The majority of opposition parties lack economic and political proposals that differ substantially from those of the parties in power, almost always yielding to policies endorsing the market economy.

Moreover, the opposition parties are often no longer the traditional allies of indigenous struggles. They often do not support indigenous demands because the Indian organisations are in competition with them by questioning their monopoly of political representation and disputing the power that the parties are unwilling to share.

The last two decades have seen profound change in Latin America. The crisis in the parties has deepened because they have resisted modernisation, in spite of the fact that power systems have been modified. The result has been that a growing number of citizens neither desire nor aspire to political expression via the party political route. state action has contributed to deterioration in the political parties. The political adjustment that has accompanied economic adjustment obliges the state to promote the opening up of popular mechanisms of participation. The combination of these factors has, over the last two years, led to an increase in the sectors of the

population who do not feel adequately represented by Latin American political parties.

In the majority of the region's countries, the parties continue to lose credibility and the politicians' images are in ruins. Apathy - as seen by the level of electoral participation - is an indicator that demonstrates the lack of legitimacy of many of Latin America's governments. In Guatemala, for example, the decline in credibility of the political class is expressed in a dramatic exponential growth of electoral abstentions[3].

The crisis in the conventional parties is clearly expressed through their incapacity to gain power alone: in a significant number of countries, governments are made up of alliances of different parties, groups and associations. Programmes and principles are no longer the uniting factor. Alliances now often tend to be formed on the basis of market studies of the electorate. Opinion polls have become the great electors. Political alliances tend to give greater credence to people not belonging to parties and to regional leaders. The parties have lost their hegemony and have also lost their capacity to respond to the major national problems. With this, the political parties in Latin America have now lost their capacity to respond to the demands of ethnic and political pluralism.

But the crisis of the political parties only reflects a greater crisis that touches the very model of the state and mono-ethnic society in its relationship with indigenous peoples. The whole system, including the political parties, has shown itself to be incapable of responding to indigenous demands. The lack of political paths through which to channel their demands leads indigenous peoples repeatedly to radical mobilisations which, given their lack of alternatives and the lack of institutional channels for their demands (a role previously fulfilled by the parties), frequently turn into armed movements. The refusal of the Zapatista National Liberation Army (EZLN) in Mexico to form a relationship with any political party or to participate in electoral processes, clearly demonstrates this trend.

The stage is also becoming tense in the Southern Cone. In Chile, the struggles of the Mapuche people have entered a phase of extreme tension with the state. Increasingly, Mapuche action occurs within a situation of violent confrontation. According to the Mapuche leaders, the conflict has entered a stage from which there is no way out. The radicalisation of the Mapuche has encountered the violence of the state, which sent in a police contingent, taking prisoners and leaving behind many wounded. In June 1999, President Frei's government was studying the possibility of according the mobilised Mapuche organisations the category of "illicit associations", virtually forcing them into a state of rebellion.

The general incapacity of the political parties to channel their countries' societies towards alternative, tolerant and democratic societal projects was clearly seen in the referendum held in Guatemala on 16 May 1999. This sought to recognise the rights of indigenous peoples and to limit the role of the army, alongside other measures that were established in the Peace Accords of 1996. In spite of the efforts of many civil organisations - both indigenous and non-indigenous - some of the political parties and a section of the government to encourage people to vote and to vote "yes", to the surprise of nationals and foreigners alike, the referendum was marked by an 82% abstentionism, whilst those who did vote voted "no" to the constitutional reforms.

Subsequent studies have demonstrated that, prior to the referendum, the context of the country had become strained by actions of violence and intimidation campaigns against the population, threatening an alleged ethnic war and seeking to terrorise both indigenous and Ladinos alike. In a country where political expression is still not guaranteed, many Guatemalans were afraid to vote. Furthermore, ethnic conflict between Indians and Ladinos was strongly rooted in the imaginations of both sides. The Ladinos, in particular, were afraid of the possibility of an "indigenous state" being established which would, they assumed, marginalise them. The propaganda and rumours spread by the pressure groups and many of the evangelical churches were of greater impact than those promoted by the political institutions and even organised civil society - indigenous and non-indigenous. Guatemalan society closed its mind to the opening of legal paths towards plurality, thus bringing to a close the possibility of an institutional channel by which to resolve the problems of ethnic and political plurality.

In other places, too, indigenous peoples have found themselves on the path to defining the future. The crisis of the mono-ethnic state model has led Venezuela to an unusual form of government. The events in this country show an urgent need for a new social pact that will renew - through a new National Constituent Assembly - the citizens' accord, eroded by the corrupt bipartite electoral system which has led the country into a prolonged crisis. It is still not clear what direction the new Venezuelan Constitution will take in order to face the ethno-national problems of the country. Given its closeness to the Colombian experience, it could shift towards a pluralist state such as exists in that country.

On the other hand, an article in the daily *El Universal de Caracas* in November 1999, warned of the possibility of the National Constitu-

ent Assembly (ANC) opening up, "...the doors to separatism". The newspaper reproduced an official letter sent to the ANC, dated 27 September 1997, by a rear admiral working for the Institute for Border Studies (*Instituto de Estudios Fronterizas*), in which he declares his disagreement with the recognition of the rights of indigenous peoples as formulated in Chapter VIII of the new Constitution. The text states that indigenous peoples are entities "...with a social, political and economic organisation, as well as native collective property rights over the territories which they have ancestrally and traditionally occupied".

In the admiral's view, "the natives must be treated like the peasants, giving them land by means of cooperatives with property title; in this way the state would not be endangering its own legal system." The official also considers that specific forms of social organisation should not be recognised. What they should do is, "...bring together different aboriginal communities which share the same characteristics and form an indigenous municipality, so that every mayor can devote himself to resolving their problems." Which would mean, in short, the indigenous abandoning their own forms of social organisation. He continues: "It is the mayor, not the cacique who resolves problems, in accordance with the rest of the politico-administrative constituencies of the country." In short, the new constituent assembly in Venezuela is faced with the dilemma of building a new Constitution that supports either an integrationist or a new pluralist state.

And this was the central debate in Latin America at the end of the millennium: The crisis of the state and mono-ethnic society, together with the crisis of the political parties, left indigenous peoples with few possibilities of channelling their demands within the institutional framework, which led in many cases to an indigenous radicalisation and even, at times, to the formation of guerrilla groups, with violence and death as the undesirable outcomes. The political parties have lost the capacity to lead society down alternative and peaceful paths.

The 20th century has bequeathed the new millennium two unresolved indigenous conflicts: the armed movement in Chiapas (Mexico) and a declaration of war from the Indigenous Revolutionary Army (ERI) - a faction of the Yatama indigenous movement - which burst onto the scene in May 1999 in the Atlantic Coast region of Nicaragua. These conflicts became increasingly radicalised because of a lack of response from their countries' political systems and their incapacity to deal with the demands for ethnic and political pluralism.

Indigenous Participation and Political Representation

Indigenous peoples have overcome their historical apathy and entered upon the political arena, moving from being mere electors to being those elected. But once some space for political representation had been won, the indigenous representatives were faced with the challenge of effectively managing the posts they increasingly occupied. In only 20 years, representatives from *indianista/autonomista* indigenous movements had risen to positions of unprecedented power. In the executive sphere, Víctor Hugo Cárdenas, an indigenous Aymara, was elected vice president of Bolivia (1993-1997). In Colombia, in the legislative sphere, Congress is now required to have two permanent indigenous Senators. In Ecuador and in Panama, indigenous people committed to indigenous struggles have reached the posts of president and vice-president of their national congresses.

In other countries, indigenous people have held posts as ministers. For example, when this article was written, in Guatemala a Mayan woman held the post of minister of education. In other countries, indigenous leaders have occupied posts as federal deputies elected by the government parties or by the opposition. Indigenous people also increasingly represent the indigenous districts and regions and an unprecedented process of indigenous representation controlling the local municipal governments is being witnessed.

All of these indigenous achievements, which highlight a context of indigenous empowerment at the end of the millennium, have frequently been faced with problems, many of them of a structural nature. They relate to faults in the system and/or to the express actions of governments who try to systematically place obstacles in the path of indigenous governments. Others are the result of a corrupt leadership. Excessive factionalism, intolerance and incapacity to respond to dissent also constitute severe problems, as does a lack of experience, skill and technical capacity to govern. All this means that the new participation and representation and the exercise of indigenous government have enormous challenges to face up to.

Indigenous Participation and Representation in Local Power

The politics of structural adjustment and the politico-administrative changes associated with the reform of the state in Latin America have been accompanied by decentralisation measures that have a direct impact on local governments. They have entailed the transfer of different functions - traditionally undertaken by central govern-

ments - to the municipalities. This has significantly increased the complexity of municipal administration. The gaining of "local power" is accompanied by a demand for modernisation of local governments in order to gain greater administrative efficiency.

In the indigenous regions, the reform of the state has brought about, and this list is not exhaustive, the following processes: a) the municipalisation of indigenous territories, resulting in the need to introduce changes in the traditional indigenous judicial forms of organisation; b) participation of the people in the election of the municipal councils; c) pressure for higher academic qualifications and a mastery of the state juridical-administrative concepts of the local authorities; and d) an increasing dependence on non-indigenous "advisors", with a strong interference in decision-making.

These changes form a complex context within which indigenous peoples must attempt to govern. Some indigenous leaders consider the "political adjustments" that have accompanied the reforms of the state and political system in many Latin American countries as merely a way of strengthening the policies of integration of indigenous peoples. Many of the communities that were municipalised in Bolivia or Peru were formerly organised around their own jurisdictions, which were subsequently not recognised. The *caciques* or traditional authorities were substituted by the municipal councils. Similarly, in many places, electoral processes substituted the community assemblies as the mechanism of appointment of officials. Likewise, many of the best leaders of the communities were elected as local or federal deputies. Thus the local indigenous communities were significantly "adjusted", and had to give up their own political culture, in order to be integrated into the state institutions.

Some leaders consider that such changes constitute an opportunity that can be exploited in order to gain self-government. But others, on the contrary, consider that they form new integrationist mechanisms that increase the breakdown of regional organisation and of traditional indigenous governments. Some believe that, either way, the indigenous challenge is to find the necessary balance that enables indigenous peoples to accede to local government within the new legal framework, whilst at the same time strengthening the leadership of their peoples. However, many believe that such a balance is not possible.

Given this situation, indigenous peoples find themselves in a difficult position. On the one hand, as a result of neoliberal structural adjustment policies, the state finds itself obliged to transfer administrative functions to the local indigenous governments. This constitutes an important opportunity for indigenous empowerment at local level. Nevertheless, the aim of the state is not to empower the

local indigenous authorities; it offers such empowerment in return for their "modernisation", that is, in return for their functioning within the global state policy. In many places this situation has brought about the replacement of traditional governments with new authorities.

In this new panorama, indigenous peoples are faced with a challenge. On the one hand they must be able to take over the new administrative functions, for it is thus that they may be able to gain spaces for political decisions in the affairs of their local governments. But at the same time they must seek a formula and mechanisms that contribute to finding a balance between these new functions and the validity of their traditional authorities.

Bolivia

Bolivia is an example that clearly illustrates these challenges. Between 1993 and 1997, the government of President Gonzalo Sánchez de Lozada and Vice-President Víctor Hugo Cárdenas (this latter an indigenous Aymara and leader of an indigenous radical political party) led a government that was characterised by its implementation of the most thoroughgoing legal and administrative reforms in the history of the country.

Of the wide range of reforms undertaken, the Law of Popular Participation, promulgated on 20 April 1994, merits special attention. In accordance with its text, it sought to achieve the consolidation of citizenship as a decisive contribution to fulfilling development objectives. This new normative framework introduces substantial modifications to the Bolivian democratic system, amongst which the creation of new urban/rural municipalities can be emphasised. The new Law created 311 "sectional municipalities" throughout the country. As a consequence of pressure from the indigenous movement, the Law came to include the concept of "indigenous municipalities", which would not seek to substitute the existing indigenous authorities by imposing mayors on them but would recognise the native authorities. The previously existing jurisdiction and demarcation would be recognised and the new municipalities would coincide with indigenous social organisation.

Following the legal changes, the most difficult task is the modification of regional power structures. But there is a lack of political will to continue with the reforms. On 6 August 1997 there was a change in government. President Lozada and his Aymara vice-president, Víctor Hugo Cárdenas, are no longer in power and the new government has shown no commitment or enthusiasm to deepening

the reforms. The new municipalities are thus faced with many problems in their consolidation.

With regard to the new participatory spaces, many indigenous peoples see the process of election of their authorities as government actions that attempt enthusiastically and emotionally to involve the inhabitants of the communities. Increasingly, indigenous communities consider that the election of their local governments is an area in which the communities should be directly involved, and they thus prefer to avoid party involvement in these processes.

Peru

The same feeling was expressed in a press article on 4 June 1998, when a representative commission of leaders from the Asháninka people, from the native communities of the Upper Forest of Junin, arrived in Lima, Peru, for the registration of their independent Indigenous Movement of the Peruvian Amazon (MIAP) list in order to participate in the municipal elections for the Perene district. MIAP had been participating in municipal elections since 1995, with some success. Local power was seen by the Asháninka as an opportunity to experience and consolidate processes of self-development.

The press coverage included statements made by the MIAP leaders that stated the reasons for entering the electoral process without an alliance with a conventional party:

> "...the Indigenous Regional Organisation of Atalaya –OIRA, comprises more than 80 indigenous communities of the ethnic groups Asháninka, Matsiguenga, Yine, Shipibo, Conibo, Yaminahua, and Sharanahua, amongst others. In spite of unfair racist and discriminatory competition from the traditional political parties of the Province of Atalaya, in this border zone of the Department of Ucayali MIAP won with respect, decision, work and a desire for participation in order to take on the administration of their own development and guarantee their own destiny."

It is important to note that the Asháninka efforts to form a government have been accompanied by an important training process in order to have professionals linked to their communities (very similar to the experience of the Kuna people in Panama) who undertake technical and development activities. On arriving to register their list of candidates, the Asháninka argued their case. They said,

> "We have decided to participate in the local government elections of October 1998 in our new district with authentic Asháninka candidates in order to demonstrate our professional capacity to manage and implement in practice alternative and sustainable integrated ethnic development in accordance with our indigenous cosmovision, with respect, consultation, participation and justice after an historic delay."

In spite of the organisations' efforts to win local governments, the immediate problem that must be confronted is that of management efficiency. A study carried out by the Peruvian anthropologist Alberto Chirif on the management efficiency of indigenous organisations in Peru - particularly MIAP – once in local government found that one of the main problems facing them was the lack of training of their own leaders. Therefore they have had to rely on "advisors" who, in the best case, do not always have a vision in line with the interests of the indigenous community or people and, in the worst case, monopolise - on the basis of their superior technical knowledge - decision-making processes, on occasions even committing frauds against the municipalities[4].

Guatemala

In Guatemala, over the last decade the municipal authorities have been gaining strength as a space for indigenous representation and government. The indigenous population in this country constitutes a demographic majority (65% to 85%, depending on the source). Despite this, the non-indigenous minority has always controlled the state and its institutions. In 1987, an electoral reform was brought in that allows the mechanism of Civic Committees to elect municipal presidencies without the need for registering with a political party. This reform is slowly contributing to an indigenous empowerment in the municipalities. In the last elections of 7 November 1999, a total of 173 Civic Committees submitted proposals for municipal mayors. This figure is significant, given that out of a national total of 330 municipalities, more then half of the submitted candidates ran outside of political parties. Unfortunately, only 25 of them won, which underlines the disadvantages of being separated from party structures.

In spite of this, the Civic Committees managed to convince the electorate to overcome the abstentionism of previous elections. The Civic Committees are beginning to show their usefulness in gaining local power and the trend towards their use is high. While in 1987, only 48 Civic Committees were registered, in the 1995 elections this

total had risen to 159 and in 1999 to 173. It is important to mention that of the total number of municipalities that presented candidates through the Civic Committees, 58.38% were located in the western region, characterised by its high density of indigenous population.

Because of their numerical importance, but also as a strategy through which to strengthen their capacities and competence, the Guatemalan Association of Indigenous Mayors and Authorities (AGAAI) was formed in April 1996. This body states its principle objectives to be those of encouraging a new form of municipal government amongst Mayan authorities that takes into account the cosmovision and participation of the Mayan communities, strengthening fraternity and support between its members, and supporting, encouraging and increasing activities that fulfil ILO Convention No. 169 and the Peace Accords.

They thus propose:

> "To defend, exercise and develop true municipal autonomy, in fraternity with the different municipalities, applying Mayan values of political participation."

This Mayan political participation means favouring and granting a predominant role in government to the communities' local authorities, such as the auxiliary mayors, the Councils of Elders, the committees, groups and associations that act at local level.

Honduras

The slow but sure progress of indigenous rights in Guatemala is not, however, repeated in the other countries of Central America. In Honduras and El Salvador, for example, indigenous peoples still struggle in an atmosphere of violent repression and they are far from achieving their rights and representation. On 12 May 1996, the Honduran government violently removed members of a number of indigenous organisations who were holding a peaceful protest. An indigenous Chortí died in the events. Faced with the indifference of the political parties, the persecution of indigenous leaders has led to their exile in Costa Rica. The Honduran Congress has refused to modernise and recognise plurality. Many organisations have drawn attention to this issue.

A 1998 communiqué from the Organisation of Ethnic Community Development (ODECO) read as follows, "The political parties [in Honduras] should undertake a deep review of their philosophical

framework in order to adapt themselves to the current and future dynamic, transforming them into true channels of expression for all the sectors of which Honduran society is composed...At this current time, you would think that Honduras was homogeneous, but it is in fact a mosaic of races; you only have to look at the way in which the National Congress and the Supreme Court of Justice are formed to see that none of their members are Indian or Black. In comparison, societies considered racist such as the United States of America, offer conditions of representativity in the political arena to all inhabitants..."

In Honduras, as in Guatemala, local power tends to be the most common arena from which to commence a process of indigenous empowerment. This usually constitutes one of the most protected spaces in a context of repression. Because of this, and because of their legitimacy, some indigenous peoples have tried to recover and/or reinvent their traditional local government institutions in order to give them a new dynamic. For example, over the last decade the still nascent indigenous movement in Honduras has attempted to revitalise its institutions of local power, such as the Auxiliary Mayor's Office of Vara Alta, which, in the past, had significant importance for the Lenca people. In spite of repression, this institution managed to survive in some communities, although always subordinate to the official local authorities. In order to recover their capacity to govern, the Lenca people are demanding the recognition, strengthening and enforcement of local indigenous governments from the Honduran state.

Mexico

In Oaxaca, Mexico, 570 municipalities benefited from an electoral reform in 1998, which recognises customary law as a legitimate and legal mechanism for the municipal elections. For the first time, the indigenous people of Oaxaca were not obliged to resort to political parties in order to register their candidates with the electoral bodies, nor did they have to feign electoral registration to register a candidate already elected by customary law. This legislation only exists in Oaxaca and was not incorporated into the other federated states of Mexico. This is in part due to the small size of its municipalities. Although - as in Oaxaca - the municipal institution constitutes a form of organisation and local power for some indigenous peoples, and one with which contemporary indigenous institutions have been able to identify significantly, this has not been the case for other indigenous peoples of the same country. In other parts of Mexico, the so-

called "indigenous municipalities" suffer from excessive fragmentation, and factional even partisan conflicts are frequent. In the north of Mexico, the Yaqui tribe has rejected the municipalisation of its territories and has, to date, managed to avoid it. They perceive municipalisation to be a form of aggression and an attempt on the part of the government to divide their territories and weaken their identity. In other parts of Latin America, indigenous peoples share the Yaqui's vision and still resist the adoption of municipal institutions, perceiving them to be integrationist structures of the national states.

Venezuela

The process of municipalisation has frequently been carried out by superimposing new government structures on top of the indigenous peoples' own government structures. However, the indigenous peoples themselves often put the demand for municipalisation forward as a strategy to strengthen their local governments and their capacity for development. In other countries and regions, the municipal institutions are perceived as an undesirable imposition, which the people oppose. Such is the case of the indigenous peoples of the Venezuelan Amazon, who rejected the traditional concept of municipality (with the conventional framework of a mayor and a town council) and proposed a new framework closer to their own traditional social organisation. A newspaper article from March 1997 noted this indigenous disagreement. The article records that the Regional Organisation of the Indigenous Peoples of the Amazon (ORPIA) lodged an appeal with the Supreme Court of Justice in their country against the Municipal Law that was creating new municipalities in the state of Amazonas, a Law that was drawn up without their involvement.

The Court ruled in favour of the indigenous peoples as the Venezuelan Constitution allows for different municipal systems and guarantees indigenous communities the right to land and to their own forms of internal organisation. The Law of Municipalities had established six new municipalities in the indigenous areas mentioned and imposed a government framework alien to the Amazonian organisation. Supported by the Court ruling, the Amazonian people then decided to build a new municipality, which would have the following characteristics:

> "It is defined as an ancestral municipality, respectful of environmental limits, the cosmovision of each people, their sacred places and own governability...The proposal establishes the creation of seven new municipalities, one more than decided by the rejected law, the request for a special one for the Yanomami being accepted, who are one of the oldest peoples in the world, living in Brazil and Venezuela. It was also agreed to promote a collective form of government, in which the mayor is substituted by a coordinator who will act as a servant who facilitates activities and defends the rights of the community...we want to have a government of the communities, with indigenous circuits and inter-ethnic councils, where all our peoples will be represented and which would substitute the councils."

Months later, in October, the National Indian Council of Venezuela (CONIVE), rejected the formation of the new municipalities and called a day of activities that was entitled "Day of Resistance against the New Colonisation" - as the new penetration of municipalities into these territories was called. From CONIVE's perspective, the penetration of these new state structures aimed to provide an appropriate legal framework for companies to exploit the gold mines located on indigenous territories.

In short, the importance of local governments and the (negative) role that the processes of municipalisation and remunicipalisation play in the different regions of the country has not been sufficiently discussed. However, for many Latin American indigenous peoples, the municipalities are now the appropriate institutions upon which to build modern indigenous social organisation.

Indigenous Participation and Political Representation at Regional Level

Indigenous governments at a regional level face other problems. These relate to conflicts between the different levels of government (central, regional, municipal and community), to weaknesses in the management of indigenous regional governments and in government authorities, to the difficulties in achieving their institutionalisation and to growing tensions provoked in the regions by the political parties and electoral competition.

The Case of Nicaragua

Regional autonomy in Nicaragua, for example, confronts different contradictions[5]. Nicaragua has a two-party system (since independ-

ence), which underlies the political loyalties of all Nicaraguans. On the Atlantic Coast, in spite of a law enabling the formation of associations by popular subscription, no other regional political entity has yet managed to overcome the national bipartite political culture.

Apparently, one of the difficulties is the election of regional representatives. Political parties and/or political groups have not managed to involve the population in the coastal region, leading to a lack of political representativity, aggravated by the regional governments' incapacity to respond to the population's main demands. This problem is worsened by the existing framework for autonomy, which favours the regional level at the expense of the local governments and does not provide for recognition of the traditional authorities.

In spite of the fact that the regional councillors in the autonomous region of Nicaragua are largely representative of the indigenous population, the process of electing councillors begins to experience the same problems of abstentionism as the political parties[6]. An analysis of these trends undertaken by the NS/NR consultancy group has attempted to provide some reasons for the apathy demonstrated in the 1998 elections[7].

They put forward three hypotheses: a) abstention as a rejection of the electoral system and of the parties and organisations that participate in it; b) abstention as a result of technical and organisational problems in the Regional Electoral Councils, which created confusion and uncertainty amongst voters; c) abstention as a result of a growing indifference to regional affairs and more interest in local governments along with the strengthening of traditional authorities that have avoided involvement in elections, as is the case of the Council of Elders.

It is important to note that, in addition to the apathy of the people and the scant interest of the Atlantic Coast region to participate in regional electoral processes, the extensive presence of the national political parties is equally significant. This is particularly so of the conservative Constitutional Liberal Party (PLC) and, to a lesser extent, the Sandinista National Liberation Front (FSLN), who compete alongside the coastal peoples' own parties/regional groups. The votes cast did not demonstrate a particular loyalty to the regional indigenous parties/organisations and the figures provided by the region's studies show that, together with the trend towards increased abstention, the regional parties/groups have simultaneously experienced a significant drop in votes. In this respect, the report of the Consultancy Group that undertook the research, reads as follows:

> "In the beginning, many informants gave us many reasons for the coastal people's rejection of their own organisations, highlighting corruption, betrayal and a lack of knowledge regarding their own people's interests."

Voter apathy is, in fact, the result of many factors:
There is a great mistrust of political parties on the part of the population. People still remember the conflict that occurred in the 1980s in the region with the FSLN in the struggle for indigenous people's autonomy, and the initial Sandinista incomprehension with respect to their demands.

There is still also mistrust of the Right. In its 1990 electoral manifesto, the National Opposition Union (*Unión Nacional Opositora*) promised full and total respect and support for autonomy and a response to the people's demands. The current President, Arnoldo Alemán, elected by the PLC - the party that is the successor to the ideological current of the Right - has promoted agrarian reform initiatives which contradict autonomy and threaten the territorial rights of the coastal population.

This picture of mistrust is also present in the people's relationship with indigenous parties and political groups. During fieldwork undertaken for this study, it could be perceived that there were negative feelings regarding the way in which the indigenous governors had handled things. The foremost leader of the Indigenous Multiethnic Party (PIM) and ex-governor faced a charge for presumed corruption and embezzlement of funds. This situation had a severe impact on the behaviour of the voters by sowing mistrust of their indigenous representatives.

The lack of efficiency of the RAAN's (northern autonomous region of the Atlantic coast) indigenous regional governors has had a significant impact on the loss of indigenous power. In the last elections held on 1 March 1998, a Mestizo woman, member of the governing PLC party, and ex-minister during the Somoza dictatorship, was elected governor of the RAAN after two indigenous governments had been accused of fraud. Similarly, a Mestizo from the government party was elected president of the local Congress. The triumph of the PLC on the Caribbean Coast has threatened the region and its autonomy.

Exploiting its majority to its advantage, the central power acts in a premeditated way to weaken the autonomous governments. The management capacity of the councillors is being reduced almost to a minimum as a result of an express intention on the part of the government to prevent the Regional Councils from sitting. Between

1996 and 1997, the Regional Council of the RAAN did not sit for more than a year. The Regional Council that was elected in March 1998 only held three sessions during a whole year. The lack of budget, inter-party conflict and, above all, the express wish of the central government to minimise regional government, has practically paralysed the regional bodies.

Additionally, central government seeks to undermine the legitimacy of the councillors. The different efforts of the councillors and regional Congress deputies to formulate the *Autonomy Law* have been frustrated by a lack of support from the central government, paralysing the legislative action of the Councillors. Central government also contributes to discrediting them. For example, in a surprising action, the Councillors' salaries were doubled, and at the same time members of the government party were manipulated in order to prevent the Council from sitting. This excessive salary, alongside the inactivity of the Regional Council, irritated the people in the coastal regions. For the population, the incapacity the Regional Councils have suffered from since 1994 is seen as a sign of inefficiency and a lack of interest and commitment on the part of their representatives, which in turn reinforces the people's apathy.

A Miskito leader stated as follows the challenges that the Autonomous Regions on the Caribbean Coast therefore face:

a) Difficulties in the institutionalisation of autonomy as a result of a lack of their own trained staff, which makes the implementation of the right to regional autonomy difficult.
b) Contradictions between different levels of government and conflicts of regional identity versus the political partisan identity of the councillors. In the text the Miskito leader highlights the following:

> "The problem is related to...the functioning of the structures of government. In Latin America, where we have a strong centralist tradition, the fact of talking of regional governments as maximum bodies of power to which the coordinating government is subordinate is highly contested. ... For the central government it is much easier to strengthen a few individuals than to strengthen a Council that could take more serious decisions than a single person.
> "It seems to me that [the] relationship of Governor versus Council or Regional Parliament has been a serious problem because when the councillors in the autonomous regions are elected, they have no idea of what a council or a parliament is...they learn about it as they put it into practice. But there has been a great deal of internal deadlock. This deadlock relates to the problem of participation of national parties in regional elections. It is a problem to which I see no short-term solution. The fact that people are elected councillors by one national party or another means they are loyal to that party rather than to the autonomous region."

One proposal for solving this problem, in her view, would be to include measures such as modifying the *Autonomy Law* so as to establish mechanisms for transparency and accountability of the councillors and the Regional Autonomous Council before those that elected them.

The Law should also resolve the vacuums that currently exist with regard to the relation between or the integration of central government / regional government / municipal government / communal governments. Because of legal loopholes, the central government negotiates directly with the municipal and communal levels as a strategy for detracting authority from the regional governments. In her view, this government strategy - encouraged by the political parties - has contributed to the creation of factions and divisions within the autonomous regions.

Other more recent events have threatened autonomy. The coastal people will eventually face the risks and pressures derived from managing the pluri-ethnic diversity of the region. Over the last decade, several thousand Mestizos have arrived from the Pacific coast to live on the Atlantic coast. For many of the indigenous peoples of the Atlantic coast, the Mestizo presence has become a danger. Every year, thousands of Mestizos settle on lands that are on indigenous territories. The greatest concern is that the balance in the ethnic composition of the population will shift from a majority of indigenous people to a majority of Mestizos, which many indigenous people see as a risk in terms of the correlation of forces and voting orientation, and all the implications this could have for autonomy. For many coastal people, the massive Mestizo migration towards the Caribbean coast is seen as a strategy of the government and the political elites of Nicaragua to dilute the pluri-ethnicity and homogenise the country on the basis of the cultural patterns existing on the Pacific coast.

At the turn of the 20th century, the indigenous peoples of the Atlantic Coast remain dissatisfied, and disagreement with the central power has once again broken out in Nicaragua. The armed uprising of the Indigenous Revolutionary Army (ERI) is symptomatic, as are the actions undertaken and encouraged by the Miskito Council of Elders, which has refused to participate in electoral proc-

esses and has called for a boycott of the elections. Similarly, as a resistance action, the Miskito Council of Elders raised the British flag in the centre of Puerto Cabezas for more than seven months, in a clear act of rebellion against the Nicaraguan state[8].

Indigenous Participation and Representation at National Level

A rapid assessment of the events of the 20th century regarding the relationship between indigenous peoples and political parties leads to the conclusion that this century was, in general, not very encouraging. By the end of the millennium, a general trend of indifference with ethno-national problems could be observed amongst the conservative parties. At the same time these parties took on an evolutionary stance and looked at "modernity" and the market as the motors of the wheel of history that would irreversibly lead to the "resolution" of such an undesirable "problem".

Frequently, these parties were not incorporating indigenous affairs into their basic documents or including them in even a marginal way. The parties would react to the indigenous presence with some "welfarist" offer only when the Indians mobilised in a radical manner, putting in danger the "Rule of Law".

The parties of the Left, for their part, continued to incorporate indigenous demands into their programmes but, in almost all cases, indigenous claims were used as a political banner with which to gain votes. In general, these parties did not modify the basic tutelary relationship with the indigenous, reflected in the unwillingness and apathy to open up and recognise indigenous participation and representation through the indigenous peoples' own institutions. These political parties were unable to discern changes in the integrationist state model. In general, they continued to perceive of indigenous people as children. They continued to deny them the possibility of negotiating with their own voice and moreover failed to consider them as possible protagonists to lead their own transformation through their own institutions. In spite of these failings, the parties of the Left were almost always the place where indigenous demands gained some hearing space, albeit limited.

By the end of the millennium, the relations between indigenous peoples and political parties - regardless of their ideology – had ended up extremely tense. One clearly sensitive point was, and remains, the lack of indigenous representation within these political institutions, as the spokespeople of indigenous voters. This issue constitutes one of the most important demands for the right of

indigenous peoples to representation and direct negotiation when dealing with their own affairs. The parties continue to ignore them, thus replicating integrationist state policies.

This tension has led to discouragement, confrontation and sometimes rupture. The *indianista/autonomista* organisations tend to discredit the parties, accusing them of spurious illegitimacies in representation and demanding respect and recognition of the electoral forms and mechanisms that the peoples and organisations choose. In the majority of cases, the parties tend to ignore these demands and the national leadership manages to impose - through a vision of assimilation - indigenous representatives, contributing to an increase in tension with indigenous organisations and peoples, who sometimes end up renouncing party membership.

But, in this respect, there exists a vicious circle. Given the political parties' monopoly of representation in the majority of countries and the lack of indigenous presence within these organisations, indigenous organisations and peoples find themselves in a situation of marginalisation, excluded from the political spaces where decisions regarding national policies are taken. It is for this reason that many indigenous leaders consider it appropriate to strive to gain representation within Congress, even when it has an integrationist perspective. And so even when marginalised or aligned with government policies, the initiatives of the indigenous Congress representatives are often aimed at strengthening certain spaces in the parliamentary structures, something which generally does not occur without indigenous presence.

At the same time, the political parties - or rather the spaces they monopolise – have, in the current climate, become strategic places for indigenous peoples to advance legal reforms in recognition of indigenous rights. In this way, the legislative field has become a basic platform for indigenous peoples to place relevant issues on the national agenda, as well as to force the parties to take an interest in the subject and to build and weave alliances that have a favourable impact on the struggle for their rights.

The indigenous organisations and peoples are thus debating the dilemma of whether to participate in political parties and be subordinate to the dynamics and rules imposed by the parties or whether to remain outside of them. There are cases - such as that of Ecuador - where the indigenous force has managed to overcome the political parties' capacity to call upon people, and so resigning party membership has not had a high political cost. But, in others, such a relinquishment has meant political isolation. This situation is particularly sensitive in cases where the indigenous population forms a demographic and/or political minority.

Some things are beginning to change. Indigenous representation in the chambers of deputies and senators is slowly beginning to gain ground. In spite of the still frequent attempts of individuals or parties to assume the role of "spokespeople" or "representatives" of indigenous peoples, undermining Indian representation, this is less and less acceptable, both to the indigenous peoples and to the parties. The latter are beginning to prefer indigenous representatives in order to win the indigenous vote, as well as to demonstrate a token show of plurality. In spite of this progress, there still remains a great deal of apathy to overcome. The practice of putting indigenous candidates at the bottom of their lists, in marginal positions, is predominant among the parties, thus continuing to use them as "top-up candidates" who serve to pull in the votes but never manage to make it to the top of the list of candidates, where they are likely to be elected.

Because of these tensions, the indigenous peoples and their organisations are exploring new mechanisms and other forms of relationships with the parties, such as alternative paths to gain political participation and representation without having to depend on the party system and, more importantly, without having to depend on the electoral system. In the last decade of the 20th century, the most significant cases of such indigenous efforts were witnessed in Ecuador, Bolivia, Panama and Colombia.

Ecuador

In Ecuador, the indigenous movement, grouped together in the Confederation of Indigenous Organisations and Nations of Ecuador (CONAIE) has strengthened its presence at the national level, competing strongly with the political parties and even managing to displace the Marxist-oriented parties. CONAIE was created in 1986, and it acts as the umbrella organisation for the most important regional indigenous organisations of the indigenous peoples and nationalities of Ecuador. The unity of this organisation is constantly put to the test, because of its ethnic, regional and even political diversity. In spite of the internal differences that frequently shake it, over the course of its almost 15 years in existence CONAIE has nevertheless consolidated a great capacity for mobilisation, which has repeatedly paralysed Ecuador, and has obtained important achievements, both for its members and for other Ecuadorians.

The changing nature of the demands over the past decade (1990-2000) clearly demonstrates the organisation's level of development and maturity. During the first phase, from 1990 to 1996, it was perceived as a movement demanding recognition of the specific rights of indigenous peoples. From 1997 to 2000, however, a change in strategy could be observed. CONAIE decided to become a national alternative and to seek to lead the country, not as a movement for indigenous demands but as a movement for the construction of a new state and a new country, to the benefit of all Ecuadorians. To this end, CONAIE began developing a strategy of alliances with the Ecuadorian popular movement and building up a political movement called *Pachakutik* - New Country.

Through this organisation, the indigenous population has been able to send indigenous deputies to Congress. Furthermore, some of their members have excelled in high positions at national level. Such is the case of Nina Pacara, who was the second vice-president of the National Congress, and José María Cabascango, a member of the Supreme Electoral Tribunal. Despite some ups and downs, (due to the corruption mistakes of some of its deputies) the Pachakutik movement has consolidated itself as the main political opposition force at national level, displacing the conventional political parties. At the same time, a great capacity for national mobilisation has been built up. This has led it to be the protagonist behind important peaceful uprisings in order to gain achievements for the indigenous people and other citizens of Ecuador.

CONAIE's first uprising took place in 1990, on the basis of a 16-point agenda known as the "Mandate for Life". It was the first time that the country was paralysed by an indigenous movement. On 28 May 1991, members of CONAIE occupied the buildings of the Quito Parliament and demanded recognition of Ecuador as a "multiethnic and pluri-cultural" country. In October 1992, within the framework of the rejection of the 500 years "encounter of two worlds", CONAIE again mobilised, managing to extract from the government a commitment to the promotion of bilingual intercultural education. In June 1994, another indigenous uprising obliged the government to modify the reforms that had been made to the Agrarian Law, which promoted the dissolution of communal lands with the aim of opening them up to capital. In 1996, another uprising obliged President Abdalá Bucaram to replace the "Ministry of Ethnic Culture", *indigenista* in nature, with the "Planning and Development Council for Indigenous and Black Peoples" (CONPLADEIN), which is an independent body with its own financial resources.

Since 1997, CONAIE has been initiating important transformations that have begun to build the profile of a national-patriotic political project. On 11 January 1997, the three most important social organisations of Ecuador, (the Coordinating Body of Social Movements, the Popular Front and the United Workers' Front) founded the "Patriotic Front", which was to lead to the formation of Pa-

chakutik. Together they signed a declaration they called the "Popular Mandate", in which they committed themselves to calling a national civic protest on 5 February "...with the aim of bringing about the departure of (president) Abdalá Bucaram and changing the political and economic system in place in Ecuador since 1979, the year in which democracy was re-established".

On 29 January 1997, indigenous peoples from the mountains took over the one hundred-year-old Metropolitana Cathedral in Quito. They covered it with *"wypalas"*, which are pieces of fabric made up of all the colours of the rainbow and, carried as a flag or worn as a scarf, are taken as a symbol of the indigenous movement. On 2 February, the indigenous people began, without warning, to block the roads and on Monday 3 CONAIE announced a national indigenous uprising. The Patriotic Front announced that the community protest would last two days and called on all the population to join in. Two million people were mobilised in a protest unprecedented in the history of this South American country. The peaceful protest ended on 7 February, after Congress had dismissed the President, Abdalá Bucaram, declaring him the most corrupt of presidents, and establishing a commitment to a new Constituent Assembly. Three years later, on the same dates and following the same strategy, albeit this time with military presence, CONAIE was to overthrow another Ecuadorian president, on 21 January 2000.

By achieving the overthrow of President Bucaram by peaceful means, the uprising of February 1997 gave CONAIE a high profile amongst the general public. This profile was progressively consolidated with new proposals, mobilisations and other uprisings in which indigenous demands were not necessarily the main focus. Following intense days of protest at national level, a Constituent Assembly was formed that was to lead Ecuador to adopt a new constitution on 10 August 1998.

However, in spite of this political progress, the economic crisis was deepening. In March 1998, CONAIE – in alliance with the social movements – headed a new uprising with the aim of forcing the government to convene a "National Agreement" between the different sectors of the country that would lead to a change in the political and socio-economic model. One year later, on 15 March 1999, CONAIE led another uprising that once again paralysed the country. It was sparked by growing disagreement amongst the population with regard to the new economic measures being promulgated by the newly elected President Jamil Mahuad, such as a 200% increase in the price of petrol, an increase in VAT from 10% to 15% and a freezing of bank accounts. The declaration of uprising resulted in a paralysis of the roads and a shortage of supplies in the city markets.

CONAIE demanded that the government rescind the economic measures, along with the immediate return of monies held by the banks and bankers or the confiscation of their assets, and the criminal punishment of all those responsible for the mismanagement of the people's funds. Following the eleven day long uprising against the government, against the Social Christian Party and against the economic powers causing the worsening of the crisis, the government agreed to establish a National Agreement Committee which would define the political and socio-economic directions with which to reorient the country, "...towards the path of equality, justice and plurality, with a better standard of living for all...."

Eight months later, in November 1999, CONAIE realised that the commitments undertaken by President Mahuad had not been fulfilled. They thus agreed to call for a new uprising in January 2000, with the aim of seeking the overthrow of President Mahuad. This was achieved. Such actions are indicative of the great capacity for mobilisation and organisation that CONAIE has managed to build up over its more than ten years of experience.

Bolivia

In Bolivia, indigenous activism has also produced successful results. One radical indigenous political party (Tupak Katari) undertook a pragmatic alliance with a neoliberal party, managing to achieve the establishment of an indigenous vice-president. The story of this unlikely alliance was related by Xabier Albó in his book entitled, *"...from Katarists to MNRists. The surprising and daring alliance between Aymaras and neoliberals in Bolivia"*.[9] This was perhaps the first "surprising and daring" alliance with the neoliberals. From that time on, different sectors of the indigenous movement were to propose alliances with different ideological trends, breaking the corporate links that had been maintained for years with the government and/or Marxist parties. Víctor Hugo Cárdenas' leadership was of extraordinary importance for Bolivia. During his vice-presidency profound reforms were undertaken which, although they had their difficulties and weaknesses, have created the basis for empowerment of indigenous peoples at the local government level, as described above.

Panama

Another successful process has been undertaken in Panama. Here, the indigenous population, particularly the Kuna, are guaranteed

seats in Congress, spaces that are frequently threatened by factional fighting.

At the turn of the last century, in 1903, Panama separated from Colombia to become an independent Republic. One of the consequences was the division of the Kuna people. The geographic separation caused a conflict between Kuna chiefs, through loyalties to one or other of the two Republics. The *Inapakinya cacique* opted for annexation to the Republic of Panama due to the fact that this would grant him a more advantageous proposal for demarcation of the region, going further than Law 60 of 9 December 1916, in which the Colombian government had created a "reserve" for the Kuna.

Nevertheless, the Panamanian government never fulfilled the agreed commitments. This led to a Kuna uprising against the government in 1925 headed by Nele Kantule. From 1930 to 1938, there were constant legal attempts to limit the rights of the "San Blas indigenous reserve". The Government forced the Kuna to continue fighting for 32 years. Finally, the Kuna people gained government recognition of the administration of their territory under a special regime, with the approval of Law 20 of 31 January 1957. Through the Law of 16 February 1953, the Panamanian state recognised the system of political organisation of the Kuna Yala, meaning that the state recognises and respects their system of political organisation and self-government. Subsequently, in January 1996, they achieved the promulgation of a Law that gives them autonomy over the *comarca* (administrative region) of Madungandi.

The Panamanian state recognises and confirms the authority of the Kuna General Congress, which has sat since 1945. The Kuna *comarca* is governed by its own social, political and cultural structure headed by three general *caciques (sailas)* through the Kuna General Congress, which meets every six months. It is a political and administrative body that takes decisions on everything relating to the region or in which the region is involved. The state recognises that the Kuna Yala *comarca* forms a political division whose organisation, administration and functioning are subject to a special regime (Article 5 of the Political Constitution of Panama). The state recognises and guarantees the existence of the Kuna General Congress as the politico-administrative body of the *comarca*. There is also a General Congress for Culture and Tradition, to which is entrusted the safeguard and strengthening of Kuna culture.

Although the *comarca* does not have an autonomous government as such, the governments of the *comarcas* do nevertheless form decentralised and autonomous systems that respect the decision-making processes, their traditional authorities and their systems of government and organisation. Right down to the local level, the Kuna political organisation reproduces the model of the General Congress. Within local government there is a Local Congress and there are as many local governments as there are communities. The Local Congress tackles all the problems of a community. Each Local Congress elects three local *sailas,* who are delegated to participate within the Kuna General Congress. From the local level right up to that of the whole region, the *sailas* are respected people, elected for their qualities of being able to coordinate and direct the community efforts. The *sailas* are the legitimate representatives of the Kuna and benefit from the quota for their *comarca* within Congress.

In the past, the Kuna established alliances with the Communist Party. More recently, they have undertaken different alliances with the political organisations in order to influence national politics. The different governments frequently carry out actions in an effort to undermine Kuna unity. One of the channels through which to do this are the political parties. The government and its allies sometimes present Kuna candidates such as, for example, in the case of a Kuna government deputy who tried to substitute the role of the traditional authority. However, the Kuna General Congress lobbied hard to ensure that the state interlocutors should be the *sailas* elected in the Kuna General Congress and not Kuna deputies elected by the parties.

Although the Kuna enjoy far more rights than other indigenous peoples in Panama, their rights vis-à-vis the state are still weak, especially with regard to territorial issues. Political alliances with political parties and other governmental and non-governmental bodies have been vital. Although the Kuna are not generally sympathetic towards the party structures, they are nevertheless skilled in the area of making pragmatic alliances.

The Kuna territories are currently threatened by mining companies, and thus the need for Kuna deputies in the Congress and for representatives in allied parties has been strategic. In March 1996, the Indigenous Affairs Committee of the Panamanian Legislative Assembly called upon Nitzia Villareal, the Minister for Commerce and Industry, to appear before them in order to provide information on the situation of concessions on indigenous territories. She informed them that there were indeed concessions and requests for concessions in the Emberá and Ngobe-Buglé *comarcas,* as well as in the *comarcas* of Kuna Yala and Madungandi, which covered tens of thousands of hectares. On that occasion, the minister informed them that mining activity on indigenous territories did not imply, "giving any compensation [to the indigenous people affected]" because, from the state's point of view, "..the requirements for prevention of environmental damage are being fulfilled." She also argued that no

consultation with the indigenous people was necessary as, "the law does not state that the government has to consult regarding a particular area, as the same law establishes that the subsoil belongs to the State."

During the last five years of the 20th century, the Kuna and other indigenous peoples of Panama have fought to stop mining activities, to no avail. As has been noted by several Kuna leaders, the *comarca* laws need to be revised and strengthened because the current laws demonstrate the limitations of the legislation regarding self-government. Autonomy does not stop with self-government but a truly autonomous legislation has to include control of the soil and subsoil by the territory's people.

Colombia

In Colombia the 1991 constitutional reforms established two compulsory seats for indigenous peoples within the Senate of the Republic, without the requirement that they be elected through the political parties. As one of the most significant changes, the creation of two special electoral constituencies for indigenous Senators can be highlighted. Article 117 of the Constitution states:

> "The Senate will have two senators elected by the indigenous communities in a special national constituency. The representatives of the indigenous communities that apply to the Senate must have held a position of traditional authority within their community or must have been a leader of an indigenous organisation."

Article 176 of the Constitution asserts that:

> "In the Chamber of Representatives, the law will establish a special constituency to ensure the participation of the ethnic minority groups of Piacute and Tica and of Colombians resident abroad."

Furthermore, since 1991, the social movements in Colombia have also been important actors in political life and, like the parties, may have the financial backing and independence with which to partially fund their political activities. Chapter 2 on political parties and movements, Article 107 states:

> "All nationals are guaranteed the right to establish, organise and develop political parties and movements and to have the freedom to join or withdraw from them. The social organisations are also guaranteed the right to demonstrate and participate in political events..."

The right to indigenous political representation in Colombia could be considered as a "target right" within the indigenous movement, meaning that it is a key goal for a significant number of Latin America's indigenous organisations. For instance, during the current process of the Constituent Assembly in Venezuela, the Wayúu, Kariña, Pemón, Warao and Arawak peoples presented a proposal which demanded the inclusion, amongst other things, of three indigenous senators in the Congress of the Republic, elected by a special national constituency. This proposal was accepted by the President of the National Constituent Assembly who stated that, "commitments will be honoured, above all to you who form the basis of the nation".

Mexico

In 1990, the Independent Front of Indigenous Peoples (FIPI) and, more recently, the Plural National Indigenous Assembly for Autonomy-National Political Grouping (ANIPA-APN) promoted legal initiatives to create "Autonomous Pluri-ethnic Regions (RAP)" in Mexico. Apart from autonomous spheres of influence, these regions would have representation in the Congress, with the creation of a sixth pluri-nominal constituency specifically for indigenous deputies, so that participation of representatives of the RAP would be guaranteed in the Chamber of Deputies. The aim was to reach Congress through mechanisms proposed and agreed to by the indigenous peoples, and therefore avoiding the political parties' monopoly of representation. This proposal made no progress due to the fact that, at that time, the indigenous movement was not sufficiently consolidated. Now a strong current exists within the indigenous movement, focussed around the EZLN, which rejects indigenous participation within the structures of state power (executive, legislative and judicial). It is for this reason that this point was not significantly debated at the negotiating table of the San Andrés Accords.

It can be seen that, in general, the indigenous movement in Latin America tends to move towards reforms of electoral laws in order to facilitate and make possible the creation of geographic electoral districts in order that indigenous representatives can be elected to Congress.

Indigenous Participation and Representation at International Level

In a globalised world in which bipolarity has given way to multipolarity, the creation of networks constitutes one of the most important political trends of the last 25 years. Alliances between countries create new platforms for political coordination which tend – involuntarily – to create new spaces for indigenous activism at international level.

The parliamentary spaces that have been created in Latin America are numerous, and indigenous participation is slowly becoming more noticeable.

Regional parliaments are becoming increasingly important in terms of regulating conflicts and regional markets. The formation of blocs of countries and interests, a phenomenon that is not alien to indigenous peoples, is a trend that is being consolidated. Some of these parliaments are: the Andean Parliament which was established in the town of Sucre, Ecuador, on 23 April 1997, as a follow-up to the Constitutive Treaty of the Andean Parliament signed on 25 October 1979. Representatives to the Andean Parliament are elected through direct universal suffrage, and indigenous peoples from the region have competed for seats.

The Amazonian Parliament is a permanent body made up of representatives from the Parliaments of the Amazonian countries elected by means of direct universal suffrage. It is formed of Bolivia, Brazil, Colombia, Ecuador, Guyana, Peru, Surinam and Venezuela. It was established in Lima on 18 April 1989 and its principal objectives are, "To protect and defend the national sovereignty and territorial inalienability of each and every one of the Amazonian countries making up this parliament, promoting the rational use and conservation of the natural resources of the Amazon, in accordance with the interests of the peoples of the member countries and of humanity. It is based on a strengthening of peace, on the legal order, on the international security of the Amazon and on full respect for the fundamental rights and freedoms of people." The Permanent Executive Secretariat has its headquarters in the city of Caracas, Venezuela. The President is in Bolivia.

In general, all the Parliaments are organised in committees and amongst these, the "Sub-Committees for Indigenous Affairs" tend to fall within the scope of the Human Rights Committees. Although still marginal in nature, indigenous presence is now beginning to be noted.

The Central American Parliament (Parlacen) was created by the Declaration of Esquipulas, signed on 25 May 1986. Its constitutive

treaty was signed in Guatemala on 2 October 1987. Its member countries are Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and Panama. Its main sphere of competence is, "To serve as a deliberative forum for the analysis, proposal and recommendation of common political, economic and social issues and security issues pertaining to the Central American area, within the aim of promoting and directing the process of sub-regional integration and wider collaboration between the Central American countries, with strict respect for international law and in a framework of security and social welfare based on representative and participative democracy." Its headquarters are in Guatemala. The Kuna of Panama have managed to have some political influence within the Parlacen. Indigenous presence has forced this body to become a regional instrument through which indigenous demands are channelled. The Central American Indigenous Council (CICA) issued a resolution from its *First Central American Indigenous Summit* held in Honduras on 13 and 14 October 1999, which was sponsored by the Parlacen. The Summit requested the Parlacen's intervention and "good offices" to encourage ratification and/or fulfilment of ILO Convention No. 169 and requested that it declare itself in favour of the regulations governing the Statute of Autonomy of the Indigenous Peoples of Nicaragua (Law 28). Furthermore, during the debates, CICA representatives declared to the parliamentarians of the Parlacen present at the event that "the states of Panama, Nicaragua, Belize and El Salvador are not fulfilling the commitment to ratify Convention 169, whilst those that have done so, such as Honduras, are failing in their implementation or are violating it."

Perhaps the oldest **interregional** association is the Latin American Parliament (Parlatino), whose formation dates back to the 1970s. Although this body went largely unnoticed during its early years, it is now made up of parliamentarians from 22 countries of Latin America and the Caribbean who meet both regularly and extraordinarily with the aim of analysing projects and carrying out studies on the region's problems. It drafts recommendations for the national parliaments to ratify and implement.

Indigenous rights is a new issue on the agenda of the interregional parliaments. One that is often difficult to handle and that sometimes contradicts the parliaments' ideological definitions. For example, the Parlatino has a number of principles guiding its actions that are considered "permanent and unalterable". Within these guidelines, the following should be mentioned: defence of democracy, Latin American integration, non-intervention, political and ideological plurality and the legal equality of states. It also includes as a principle "the self-determination of peoples in order to give them, in

their internal systems, the political and socio-economic system that they freely choose". But as we know, this principle often tends to be called upon by governments whose concept of "peoples" refers only to national communities, and it is these states that oppose the legal recognition of indigenous communities as peoples.

Nevertheless, the issue of indigenous rights has assumed some importance on the Parlatino's agenda. The Commission for Indigenous and Ethnic Affairs met in May 1998 in Mexico City for a "Seminar on the Problems of Indigenous People in Latin America". According to newspaper coverage of the event, the conclusions were the following: "The coming century will be one of Latin American indigenous conflicts if governments do not rapidly and fundamentally legislate and resolve their ethnic contradictions, for autonomy will be of no use to indigenous peoples if they do not have democracy and economic programmes or if there are laws that are not in line with the realities and actions of the government."

The Indigenous Parliament of America has existed since August 1987. It was constituted during the *First Meeting of Indigenous Legislators of America,* held in Panama from 26 to 29 August 1987. It is made up of indigenous deputies from practically all the countries of Latin America and Canada. Its aims are "to promote and watch over the development of indigenous peoples according to their own values and cultural patterns, serving both as a political forum and encouraging relations with other Parliaments, within a framework of peace, social justice, freedom, democracy, respect for human rights and full participation of the peoples in the processes of development and integration..." The Permanent Executive Secretariat is currently in Nicaragua and the President's office in Guatemala.

Unfortunately, despite its importance, it has been of little effect and its work has been marginal and largely unimportant. Although formally it is an autonomous and non-governmental body, the majority of indigenous deputies that have influenced it have nevertheless been loyal to their governments. In fact, their appointments are made by government officials and not via democratic elections.

Final Reflections: Beyond Pragmatic Alliances

The current climate tends to favour relationships between indigenous peoples and political parties, but no longer on the basis of shared ideological values (as was the case in their alliance with the Left). They are now frequently built upon the need for pragmatic alliances.

One of the clearest expressions of the crisis in party politics is that the parties represent an increasingly small number of people and their way of thinking is so rigid that there is no place for the great social diversity that exists. Faced with this situation, the parties have developed different strategies, which have been largely pragmatic in nature.

In fact, modern parties tend to avoid precise ideological definitions. The parties are now largely driven by the people and candidates that represent them and not by their programmes or proposals. To the extent that the distinguishing profile of the parties is being diluted, they have greater possibilities for opening up to new groups, sectors, trends and currents. Alliances between parties with little in common politically have become a common occurrence.
The parties now work on the basis of alliances. It is the only means they have of incorporating candidates that represent the greatest possible diversity into their lists. Political alliances and the rejection of ideology and pragmatism in the supply and demand of votes have created a climate of conditions favourable to indigenous organisations, in which they are able to find space to negotiate with the political parties.

But indigenous peoples and organisations aspire to much more than this. The cases of Ecuador, Colombia and Panama are perhaps important examples of the different paths to political pragmatism. This latter currently seems to be the most generalised strategy in the relationship between indigenous peoples and political parties.

Notes

1 A number of different sources of information were used in writing this article. Firstly, a basic bibliography on the issue was read, which was supplemented and updated by several dozen pages of documents located on the Internet. Secondly, the authors undertook more than twenty interviews with indigenous leaders and political actors from different countries in Latin America, which helped to identify the hypotheses and focus of the research.
A first draft of this essay was discussed and complemented by indigenous leaders and actors from Latin America who attended the *"Regional Workshop: Indigenous Peoples and Political Parties"*, which was held from 7 to 9 November 1999 in Juchitán, Oaxaca, Mexico. Both the research and the workshop were undertaken with funding from the International Work Group for Indigenous Affairs (IWGIA). However, all comments and points of view in this document are the sole responsibility of the authors.

2 This influence even touched thinkers of the stature of Peru's José Carlos Mariategui, who did not escape the outlook of integrationist *indigenismo*, even though he called it *"indigenismo revolucionario"*. Something similar can be perceived in the proposals for indigenous regional autonomy put forward by Vicente Lombardo Toledano as early as the first decades of the 20th century, within the framework of the Popular Party's programme in Mexico. Although Lombardo Toledano's "autonomous model" is surprising in its validity, it is

nonetheless clear that the autonomy he proposed was also a product of its time. Toledano did not propose substituting the integrationist state by a plural one. His proposal for "autonomy" was seen as a form of administrative, not political, organisation.

3 According to official figures from Guatemala, abstentionism has quadrupled in only 15 years. In the Constituent elections of 1984, the rate of abstention was 21.9%. In the 1985 presidential elections, abstentionism grew to 30.7%. In the 1990 presidential elections, it rose to 43.6%. The legislative elections of 1994 recorded an increase which brought the total to 79.0%, whilst it dropped in the 1995 presidential elections to 53.2%. The greatest indicator of abstention was recorded in the referendum held in May 1999, when abstentionism reached 82%. The same sources reveal that, in 1999, only 6% of all Guatemalan citizens were members of one of the 16 political parties that submitted candidates for the 1999 elections. See: *Quién es quién. Catalogo electoral 1999*. Published by Acción Ciudadana, CEPADE / CIDECA / International IDEA / Fundación Friedrich Ebert, IEPADES. Guatemala. First edition, October 1999.

4 In this respect Alberto Chirif writes, „We find it worrying that several municipalities have been ruined by the presence of dubious advisors, who in reality have devoted themselves to feathering their own nest. The problems that have been caused, frequently deceiving inexperienced municipal authorities, have meant several mayors and aldermen going to prison...The municipalities of Atalaya and Condorcanqui have equally suffered from the presence of such people, who now appear to constitute some kind of organised gang that travels to the municipalities in search of opportunities to appropriate their resources." See: Chirif, Alberto. 1998. *Actuación del movimiento indígena amazónico en los gobiernos locales*. Study undertaken with funding from IBIS-Denmark. Iquitos, May 1998. 83.

5 The law governing regional autonomy in Nicaragua was established in 1987 but only began to function in 1990 with the establishment of the first Regional Autonomous Councils.

6 This trend of abstentionism is illustrated by the following figures: abstentions in the 1990 elections were an average of 21% (21.6% in the RAAN (northern autonomous region of the Atlantic Coast) and 21.2% in the RAAS (southern autonomous region of the Atlantic Coast)); in 1994 it was 25% (26% in the RAAN, whilst the figure in the RAAS was 26.6%). In 1998, abstentionism had virtually doubled, reaching almost 43% (43.4% in the RAAN and 42.4% in the RAAS).

7 See: *Proceso electoral regional de la Costa Caribe Nicaragüense*. Resumen Ejecutivo. Drawn up by the Consultancy Group Don't Know/No answer (NS/NR), for the Research and Documentation Centre of the Atlantic Coast (CIDCA), funded by DANIDA. Photocopy.

8 The Nicaraguan Atlantic Coast was for 250 years (until 1894) under indirect British rule through an Indian ruler (the Miskito king). During that period, European missionaries from the Moravian Church introduced Protestantism and an English speaking Creole community developed. The take over of the region by the Nicaraguan government in 1894 was extremely unpopular among the Miskito. Up to the late twenties, they continued to turn to the British when they felt discriminated against by the Nicaraguans or their land rights under threat (n.ed.).

9 Albó, Xavier: *... y de kataristas a MNRistas?. La sorprendente y audaz alianza entre Aymaras y neoliberales en Bolivia*. La Paz, UNITAS-CEDOIN, 1993.

CHAPTER 2

THE SAMI AND THE NATIONAL PARLIAMENTS: DIRECT AND INDIRECT CHANNELS OF INFLUENCE

By Eva Josefsen

Introduction

This report examines the way in which the Sami relate with nation-states through the electoral system and through political parties. Sami mobilization has developed differently in the different countries, and has encountered varying conditions for political participation and influence. Developments towards social equality between the Sami and society as a whole have been positive during the last decades of the 20th century. The greatest and most fundamental change occurred with the establishment of the Sami parliaments in Sweden, Finland and Norway but the Sami in Russia continue to work under extremely difficult constitutional, economic, and social conditions.

The Sami's relationship with the national parliaments comprises two aspects: on the one hand, a direct channel to the parliaments by means of political parties and elections and, on the other, an indirect channel by means of electing representatives to the Sami parliaments.

The direct channel provides, in principle, an opportunity for direct influence with regard to the composition of the national parliament and thus the policies that are adopted. The indirect channel influences the composition of the Sami parliaments and, through them, the policies of the Sami that are presented to the national parliaments.

The organization of the Sami administration, and the influence of the state administration over the content of the national parliaments' decisions, will not be considered here.

The Sami

The Sami population inhabits four countries: Sweden, Finland, Russia, and Norway. The map below shows the traditional areas of Sami habitation:

Source: Eriksson 1997, p.79; see also B. Aarseth, Fra Nordkalottens Historie, Ottar no. 84, Tromsø Museum 1975

Providing exact statistics concerning the size of the Sami population involves significant methodological problems. One reason for this is the earlier state policies of assimilation and repression of the Sami. However, it is estimated that 5,000-6,500 Sami live in Finland, 17,000-20,000 in Sweden, about 2,000 in Russia, and 40,000-45,000 in Norway (Eriksson 1997). The Sami are a minority throughout the whole of their inhabited area, with the exception of the municipalities of Kautokeino and Karasjok in Norway, and Utsjok in Finland.

Approximately 10% of the Sami are engaged in reindeer herding. Other methods of subsistence are agriculture and fishing. Today,

many Sami are also employed as part of the general labour force. The Sami language has 9 dialects, which cross national borders. Many Sami have lost their language.

The States' Former Sami Policy

From the 1800s until after World War II, national policies in the Nordic countries were based around ideas and practices of assimilation of the Sami population. This meant that the Sami were expected to replace their own cultural characteristics and language with skills acquired from the majority culture. The methods used to achieve this goal of assimilation inflicted great hardship on those individuals who insisted on maintaining their Sami identity. Sami culture, language, and livelihood were seen as obstacles to consolidation of the national state and to the general development of society. The ideological foundation for this policy was social Darwinism (Nystø 1993b), which influenced and penetrated all social spheres: legislation, research and practical politics. There were, however, differences between the nation-states with a Sami population: at the beginning of the 20th century, Sweden implemented a segregation policy for Sami reindeer herders and an assimilation policy for all other Sami, while Norway maintained an assimilation policy for all Sami. The strength of the attempts on the part of the authorities to suppress the language and culture of the Sami thus also varied. Sjølin comments that, "the Sami outside of Sweden have been subjected to an even stronger assimilation policy than the Sami here" (Sjølin 1996: 28).

After World War II, the ideology of assimilation was finally replaced by a more positive attitude on the part of the state authorities.

Through the 1948 UN Convention on Human Rights, a principle of universal rights for all was agreed upon. With the development of the welfare state after World War II, the Nordic countries also introduced the principle of equality through individual rights. The consequence of assigning rights to the individual was that cultural or ethnic identity was no longer considered relevant (Oskal 1998). The various ethnic groups were not to receive preferential treatment.
Finally, an understanding developed at an international level, whereby it was agreed that it was not possible to treat everyone equally. Recognition emerged that citizens could have different cultural backgrounds even though society as a whole was dominated by the majority culture. This recognition led to a positive change in the relationship between the states and minorities or indigenous peoples.

The Sami's demand for collective rights is based on their status as one people and as an indigenous people. Indigenous peoples' rights derive from conditions the members of this group have not chosen for themselves. The most important conditions are that they share cultural bonds and that "their *historical areas of habitation* have been incorporated into the national state through the use of varying degrees of force" (Oskal 1998: 149). The political understanding of the relationship between majority and minority, between state and indigenous peoples, has thus changed over time, including in the Nordic countries. With the establishment of the national Sami parliaments, the states accepted the principle of group rights. This also led to a structural change in the national political systems (Broderstad 1999), which has widened the understanding of representative democracy.

Thus, parallel to a developing understanding of the relationship between state and indigenous peoples, there was a change in the way in which representation through majority election was understood. It became recognized that if votes in an election in a multicultural society were given equal weight, ethnic minorities would always be found in a minority position, always at the mercy of the will of the majority. Attempts were thus made to find ways to ensure that the Sami could be better heard.

The Formal Basis for Today's National Sami Policy

Over recent decades, there has been a positive development in relation to the Sami question. Sami political issues have received greater attention and have been given more room than ever before on the national political agendas. Legislation has been approved and decisions made that formally strengthen the rights of the Sami. These structural changes have created a new framework for Sami political activity and give the Sami, as a people, more political influence than previously. There are, however, differences in terms of the willingness of the respective nation-states to provide the Sami access to wider political rights and to recognize the Sami as an indigenous people, a group that can demand collective rights beyond the rights each individual has as a national citizen.

Finland

The Finnish Constitution, § 14, recognizes the Sami as an indigenous people, including the right to use the Sami language when commu-

nicating with the authorities. In 1995, the Finnish parliament (Eduskunta) approved a Sami Parliament Act (no. 974 of 17 July 1995). §1 states: "The Sami, as an indigenous people, as finally specified in this law, shall be guaranteed cultural autonomy within their areas of habitation in respect of their language and culture." §5 further stresses: "The Sami parliament will deal with all issues related to the Sami language and culture and their position as an indigenous people."

In contrast to both Sweden and Norway, Finland's Sami legislation gives the authorities the obligation to negotiate: "The authorities shall negotiate with the Sami parliament on all broad and important actions that may directly and specifically influence the Sami's status as an indigenous people (...)" (§9).

Sweden

In 1992, Sweden approved a Sami Assembly Act (Swedish Constitutional Convention 1992:1422). This legislation regulates the Sami parliament's activities and states that the Sami parliament is a state authority and is to be considered primarily an administrative organ of the government.

Sweden has not formally recognized the Sami as an indigenous people in law. The question of ratification of ILO Convention no. 169 on indigenous and tribal peoples in independent states is still under consideration and there have been no signs of following up the issue of Sami rights to land and water resources. On 2 December 1999, the Swedish parliament ratified the European Council's framework convention on protection of national minorities. Sami, Finnish, and Tornedal-Finnish are recognized as traditional languages in Sweden, which gives individuals the right to use these languages in courts and when dealing with administrative authorities in the geographic areas where these languages are still in use. The languages can also be used in pre-school activities and care of the elders (1999/2000:KU6).

Norway

At the opening of the Sami parliament in 1997, His Majesty King Harald V said, "The Norwegian state is founded on the territories of two peoples – Norwegians and Sami" (Hætta 1998).

In 1987, the parliament approved the Sami Law (law no. 56 of 12 June 1987). §1 states: "The purpose of the law is to create conditions such that the Sami group in Norway can ensure and develop its

language, culture, and social life." Approximately the same formulation was included in the constitution, as §110a. Chapter 2 in the Sami law deals with the Sami parliament. §2-1 states: "the Sami parliament's area of activity comprises all issues that, according to the parliament's understanding, concern the Sami population." Chapter 3 deals with the use of the Sami language in public organs and the geographic and administrative limitations. Sami is an official language in Norway.

ILO Convention no. 169 on indigenous and tribal peoples in independent states was ratified in Norway in 1990. Chapters 13 and 14 of the convention are of importance for the continuing work of the Sami in connection with rights to land and water.

Russia

Russian Sami have no constitutional rights as an indigenous people. On the contrary, they experience exclusion from their traditional land areas for the benefit of the economic interests of the state or private corporations. Sami language and culture, and the natural resources on which Sami culture is based, are therefore under severe pressure. As a small indigenous people, the Sami have little opportunity of reaching the Russian authorities, either through voting or through elected representatives who give priority to Sami or indigenous peoples' concerns in general. Russian Sami are scarcely represented in important positions and they lack financial resources. They also have little experience of political mobilization. There is one light in the darkness, however: in Lujávri (Lovozero), the Sami comprise about 20% of the population, which has made, "limited political success possible. In 1990, the Sami won three of the fifty-five seats on the Local Council" (Eriksson 1997: 139).

Russian Sami have an opportunity for dialogue with public authorities in Russia through efforts by indigenous peoples being carried out in the Barents region co-operation.

For the Sami in Russia, it is also important that the Sami in the Nordic countries show solidarity and utilize all possibilities of influencing Russian policy and the relevant politicians positively, both in terms of social and indigenous rights. The President of the Norwegian Sami Parliament, for example, raised the issue of the Russian Sami's situation at a meeting with the Russian Minister of State in autumn 1999.

The position of the Russian indigenous peoples in the Arctic Council, where the organization "the Association of Indigenous Minorities of the North, Siberia, and the Far East of the Russian

Federation" has the status of "permanent participant", can also contribute to strengthening the position of Russia's indigenous peoples as a whole. The Russian Sami are permanent participants of the Sami Council, and their voices can be heard through this forum.

The political situation of the Sami in Russia is totally different from the other three countries. Unfortunately, it is not possible to look into their situation in this paper. This is due to the fact that there has been little research into Sami political mobilisation in Russia. This paper will therefore concentrate on the political situation of the Sami in Sweden, Finland and Norway in terms of formal channels of influence.

The Direct Channel

The direct channel refers to the system that regulates the composition of, and participation in, national elected organs. The overriding principle is an electoral system in which every state citizen has one equally weighted vote and decisions are made on the basis of a majority vote. In such a system, Sami have the same formal right to vote and to be candidates for elections to the national parliaments as the rest of the population.

In Western democracies, ideological differences are organized within national parties. Sami issues must therefore compete for attention with other issues of national interest. In order to be considered, Sami issues must fit into systems that are saturated with the majority's culture and social understanding. The Sami's use of the direct channel has differed in the three countries. This can be explained in part by Sami social development and the national policy toward the Sami in the different countries.

In Sweden, the Sami have refused to participate in parties, as a real alternative to political power, while in Norway there has been a closer coupling between national institutions and the Sami. This difference was already apparent at the first all-Sami meeting in Trondheim in 1917, when among the Swedish Sami there "was an overwhelming majority for a policy independent of party politics" (Minde 1996: 3). Finnish Sami participate in national parties to a greater extent than Swedish Sami but are less aggressive in promoting Sami policies within these forums than the Norwegian Sami.

There are examples of the right of indigenous peoples to direct representation in elected national parliaments in other countries: in Denmark, the constitution maintains that Greenland shall elect two members to parliament (NOU 1984:18). In New Zealand, the Maori have had permanent representation in the national assembly since

1867. In 1993, the number of representatives was increased from four to five (McGill 1996-97). Sami representation within the national parliaments has occasionally been proposed but the issue has never been seriously considered. Nor have the Sami organizations placed it high on their list of policy demands.

The Direct Channel in Finland

General elections to the Finnish parliament (Suomen Eduskunta) are held every four years. The President can declare new elections. All citizens over 18 have the right to vote. Those who wish to be elected to parliament must have the right to vote in a parliamentary election. The country is divided into 15 electoral districts, in which the size of the population determines the number of representatives to be elected. Altogether, 200 members are elected to parliament.

Elections in Finland are based both on proportional representation and on the number of votes for each candidate. Lists of candidates can be nominated by a party, by an electoral list, or an association of voters. The lists of candidates are not ranked. People vote for a person on one of the lists. This personal vote is counted as a vote for the party, and the total number of votes for candidates from each party determines how many mandates each party wins in each district (Heidar / Berntzen 1993). Each candidate's number of personal votes determines which people receive the mandates their party has won.

The Sami and the Direct Channel in Finland

The Sami population in Finland is not represented in parliament (Aikio 1993). Since 1978, however, the parliamentary committees have held hearings with representatives from the Sami parliament. The Sami Parliament Act of 17 July 1995 states in §9 that the authorities are obliged to negotiate with the Sami parliament.

The Sami parliament's administration in Finland has stated that none of the Finnish parties have approved their own Sami political programmes. But Sami members have influenced the parties, especially the Centre Party (Centerpartiet). This influence is difficult to register, however, because the parties have not included Sami issues in any organized way within their party work nor formulated clear political goals regarding the Sami. On the contrary, the term "Sami policy" is seldom used because Sami politicians do not wish to "irritate" the Finnish majority (Eriksson 1997). Nevertheless, Finnish

Sami are elected to municipal governments as representatives of Finnish parties in the Sami municipalities in North Finland.

In Utsjok municipality, the Sami List has run for municipal elections for the last ten years and currently has five representatives in the municipal government. The Sami List is independent, being unconnected with any party.

The Direct Channel in Sweden

General elections to the Swedish parliament are held every four years. Elections to the county councils and municipal elections are held on the same day as the federal elections. All citizens over 18 years have the right to vote. The country is divided into 29 electoral districts for elections to the national parliament. With few exceptions, electoral districts are identical to counties. 349 members are elected to parliament.

Those who wish to be elected to parliament must have the right to vote in parliamentary elections. Candidates must also be nominated by a political party or political group.

The Sami and the Direct Channel in Sweden

The Sami and the Right to Vote

General suffrage was gained in Sweden in 1908-1910 for men and in 1918-20 for women.

Rolf Sjølin (Sjølin 1996) has carried out an historical study of Sami political participation in Sweden. Before 1910, the right to vote was connected to property ownership and payment of taxes. The basis of Swedish policy at that time was that Sami reindeer herders should be segregated and all other Sami assimilated. This meant that Sami who were settled and had property or steady, taxable income formally had the same rights as the Swedish population, including the right to vote. Sami reindeer herders, however, did not pay taxes and therefore did not formally have the right to vote, even though in practice this differed from municipality to municipality[1]. After 1910, all Sami men enjoyed general suffrage on an equal footing with the rest of the population. The right to vote continued to be limited, however, if a Sami had not paid taxes, had not completed military service, or received poverty assistance. These regulations did not apply to the Swedish population in general. During the period 1910-1924, Sami participation in elections was extremely low, even among

those who fulfilled the voting requirements. "In several Sami municipalities, there were actually no Sami votes at all. Thus, the difference between Sami and non-Sami participation was great" (Sjølin 1996: 55). This difference was greatly reduced in the 1960s with improved communication and better developed media, but also due to the fact that Sami with reindeer increasingly had permanent residences.

Sami Representation in the Elected Organs

No Sami have been elected to the Swedish parliament since general suffrage was initiated (Sjølin 1996). Proposals for Sami representation were presented to parliament both in 1920 and 1930. "In his 1940 motion on a Sami parliament, he (C. Lindhagen, author's note) proposed that this forum should appoint a Sami member to the national parliament" (Sjølin 1996: 74). Since this last motion, no written demands have been presented for Sami representation in the Swedish parliament.

The Swedish authorities funded two Sami meetings in 1937 and 1948, in order to obtain Sami reactions to legislation proposed in parliament (Silanpää 1994). This could be interpreted as a wish on the part of the Swedish authorities to hear Sami viewpoints. However, these were just two special events against a background of government repression and denial of the Sami's rights as a people. This was expressed as recently as 1974. "The State has become poor protection as the Sami's guardian since the State itself became an interested party. Today, it is the State that inflicts the greatest infringements" (Dahlström 1974: 109).

Party Participation

At the first all-Sami meeting in Trondheim in 1917, the Swedish Sami had already rejected the idea that co-operation with national parties was relevant. The same happened the following year, 1918, in Østersund, at the first national meeting for Sami in Sweden, where a majority was against engaging in mainstream party politics.

A key explanation for this rejection of party politics may lie in the historic conflict between reindeer herding and other means of livelihood. The Swedish national parties were not considered natural alliance partners in regard to this conflict. On the contrary, they were considered as spokesmen and allies of agricultural and forestry interests. Another explanation may be that the Sami wished to follow a neutral line with regard to party politics, so that they could

have more freedom to influence the existing decision-making processes without being linked to individual parties (Sjølin 1996).

Since the Sami have chosen a neutral strategy in regard to party politics, there have seldom been any Sami on the candidate lists, nor have there been candidates with knowledge of the Sami's situation in the national parliament. One explanation for the Sami's weak participation in elections may therefore be that, "(...) among leaders and among candidates on the lists there were seldom people they knew and whose positions in Sami issues were known" (Sjølin 1996: 64).

The Swedish Sami have thus not actively promoted Sami political issues through the national political parties. They have not run for election to an extent that could be called systematic or measurable participation. It was perhaps the lack of Sami members that was reflected in parliament's debate on the Sami Report SOU (Statens Offentliga Utredningar) 1989:41, when it revealed an "obvious lack of insight and competence with regard to Sami conditions" (Nystø 1993b: 48)[2].

The Sami policy debate in parliament revolved to a great extent around livelihoods without viewing specific issues within the Sami political context as a whole.

Before the establishment of the Sami parliament, no Sami lists were nominated for municipal, county, or national parliamentary elections. After the Sami parliament began to function and the Sami organizations had established their own Sami parties, several of these parties ran lists in municipal elections. In the Jokkmokk municipality, for example, representatives of the Sami's Way (Samenes Vei) party were elected, and in an election in Kiruna municipality, the Sami were only two votes from winning representation for their list. In Jämtland County, one Sami representative on the County Council, Olof T. Johansson, is a member of the Environmental Party (Miljøpartiet), the Greens. Until now, this has been the only county to elect a Sami. Another development in recent years has been that several Swedish parties have approved their own Sami programmes. This applies to the Left Party (Venstrepartiet), Environmental Party (Miljøpartiet), and Social Democratic Party (Sosialdemokraterne).

The Direct Channel in Norway

Elections in Norway are based on proportional representation. General elections to parliament are held every four years. All citizens over 18 have the right to vote. The country is divided into 19 electoral districts, and 165 members are elected.

Those who are elected must have the right to vote in a parliamentary election. Candidates must also be nominated by a political party, an electoral list, or an approved list. Candidates are ranked.

The Sami and the Direct Channel in Norway

The Sami Movement up to 1945

In 1906, Isak Saba from Finmark was the first Sami to be elected to the Norwegian parliament. He was a member of the Social Democratic Party (Arbejderpartiet) and was elected on the basis of two programmes, one of which related to Sami policy.

The North-Sami mobilization that laid the foundation for Isak Saba's parliamentary mandate was to a great extent a mobilization of the Coast-Sami that had its background in an assimilation policy and the economic decline of this group (Drivenes / Jernsletten 1994). However, for the most part, it turned out that Saba stood alone in parliament with his attempts to stop Sami Norwegianization. Nor did he receive any support for his careful campaigns from his colleagues in the party. The broad political unity supporting Norway's policy toward the Sami and other minorities showed no sign of change until after 1945.

The aim of the South-Sami political mobilization was similar to the Swedish Sami in that it was motivated by a defence of Sami reindeer interests that were under severe pressure from the authorities. The fact that livelihood interests and conflicts were central, and that the South-Sami population was so small, made it very difficult to form any alliances with the Norwegian parties (Drivenes / Jernsletten 1994; Minde 1980). This resulted in strong inner bonds between the South-Sami, with the result, however, that most South-Sami organizations survived the 1930s-1940s.

In the 1920s, the Sami movement in North Norway tried, like the South-Sami in Norway and the Swedish Sami, to keep out of Norwegian party politics. In 1921, however, the Sami movement in Finmark County nominated its own list for the parliamentary elections, as did Nordland County in 1934, but these lists won far fewer votes than were necessary for a parliamentary mandate. These two attempts, together with the fact that the Social Democratic Party added a Sami policy to its election programme of 1924, ended the mobilization of Sami participation in parliamentary politics for several decades to come. Parliamentary representatives with a Sami background who received a mandate during the period of Isak Saba's time and up until the 1990s were not elected on a Sami political platform, nor did

they take any significant political initiatives concerning the Sami (Minde 1995).

The New Sami Movement

From 1945 onwards, a new Sami mobilization evolved through the establishment of national Sami organizations. "The Sami in Sweden showed the way in the 1950s and 1960s. The breakthrough came in Finland, where an elected Sami Parliament was established in 1973. In Norway, a major change occurred in public opinion regarding the Sami situation during the 1980s" (Magga 1994). The conflict between the Sami and the Norwegian state in relation to construction of the Alta/Kautokeino dam in1989 – 1992 created a political crisis for the legitimacy of the Norwegian authorities that improved the political climate for raising Sami issues.

To seek power through participation in the national electoral system was a phenomenon that was only found among Norwegian Sami during this period. The Norwegian Sami movement made it possible to nominate Sami lists once more. In 1969, a Sami list for the parliamentary election in Finnmark was nominated (NOU 1984:18). The reason for this list was that none of the Norwegian parties in Finmark had nominated Sami for secured seats. Since then, Sami lists have been nominated in Finmark, Troms, and Nordland Counties, from time to time, for municipal, county, and national elections.

Sami who have worked actively in Sami politics have also been elected through Norwegian party lists at municipal and county elections, especially since 1980.

The Sami in Parliament

In 1993, two Sami women from Finmark, Johanne Gaup from the Centre Party and Mimmi Bæivi from the Social Democratic Party, were elected to parliament. Both women had taken political initiatives concerning Sami issues before and after the election (Minde 1995, footnote 11).

Johanne Gaup says that it was not a problem for her to take up Sami political initiatives in parliament[3]. Parliament is organized into committees with responsibilities for different sectors of society. The Sami political sphere is wide and has to be included within most committees to a greater or lesser degree. The major part of parliament's Sami policy is the responsibility of the Municipal Committee. Gaup says that she sat on another committee during her period in

parliament but that she tried to have a comprehensive overview of the Sami political issues that were being discussed, especially in the Municipal Committee. She could thus contribute to the work of her party's committee members. Other representatives also often consulted her. On the one hand, she says, it was a difficult task to keep abreast of the complexity of Sami political issues within the different committees. On the other hand, her competence in relation to Sami political issues resulted in an informal position of power that made it easier for her to obtain support for the Sami political initiatives she took.

In 1999, the newly founded Sami People's Party collected five thousand signatures and was recognized as a national party. This party's goal is to run for municipal, county, and parliamentary elections. One of the party's efforts will be to work for the Sami's collective rights to land and water.

Direct Sami representation in parliament has been proposed several times. In connection with the electoral campaign for the parliamentary elections of 1997, such a proposal was put forward in the media. In 1969, when a Sami list was nominated in Finnmark county for the parliamentary election, it was said, for example that, "it was now time to change Norway's Constitution so that the Sami's right to representation in Norway's parliament would become law" (NOU 1984:18: 479). In 1974, the Liberal Party proposed an amendment to the Constitution providing for the Sami in Norway to elect two of their own representatives.

"In the post-war period, the idea of Sami representation in parliament has never had any broad support among the Sami" (NOU 1984:18). The demand for their own elected organ was raised by the Sami in order to strengthen Sami democratic rights but the demand for direct representation in parliament has never been a central issue for the Sami organizations in their struggle.

The Indirect Channel

The establishment of an indirect or Sami channel began through the establishment of the national Sami organizations after World War II. The forerunners of these were the local Sami associations as well as organizations with their roots in the non-Sami milieu, in which a large number of members were intellectuals primarily concerned with Sami language and culture.

The Nordic Sami Council was established in 1956 as a federation of Sami national organizations from Sweden and Norway, and the Sami Parliament in Finland. When the borders to the East were opened and Russian Sami could participate as members, the name

was changed to the Sami Council. The Council receives annual funding from the budget of the Nordic Council of Ministers.

The Sami channel, or indirect channel, consists of the Sami-elected parliaments that were established on the basis of an awareness on the part of Sami activists that the Sami will always be a minority in the national political system, and that the ordinary (direct) electoral channels cannot effectively ensure that the Sami's voice will be heard. Elections to the Sami parliaments are carried out by means of a direct vote on the part of the Sami population. Elections to the Sami parliaments follow, in principle, the general electoral procedures that apply in the respective countries although there are some structural differences.

The Sami Channel in Finland

The Sami Organizations

The Lapin Sivistysseura organization (the Society for the Promotion of Sami Culture) was established in 1931. The initiative was taken by non-Sami bureaucrats and academics interested in Sami language and culture. The members were also mostly non-Sami (Jernsletten 1995; Sillanpää 1994). For many years, this was one of the most influential organizations in the Nordic countries, aimed at increasing awareness of Sami culture.

In 1945, the Sami established their own organization, Sami Litto (the Sami Union). This organization, however, never became a strong national Sami pressure group for the Finnish authorities (Sillanpää 1994).

Since Finnish Sami do not have an exclusive right to reindeer herding, a strong Sami reindeer organization never developed in Finland. Sami reindeer owners comprise a minority in the Finnish reindeer organization, Paliskuntain Yhdistys.

At a joint meeting between Lapin Sivistysseura and Sami Litto in 1947, a memorandum was written which listed the initiatives that were necessary on the part of the Finnish authorities in order to ensure the Sami's future. This meeting led first to the appointment of a commission for Sami questions in 1949 and then to the establishment of the Sami Delegation (Sami parliament) in 1972, which was one of the main proposals put to this commission (Sillanpää 1994).

The establishment of the Sami Parliament caused Sami activists to change their focus from political mobilization to negotiations with the government. "Most non-governmental political organizations eventually died, and with them also critical and "irresponsible" voices. This is an important explanation for the comparatively quiet and weak opposition of the Finnish Sami" (Eriksson 1997: 98).

With the establishment of the national organization, Suoma Sámi Guovddás, in 1996, the Finnish Sami again have an organization for all Sami. However, this organization struggles with very few resources. The organization carries out most of its work through funds for earmarked projects. Without any funds for running expenses, it can never develop into a strong political organization.

In answer to the question of who has driven the Sami cause forward in Finland, Sillanpää states, "in some ways, the Finnish state was the instrumental force in the mobilization of a collective Sami political identity when, by means of a Cabinet Decree in 1973, it created the Sami Delegation (or 'Sami Parliament')" (Sillanpää 1994: 58). This shows that Sami political development in Finland is special. The progress that was made in the 1980s and later can be interpreted thus. "Pro-Sami bureaucrats in the ministries can have significant influence in getting reforms carried out" (Jernsletten 1994).

The Sami Parliament (Sameting) in Finland

The first elections to the Sami parliament took place in 1972. For the first two years, the Sami parliament functioned as a trial arrangement. The first regular elections were in 1975, and the first ordinary Sami Parliament met in New Year in 1976, with 20 representatives. After the establishment of the Sami parliament in 1972, it became the uniting organ for the Finnish Sami. It took initiatives on the part of the Sami in relation to the authorities. "In response to lobbying efforts by Sami activists in Finland, the Constitutional Committee of the Eduskunta has, since 1976, issued a number of statements (...)" (Sillanpää 1997: 206). The Sami Parliament has also represented the Finnish Sami in the Sami Council. It was changed to "Sameting" in 1995. However, until 1995, the status of the Sami parliament was not officially recognized.

In 1995, the Finnish parliament officially passed a Sami Parliamentary Act (no. 974) to establish the Sami parliament. This meant a major change of status for the parliament.

§1 establishes the Sami's status as an indigenous people. § 4 states that the Sami parliament has 21 representatives and four substitutes. At least three ordinary representatives and one substitute shall come from each of the municipalities within the Sami home area, Enontekis, Enare, and Utsjoki, plus "Lapin paliskunta, the reindeer grazing area in Sodankylä". § 11 says that the Sami parliament shall be led by a chairman and two vice-chairmen.

Elections to the Sami parliament are every four years. The whole of Finland is one electoral district. Elections are based purely on votes for individual candidates, who do not represent a party or a group. It could therefore be said that, "Family, friends, and neighbours seem to be the electoral basis" (Eriksson 1997: 140). To run for election, the candidates must be nominated by three other persons.

Party Participation and the Sami Organizations

As stated above, elections to the Sami parliament in Finland are based on votes for individual candidates. Representatives in the Sami parliament are thus not organized into parties. Since there is only one relatively new national Sami organization in Finland, the Sami parliament can be expected to almost reign supreme in the Sami political arena, for some time to come.

The Sami Channel in Sweden

The Sami Organizations

Same Ätnam (the National Association of Samiland) was founded in 1945. This organization has as its main objective that of promoting Sami interests that are not connected with reindeer herding. In 1950, the National Union of Swedish Sami (SSR) was founded. It was largely concerned with Sami reindeer herders. Both organizations have been represented on government committees dealing with Sami issues. In addition, the Swedish Sami Youth Association was set up in 1963, and the Swedish Sami Union in 1980. More Sami organizations have been founded in connection with the establishment of the Sami parliament.

Same Ätnam and SSR raised the demand for the establishment of a Sami parliament in Sweden in 1981 through two letters to the government. The background to the Swedish government's willingness to establish a Sami parliament can be found, however, in international developments involving minority and indigenous peoples, as well as the judgements in the Skattefjäll case and, in part, the Alta conflict in Norway (Nystø 1993a).

The Sami Parliament in Sweden

Examination by the Swedish government of the Sami question in Sweden resulted in legislation creating a Sami parliament. Other

Sami demands were not met, such as constitutional recognition of the Sami's status as an indigenous people or the ratification of ILO convention no. 169. The first President of the Sami parliament summarized the situation thus. "All those good intentions to acknowledge the Sami as a people and provide them with a kind of self-determination got no further than the introduction of the Sami Assembly Act, the purpose of which is merely to regulate the Sami Assembly" (Åhrén 1994: 37).

The first assembly of the Sami parliament in Sweden convened in 1993. The Sami parliament has 31 representatives. These are elected every four years. There is one electoral district covering the whole of Sweden. The government appoints the chairman of the Sami parliament on the basis of nominations by the Sami parliament (Sami Assembly Act §2) because "the general rule is that a state administrative authority's leader is appointed by the government" (Prop. 1992/93:32 Annex 1: 45). The Sami parliament itself appoints a board of seven representatives and seven substitutes who are responsible for the day to day work. The Sami parliament's board is elected for the whole period and cannot be removed, even if it has only minority support from the plenum. Plenum meetings are normally held three times a year.

When the Swedish Sami Rights Commission presented its proposal, concerns for the practical, political recommendations were emphasized. If the commission had wished, it could have interpreted its mandate in broader terms and proposed an in-depth examination of Swedish Sami policy (Korsmo 1993).

The government's proposition of 1992 / 93:32 states that the Sami parliament shall not be an organ of self-rule. The Swedish state decided, in the Sami Assembly Act (1992: 1422), §1, to establish a Sami parliament "with the primary task of considering issues concerning Sami culture in Sweden". The law's chapter 2, §1 lists the tasks of the Sami parliament, which include distributing state funds for Sami cultural initiatives and organizations, appointing the leadership of the Sami School, dealing with Sami language issues, contributing to social planning, and ensuring that Sami needs are taken care of – including the interests of the Sami reindeer herders - and finally disseminating information about the Sami situation to the wider society. The law's concrete list of tasks emphasizes and makes visible the fact that the Sami parliament is a state administrative authority (Proposition 1994/95:KU37) at the same time as an elected Sami organ.

The Inner Life of the Sami Parliament

The Sami parliament in Sweden has, from the start, conducted a running debate about its inner life. This debate has resulted, among other things, in a refusal to participate in the Sami Parliamentary Council[4]. There are several reasons for this position: 1) the Swedish state's traditional division between Sami who herd reindeer and those who do not, 2) the Sami parliament's dual role as a state authority and an elected Sami organ, 3) the relationship between the Sami parliament and its board, and 4) a lack of Sami leaders (Eriksson 1998).

The Swedish state had previously undertaken a hard assimilation policy toward Sami who did not herd reindeer, while the Sami policy toward Sami herders has supported their commercial interests. This has created a schism that is found again in the Sami parliament. The lines of conflict follow this schism (Eriksson 1998).

The Sami parliament has a role as government authority as well as elected organ of the Sami. This dual and contradictory role is part of the external framework that the Swedish authorities have created with the Sami Assembly Act. Here, the Sami parliament is defined as a state administrative organ, which means that the Sami parliament's plenum is subject to the same rules as other government councils and committees. "It is undoubtedly an impossible situation. If a parliament representing an ethnic minority is to enjoy any legitimacy or show any kind of power, it is obvious that it cannot at the same time represent its major opponent, in this case the State" (Eriksson 1997: 162). This legislation did not thus result in parliamentary rule.

The situation between the Sami parliament's plenum and its board has become increasingly tense since the board's support in plenum has diminished to a minority. The opposition has a majority and can effectively block all the board's proposals. As a consequence, the Sami parliament can easily be largely paralysed.

This also indicates that the Sami parliament lacks a leadership that enjoys the confidence of the Sami majority and is therefore unable to create unity. This can be partly explained by the above mentioned schism. Any leader will be considered as a representative of one of the two sides (Eriksson 1998).

The absence of administrative structures from the start is another important factor. Unlike the Sami parliaments in Finland and Norway, the Sami parliament in Sweden had to build an administration up from nothing. The Sami parliament in Finland had its roots in the Sami Delegation. The Sami parliament in Norway took over the administration from the Norwegian Sami Council, which was a state-appointed council working with the Norwegian authorities. The

starting point for the Sami parliament in Sweden was the worst possible: they did not even have a telephone. To build up an administration and establish administrative routines and systems takes time, and this influences how structured the political debate and the work with specific cases can be in the preliminary phases.

Party Participation and the Sami Organizations

Sami organizations in Sweden decided early on that they did not wish to run for election through Swedish political parties. Instead, the Sami have established their own parties either on the basis of the Sami organizations or in relation to elections. Registration of parties, groups, or other organizations that wish to nominate lists, is carried out by electoral boards. For the election period 1997-2001, 10 Sami parties are represented in the Sami parliament.

The Sami Channel in Norway

The Sami Organizations

In Norway, four main organisations exist, which basically agree on their demand for Sami rights but have been founded under different circumstances and vary to a certain extent in their objectives:

The Sami Reindeer Herders' Association of Norway was established in 1948 and is the main organization of Sami reindeer herders. In 1968, the National Association of Norwegian Sami was founded. This organization embraces all Sami, and demands for an elected Sami organ and for Sami land rights have been central to the organization's work.

The Norwegian Sami Union was founded in 1979 in connection with the Alta action. This organization has opposed all demands for historic Sami rights. The Sami People's Federation was established in 1993. The Alta conflict forced the authorities to place the Sami question on the agenda through several large investigations regarding Sami culture and legal rights.

The Sami Parliament in Norway

The Sami parliament was convened in 1989 and has 39 representatives elected every four years. The country is divided into 13 electoral districts. The daily work of the parliament is led by the Presi-

dent and Parliamentary Council. The Plenum is led by the Presidium. The Sami parliament is composed of representatives from the national Sami organizations, Norwegian political parties, and local lists.

Party Participation and the Sami Organizations

Even at the time of the election of the first Sami parliament, Sami members of Norwegian political parties nominated lists under their party name. Most of the parties that are represented in the national parliament have also been represented in the lists for elections to the Sami parliament and, up to now, Sami representatives from two Norwegian parties have been elected.

All Norwegian parties with representation in the national parliament, except for the Progress Party (Liberal), have a Sami political programme. There is, however, great variation in how the parties' work regarding Sami politics is carried out.

The Social Democratic Party (Arbeiderpartiet) has had representatives in the Sami parliament since the first election period. The party has rules for its work with Sami issues that regulate, for example, the party's nomination procedure for the Sami parliament and the work and areas of responsibility for the party's "Sami Political Council". This Council has the mandate of advising the party's national parliamentary group and relevant department heads as well as the party's group in the Sami parliament. The party's "Sami Political Manifesto", which defines its principles, is approved by a meeting of the national party.

The Centre Party (Senterpartiet), as the second party with representation in the Sami parliament for the period 1997-2001, has no established structure in relation to its Sami political work or its group in the Sami parliament.

One of the national parties in parliament that has presented a Sami political programme, the Socialist Left Party (Socialistisk Venstreparti), has not participated in elections to the Sami parliament.
The fact that Norwegian political parties have nominated lists for election to the Sami parliament has contributed to making the Sami question visible within the parties, mobilising the Sami members, and also motivating the parties to draw up Sami political programmes.

Paths towards Influence

Even though Sweden, Finland, and Norway may appear to be relatively homogeneous countries when viewed from the outside, there

are historic and cultural differences between them. Such differences are also found in the public sphere, both in regard to political and administrative traditions.

Sweden and Finland have not yet had an in-depth social debate on the relations between the Sami and the state. The crisis of legitimacy that arose between the Norwegian Sami and the Norwegian state in connection with the conflict over the building of the Alta/Kautokeino dam forced Norwegian politicians to take up this debate about principles. The Norwegian authorities were forced to undertake a fundamental re-evaluation of the government's Sami policy. The Sami in Sweden and Finland have not been able to confront the national authorities in the same way.

National Parliaments, Parties, and the Sami

Sami influence over decision-making in the national elected organs depends on a series of factors which this study refers to as direct channels: on the degree to which the national parties are concerned with Sami political issues and, partly, the extent to which they have committed themselves to agreeing on Sami political programmes; on Sami involvement in the parties, and how active members are in placing Sami political issues on the party's political agenda; on whether Sami are nominated and elected to the national parliaments, for example, on the basis of approved Sami political standpoints in the parties. Sami influence can also be exerted through the elected Sami parliaments, here referred to as the indirect channel. This influence is structured through direct elections of Sami representatives to the Sami parliaments. It is the formal framework within the respective national state and the Sami parliaments' own ability to create spheres of influence that decide to what extent this type of influence has an effect on national politics.

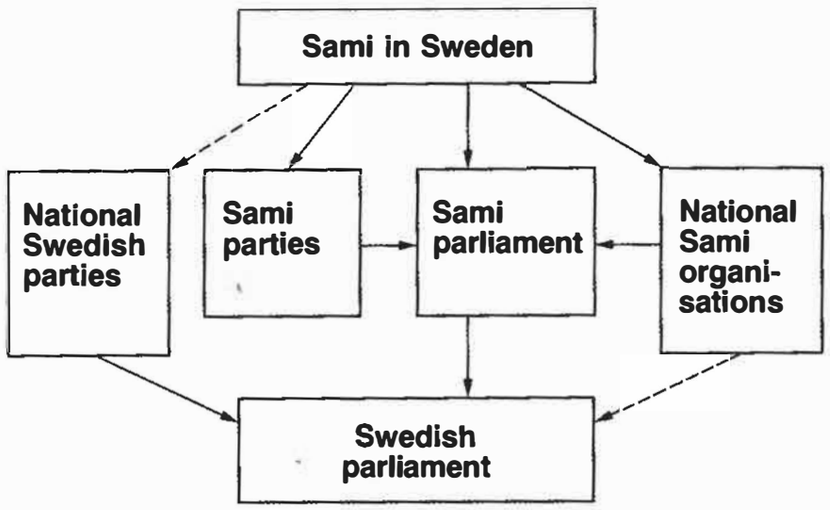
Historically, the Sami in the three Nordic countries have had similar experiences with regard to exerting influence over the national parliaments through national parties. During the last 20-30 years, however, developments have taken different directions. The Sami in Norway, especially, have been able to gain more central positions in several parties and the parties have also committed themselves to including Sami policies by approving Sami political programmes. This provides them with a clear advantage, since the Sami thus have an opportunity to directly influence the parties' viewpoints. The inclusion and development of Sami policies within the political parties, and therefore their discussion in the context of different ideologies, may inspire political debate concerning Sami policies.

At the same time, it must be remembered that Sami members of Norwegian parties will always be a minority. The decisions of the party's majority will determine the political platform that Sami party members are obliged to follow. This can create problems, especially in cases where the majority's priorities are in conflict with Sami interests. Sami members can end up as "hostages" legitimising a Sami policy that is not in line with the Sami's overall interests.

Channels of Influence

The Sami in Sweden and Finland have not become involved in the national parties to the same extent as the Sami in Norway. The Swedish Sami have directed their efforts toward the national parliament through the Sami organizations, while the Finnish Sami have used the Sami parliament to gain influence over government policies. With regard to the Sami parliaments in Sweden, Finland, and Norway, different development patterns have crystallized as well. This will probably have an influence on future political developments in the three countries but it is also of importance to the Sami parliament's influence over the national parliaments. Below, three models are presented showing the relationships between the Sami and the national parliaments.

Figure 1: The Sami and the national parliament in Sweden

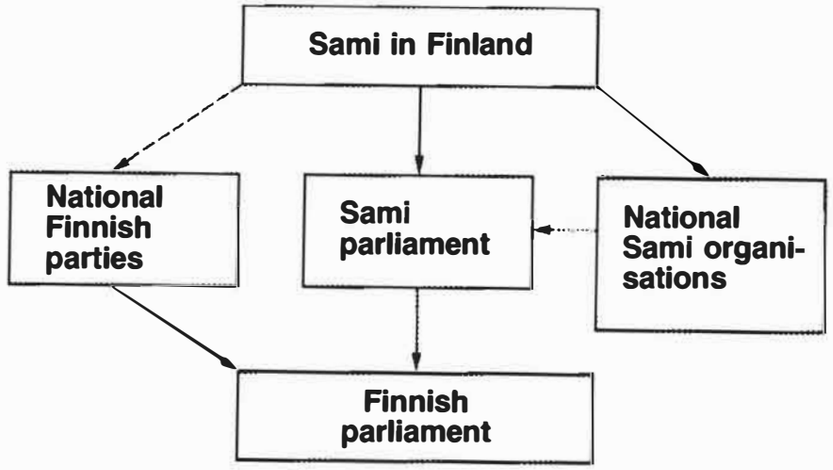


The Swedish Sami have a weak connection with the national Swedish parties. The parties have very few or no Sami members who work actively and systematically on Sami policies. Several parties, however, have agreed on Sami political programmes to which they are politically committed.

The Swedish Sami organizations have a tradition of working directly with Swedish authorities, both through lobbying and through various negotiations. Nevertheless their position is likely to be weakened, since it is assumed that the Sami parliament will increasingly take over such functions. At the same time, the organizations also participate in the Sami parliament through their own political parties.

The main line of influence for the Swedish Sami is expected to be the Sami parliament. However, since the Sami parliament in Sweden has a very narrow formal framework for political action, and the Swedish authorities have defined the parliament primarily as a state administrative organ, it is questionable as to how strong the Sami parliament can be in relation to the Swedish authorities.

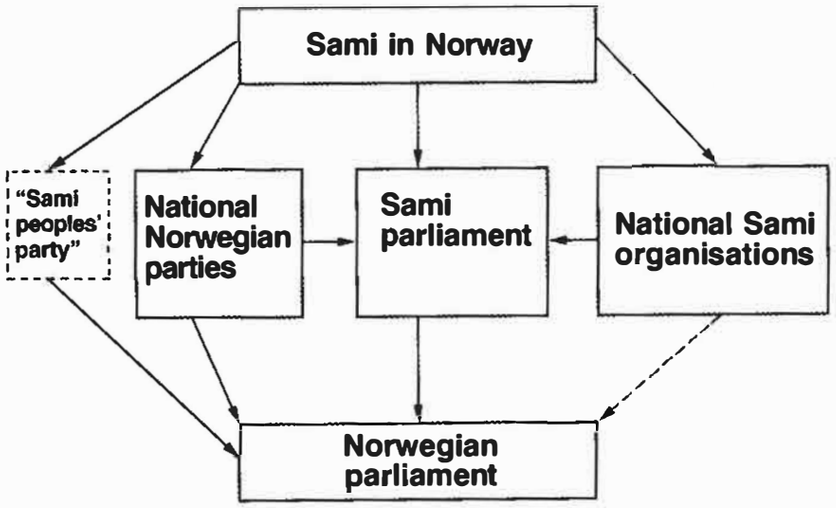
Figure 2: The Sami and the national parliament in Finland



The Sami organizations in Finland do not have the economic resources to operate as effective pressure groups within the Sami parliament and the national parliament. No local or national Sami organization has an official connection through electoral channels to the Sami parliament. Elections to the Sami parliament are organized

purely as elections of individuals. As a consequence, candidates are not bound by any electoral programme, nor are they accountable to any member organization. In addition, the Sami in Finland have not challenged the Finnish parties to clarify their political viewpoints with regard to the Sami. This weakens the parties' obligation to function as channels for the Sami to the national parliament. The Finnish Sami parliament is faced with great challenges in terms of protecting Sami interests in relation to the Finnish parliament.

Figure 3: The Sami and the national parliament in Norway



As shown in the diagram, the Sami in Norway have more ways of reaching the national parliament. Before the establishment of the Sami parliament, the National Sami organizations were the most important channels. Their role has since been greatly reduced, with the exception of the business organization, the Sami Reindeer Herders' Association of Norway, which is the state's negotiating partner in questions related to commercial aspects of reindeer herding.

The Norwegian national parties are an open channel that has developed rapidly since the establishment of the Sami parliament. The advantage of such a channel is that it creates more areas for development of Sami policy, and that the Norwegian party politicians can be held more accountable.

However, a system where Norwegian parties are in both the Sami parliament and the national parliament can also have its disadvantages. The parties may, for example, give more consideration to the opinions of their party's members in the Sami parliament than to the approved policy of the majority in the Sami parliament. Such a development could influence the Sami parliament's legitimacy and influence.

It is possible that a new channel may develop between the Sami and the Norwegian parliament. The founding of the Sami People's Party is the first step towards a future Sami representative, a Sami party, in the Norwegian parliament. When this happens, the Sami's democratic rights in Norway will be strengthened further. The challenge for the party is to make itself a force in politics. Since the party is so new, it is impossible to estimate its future position.

Conclusion

Focussing on national parliaments does not capture all the channels of influence in the political and administrative arenas at regional and local level that the Sami can use. There are more channels of influence than just the election of Sami representatives to the national parliaments or the Sami parliaments. The Sami participate with varying strength in local and regional elections, both by voting and standing as candidates for election. Sami participation is strongest at the local level, however, probably because it is easiest to achieve a position at this level. Power and influence can also be exercised in the municipal governments. There are several examples whereby representatives of Sami lists have won a position in which they have been able to change the balance of power and thus make far greater demands than their number would otherwise allow. The Sami also have the opportunity of influence through administrative positions in central, regional, and local administration, and through appointments to various public councils and committees. These circumstances lie outside the mandate of this paper, however.

National influence depends on many factors. Historically, a new situation was created following World War II. During the 1980s and 1990s in particular, a positive development occurred in relation to Sami participation in various political and administrative arenas. Governments increasingly accepted cultural pluralism and have come to understand that groups within the population should have real influence over their own situation.

This report has covered the descriptive aspects of the current situation. Within the scope of this paper, however, it has not been possible to examine how real that Sami influence actually is.

Notes

1 A special exception were the Sami in Jämtland County. Jämtland Sami were not included in the ordinary census within the municipalities but in their own Sami assemblies (Lappförsamlinger). They did not thus formally belong to a municipality, nor did they have the right to vote. This applied to both Sami reindeer herders and Sami living permanently in the county. The Sami who owned property were an exception; they were included in the municipality's census and had the right to vote. Jämtland Sami's political status was normalized only in 1940. (Sjølin 1996)

2 The Sami Report SOU presumes the special position of the Sami as an indigenous people in Sweden in relation to the majority population and to minorities in general.

3 Telephone conversation with Johanne Gaup, 04.12.99.

4 The Sami Parliamentary Council was intended to bring together representatives from the three Sami parliaments in Finland, Sweden, and Norway to discuss common issues.

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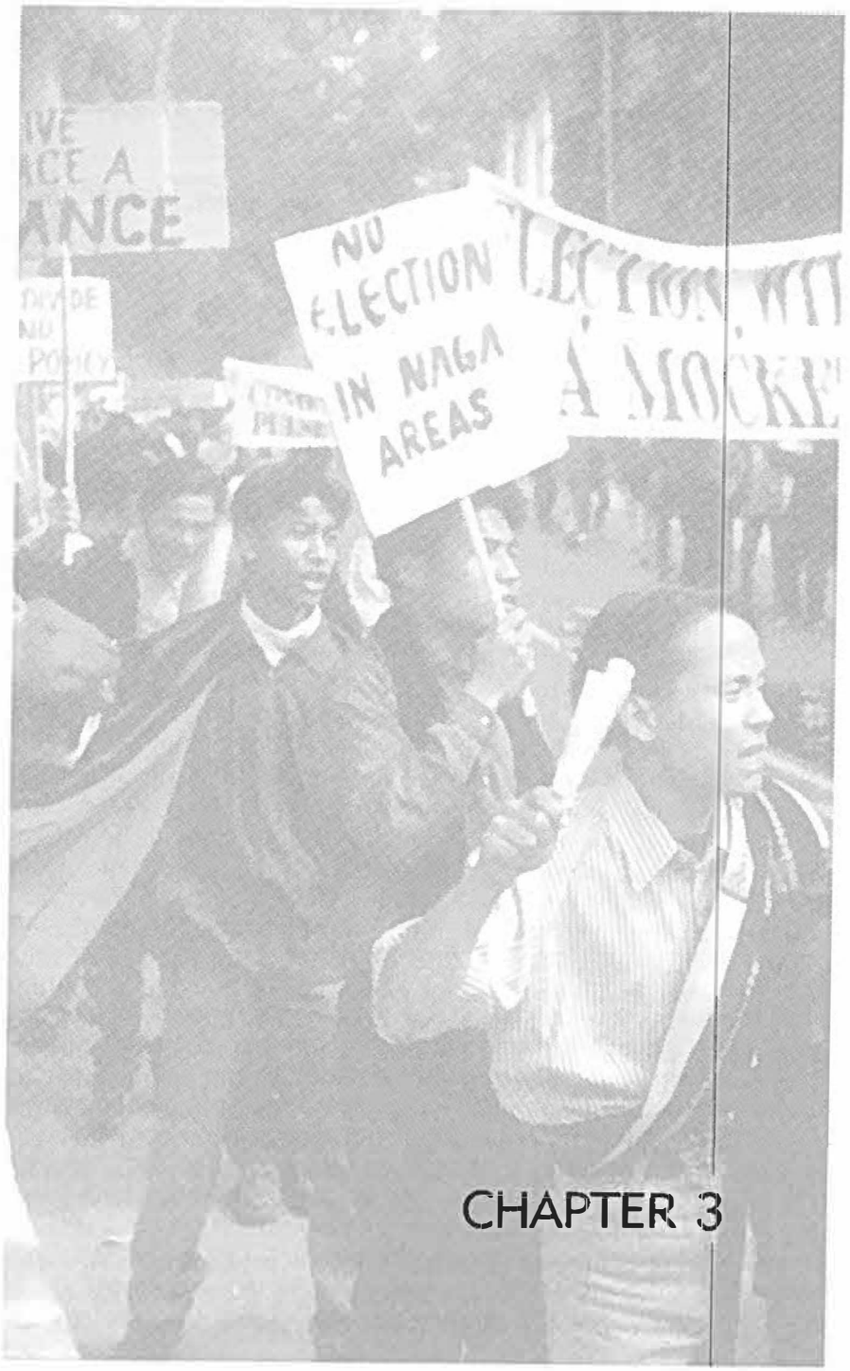


CHAPTER 3

INDIGENOUS PEOPLES AND ELECTORAL POLITICS IN INDIA: AN EXPERIENCE OF INCOMPATIBILITY

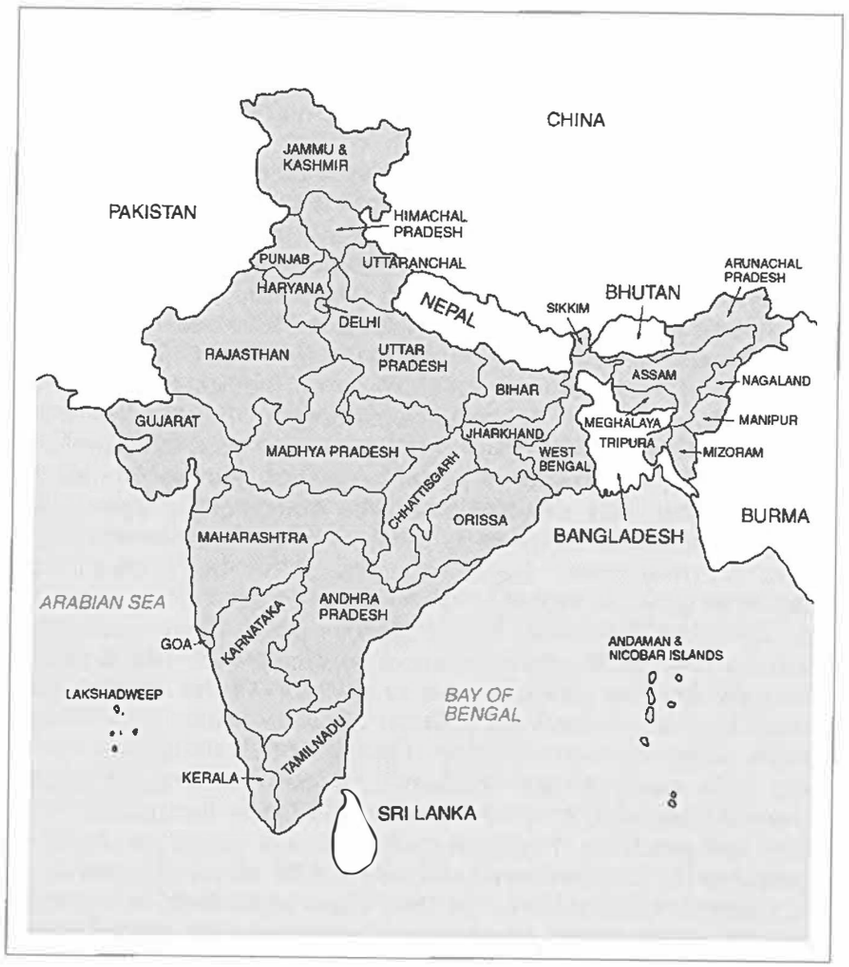
by Samar Bosu Mullick

Introduction

India is the ancestral home of the largest number of indigenous peoples in the world and, incidentally, is currently the largest democracy in the world with the largest number of political parties. However, the Anglo-Saxon form of democracy that determines Indian polity today is quite different from the indigenous peoples' notion of participation in the decision-making process and governance.

The indigenous peoples of India have a long history of interaction with alien political systems. In the past they entered into political conflicts with the tribal oligarchy of the early Aryan aggressors (circa 1500-500 BC), the autocracy of the early empires (600 BC-500 AD), the feudalism of the Hindus (500-1100 AD), the Muslim monarchy (1200-1700 AD) and the British colonial rule (1757-1947 AD). The conflicts were resolved either by the retreat of the indigenous peoples into more inhospitable terrain beyond the pale of the aggressing political power and reconstruction of their old society (Thapar 1980: 10) or through acceptance of the paternalistic rule of the state whilst, at the same time, keeping a relative distance from it. In the absence of both these options, their gradual submergence into the mainstream composite culture was inevitable (Chatterji 1951, Chattyopadhya 1959, Zide / Zide 1973). With the passage of time and the never ending process of expansion of the state's political power, the first option ended at a point when there was no such space left to fall back into. In the presence of a gradually expanding condition of dispossession and powerlessness in the peripheral areas of the indigenous habitat, submergence or "sanskritization" of the indigenous communities remained a constant feature. In the core regions, characterized by high concentrations of indigenous peoples and geographical inhospitability, the second option remained effective until the end of British rule.

The current feature of incompatibility of political ideology with the dominant society is thus a continuation of the past experience of the indigenous peoples of India. While indigenous peoples acknowledged the overall sovereignty of the state, "the medieval state system sought to preserve tribal autonomy" (Singh 1985: 124). During the Mughal period, the indigenous peoples developed a strategy of accommodation and coexisted with the stratified caste society in exchange for some irregular contributions (tribute) to the state (as was the case in Jharkhand, for instance) (Sinha 1987: xvii). In some cases, they themselves developed a sort of tribal oligarchy (as was observed among the Boro-Kacharis in Assam and Southern Gonds of Adilabad in Andhra Pradesh) (Haimendorf, von Fürer 1985). Yet, in a few other cases, a primary state emerged out of the indigenous matrix (among the Raj Gonds of Madhya Pradesh, Andhra Pradesh



and Maharashtra and Bhumijs of Bengal part of Jharkhand, for instance) (Sinha 1961, Singh 1987). The hunter-gatherers among the indigenous peoples, however, remained distanced from such compulsion and existed rather as independent and free peoples in hilly and inhospitable terrain.

The advent of British colonialism shook the indigenous peoples' social systems by their roots and brought to an end all the previous political equations between the peoples and the state at local level. The one hundred years of bloody resistance that the indigenous peoples launched against colonial and feudal rule forced the British Raj to come to certain agreements with them here and there and to enact a number of laws to stop submergence. In order to maintain at least some of their distinctive characteristics, the Scheduled District Act of 1874 came into operation. According to this Act, the tribal areas were treated as separate entities for the purpose of administration. This small concession was, however, just another part of the process of the total subjugation of the indigenous peoples. This process was almost complete by the turn of the last century, when an era of "compromise" began to appear within the politics of the indigenous peoples, replacing the earlier strategy of "accommodation" (Bosu Mullick 1993). The indigenous peoples had now almost given up their millenarian dreams of regaining their lost land and autonomy and had adopted many of the traits of the colonial institutions in social as well as political terms in order to save their pitiable existence from tragedy. They adopted Christianity on a large scale, enrolled their children in western educational institutions and, above all, adopted the colonial political institutions. Even before independence they, along with the rest of the people, were exposed to the first provincial elections in 1937 under the provisions of the Government of India Act 1935. Their representatives returned from the seats reserved for them and participated in the provincial assemblies. At the same time, they continued to participate in municipal elections in the urban areas (Sachchidananda 1976). Their initiation into this new system of decision-making obviously took place on a very low scale, but it was nevertheless the humble beginnings of a process that was to humble them even more in the near future.

By the time of independence in 1947, the process of political subjugation of the indigenous peoples of the sub-continent was almost complete, except for a small section of people in the easternmost fringe of the modern Indian nation-state. However, the imminent end of colonialism encouraged the indigenous peoples to aspire to the restoration of pre-colonial political conditions. This was not only in India. At the end of colonialism, there was a global phenomenon of indigenous peoples, who constituted the mosaic of post-

colonial nation-state societies, stressing their identity and staking claim to a share in the state resources (Singh 1990). On the issue of autonomy there emerged three types of demands: continuation of the relative autonomy enjoyed by the peoples in the princely states[1] during the colonial periods, separate statehood within the Indian union and sovereignty or restoration of pre-colonial political power enjoyed by the peoples as their natural right. The new state was thus confronted with the question of formulating a general policy to satisfy its own interests as well as to pacify the indigenous peoples.

In the colonial situation, the indigenous communities (labeled as tribes on the basis of their "backwardness") sought protection through isolation. Various theories, such as those of isolation, assimilation and integration were formulated to define the relationship of the tribes, non-tribes and the state. A good number of colonial officers and anthropologists came out in favor of isolation, the nationalist and social workers (upper caste Hindu) were in favor of assimilation and, ultimately, constitutional arrangements were worked out in favor of integration. However, the assimilationist theory did not fade away (Singh 1990).

In the post-colonial situation, the adoption of the integrationist approach, as was propounded in the "Tribal Panchsheel" (Five Principles of Tribal Policy), created a space for the indigenous peoples to retain their cultural identity. However, their political integration within the new nation-state became a big problem and continues to be so to this day. They largely opposed the merger of the princely states into one or other of the provinces. In many cases police resorted to violence, killing thousands of people throughout the country (especially in the areas of the Gonds of Baster and Santals of Mayurbhanj) (Praharaj 1988). The liberal policies of the princely states allowed the indigenous peoples to retain their cultural life and control over their ancestral resources. In many cases, the kings themselves were from the indigenous communities (as in the case of the Gonds) and they understood the indomitable spirit of freedom inherent in the culture of the people (Haimendorf / von Fürer 1985). There was a fear that the merger would rob them of their relative autonomy. In the central tribal belt, the demand for statehood became fiercer in the face of state oppression. With the departure of the British, the northeastern region of the country, where most of the hilly areas had actually never fully become a part of British India, aspired to independence. The Indian Government's disregard of these demands led to an armed conflict claiming innumerable lives, and a conflict, which has still not been resolved.

The integrationist approach of the state in the realm of politics entailed bringing the indigenous peoples into the general political

process of the country (with a safeguard) while providing different forms of political autonomy at the local and regional levels, which, however, fell far short of popular aspirations. The constitution provided for the provision of seats reserved at both parliamentary and assembly level for the Scheduled Tribes, to ensure their participation in the representative form of democracy. Accordingly, it declared some tribal-dominated parts of the old Assam of the North-Eastern India as the 6th Scheduled Areas and those of the mainland as the 5th Scheduled Areas. While in the 6th Scheduled Areas, the traditional village councils of the indigenous peoples were allowed to function, albeit with many constraints, in the 5th Scheduled Areas the peoples were given the right to form advisory councils by which to guide the state governments in implementing the developmental activities of the state in the Scheduled Areas. Thus the people were left with virtually only one choice of political intervention through which to shape their future and protect their identity; they were encouraged to enter into electoral politics, so alien to their tradition.

However, a sense of suspicion and mistrust preoccupied the minds of the indigenous peoples from the very beginning of the existence of the largest democracy in the world. Some of their leaders on the floor of the constituent assembly pointed out that there was no need for the tribal peoples to learn democracy from others, rather others should learn to adopt democratic values from the tribal peoples in order to make democracy functional in the country. Indigenous peoples did not even require safeguards or protection from the rest of the people. They required "protection from the ministers"! "We do not ask for any special protection. We want to be treated like every other Indian"(Saksena 1981: 7).

During the last half century of functioning of the western model of democracy in India, the indigenous peoples have been exposed to a new set of institutions and political ideas. Their interaction with these has appeared quite inconsistent and erratic. They found themselves playing an insignificant role in the political drama that was gradually unfolding before them. Their dissatisfaction could not be suppressed. The tribe-state relationship was flooded with accords and agreements, but in vain. Problems arising out of the basic issues of identity and autonomy of the indigenous peoples could not be resolved in democratic terms and, ironically, the state frequently resorted to violent means to force people to enter into democratic forms of governance!

Electoral politics has never been the only method of achieving the social and economic goals of the indigenous peoples in India. Of the many avenues, however, it has remained the most accessible and available one, particularly in terms of achieving economic benefits.

But there has been a marked unevenness in the exposure of the indigenous peoples to this method. The degree of intensity of interest and willingness to participate in the electoral process varies widely from tribe to tribe and from time to time. An overview of the fact sheet from Rajasthan in the west to Manipur in the extreme north east of the country exemplifies this; the more we travel east, the less we find the level of participation. This unevenness is also observed in the case of the party affiliation of the people. The level of competitiveness among the national, regional and tribal political parties is not the same all over the country.

This paper seeks to assess the indigenous peoples' experience of electoral politics in the midst of such unevenness since 1952, the year the first general elections took place in the country. The aim is to see whether the cherished aspiration of the indigenous peoples to break with political subjugation of the past has been achieved within the political space provided by the modern Indian nation-state. The paper gives a general background to the all-India scenario while focusing in more detail on the Jharkhand region, located on the eastern side of the "central Indian tribal belt". The struggle of the indigenous peoples for autonomy and identity finds its typical expression in this region and thus gives us a glimpse of all the dimensions of the issue.

For the sake of convenience, in this paper India has been divided into seven zones on the basis of dominance of the respective indigenous community or group of communities from an electoral point of view, and the data has been analyzed accordingly. The zones are defined in the Annex to this article. Trends have also been measured in terms of the core and peripheral habitats of the peoples.

Owing to lack of time, I have not been able to examine the assembly poll results and have based my research solely on the results of the parliamentary elections.

Indigenous Peoples and the State

The Indian nation-state does not recognize the existence of indigenous peoples in the country. The constitution, however, categorizes 461 indigenous communities as Scheduled Tribes, with a population of 51,628,638 according to the census report of 1981[2], without defining the term "indigenous". The basis of identification has obviously been the social "backwardness" of the notified communities, the objective being the protection of their interests and promotion of their welfare. This arrangement is considered to be perfectly in tune with the constitutional commitment to a socialist, secular and democratic order.

Owing to continuous popular agitation and to political considerations, as in the case of the Banjaras for instance, a few additional communities have, from time to time, been included on the list. As a result of this, the percentage of Scheduled Tribes (STs) in relation to the total population of the country has continued to increase. While they constituted 7.8% of the total population in 1981, by 1991 the figure had increased to 8%.

Scheduled Tribes

Most of the country's national level indigenous peoples' organizations have accepted the Scheduled Tribe list as a "workable list" (though not exhaustive) of the indigenous peoples of India for the time being. These organizations do not usually accept membership from the communities that have been left out. Some of the larger indigenous communities, like the Kudmis of Jharkhand who were de-scheduled in 1931, resent the national indigenous organizations' position very strongly and continue demanding their inclusion within these organizations, particularly those who regularly represent India's indigenous peoples in international fora, including those of the United Nations. The Scheduled Castes[3] also claim to be the indigenous peoples of India. However, their proposal to form a single representative body with the Scheduled Tribes has been turned down by the ST organizations. For the present purpose of our analysis of the main trends and to arrive at a general assessment, we have also considered the Scheduled Tribe list as a "workable" one because whilst not exhaustive it covers the core of indigenous India.

Scheduled Areas

Scheduled Tribes are found in all the of the country's states with the exception of the states of Punjab and Haryna and the Union Territories of Chandigarh, Delhi and Pondicherry. The identity of the Scheduled Tribes is related to the Scheduled Areas (the identification of these areas is based on the Excluded and Partially Excluded areas[4] and the Tribal areas were originally notified during British rule. The Government of India Act, 1935 and the Acts before it contained special provisions for the administration of all such areas), which are supposed to be their ancestral homelands. Each community is related to a specific location beyond which the members of it lose their Scheduled Tribe status. There is, however, a flaw in this arrangement. The Jharkahndi tribes who live in Assam and whose

members work as tea garden and ex-tea garden laborers are not considered as Scheduled Tribes. Similarly, the hundreds of thousands of members of the ST communities living in cities like Delhi are not considered either as members of the STs or as permanent residents of the city. In many instances, it has been observed that a Scheduled Tribe in one state is not considered to be so in the neighboring state. This situation not only restricts mobility on the part of the peoples in question but also deprives them of their rightful place in the political system of the country. In Assam alone, approximately five hundred thousand people have been denied political representation through reserved constituencies.

Most STs are located in the central and northeastern areas of India. 63.4% of them live in hilly terrain. Their size varies widely. Most of the tribes are too small in number to make any significant impact on the electoral process. But a few of them are large enough to influence the political situation of their respective region. The largest tribes, like the Gonds in Madhya Pradesh, the Bhils in Gujarat and the Santals and Oraons in Bihar and Orissa, are indispensable in shaping the political present and future of their respective states (Table 1).

Table 1
The largest tribes

Tribe	Population	States of Residence
The Gond	7,449,193	Madhya Pradesh & Maharashtra
The Bhil	7,367,973	Gujrat & Rajasthan
The Santal	4,270,842	Bihar, Orissa & West Bengal
The Mina	2,087,075	Rajasthan
The Oraon	1,865,995	Bihar, Orissa & Madhya Pradesh

Source: Singh, K.S. Ed., The Scheduled Tribes. Oxford University Press, Delhi

Reservation of Constituencies

The Constitution of India provides for a policy of reservation of constituencies in the elections for the STs to both Parliament (Lok Sabha) and the Assemblies in the provinces (normally called the states) in order to ensure their political representation within the

highest decision-making bodies of the country (Article 330: 1b & c). In these constituencies, only the members of the Scheduled Tribes are eligible for (filing nomination for contesting) elections. Given the uneven development of the different categories of population and given the competitive nature of politics, it was felt necessary to make such special provision for this weaker section of Indian society (Oomenn 1977: 161). This constitutional provision, commonly known as "protective discrimination", is actually a continuation of the arrangements under the 1935 Act but with a difference: now seats are reserved in proportion to the size of population. On the eve of the adoption of the constitutional provision, Jaipal Singh, one of the most vocal leaders of the indigenous peoples, pointed out the significance of this provision in the Constituent Assembly. "[...] I have come to say a few words on behalf of the Adivasis of India in so far as they are affected by the recommendations of the Minorities Sub-Committee. [...] Our stand point is that there is a tremendous disparity in our social, economic and educational standards, and it is only by some statutory compulsion that we can come up to the general population level. [...] Our point now is that you have got to mix with us. We are willing to mix with you, and it is for that reason [...] that we have insisted on a reservation of seats as far as the Legislatures are concerned [...]. Under the 1935 Act, throughout the Legislatures in India, there were altogether only 24 Adivasi (Indigenous) MLAs out of a total of 1,585, as far as the provincial legislatures were concerned and not a single representative at the Center. Now in this adult franchise system of one member for one lakh (100,000) of the population you can see the big jump. It will be ten times that figure when I speak of Indians " (Saksena 1981: 156).

The constitutional provision for the reservation of tribal constituencies is, however, not a permanent arrangement. It was originally provided up to 1960. Since then it has been extended every ten years, for another decade. The assumption behind the fixing of a time limit has been that, within that period of time, the STs will have made sufficient progress in social, economic and political fields to be able to successfully compete with other people for election.

Reserving seats for certain parts of the state in the electoral process is often viewed as promoting underdevelopment (Oomenn 1977: 163). But, considering the basic situation in which this policy was formulated and recognizing the inherent aspirations of the STs, this can be viewed differently. The state's policy with regard to the STs has two rather contradictory aspects: I) to draw them into the concourse of national life through a process of successive approximation to the wider society, and at the same time 2) to maintain at least some of their distinctive characteristics (Oomenn 1977: 156). Thus it

aims to strike a fine balance between "isolation" and "assimilation" and promoting "integration". But, on the one hand, under the strong pull of the dominant society, the balance tends to tilt towards assimilation and adversely affect the peoples' urge to protect their identity and, on the other, the peoples' apprehension of losing their identity if unprotected pulls the balance down towards isolation. It is generally agreed that neither isolation nor assimilation can ensure development of the STs. In a plural society such as India, it is possible only through a balanced integration. Jaipal Sing rightly pointed out the very premise of the integrationist approach in the Constituent Assembly: "We do not want protection, we want equality with you." (Saksena 1981: 156). A successful democracy can only be built on equality.

In the valedictory session of the same forum, however, Dr. V.R. Ambedker, the chairman of the Constituency Assembly, himself sounded a note of caution. He said: "On the 26th January 1950, we are going to enter into a life of contradictions. In politics we will have equality and in social and economic life we will have inequality. In politics we will be recognizing the principle of 'one man one vote' and 'one vote one value'. In our social and economic life we shall, by reason of our social and economic structure, continue to deny the principle of 'one man one value' [...]. If we continue to deny it for long we will do so only by putting our political democracy in peril" (Jaipal Sing quoted in Iyer 1984).

Thus the political equality sought by Jaipal Sing is possible only when economic and social equality become a reality. At the moment, Indian society is far from achieving this goal. It is still ridden with cast hierarchy and class divisions, privileges and disabilities. Equality of opportunity is a far cry. On the occasion of the completion of 25 years of democracy in India, Prof. T.K. Oomenn observed, "It is extremely unlikely that, soon after the termination of reservation of seats, the STs will be able to get elected to as many numbers of seats as at present [...] it is (also) unlikely that others will support the candidates drawn from these categories (such as the STs) if they contest general constituencies" (Oomenn 1977: 163). Basically, nothing changed over the next quarter of a century. In this kind of scenario, the continuation of the policy of reservation appears to be the only means of providing some opportunity for indigenous peoples to vent their grievances as well as to articulate their demands.

Forty-one parliamentary and 530 assembly constituencies are currently reserved for the STs out of a total of 543 and 2980 constituencies respectively.

Political Parties

Political parties emerged for the first time in India during the last phase of British colonial rule. Their aim was to press the demand for freedom from imperialism and to establish democracy in the country. In spite of political parties being the most vital institution for the functioning of democracy, it was an absolutely new institution for the peoples of India in general and for the indigenous peoples in particular, who were at home with their village level non-party democracy. The indigenous peoples, along with the rest of the people of the country, were for the first time introduced to electoral politics in 1935 (in British India). Between 1935 and 1952, (the year the first general elections were held in independent India) many elections were held including municipal ones. The indigenous peoples' participation in those elections was, however, negligible. Only a few educated and aware individuals took part in them. But they soon realized that they were in most cases left with only one way of venting their aspirations and demands through this alien institution in the new liberal democratic set up in independent India. In most cases, they were brought into the fray through political parties formed and led by non-indigenous people. In a few places, like Jharkhand and Assam, they tried to intervene through political parties they themselves formed.

The non-indigenous political parties have different ideological approaches to the issues of the indigenous peoples. Whereas some, such as the Congress Party and the Socialists, stand for integration others, like the Bharatiya Jan Sangh / Bharatiya janata, the Hindu nationalist Party, and the Communist Party of India (Marxist), propagate their assimilation into mainstream Indian society. Some parties of the Left, like the Communist Party of India and Forward Block, hold an ambiguous position. Only in recent times have some underground communist parties agreed with indigenous peoples issues of concern, such as identity and autonomy. They, however, influence the electoral process in constituencies dominated by the indigenous peoples by calling for a boycott of the elections. We shall briefly discuss the ideological positions of the major political parties with regard to the indigenous peoples.

The Congress

Way back in 1885, A.O. Hume, a British citizen, formed the Indian National Congress with a group of leading members of the Indian elite, educated in colleges in England. Gradually the Congress developed into a broad forum of nationalist forces imbibed with western liberal political ideas. The second generation leadership, however, tried to integrate the Fabian Socialism of Nehru and reformed Hinduism of Gandhi on the eve of independence.

Gandhi's approach towards the Adivasis, as he called the indigenous peoples, was in favour of their Hinduization on a reformed level. His ideal of "Ram Rajya" (The Kingdom of Lord Rama), where truth and justice prevail, certainly had a place for the loyal Hanumana (the monkey-god), supposedly the ancestor of the Adivasis, though never articulated in such terms. He preached non-violence, vegetarianism, and "cleanliness" among the Adivasis. He motivated many reform movements among the indigenous peoples, such as the Safa Hor (clean men) among the Santals and the Tana Bhagats cult among the Uraons. "While giving a political message to the tribal peoples, the Mahatma was also able to communicate some of the basic tenets of Hinduism. Moreover, in their simple mind, by and large, they considered him to be a 'Hindu leader' and generally felt inspired to emulate the Hindu model of life, which Mahatma represented" (Sahay 1980: 62). Mahatma Gandhi's promotion of non-violence, however, robbed the indigenous peoples of their heroic spirit for fighting oppressive forces, both feudal and colonial. The militancy of the Bhils, for instance, took a back seat in the national movement under Gandhi and the Bhils, known for the value they place on and for their courage, were confused and found their customs and traditions incompatible with the non-violent spirit of the national movement (Singh 1995: 168).

Gandhian intervention in the indigenous peoples' movements also discouraged the people from continuing their struggle against the feudal moneylenders (Hardiman 1987) and Zamindars (landlords) (MacDougal 1985). In the garb of Gandhian reformism, some Gandhians even went to the extent of converting the indigenous peoples to Hinduism. The leading congressmen of Bihar encouraged the Santals to convert to Hinduism by wearing the "sacred thread"[5] (Singh, personal conversation). However, in many cases where they had no other option but to choose between the British and Gandhi they opted for the latter, particularly in western and central India. Their participation in the non-cooperation movement and Prajamandal (Peoples' council) politics demonstrated this trend. But, as we move towards the east, to Jharkhand and Northeast India, Gandhi's popularity wanes. In Orissa, the indigenous peoples were not interested in the Congress. The Santals and the Kols (Ho-Mundas) continued their struggle even in the year of independence (Paik revolt in 1947) and immediately after that (anti-merger struggle of 1948) (Praharaj 1988). In Bihar also, Gandhi and the Congress were

popular only in pockets. In the north-eastern hills, except for Jadojnang and Rani Gaidingliu's movements (1930-32), which were inspired by Mahatma Gandhi and the Congress and in this sense had an Indian national dimension, most of the tribes wanted to be free from the control of the government of the plains following the departure of the British (Kabui 1990).

After independence, the Gandhian Congress took a back seat and the Nehruvian Congress took over with a different approach towards meeting the demands of the indigenous peoples. Nehru's Tribal Pnachsheel (Five Principles for the tribal peoples) recognized the indigenous aspirations for autonomy and identity and, as opposed to the Gandhian way of gradual assimilation, adopted a secular means of integration. But problems emerged over the issue of autonomy. Congress stood for a ridiculously low degree of autonomy and persuaded those formulating the Constitution of India to enshrine its views under the 5th and the 6th schedules. Nehru wanted to win the hearts of the indigenous peoples by providing economic and political concessions. But, where he failed, the Congress turned to crude violence. The Congress forced its entry into the Northeast, the Jharkhand region and into the southern hilly ranges of central India including Telengana. In the rest of the indigenous regions, where the sharpness of the peoples' organized strength was already blunted, the policy of giving concessions paid dividends.

By the 1960s, the Congress had established itself as the most successful political party among the indigenous peoples. It turned its support base in the indigenous regions into a bank of votes and made steady profit for the next three decades until being seriously challenged by the Bharatiya Janata Party (BJP). Today, the Congress Party has been losing in many constituencies and is engaged in a neck-and-neck fight with the BJP in the rest.

The Rightwing Parties

The parties that very ardently uphold Hindu national chauvinism today are the Bharatiya Janata Party (BJP) and the Shiv Sena. Whereas the latter has recently emerged as a regional party based in Maharashtra, the former has a long history. The Hindu chauvinist forces, one of whose members killed Gandhi, had a very bad name during the early years of independence. Their mother body, called the Rashtriya Sayam Sevak Sangh (RSS), ideologically and organizationally in tune with the Nazis of Germany, was banned. But its political wing, called the Bharatiya Jan Sangh (BJS), continued to participate in elections with the aim of establishing a Hindu India,

scoring negligible success. During the time of the Emergency (1975) instigated by the then Prime Minister Mrs. Indira Gandhi[6], the BJS became part of the Janata Party, formed of a coalition of centrist opposition parties in order to fight the Congress. This event gave the party a rare opportunity to gain all-India access and some degree of prestige. When the Janata Party became defunct, the party was re-christened the Bharatya Janata Party (BJP).

With regard to the policy towards indigenous peoples, the Rashtriya Sayam Sevak Sangh (RSS) has from the very beginning been overtly promoting assimilation. It could not accept the reformist approach of Gandhi, let alone the integrationist approach of Nehru. For this party, the indigenous peoples are simply the *Vanavasi* (the forest dwellers). One of the founders of the organization tried to make people believe that the *Vanavasi* were Hindus of an ancient type. Because of their relative isolation they remained purer than the rest of the Hindus (Golwalker 1980) and practiced ancient Hindu religion (Sanatan Dharm). Following the footsteps of this Guru, many sociologists and anthropologists also denied the existence of the "tribe" as an entity independent of the dominant social system. This view is manifested best in Prof. Ghuriye's refusal to allow any separate definition of "tribe" and "caste". For him, tribes were only "backward castes" (Ghuriye 1963). The fact ignored by this position is that "the confrontation between the tribals and the non-tribals is not of recent origin. The long history of their interaction has been one of tension and conflict [...]. In the process there was considerable adjustment and accommodation. The emergent dominant ethos bore unmistakable evidence of having absorbed elements from the country's tribal heritage. In the reverse direction, the tribal ethos also did not remain uninfluenced by the pan-Indian pattern of life that was gradually consolidating itself. But the fusion of the two ways of life was never complete: some tribal groups were assimilated and lost their tribal identities; others determinedly sought to retain their diacritical marks and worked for the preservation of their cultural self-image" (Dube 1972: 29).

However, it was only natural that the BJP would adopt a program of converting the indigenous peoples to orthodox (Brahmanic) Hinduism, but what has been most shocking to many Indians is its effort to support sister organizations to reconvert indigenous peoples who embraced Christianity a century or more ago in order to get rid of the inhuman oppression of the Hindu landlords, contractors and moneylenders. The party has taken on an extensive program of supplanting the Christian educational and other philanthropic organizations in the tribal areas. In the political sphere, it has taken full advantage of the indigenous peoples' growing dissatisfac-

tion with the Congress and of late has emerged as the second largest party in ST reserved constituencies.

The Leftwing Parties

The Communist Party of India entered the indigenous regions with an agenda of land reform immediately after its formation in 1921. In eastern India, particularly in the undivided Bengal extending to Assam, it successfully mobilized the indigenous peoples under the great Tebhaga (one third share in produce) Movement. In Telengana and the neighboring hilly ranges of northern Andhra Pradesh, it consolidated its strength among the Girijans (the mountain dwellers, as they called the indigenous peoples there) on similar agrarian issues. However, the party never recognized questions of identity and autonomy of the indigenous peoples. For them, indigenous peoples remained the "forest dwellers", a remnant of "primitive communism". After independence, the party became divided over the issue of entering into parliamentary democracy. The section opposed to it, and in favor of carrying on armed struggle, accepted the majority opinion of leaving the bullet and embracing the ballot after an initial resistance, only to be resurrected in the late 1960s and progressively strengthened in the following years. Three major communist parties emerged from this process: the Communist Party of India (CPI), the Communist Party of India – Marxist (CPI-M), and the Communist Party of India – Marxist-Leninist (CPI-ML). The CPI-ML emerged out of a long-standing agrarian movement organized by revolutionary communists among the Santals, a very consolidated and heroic indigenous people (Duyker 1987). Later on, the Party developed its strong bases mainly among the indigenous communities in Bengal, Assam and Andhra Pradesh. Its extra-parliamentary revolutionary agenda and its program of restoration of land rights attracted the freedom-loving indigenous peoples. In recent years, however, a section of the party has joined electoral politics.

The Marxist parties are both internally and among themselves divided ideologically in their approach to the question of the indigenous peoples and their aspirations. Marx had very little to say about indigenous peoples' society in India. His general observation, based on secondary information, of Indian society and his attempts to develop a model of an "Asiatic mode of production" touched the life of these peoples only partially. However, they are still the people who have interacted most with the Marxists in the course of their economic and political movements rather than the followers of Gandhi or Lohia. The Marxists' endeavor to follow the words of Marx

rather than to use the basic principles of Marxism has always turned out to be a misfit in the context of the indigenous peoples' movement. However, this has neither deterred the Marxists nor the peoples from continuing to try to find a Marxist solution to the stagnant tribal movement for liberation in the country.

Among the Marxists, the debate has centered around the question of characterization of the indigenous peoples' society and indigenous movements, and thereby on the issue of their incorporation into the countrywide revolutionary movement. For the peoples, the problem remains one of being associated with the communist revolutionary movements as peasants and workers, or as components of "emerging nationalities", at the cost of their distinct indigenous identity. The most common and conventional practice has been to define indigenous peoples, commonly called tribes in Marxist parlance, as part of the class society. A slight distinction is however made between the settled and nomadic tribes when it is said that, "all the major tribes of India are actually peasant societies existing within the broad political economy of the state. Their existence and motion can only be understood in terms of a class analysis of these societies, and the articulation of the different modes of production within their structures" (Pathy 1984: 43). In support of his argument, Pathy refutes the prevalent anthropological notion of the tribal society's "isolation", "homogeneity" and so called "static state" of being. He clarifies his position, however, by saying that, "it is true that even now a few small, acephalous tribal communities have little specialization and division of labor, but that description cannot be generalized for the majority of the tribal societies in India, covering at least 85 per cent of the tribal population" (ibid. 23). Besides, among the advanced Scheduled Tribes, the rich households exploit not only the poor fellow tribals and those belonging to backward tribes but also, to a lesser extent, the dispossessed non-tribal communities (ibid. 24).

This kind of analysis naturally cannot truly perceive the nature of tribal movements centered either on political autonomy and identity or on the issue of displacement. For a section of the Marxists, the autonomy movement appears to be a retrogressive and reactionary endeavor. They tend to equate it with the nationalist movement of the Slavs, which was used to defeat the Austrian and Magyar progressive movements in the multi-national Hapsburg Empire during the 19th century. This was something which Marx and Engels could not forgive the Slavs. Engels referred to such national groups as "non-historic nations" who lacked national vitality and were condemned to disappear or prone to being "de-nationalized" (Engels 1973 and 1974).

Marxists of another hue discard the over-emphasis placed on the fact of economic differentiation observed in the tribal societies and consider them as nationalities or sub-nationalities. Both anthropologists and sociologists have supported this position (Roy Burman 1979, Sharma 1993). In the Indian context, the Marxists describe indigenous peoples' movements as anti-neocolonial. But there still remains a problem when they describe the regional movements like the Jharkhand, Chattisgarh, Vidarbha etc. as the movements of oppressed nationalities. These nationalities are conceived of as social groups that emerged out of a composite of both indigenous and non-indigenous peoples. The indigenous peoples, however, strongly resent the "Marxist design" to club them together with others as one people. In response to this opposition, the Marxists retreated a little, coming up with the theory of "emerging nationalities". It is propounded that in many tribal regions during the course of the state formation in the feudal period, many ethnic communities were forged into one economic and political system and together they evolved a common culture and common language. But the British colonial invasion thwarted this process of nationality formation in these regions (Keshari 1982). The tribes and non-tribes of Jharkhand, for instance, instead of being assimilated into the neighboring nationalities, as earlier predicted (Bose, Ghurye etc.), have shown a definite trend towards a differentiated trans-ethnic unity, claiming the status of a nationality (Roy Burman 1960, Orans 1968).

The theory of Internal Colonialism is presented in this context. A.K. Roy highlighted the operation in Jharkhand, arguing that social inequality and regional unevenness, in terms of political development and regional economic disparity, have created numerous internal colonies in India, of which Jharkhand is the biggest and most important. Tribal areas such as Jharkhand have become the colonies of the developed areas within India.

The view with the strongest potential to attract tribal peoples into the Marxist fold has been a rejection of the inevitability of tribal society going through various stages of history before it is liberated. This position, therefore, negates the call of other Marxists for the peasantization and proletarianization of the tribes.

While observing anti-colonial movements in India, Marx certainly came across the "Choar rebellion and the Santal Hul" (Marx. Notes). But he did not consider them specifically as indigenous movements. They were looked at as a part of the countrywide rebellion against the destruction of the earlier agrarian relations of the feudal period caused by the East India Company. The Marxists, therefore, identified them as a part of the "spontaneous peasant uprisings", which flared up against the land and taxation policy of the company (Kaviraj 1981: 137). It is certainly correct to see these tribal movements as the outcome of the introduction of "Permanent Settlement" in the Jharkhand region and it is wrong to seek to prove that they were directed against the local landlords and moneylenders alone. "Any attempt to divorce the Permanent Settlement from the British Colonial policy, or to trace the disintegration of the tribal village community without reference to British colonial rule, is bound to be a futile intellectual exercise that will hardly convince anyone" (ibid. 139). But it is equally a faulty analysis if the tribes of Jharkhand, for instance, are not distinguished from the peasants of Bengal in terms of their relationship with the land, which was destroyed by the British. Under the Mughal rule, the peasantry enjoyed the rights of occupancy and could not be ejected from the land as long as they paid revenue. But a tribal was not a ryot (a tenant) because he did not pay revenue. He held the ancestral land collectively with his lineage brethren. Although the new system turned both of them into tenants-at-will, the cause and demand of their struggle were different. The peasantry resented the loss of their earlier rights over land and the tribals demanded restoration of their ancestral right to land.

Thus Prof. Sushobhan Sarkar very rightly observed, "Marx did not leave behind any systematic presentation of the history of India, that was never his main preoccupation. He set down his observation on certain current Indian questions, which attracted public attention, or drew materials from India's past and present conditions to illustrate parts of his more general arguments. These passing reflections cannot therefore be taken as a finished study of the subject in any dogmatic sense" (Sarkar 1969: 93).

The conventional Marxist understanding of the Indian reality failed to recognize the indigenous peoples as a separate entity, one that can be seen neither as simply classes nor as nationalities. This weakness is reflected in the failure of the Marxist parties to address the issues of the peoples in their totality. It is only in recent times that some of the underground Marxist parties, engaged in armed struggles mostly in the hilly and forested areas of Central and eastern India, have realized this fact and supported the aspirations of the peoples. Those who are engaged in parliamentary politics, such as the CPI, CPI-M and CPI-ML, have fared very badly in the electoral fray in constituencies dominated by the indigenous peoples throughout the country. Similarly, the electoral boycott, called for by the underground parties, has not been able to secure the response of the people to any considerable extent. But these are still the only organizations that have the potential to attract the most oppressed section of the indigenous peoples.

Other Smaller Parties

The socialists (social democrats), under Ram Manohar Lohia, realized the difference between "cast" and "tribe". But their basic tragedy has been their inability to remain united. Several varieties of socialist parties, such as the Socialist Party (SP), Praja Socialist Party (PSP), Sanyukta Socialist Party (SSP) and the Revolutionary Socialist Party (RSP) etc., have entered into electoral politics and have had some sporadic success. The socialists received a shot in the arm after the Emergency in 1976 and then in 1989 under the Janata Dal (JD). But their all-India success was not similarly reflected in the constituencies dominated by the STs. Although the party stood for "tribal identity", on the issue of autonomy it adopted a vague position; the majority opposed the tribal peoples' demand for more autonomy beyond the inadequate provisions of the 5th and the 6th schedules. Neither did it take up the agrarian issues affecting the indigenous peoples nor did it address their acute problem of displacement due to mining, industrialization and urbanization. The party remained confined to the issue of reservation for the Other Backward Classes (OBC) in government services. However, the Revolutionary Socialist Party (RSP) in Bengal has continued to remain a popular party among the tea garden laborers consisting mainly of indigenous peoples from Jharkhand. In general, the party is engaged in trade union movements and, in relation to tribal autonomy, it does not want to go beyond the existing constitutional provisions.

In the early years following independence, a group of people made up largely of members of the royal families of the princely states formed the Swatantra Party. The indigenous peoples of these princely states did not initially want to merge their territories with the states run directly by the British. They were motivated to vote for their erstwhile kings, queens and princes or people nominated by them to represent them in the parliament and the state assemblies. But when they realized the futility of this effort, they abandoned the party and gradually the party ceased to exist as it lost its only support base.

Recently the Bahujan Samaj Party has entered the indigenous areas to contest elections. The party's ideological understanding of the Indian social reality is based on achieving the plurality of Indian society and continuing the oppressive caste hierarchy. Only 10% of Brahmins (priestly class), Rajputs (royal caste), Banias (traders) and other upper castes have been ruling the 90% of Dalit, Tribals, and Shudras (including the Muslims who were converted to Islam from these castes). Hence the liberation of these *bahujan* (plural majority) is possible only by the destruction of the age-old caste system under the leadership of these oppressed people. Although the party has not yet been able to secure any seats either in the parliament or in assemblies from the indigenous areas it has registered its presence there with some degree of success.

Electoral Politics

Although the Scheduled Tribes constitute only about 8% of the Indian population, their concentration in certain areas of Central and Northeastern India enables them to determine the electoral results of not only the reserved constituencies but also the contiguous non-reserved ones. The 1961 census does provide a district-wise breakdown by Scheduled Tribes. Matching this data with the distribution of reserved seats by district shows that in every district in which the tribal population exceeds 50% of the total, more than 50% of the seats are reserved for tribal candidates. Indeed, in virtually every district in the country with a substantial tribal population there appears to be a close fit between the proportion of tribals within the district and the proportion of seats that are reserved (Weiner et.al. 1957: 86).

The distribution of the ST population by state and parliamentary and assembly seats reserved for them shows their dominance in the electoral politics of the states (Table 2).

The four most turbulent states of Mizoram, Nagaland, Meghalaya and Arunachal Pradesh in the northeast of India, along with Lakshadweep and Dadar and Nagar Haveli, clearly show the overwhelming dominance of the STs in the electoral politics of the states. The other two northeastern states of Manipur and Tripura, with a little more than 30% of ST population, reserve 50% of their parliamentary seats. However, in the case of their assemblies, the percentage of reservation roughly corresponds to the percentage of population of the STs.

In the central tribal belt, the states of Madhya Pradesh, Orissa and Gujrat, where the majority of the ST population is located, reserve about the same percentage of seats (i.e., 22.5, 23.8 and 15.4) as the strength of the population of the tribes. In these three states, ST communities hold the key to the balance of power in the governments. In Sikkim, the STs enjoy the same position.

In the northeastern state of Assam, although the official percentage of STs is only 12%, a huge number of tribes of Jharkhand origin live there who influence the political scene in the state either through their individual votes or together with the indigenous communities of the state. In Rajasthan, Maharashtra and Bihar, the STs usually have very little say in electoral politics and governance. In the rest of the states, the influence of the STs is virtually negligible.

Table 2
Distribution of ST Population by State and Parliamentary and Assembly Reserved Constituencies

Sl. No.	State	1981 % of total population	1991 % of total population	No. of Parliamentary Seats	No. of Assembly Seats
1.	Mizoram	93.5	94.8	1 out of 1	39 out of 40
2.	Nagaland	84.0	87.7	-	59 out of 60
3.	Meghalaya	80.6	80.5	-	55 out of 60
4.	Arunachal Pradesh	69.8	63.7	-	59 out of 60
5.	Manipur	27.3	34.4	1 out of 2	19 out of 60
6.	Tripura	28.4	30.9	1 out of 2	20 out of 60
7.	Madhya Pradesh	23.0	23.3	9 out of 40	75 out of 320
8.	Sikkim	23.3	22.4	-	12 out of 32
9.	Orissa	22.4	22.2	5 out of 21	34 out of 147
10.	Gujrat	14.2	14.9	4 out of 26	26 out of 182
11.	Assam	-	12.8	2 out of 14	16 out of 126
12.	Rajasthan	12.2	12.4	3 out of 25	34 out of 200
13.	Maharashtra	9.2	9.3	4 out of 48	22 out of 288
14.	Bihar	8.3	7.7	5 out of 54	28 out of 324
15.	Andhra Pradesh	5.9	6.3	2 out of 43	15 out of 294
16.	West Bengal	5.6	5.6	2 out of 42	17 out of 294
17.	Karnataka	4.9	4.3	-	2 out of 224
18.	Himachal Pradesh	4.6	4.2	-	3 out of 68
19.	Kerala	1.0	1.1	-	1 out of 140
20.	Tamil Nadu	1.1	1.0	-	3 out of 234
21.	Uttar Pradesh	0.2	0.2	-	1 out of 425
	Union Territories				
1.	Lakshadweep	93.8	93.1	1 out of 1	-
2.	Dadra and Nagar Haveli	78.8	79.0	1 out of 1	-
3.	Daman and Diu	-	11.5	-	-
4.	Andaman and Nicober Ilands	4.8	9.5	-	-
	All India	7.8	8.0	41 out of 543	530 out of 4072

Source: Census Reports, Government of India - Arrangement: Author

For the first two general elections in 1952 and 1957, the Delimitation Commission, the commission that demarcated the area of the reserved seats, reserved a seat for an indigenous representative if the ST population within a constituency amounted to more than half of the total population. Where the STs were substantial but less than a majority, the commission created double member constituencies (as distinct from single-member constituencies elsewhere) in which one of the seats was reserved for a ST candidate and the other one was open to any candidate, ST or non-ST. In these constituencies each voter had two votes, and the constituency was twice as large as other constituencies. By the 1962 general elections, this distinction between single and double-member constituencies had been eliminated and the Election Commission had dropped double-member constituencies.

The Emerging Trends[7]

The electoral results of the last 50 years reveal an uneven pattern of voting behavior on the part of the Scheduled Tribes (indigenous peoples) of the country. Since the Congress remained in power for the first 25 years following independence without a break and continued its hold until 1998 with a few brief breaks, it remained powerful all over the country, including the ST areas. But it has not shown any steady increase in success. While it constantly remained powerful among the Meenas in Rajasthan and the Gonds of the northern part of Madhya Pradesh, it gradually lost its support base among the Bhils in Gujrat, Mahatashtra and among the Gonds of the southern part of Madhya Pradesh. Similarly, in Orissa, it developed a solid base among the Khonds and Sabars in the west but a less steady relationship with both the Santals and the Ho-Munda-Oraon combined in the northeastern part of the state. In Bihar among the same tribes it could never establish itself with strong roots. In the Northeast in the state of Assam and in its six sister states, Meghalaya, Mizoram, Manipur, Nagaland, Arunachal Pradesh and Teipura, the Party has always faced uncertainty. For many STs, the Congress has been the ruling party of an aggressive and oppressive state and for others it has been a party combining tribal elites and alien migrants.

The BJP, the strongest opponent of the Congress in the STs areas, emerged in the electoral arena only after 1984. Like the Congress, it has not been able to influence all ST constituencies uniformly. Among the Meenas in Rajasthan, it is visible only in the peripheral seats.

Among the Bhils in Gujrat it has just made an entry by starting to gain followers. Among the Bhils in Maharashtra and Madhya Pradesh, it is not a powerful force at all. With the Tribes in Andhra Pradesh, it has not yet made any inroads. Among the Khonds and Shabar-dominated seats in western Orissa, it won 3 out of 5 seats only in the last elections in 1999. Among the Gonds of the northern part of Madhya Pradesh, it has fared very well and in neighboring Bihar it has been on a winning run. But it has not been able to make progress in eastern and northeastern India.

The parties of the Left have registered only sporadic success in Andhra Pradesh, Maharashtra, Bihar and Assam. In West Bengal, however, they have established strong roots among the STs.

Aspirations and Experiences

The indigenous peoples of India have retained their cultural and social identity to varying degrees but they have virtually lost their political autonomy. A one hundred year long struggle, beginning in the later part of the 18th century and ending in the late 19th century, to retain the traditional political identity of the peoples, resulted in an arrangement under the Government of India Act 1935. It reflected the paternalistic colonial policy, veering towards the isolationist approach. The Gandhians and the Nationalists did not approve when Ambedkar, the most respected leader of the Hindu untouchable communities, proposed its continuation in independent India (Thakkar / Ambedkar 1945). Enlightened indigenous leaders such as Mr. Jaipal Singh demanded the inclusion of indigenous peoples in the general political framework of the country, with the constitutional provision of reservation of constituencies to ensure their political representation. In independent India, a new and alien political system was imposed on the indigenous peoples. They were neither prepared for it nor capable of handling it. Now they were forced to take political decisions, not separately anymore but together with the rest of the people of the country. Now they were to elect their own people along with their non-tribal neighbors and they were exposed to powerful political lobbies consisting mostly of their oppressors who controlled the new political process. The voter turnout in reserved constituencies as compared to the general turnout in the non-tribal rural constituencies in the first 6 general elections clearly revealed a lack of interest in this new political system among indigenous peoples. This observation was particularly conspicuous in the areas where movements for autonomy were strong. In the case of Bihar, for instance, where the demand for a separate

Jharkhand state consistently dominates the political scene, the falling percentage of tribal voter turnout reflects their frustration at unfulfilled aspirations (Weiner et.al. 1957: 90).

Table 3
Turnout[8] in Tribal and Non-Tribal Rural Constituencies in Selected States

Year	Assam[9]		Bihar		Madhya Pradesh[10]		Orissa	
	Non-T Rural	Tribal	Non-T Rural	Tribal	Non-T Rural	Tribal	Non-T Rural	Tribal
	%	%	%	%	%	%	%	%
1952	53	44	43	47	41	36	39	29
1957	51	40	44	39	40	35	43	28
1962[11]	51	41	45	34	42	32	36	25
1967	59	49	50	32	51	38	44	28
1969	-	-	51	34	-	-	-	-
1971-72	61	57	54	32	54	41	42	27

It is true that if the STs acted together as a block, they would be a formidable political force. They could not only control the smaller states of Nagaland, Mizoram, Meghalaya and Arunachal Pradesh, but also play a powerful role in Orissa, Madhya Pradesh, and even Gujrat and Assam. But this did not happen. The marked unevenness in the level of political aspirations and political consciousness of the indigenous peoples of India has kept them divided politically. Some authors identified three major political tendencies among them on the eve of independence. "In the hill areas of the northeast, some tribals were *secessionist*. Amongst the Naga and Mizo tribes in particular there were those who argued that their differences from other Indians were sufficiently great to justify the creation of a separate independent state [...] Many of the Ho, Munda, Oraon and Santal tribes of southern Bihar and neighboring Orissa and Madhya Pradesh (and also West Bengal) were *separatists* who supported the Jharkhand Party's demand for the separation of the tribal areas from these three (four) states and formation of a tribal state within the Indian political system. Separatist politics also emerged among the Garo, Khasi and Jaintia tribes of the southwestern districts of Assam.

In Assam secessionist and separatist politics permeated nearly all tribes as a backlash response to the growth of strong cultural nationalism among the Assamese-speaking people of the state [...]. In the princely areas of Rajastahn, Madhya Pradesh, and Orissa tribal peoples were *loyalist* in their politics. Some of the maharajas (kings) had created a paternalistic and personalized relationship with the tribesmen that was often reinforced by real or mythical agnatic relationships. In several princely states nationalist organizations, affiliated to the Indian national Congress, became politically active in the late 1930s and 1940s, but by and large these did not win the support of tribals or their leaders" (Weiner et.al. 1957: 82).

This kind of categorization, however, has its problems. The so-called loyalist tribes, as the election results show, though initially apprehensive of the merger of the princely states with the existing states (provinces) under the direct rule of the British Raj, did not remain loyal to their previous masters following independence and supported the Congress instead of the Swatantra Party formed of the princes and their lackeys. Among the Meenas in Rajasthan, the Swatantra Party (SWA) only once won a core seat in its short-lived presence from 1962 to 1971. In each of the Bhil-dominated constituencies, it secured one core seat in the 1962 and 1967 elections, and among the Gonds in Madhya Pradesh it could not even win a single seat during this period of its existence. In Orissa, too, it could win only one core seat during its lifetime. Thus, in the erstwhile princely states it was not the loyalty of the indigenous peoples to the feudal aristocracy that guided their political decisions but quite clearly the dominant ideology of the Gandhian Congress. However, many scions of the ex-princely states joined the Congress to perpetrate their rule over the tribes. In recent years, in many such areas, such as Chhattisgaarh, Vidarbha and Telengana, separate state movements have emerged. On the other hand, the fine line of difference between the separatist and secessionist tendencies has always remained unstable. The original demand of Jharkhand was to become a Crown's Colony. At one point in time, Jaipal Singh, the supreme leader of the indigenous peoples of Jharkhand, talked to Jinha, the creator of Pakistan, about keeping Jharkhand in the proposed corridor between the east and the west parts of Pakistan. Again in the late 1980s, the Hos of Kolhan demanded a sovereign Kolhan. In recent times the "separatists" of the 1970s have become "secessionists" in Assam. The quiet Tripuris of the past have become secessionist as well.

These "tendencies" actually reflect varying degrees of aspiration for autonomy. Their roots can be traced back to the varying degrees of disintegration of the indigenous peoples' traditional social systems. The gradual erosion of their identity and autonomy from west

to east, from the coast of the Arabian Sea to the hills of Burma (officially called Myanmar) reveals the fact of their uneven historical exposure to the ever expanding power of the Brahmanic Hinduism and the Hindu state, the spread of Islam and the Islamic state and the advent of Christianity and British colonialism. While the Bhils and allied peoples were the earliest victims of such exposure, the Nagas and other northeastern peoples have been the latest ones to face state aggression. The Gonds held their spirit of independence high for quite some time but finally had to compromise with the Mughals and Marathas by adopting some feudal elements in the peripheral areas. The Santal, the Munda-Hos and the Uraons retained their autonomy until the advent of British colonialism, while the Bodos and Kacharis of the Brahmaputra valley lost their autonomy at about the same time. The indigenous peoples living in the hills never actually surrendered to the British.

Thus the prospect of departure of the British evoked a mixed reaction in the minds of the people. While the Nagas and other hill peoples of the northeast developed a hope of regaining their lost sovereignty, the Bhils at the other end of the scale aspired, at most, to retrieve their lost land. While the Jharkhand peoples hoped to revive their lost autonomy within a framework of a symbiotic relationship with the state, the Gonds hoped to receive a share of the emerging political power under the leadership of the Congress. On the other hand, the demands of mainstream society's nationalist leadership were quite uniform. It wanted the people to be "integrated" into mainstream Indian society and politics by giving up their demand for political identity beyond the limit of the constitutional provisions and to be happy with limited recognition of social identity.

Since the Congress had emerged as the leading national force, the indigenous peoples were forced to negotiate with it. The process of such negotiations was never peaceful nor was it fruitful in most cases. The indigenous peoples entered into the process of negotiation in three ways, depending on their historical and political conditions and consciousness. The Meenas, the Bhils and the Gonds, as well as other small peoples in western-central India, joined the Congress, the Jharkhand peoples in the eastern-central region and the Bodos and Karbis in the plains of Assam formed their own political parties, and the Nagas and the Mizos in the Hills established their own governments. With the passage of time, the process of negotiation with the Indian government took many dramatic twists and turns.

The Northeast

This part of the Indian Union has remained politically turbulent since the time of independence. While the plains of the river Brahmaputra remained comparatively docile during the initial years, the hills declined to be a part of India. Understanding the indomitable urge of the indigenous peoples for independence, those who drew up the Indian constitution formulated a provision for limited local autonomy at the district level under the 6th schedule of the constitution. But the arrangement fell far short of the peoples' demand. Their resentment over the last half a century has found its expression in either a rejection of the electoral process and the party system, or entry into the system by forming their own political parties. An overview of three typical cases of political expressions, that of the Bodos, the Nagas and the Kak-Borok people of Tripura, will suffice to gain an appreciation of the peoples' experiences of the electoral process and political parties.

The Nagas in India are the inhabitants of the easternmost part of the northeast, covering the state of Nagaland, the hills of Manipur and adjoining parts of Assam. The Nagas aspired to gain back the freedom they lost to the British and to be united with their brethren across the border in Burma after the withdrawal of the colonial rulers. But this hope remained unfulfilled. The government of India under Nehru and his Congress party rejected outright the Nagas' appeal to come to the negotiating table. Instead the Indian Army was employed to unleash a reign of terror in Naga country.

The Nagas boycotted the first general elections of 1952 as a practical demonstration of their non-acceptance of the Indian constitution. A letter addressed to the President of India dated September 18, 1954 on behalf of the Nagas from the Kilonsers (administrating elders), the Government of Free Nagaland, set the tone for future action amongst the Nagas. It read, "The influence of Mahatma Gandhi was so great that the people of Free Nagaland have been calmly tolerating the Indian troops for all these years hoping that the truth will ultimately prevail [...]. Since the doctrine of 'non-violence' is now fast running out, to the Indian Government and the troops alike, 'Ahimsa' has become a mockery, the synonym of cowardice in our Free Nagaland; and the free Naga people have no patience left just to stand by and see the Indian officers and troops shooting, beating, slapping and kicking the Nagas as if we are their slaves. Women are being so often molested and raped that the depravity and lustfulness of the Indians now in Free Nagaland would certainly shame you and the Indian nation" (*A Brief Historical Background of Naga Independence* 1968).

The formation of the state of Nagaland in order to provide greater autonomy to the people after a long period of bloodshed and humiliation did not solve the problem. The "insurgency" went on unabated. The National Socialist Council of Nagaland clearly disapproved of the participation of the Nagas in the Indian multi-party political system. It declared, "Party politics proceeds in the main, from party interests, and as party politics in any form is obviously affording opportunities to the opponents in many ways to have hold on some of the antagonistic parties, it is dangerous and unwarranted in times of national emergency [...] In a country like Nagaland, particularly at the present time, the party system could never accomplish any thing except leading her to ruination [...] Hence the dictatorship of the people through a single political organization and the active practice of democracy within the organization is unquestionable for the salvation of Nagaland" (*Free Nagaland Manifesto* 1980).

Thus the Nagas never participated wholeheartedly in the electoral process. Electoral turnout in Nagaland and Manipur has always been low. In many polling booths nobody turns up to cast their vote. In some places, the abnormal percentage of polling is reported to be the handiwork of the army. For instance, in Nagaland, 33.8% of votes were cast in the parliamentary elections of 1996, but this increased to 76.2% in 1999. If this is compared with the results of other states, the abnormality becomes conspicuous. One of the government's strategies to win the hearts of the Nagas has been to pump huge amounts of money into the state. But this has not only corrupted the bureaucracy but essentially degraded the ministers and political leaders. The easy money culture has taken its toll on democratic processes in the state. "The money culture has been destroying the Nagas. This has numbed our people; their initiatives and political consciousness," said MLA Mr. Hasuka Sumi. Mr. R. Paphino, another MLA, says, "For an assembly constituency of hardly 6, 000 to 12, 000 voters, the ruling party candidates are given Rs.50 to 60 lakh [100'000] or even one crore [10 Million]" (quoted in: *Where "Peace keepers" have Declared War* 1997). The Congress' victory in the Naga areas, therefore, should not be taken at face value. Although a few Naga political parties regularly contest elections, none of them has alone been able to form a government in recent years.

The Bodos form one of the major indigenous peoples of Assam. They inhabit the plains of the Brahmaputra river valley. The Government of India Act 1935 recommended the provision of reserved seats for the "plain tribes" of Assam. As a Result of this, in the 1937 elections, a few Bodo leaders were returned to the Provincial Assembly by contesting the elections under the banner of their only party, the Tribal League. Since then, the Bodos have been taking part in

elections through their own parties and other All India or regional parties as well. By the 1960s the people realized the futility of achieving the much sought after autonomy through the provisions of the 6th schedule of the constitution. They demanded a Bodo-dominated state under the Plain Tribal Council of Assam. The Government paid no heed to it. But in the meantime, the Plain Tribal Council of Assam (PTCA) mobilized people politically and replaced the Congress in the only parliamentary reserved constituency that they were allotted. In the Assembly elections also, the party fared well.

In the following years, however, the party considerably lost its spirit and determination to fight for the cause it stood for. Its leaders were accused of drifting into corrupt practices. The All Bodo Students' Union (ABSU), the student unit of the party founded in 1967, now took the lead after 20 years of existence in order to strengthen the demands for Bodo autonomy and to protect Bodo identity. Under the leadership of the ABSU, the movement became ever more militant. Violence erupted all over Bodoland. The union called for a boycott of elections during the late 1980s and early 1990s. In 1991 the Bodoland Accord was signed. The government agreed to provide an autonomous council for Bodoland under the state of Assam. One section of the agitators did not agree to it on the grounds that it gave no power to the people to shape their future. The government refused to give more political power to the Council. Now the Congress played a dirty trick to weaken the agitation. It developed a rift between the Jharkhandi tea laborers and the Bodos. The Bodos expected them to vote for their candidates but the Santals supported the Congress, which falsely promised them ST status in Assam. This rift led to a bloody conflict between the Santals and the Bodos. In the following riots, hundreds of people lost their lives and thousands were rendered homeless. The Bodoland movement now demanded a sovereign country for the Bodos.

The political experiences of the last few decades have made it evident that under the present political and administrative set-up, the Bodos are not able to safeguard their interests (Daimari 1997). Today the Bodos are divided into several political groups and parties following contradictory strategies to achieve their dream of political autonomy.

Tripura has been a classic case of displacement of indigenous peoples by the huge and incessant migration of the Bengalis from neighboring Bangladesh. This has turned the demography of the state upside down. Today, the indigenous peoples of Tripura have not only become a small minority in their own land but have also at the same time lost a considerable part of their source of livelihood. During the period between 1931 and 1951 alone, while the population of the Bengalis grew by about three lakhs that of the indigenous peoples saw an increase of just 30,000. The indigenous peoples, who accounted for 95% of the population of Tripura in the 1931 census, have now been reduced to a mere 31%, according to the 1991 census.

In 1967, the Borok indigenous people of Tripura established a socio-cultural non-political organization called the Tripura Upajati Yuva Samiti (TUJS) with the aim of strengthening existing social, cultural and religious bonds between the state's Borok communities. In 1968, it made a demand for the 6th schedule of the constitution to provide a series of safeguards for the indigenous peoples. This became a source of controversy between itself and the non-indigenous immigrants over the next decades. As the tension between the two groups mounted, by 1978 the TUJS had gathered enough support to win 4 seats in the 60 member legislative assembly. In mid-1979, when the Tripura Tribal Areas Autonomous District Council Bill was discussed in the Communist Party of India (Marxist) (CPM)-led Left Front State Assembly (which remained in power until 1988) it was strongly opposed by the Amra Bangali (We Bengalis) party and by the Congress party. The Bill was, however, passed in the assembly and received the President's assent in July 1979.

But now the Congress used a dirty trick to win over the sympathy of the Bengalis. Along with the Amra Bangali, it instigated a communal riot that left 350 people dead, 500 seriously injured and almost 300,000 people homeless. As a result, the TUJS split in two, forming the Tripura Volunteer Force (TUF), which later became known as the Tripura National Volunteer Force. It led an armed revolt to reestablish the autonomy of the Borok people.

In Tripura, the Congress and the CPM have played on the sentiments of the people and now they are paying dearly for that. After Manipur, Tripura has become the most violent state in the northeast. The indigenous peoples have virtually relinquished electoral politics and are fighting tooth and nail to protect their ancestral land.

Jharkhand

Jharkhand is the ancient abode of the Austro-Asiatic language speaking Mundari group of indigenous peoples. The Dravidian language speaking Uraons also constitute one of the numerous indigenous peoples living in this region. It covers roughly zones 5 and 6 according to our categorization (see Annex).

The indigenous peoples of Jharkhand had organized themselves to demand autonomy even before the British decided to leave India. They made a representation to the Simon Commission[12]. They formed

the Adivasi Mahasabha (the Great Council of the Indigenous Peoples) in 1935, which coincided with the adoption of the Government of India Act partially recognizing the demand of autonomy. They thus had no problem in responding to the political challenges immediately following independence. The Jharkhand Mahasabha was converted into the Jharkhand Party under the leadership of the unchallenged leader, Jaipal Sing, an Oxford blue and the captain of the Indian hockey team that, for the first time, won Olympic gold. The party had a spectacular success in the 1957 parliamentary elections by winning 5 core and 2 peripheral seats (in zones 5 and 6) on the issue of the formation of a separate state (province) of Jharkhand with an overwhelming majority of indigenous peoples. In the following assembly election in Bihar, it secured 35 seats and became the second largest party after the Congress in the Bihar assembly. But the Congress did not pay one iota of respect to this popular verdict; it played all kinds of tricks and deceits to frustrate the aspirations of the people. Jaipal Singh himself became a victim of this dirty game and "betrayed the cause of his people". When the members of the State Reorganizing Commission visited Ranchi to feel the peoples' pulse on the spot, Mr. Singh did not turn up to meet them. However, tens of thousands of people gathered in Ranchi to register their demand. In its recommendation, the Commission clearly undermined the electoral verdict of the peoples and betrayed democratic values by rejecting the popular demand on faulty and flimsy grounds. In the first place, it did not agree to form a ST-dominated state carved out of the four contiguous states of West Bengal, Bihar, Orissa and Madhya Pradesh, on the grounds that the peoples living there had no common language with which to communicate. Then it showed that, in Bihar, part of the proposed Jharkhand, the STs were in a minority. And to counter the same demands of the non-ST indigenous communities, who were also for a Jharkhand state but for different reasons, it said that the formation of such a state would create a regional economic imbalance. The loss of popularity and growing discontent among the masses owing to the failure of the Jharkhand Party leadership to force the government to create Jharkhand, and constant efforts of the Congress Party's top political leadership for its merger with the Congress paved the way for the Jharkhand Party leaders to believe that, once in government, they would be able to pursue policies of tribal welfare effectively as well as strengthen their demand for a separate state (Mandal 1986: 24)[13].

Jaipal Singh merged the Jharkhand party with the Congress in 1962. He was given a place in the Central ministry and a few of his close associates were made ministers in the Bihar government. In the ensuing years, however, they had to pay heavily for their decision

to merge. Jaipal Sing was dropped from the ministry and his lieutenant, Mr. S.K. Bage, was made a minister in the new ministry. In the fourth general elections, in 1967, most of the leaders who merged with the Congress suffered the blast of this anti-merger wind. Jaipal Singh narrowly escaped while Mr. Bage succumbed to it, forfeiting even his security deposit (Sachchidananda 1976: 18). The Congress then made another move to break the backbone of the movement by creating a rift between the Christian and the non-Christian indigenous peoples. The Party projected a non-Christian leader, Mr. K. Oraon, who demanded the removal of the Christians from the ST list on the grounds that, by converting to Christianity, they had lost their indigenous characteristics. His second argument was that the Christians had reaped the benefits of the constitutional privileges because they were already educated, and so now the benefits should go to the non-Christians. During the visit of the Canada Committee to Ranchi in November 1968, he presented these points to the members. Later on he also prepared a bill asking for the removal of the Christian STs from the ST list. A dramatic change in the political situation of the country with the promulgation of the Emergency in 1975, however, frustrated his efforts (Sachchidananda 1976: 18). But the Congress took advantage of this; a section of the Christian community, especially the members of the Roman Catholic Church and the Anglican Church, joined Congress to safeguard their privileges.

Despite these developments, the autonomy movement did not die. Second level leaders came forward to revive the Jharkhand Party immediately after the merger. Since then several parties have emerged in the name of Jharkhand and occupied center stage of the electoral politics in the region. Even in the darkest days of the movement, the reorganized Jharkhand party continued to win 1 or 2 core seats and scored the first runner-up position in many seats.

The Jharkhand movement received a shot in the arm with the emergence of the Jharkhand Mukti Morcha (JMM) in 1973 in the coal fields of Dhanbad. A number of Marxist cadres from the Communist Party of India (Marxist) (CPM) defected from the party under the leadership of a very popular trade union leader, Mr. A.K. Roy, and a Kudmi leader, Mr. B. B. Mahato, in order to address the ethnic issue of autonomy along with economic demands. The party received the spontaneous support of not only the Santals and the Kudmis but also a section of the non-tribal coal miners. This development led to the eruption of a bloody struggle between the JMM and the Congress-supported coal mafias. JMM emerged victorious but at the cost of many tribal and non-tribal lives. Very soon the party spread all over the proposed Jharkhand state, covering the four existing states.

A new wave of the Jharkhand movement began. Shibu Soren emerged as a charismatic leader of the Santals. His party declared a crusade against the coal mafias, land mafias, moneylenders and corrupt government officers who usurped the money earmarked for tribal development. The Congress government in Bihar, where the epicenter of the movement lay, responded with bullets for the people and jail for the leaders. Shibu Soren went underground. Organizationally, the party was not strong enough to face such a level of state terrorism and, ideologically, it had just entered into the process of developing a new premise of ethnic and class unity. A.K. Roy's theory of internal colonialism in Jharkhand, and other similar tribal-dominated areas of the country, was yet to be developed. The Congress took advantage of these weaknesses and hatched a conspiracy to destroy the unity of the people. It used the internal contradictions of the Kudmis and the Santals and the political contradiction between Marxist thought and tribal elitist individualism. Shibu Soren was contacted and taken to Delhi. Indira Gandhi, the Prime Minister of India, assured him of a withdrawal of all court cases against him and promised that all kinds of support would be provided in the forthcoming elections, but on condition that he would have to sever all connection with the Marxists. Shibu Soren accepted the offer and came back to Jharkhand to prepare his base on a divided ground for the coming elections. He played the ethnic card and the Congress opened its coffers.

In the parliamentary elections of 1980, the Congress made a come back by winning 4 core and 2 peripheral seats in the Ho-Munda and Uraon zone, and 2 core and 3 peripheral seats in the Santal zone. JMM (Soren) was duly rewarded; Shibu Soren won the Dumka seat. In the 1984-1985 assembly election in Bihar, the Congress party bagged 14 ST reserved seats and the JMM secured 6. During this period, the JMM members of the Legislative Assembly in Bihar kept "selling" their votes to support the Congress. They started amassing wealth and developing relationships with the mafias, big contractors and industrialists of the region. This gradually led to their alienation from the people. At one point in time, Shibu Soren realized this and openly said, "I was a tiger in Tundi [where he developed his base first] and now have become a dog of Delhi."[14] But it was too late to undo the wrongs that he had done.

The simmering discontent among the people found a space for political expression when a group of Santal and Kudmi students organized to form the All Jharkhand Students' Union in 1986. The Union received the tacit support of the President of the JMM, Mr. Nirmal Mahato, who gradually drifted away from the Congress fold. Around the same time, a group of dissident JMM second level leaders took an initiative to reorganize the Jharkhand movement.

The initiative received support from the most enlightened sections of the Jharkhand intelligentsia and some Marxist groups. They formed the Jharkhand Coordination Committee (JCC) in 1975 with 53 social, cultural and literary organizations, trade unions and two political parties, including the Binod Bihar Mahato group of the divided JMM, the Jharkhand Party under the old guard Mr. N.E. Horo, the Marxist Coordination Committee of A.K. Roy and the Santosh Rana Faction of the Communist Party of India-Marxist-Leninist. The All Jharkhand Students' Union (AJSU) became the leading group in the JCC. The Autonomy movements of the Gorkhas and the Bodos inspired the leaders of AJSU. In its first convention there was a unanimous decision to adopt a strategy of boycotting the elections until the Jharkhand state was created. The JMM strongly opposed the decision. But immediately after that, the Congress hatched a conspiracy to kill Nirmal Mahato, a strong supporter of the AJSU movement. He was fired at point blank by a known Congressman in the presence of Sibu Soren. His killing created a stir throughout Jharkhand. The AJSU declared the other JMM leaders, including Shibu Soren and Suraj Mandal, Secretary and Vice President respectively, in whose presence the killing took place, as traitors and stooges of the Congress and began a militant movement in association with the Jharkhand Coordination Committee.

With the growing militancy of the AJSU, supported by all sections of the indigenous peoples of Jharkhand, a new phase of the Jharkhand movement began. The movement compelled the central Congress government to begin a series of negotiations first with the AJSU and then with the JCC. The Committee on Jharkhand Matters, formed by the union government, described the cultural unity of the area proposed under the Jharkhand state and recommended autonomy for the region. It was a moment of great victory for the indigenous peoples of the region. But the following period undid the gains. With high hopes of achieving Jharkhand, as promised by the central Congress party, the AJSU withdrew its call to boycott elections and entered into the fray itself. In the 1990 Bihar Assembly elections, the Congress lost 6 (total – 8) ST seats whereas the JMM gained 4 (total – 10) and AJSU got only one seat. In the following elections of 1995, the Congress lost a further 3 seats and the Jharkhandi parties together secured 14 seats (JMM-11, JPP- AJSU – 2 and JKP-1). This was reflected at the negotiation table. The Congress, back in central power in 1990, initially agreed to form the state of Jharkhand but only by dividing Bihar where, naturally, the indigenous peoples would become a minority. However it did not implement this but, on the contrary, bribed the 4 JMM members of Parliament to save its government from a no confidence motion. The

AJSU disclosed this underhand dealing and, later on, the Central Bureau of Intelligence took up the case and framed charge sheets against Shibu Soren and three other JMM MPs. They were put behind bars on charges of corruption. The Jharkhand movement received a second series of setbacks.

During the period of decline of the Jharkhand parties, the Bharatiya Janata Party (BJP) gradually widened its area of influence. It presented an alternative to Jharkhand in the name of Vananchal (the forestland)[15]. The frustrated and humiliated non-Christian indigenous peoples slowly shifted their allegiance to the BJP in ever greater numbers. In the 1998 parliamentary elections, it won in all 3 core seats and 4 out of 6 peripheral seats in the Santal-dominated constituencies (zone 6), and 3 out of 6 core seats and 1 out of 2 peripheral seats in the Ho-Munda and Uraon-dominated constituencies (zone 5). In the 1999 parliamentary elections, these figures increased further. In zone 5, it gained all 6 core seats. However, in zone 6 it lost 1 core and 1 peripheral seat. In the Bihar Assembly elections of 2000, it secured 14 out of 28 ST reserved seats. These electoral results clearly indicate the indigenous peoples' frustration and loss of faith in their own parties, on the one hand, and an attempt to achieve their age-old demand of ridding themselves of the misrule of Bihar and exploitation of the Biharis, on the other. But there is going to be a high price to pay. The BJP has been spreading the venom of communalism in Jharkhand for quite a long time. It has been convincing the non-Christian indigenous peoples that they are Hindus, and the Christians to "reconvert" to Hinduism. Its Vananchal is not going to uphold the aspiration of autonomy of the indigenous peoples of Jharkhand. Its allegiance to those with financial power goes naturally against the economic interests of the indigenous peoples. Thus the party is not going to help the people from either an ethnic or an economic point of view. The Congress and BJP have been successful in dividing the people along political and religious lines.

The Bhils and the Gonds

In terms of states, Gujrat is the heartland of the Bhils. The Bhils joined the Congress movement under the leadership of Gandhi. Gandhization of the Bhils was almost complete in his lifetime. The heroic Bhils changed their old way of revolting against oppressive forces and submitted to the Gandhian way to achieve their objective of attaining their freedom and protecting their identity. Thus no party other than the Congress could enter into their area. The Bhils

also showed an inclination to cut across the ethnic barrier and during the colonial period, under the leadership of Motilal Tejawat, they formed a joint organization called the *Eka (*Unity*)* with the peasants of Bijotia, who belonged to the Dhakra caste. In this case, caste and ethnicity merged under economic compulsion. This strategy of uniting with the lower ranking sections of the population in the state continued even after independence. The Bhils united with other communities to form KHAM, consisting of the Kshatriya-Baxi Panch caste (a combination of two "backward" castes), Harijan (untouchable castes), Adivasi (indigenous peoples) and Muslims.

This political alliance of numerous communities had constituted a solid support structure for the Congress. When the powerful farming communities withdrew their support from the Congress, KHAM stood by it from 1975 onwards. "It [...] stood the Congress in good stead during the powerful anti-reservation stirs and the election from 1975 to 1989. After the 1989 Lok Sabha polls, however, the Congress leadership alienated these supportive caste groups. Such a trend helped the Janata Dal (JD) to carve its base among the Adivasis and the Muslims. The Congress base in the reserved seats was significantly eroded. Whereas in 1985 Assembly polls it won all the 26 ST seats, in the 1990 poll it won only 7 ST seats. The JD Jumped from 1 seat in 1985 to 6 and the BJP opened its account by winning 6 seats in 1990. The entropy of KHAM as the social base of the Congress can be traced to the elitist attitude of the Congress leaders toward the respective mass base of these numerically strong groups [...]. What had actually happened was the cornering of the fruits of power, patronage and development by the new KHAM elite to the negligence of the KHAM masses. The average voters of these 'backward' groups, perceiving this elitist trend, felt alienated from the leaders who reaped the advantages of the Congress rule in the name of the masses. The communal riots of the mid-1980s and the Ram Shila Pujan (the Hindutwa drive of the BJP) helped them reorient their religious and political affiliation to the BJP. The callous disregard of the Congress in looking after the Muslim masses prompted the Muslim masses to move towards Mr. V.P. Singhs' Janata Dal[16]. During the period of the Coalition Government (until November 1990) the BJP expanded its base amongst the OBC (Other Backward Classes) and the Adivasi communities by inducting their leaders into the Government Boards and Corporations" (Seth 1992).

The Gonds of central India have a long history of exposure to the state and civilization of the northern plains. Apart from certain densely forested and inhospitable tracts, most of the Gond territory was brought under the indirect rule of the Mughals through the numerous feudal principalities, some of which were headed by the

was brought under the indirect rule of the Mughals through the numerous feudal principalities, some of which were headed by the Gonds themselves. The British did not disturb this arrangement to any extent and the authorities of these princely states allowed the indigenous peoples to continue to maintain their traditional practices of making decisions on the basis of their customary laws. The Congress evoked a new spirit of optimism among the Gonds and other smaller tribes in the region. The aristocracy of the princely states expected to be free of the British yoke in the independent India and the people expected to live in the Ram Rajya (the kingdom of god) as propagated by the Congress. This led the region to become a strong support base for the Congress. Until 1989, no party (except the BLD in 1977) was able to make any dent in it. Only in the peripheral regions in the south and in northern Andhra Pradesh did the Communist Parties develop mass support. The small section of Gond oligarchy received a prestigious position in the Congress leadership hierarchy and positions in the ministry. However, the prestige, power and privileges gradually made them yes-men of the ruling party leadership and also of the forces of the industrialists and feudal elements. Their gradual alienation from popular issues like the industrial laborers' movement in Bhopal, the movement against the construction of big dams on the Narmada, the sacred river of the Gonds, or the movements for restoration of land rights in Baster started to be reflected in the electoral results. The inclusion of the Banjaras on the ST list for purely political reasons, which unbalanced the Gond domination in many areas such as Adilabad in Andhra, was strongly resented by the people (Haimendorf / von Fürer 1985). The random exploitation of the mineral and forest resources of the indigenous peoples' habitats created wealth for outsiders and generated poverty for the people.

All these factors led to the mobilization of popular opinion in three directions: regional autonomy movements in Chhattisgarh in Madhya Pradesh, Vidarva in Maharashtra and Telengana in Andhra Pradesh started to gain popularity; the Congress fast began to lose its support base to the BJP; and the extra-parliamentary armed revolutionary movements of the Marxists gained immense popularity by addressing issue of land reform. The formation of the separate state of Chhattisgarh is being shaped. In the last parliamentary elections of 1999, the BJP established itself as a dominating political force by winning 3 out of 5 core seats and 2 out of 9 peripheral seats in zone 3. The Telegu Desam Party (TDP) of Andhra Pradesh and the BJD Orissa, its allied parties, also altogether gained 1 core and 4 peripheral seats. In zone 4, the BJP routed the Congress by gaining 3 out of 4 core seats and 4 out of 5 peripheral seats.

Conclusion

In India, none of the existing political parties has ever shown any interest in understanding and appreciating the cultural values of the indigenous peoples. They have looked at ethnic differences as an obstacle to development and national integration. Thus even after half a century of a democratic polity in India, the indigenous peoples continue to find their aspirations unfulfilled. The integrationist policy of the state, as well as a majority of the ruling and powerful political parties, turned a small section of the educated and privileged indigenous peoples into a domesticated species and alienated from the rest of the state system. The growing demand for ever more autonomy suggests the lessening confidence of the people in the goodwill of the ruling parties. The mounting exploitation of the indigenous peoples habitats and consequent impoverishment of the peoples has time and again forced the people to revolt against the state. More and more indigenous peoples have been following the path of the Nagas and the Mizos in the northeast and that of the Communist revolutionaries (the so-called Naxalites) in the rest of the country.

The present electoral process and party politics have remained considerably alien to the people. Indigenous peoples find it difficult to make their voice heard at the center and in state decision-making bodies for two reasons: firstly, they find it very difficult to adjust themselves to the demands of a modern representative democracy in a multiparty system, which has replaced their traditional participatory democracy or, as some authors prefer to call it, "subject political culture" (Mishra / Prasad / Sharma 1982). This substitution has compelled the indigenous peoples to imbibe new political values, attitudes and beliefs, which may not be congenial to their political health (Sachchidananda 1976). The growing importance of money and "muscles" in the elections has compelled the leaders to corruption and their close associates to becoming goons. Thus the true voice of the people can be neither articulated nor conveyed properly. Secondly, the multi-party system of democracy has divided the peoples from within. The indigenous peoples, with no traditions of elections but of decision-making by consensus, have now been forced to choose one among many of their own contesting brothers by casting votes. It is generally observed that a voter seldom votes for a candidate in cognition of the virtue of voting. He votes under pressure from the village mukhia (headman), influential persons, tribal or caste leaders, faction leaders, etc. He or she sometimes

government order to cast their votes (Chandra / Maheddin 1990). The elected members of the peoples cannot act jointly either in the parliament or in the state assemblies for the common cause of their communities because of their affiliation with the different political parties (Haimendorf / von Fürer 1985: 163).

In general, the turnout among ST voters has always remained much lower than among non-tribal voters. Between tribal and rural constituencies, the difference in percentage turnout was calculated at an average of about 10% (Weiner et.al 1957: 93). Our data on the core and peripheral constituencies of the last three parliamentary elections shows an approximate 5% gap between them in mainland India consisting of states other than those of the Northeast. The Northeast situation is now completely different. Rigging on a large scale and boycotting at an alarming rate mark the polling process in a considerable number of the tribal-dominated polling booths of the reserved constituencies.

But still the indigenous peoples have been casting their votes in progressively greater numbers with the passage of time. Because, for the majority of them, despite all its shortcomings it is the only way left to vent their political opinion.

While the non-indigenous political parties address only class/ economic issues, the indigenous political parties raise the ethnic/ cultural demands of the indigenous peoples. Thus the lack of a holistic approach to the indigenous question marks the electoral politics of the country. There has, however, been an attempt to develop this on the part of the extra-parliamentary revolutionary political forces in recent years. The failure of the Congress to keep a tight hold on the indigenous voters and the inability of the indigenous parties to maintain and increase their support base amongst their own people must be considered within this context. The BJP's growing popularity in recent times in the indigenous peoples' areas has been the direct outcome of this.

It is gradually becoming a reality in Indian politics that the days of one party rule have come to an end. In the changed political situation, with the emergence of regional political parties and state governments run by them and the coalition governments at the center running with their support, the importance of the Scheduled Tribes in electoral politics has increased considerably. The political parties are now being forced to recognize their demands. The stakes, however, have become very high. If the indigenous leadership misses this opportunity now, their hope of fulfilling their demands through peaceful electoral democracy will remain no more than a distant dream and ever more people will join and swell the ranks of the parties with extra-parliamentary strategies by which to achieve the same demands.

Notes

1 The princely states were those pre-colonial kingdoms that the British left to be administered by the families of the erstwhile rulers under an agreement of the payment of regular taxes.

2 The Constitution of India states: 342. Scheduled Tribes. -(1) The President may with respect to any State [or Union Territory], and where it is a State, after constitution with the Governor thereof, by public notification, specify the tribes or tribal communities or parts of or groups within tribes or tribal communities which shall for the purposes of this Constitution be deemed to be Scheduled Tribes in relation to that State [or Union territory, as the case may be]. (2) Parliament may by law include in or exclude from the list of Scheduled Tribes specified in a notification issued under clause (1) any tribe or tribal community or part of or part of or group within any tribe or tribal community, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

3 The Scheduled Castes are the Hindu "untouchable" communities.

4 These areas were characterized by the concentration of the indigenous peoples and their resistance movements against colonial aggression. The British Government partially excluded these areas from the general administrative system of the colony and brought them under the direct control of the Governor General of India. These areas were administered by his Agents.

5 Sacred threads are threads worn by the Hindu upper castes across the chest to symbolize their initiation into the caste hierarchy and, by extension of this, their superiority and power.

6 Prime Minister Indira Gandhi proclaimed an Emergency in India on the grounds of external and internal threats to the sovereignty of the country, banning all opposition political parties and intending to establish a dictatorial rule.

7 For a more detailed study of the emerging trends in the voting behavior of indigenous peoples in different regions and for a definition of the core and peripheral areas, see the Annex to this paper.

8 The figures shown refer to valid turnout. The rural figures for 1952 and 1957 pertain to single member constituencies only.

9 The Assam figures for 1972 do not include areas that are now part of Meghalaya and Mizoram.

10 The Madhya Pradesh figures for 1952 also pertain to the territories of Madhya Bharat, Bhopal, and Vindya Pradesh, newly included in the state.

11 Orissa, 1961

12 The Simon Commission was a seven member commission sent to India in 1927 by the Imperial Government in London to prepare a report on political reforms in India with a view to amending the Government of India Act. It was headed by Sir John Simon and six other members of the British Parliament. It was boycotted by the Indian National Congress

13 In the meantime, three new states, namely Uttaranchal, Chhattisgarh and Jharkhand, have been created. Unfortunately Jharkhand only partially fulfills the demands of the indigenous peoples because it does not include the areas lying in West Bengal, Orissa and now Chhattisgarh (former Madhya Pradesh) (note of the editor).

14 Personal communication with Shibu Soren.

15 The Hindu fundamentalist organizations, including Bharatiys Janata Party,

[14] Personal communication with Shibu Soren.

[15] The Hindu fundamentalist organizations, including Bharatiys Janata Party, their political organ, used Vananchal to substitute the idea of Jharkhand. For them , the term Jharkhand stood for Christian conspiracy of separatism. The move was obviously politically motivated and attempted to create a social division between the Christians and the Muslims on the one side and the Hindus on the other. More dangerously it tried to create a rift between the Christian and the animist indigenous peoples by promoting the thesis that the latter are Hindus.

[16] The Janata Dal Party was formed in 1989 and led by Mr.V.P.Singh in order to oppose the Congress Party, particularly on the issues of the Bofors Gun Deal and Reservation for Other Backward Classes.

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Annex: An Analysis of Voting Patterns

For the sake of analysis, I have divided the ST-dominated constituencies, both those with reserved seats and those with no reserved seats, into two categories, namely the "core" and the "periphery", according to their strength of population. The core constituencies are those that have around 50% or more ST population out of the total population of the constituency and the peripheral constituencies are those that have less than 50% but at least 15% of the population. This arrangement pushes even some reserved constituencies into the category of "periphery". In the case of the parliamentary constituencies, out of 41 reserved constituencies 8 seats register less than 50%, 21 seats between 50% to 70% and 12 seats above 70% ST population. Actually, among the 8 seats with less than 50% ST population only one has 48% and the rest all have less than 35% ST population. Since the purpose of this categorization is to see how the ST voting pattern emerges in the ST-majority seats as compared to the ST-minority seats, we have kept this 48% ST populated seat within the core area. The logic behind keeping the ST-minority reserved constituencies in the "periphery" category is that even if the candidates are members of the STs they are dependent on the decisions of the non-STs for their chances of winning and, later on, the winning candidate has to take into consideration the interests of the non-ST voters more than those of their own people.

Secondly, I have divided the entire ST reserved seats into 7 zones on the basis of the concentration of the STs instead of analyzing the data by state. The purpose is to see whether the STs' electoral behavior is determined by ethnicity or by state politics. For instance, although the majority of the Santals of Bihar support the Congress,

behavior is determined by ethnicity or by state politics. For instance, although the majority of the Santals of Bihar support the Congress, do their kinsmen and women behave the same way across the state border in Orissa and West Bengal, or are they guided by the dominant politics of the respective states? This would help us to see the role of ethnicity as well as the pragmatism of the people in electoral politics. The second purpose is to see the voting pattern of individual STs.

The following analysis is based on 41 (Table 4) reserved constituencies and 31 (Table 5) unreserved parliamentary constituencies since 1977 when new states were carved out of Assam. They have been categorized as 38 core constituencies and 34 peripheral constituencies. Earlier, between 1952 and 1971, the number of reserved seats were less and the number progressively increased over this period owing to factors such as the carving up of the double member constituencies, division of existing constituencies and scheduling of new constituencies. I have also taken these constituencies into consideration. The analysis thus shows the trends of ST voting from 1952 until the last general elections held in 1999. The approximate electoral results by zone is as follows.

Zone 1: Meena-Dominated Constituencies in Rajasthan

The Meenas are concentrated in Rajasthan alone. Therefore, Zone 1 has only one state. It has two parliamentary reserved seats and 4 seats with substantial tribal population. However, there is only one seat, called Salumber, where more than 50% of the population are Scheduled Tribes. In the other reserved seat, called Sawai Madhopur, only 25% of its total population are STs. Generally, the Meenas have been supporters of the Congress since 1952, except for in 1977 and 1989. Apart from these two elections, the party has kept its hold on the single core seat of Salumber the whole time. In the peripheral seats, too, it has been able to keep on average more than 50% of the seats within its fold. The party faced challenges from only two opponents, the Swatantra Party and the BJS/BJP. Although the ST-dominated areas remained under the princely states, the former could not gather enough ST votes to overthrow the Congress. It remained alive only until 1971 and gained 2 peripheral seats in 1962, the same number in 1967 and one core seat in 1971. The BJS could likewise make little inroads into the Congress support base although it registered its presence from 1962. It secured one peripheral constituency in 1962 and 1967 and 2 in 1971 until its merger with the BLD. The BLD was formed as an unsuccessful experiment on the part

Table 4
Distribution by state of Lok Sabha (Parliament) reserved constituencies since 1977

State	Constituency	State	Constituency	State	Constituency
Andhra Pradesh	1.Parvatipuram	*Lakshadweep*	15. Lakshadweep	*Manipur*	29. Outer Manipur
	2.Bhadrachlam	*Madhya Pradesh*	16. Sidhi	*Mizoram*	30. Mizoram
Assam	3.Autonomous District		17. Shahdol	*Orissa*	31. Mayurbhanj
	4.Kokrajhar		18. Sarguja		32. Koraput
Bihar	5.Rajmahal		19. Raigarh		33. Nowrangpur
	6.Dumka		20. Kankar		34. Sundargarh
	7.Lohardaga		21. Bastar		35. Keonjhar
	8.Khunti		22. Mandla	*Rajasthan*	36. Sawai Madhapur
	9. Singhbhum		23. Dhar		37. Banswara
Dadra & Nagar Haveli	10. Dadra & Nagar Haveli		24. Jhabua		38. Salumber
Gujrat	11. Dohad	*Maharashtra*	25. Dahnu	*Tripura*	39. Tripura-East
	12. Chota Udaipur		26. Malegaon	*W.Bengal*	40. AlipurDuars
	13. Mandavi		27. Dhulia		41. Jhargram
	14. Bulsar		28. Nandurbar		

Table 5
Distribution by state of Lok Sabha (parliament) non-reserved constituencies having 15% or more ST population since 1977

State	Constituency	State	Constituency	State	Constituency
Andhra Pradesh	1. Adilabad	*Madhya Pradesh*	12.Mahasamund	*Orissa*	23.Berhampur
	2.Wrangal		13.Betul		24.Phulbani
Arunachal Pradesh	3.Arunachal East-1		14.Chindwar		25.Kalahandi
	4.Arunachal West		15.Seoni		26.Balasore
Assam	5.Lakhimpur		16.Bilsapur	*Rajasthan*	27.Jhalawar
			17.Satna		28.Chittorgarh
Bihar	6.Ranchi	*Maharashtra*	18.Chandrapur		29.Udaipur
	7.Jamshedpur		19.Yotmal		30.Dausa
	8. Godda	*Meghalaya*	20.Shillong	*Tripura*	31.TripuraWest
	9.Giridih		21.Tura		
Gujrat	10.Sabarkantha	*Nagaland*	22.Nagaland		
	11.Godhra				

Bharatiya Lok Dal, Socialist Party and Indian National Congress (Organization). The 1977 elections were dominated by the BLD, winning all the core and peripheral seats of the zone. The Congress won the next two elections in 1980 and 1984, losing only one peripheral seat in 1980 to the JD. But in the next elections in 1989 the party lost all its seats to BJP, which emerged as an apparently formidable force by cleverly playing its Hindu card. That was the time of the demolition of Babri Masjid and the proposed construction of the Ram Janmabhumi Temple (the temple on the supposed birthplace of the Hindu deity lord Rama). However, this sudden fundamentalist frenzy was short lived and Congress recovered the core seat and 2 out of the 5 peripheral seats in the next elections in 1991. It further consolidated its position in 1996 by adding one more peripheral seat to its previous gains. These seats, 1 core and 3 peripheral, it retained until the last elections in 1999, while the BJP retained 2 peripheral seats in each election over the same period. Thus, although the Congress is still a dominant force, it has been facing a serious challenge from the BJP.

The Meenas are actually fully sedentarised agriculturists and a considerably alienated section of the Bhils. While the Bhils were known for their love of freedom and spirit of revolution, the Meenas remained closed to the Hindu Rajput landed gentry during the colonial period. After independence, they took full advantage of the protective discriminative provisions and produced a strong elite group while the literacy rate and the general level of education increased at a much higher pace among them than the Bhils. These factors are most probably responsible for their overwhelming support for the Congress. But the BJP's entry into this traditional stronghold of the Congress is significant. It is apparent that the non-indigenous voters have been shifting their allegiance to the BJP whereas the ST voters are still with the Congress.

Zone 2: Bhil-Dominated Constituencies in Maharashtra, Rajasthan and Madhya Pradesh

The zone had 6 core seats in 1952, which was increased to 9 in 1957 and remained so until 1962; it was further increased to 10 in 1967. The number of peripheral seats was 2 in 1952 and this was increased to 4 in 1957.

The Bhils had been no less ardent supporters of the Congress than the Meenas until 1998. In 1999 it faced a serious debacle when the BJP registered its dominance over 5 out of 10 core seats and 2 out of 4 peripheral seats. However, the Congress considers this defeat to be another passing phenomenon as in the previous years of 1977 and 1989. In 1977 the BLD wrested 3 core and 1 peripheral seat from the Congress' previous tally of 8 and 3 respectively in 1971. Similarly in 1989 the Congress lost 3 core and 2 peripheral seats to the Janata Party. However, the nature of the BJP threat is much more serious than past threats. The Swatantra Parties' influence among the Bhils was never of any significance. It surfaced in 1962 with one core seat and kept it only up to the next 1967 elections. In the periphery, however, it snatched 2 seats from the Congress but could retain only 1 until the next elections in 1971. Then in 1977 it merged with the BLD. The Socialist and Communist parties made an entry onto the scene only nominally between 1957 and 1977, that being in one constituency called Dahnu in Maharashtra.

Zone 3: Gond and Khond-Dominated Constituencies in Andhra Pradesh, Orissa, Madhya Pradesh and Maharashtra

The concentration of the Gonds in central India is divided between two distinct areas. Although in ancient times they were contiguous they are now connected by an area thinly populated by Gonds, lying between them. The division is not only geographical but also to some extent cultural; whereas the northern Gonds are heavily Hinduised the Southern ones still retain many of their traditions. Zone 3 lies in the southern Gond area. Here the habitats of the two major indigenous communities, the Khonds and the Gonds, overlap each other. Whereas Gonds are found in all three contiguous states of Andhra Pradesh, Orissa and Madhya Pradesh, the Khonds live mostly in Orissa,a minor indigenous community known as the Koyas is in Andhra Pradesh. There are many other smaller communities in the zone, such as the Sugalis, the Konda Dora, the Bagata in Andhra Pradesh; the Bhattodas, Parojas, Saura and Sabar in Orissa; the Pradhans, Kolams, Andha in Maharashtra; and the Bhumias, the Halbas, and the Kawars in Madhya Pradesh. The zone had 4 core constituencies from 1952 to 1964 and 5 thereafter. It had 8 peripheral constituencies in 1952 and 9 thereafter.

The Congress was the dominant party in the zone until 1996. In the following two general elections of 1998 and 1999, the party for the first time faced a serious debacle when the BJP, along with its electoral ally the Telegu Desham Party (TDP), robbed it of its traditional voters in this indigenous area. Barring the exceptional elections in 1977 when the BLD won 2 core and 3 peripheral seats, the Congress only occasionally lost one core seat each to either the CPI or to the independent candidates. The Swatantra Party (SWA) was

Congress only occasionally lost one core seat each to either the CPI or to the independent candidates. The Swatantra Party (SWA) was restricted to the periphery with 3 and 2 seats respectively in 1967 and 1971. Similarly the Janata Dal (JD) paid a short visit by winning only 3 peripheral seats in 1989. The BJP, which was for quite a long time trailing behind the Congress, emerged victorious in 2 core and 2 peripheral seats in 1998 and further encroached upon the Congress base by winning one more core seat in addition to that. Its ally the TDP, which entered the area through the peripheral seats in 1984, in the 1999 elections won one core seat for the first time and retained 3 peripheral seats that it secured in the 1998 elections. Its other ally Biju Janata Dal (BJD) made its entry into the zone by securing 1 peripheral seat each in the 1998 and 1999 elections.

However, an analysis of the results by state shows the growing popularity of the regional parties such as the TDP in Andhra Pradesh and BJD in Orissa. The Congress lost to these parties because they raised the regional issues and promised to fulfil regional interests, which the Congress had failed to consider. These issues have attracted the ST voters too. The CPI is present in Andhra Pradesh alone and that too in only one constituency because of its long involvement in the peasant movement in the area. Thus the Congress' base in Madhya Pradesh and Maharashtra has been challenged by the BJP alone. In Madhya Pradesh it lost both the core seats to the BJP in 1998 and 1999 elections and the one peripheral seat in 1998, which it recovered in 1999. In Maharashtra it retained both its peripheral seats but was followed very closely by the BJP.

Zone 4: Gond-Dominated Constituencies in Madhya Pradesh

The zone has 4 core constituencies (in 1952 the number was 3, this was increased to 4 thereafter) and 5 peripheral seats. All the core seats are also reserved seats. The election results of this zone show the overwhelming support the Congress received from the Gonds and also the extent of the disgrace it has suffered at their hands. Except for the elections of 1977 when the BLD caught the imagination of the people by securing the 4 core and 4 out of 5 peripheral seats, the Congress retained its unquestionable sway over the area until 1984. In 1986 it lost 2 core and 4 peripheral seats to the BJP and one core to the JD. This shock was overcome by regaining all of them in the next elections of 1991. But the party failed to retain the voters' confidence after that. The BJP emerged as the main winner. It secured 2 core and 2 peripheral seats in 1996, 4 core and 3 peripheral in 1998, and 3 core and 4 peripheral seats in the 1999 elections.

Zone 5: Ho-Munda and Uraon-dominated Constituencies in Madhya Pradesh, Orissa, Bihar and West Bengal

The zone had 3 core and 1 peripheral constituency in 1952. The number of core constituencies was increased to 6 in 1957 and that of the periphery to 2 in 1971. This has historically been an anti-Congress zone. Barring 1971, 1980 and 1984, the party never fared well. The Jharkhand Parties, despite all kinds of bickering and even a merger with the Congress in 1962, continued to win the core seats until 1980, and when they failed the BJP took over from 1989 and won all seats in the zone in 1999. The Congress had its hey day only in the intervening year of 1984 when it won all core seats and one peripheral seat. As in 1999, the Congress lost all seats in 1977, also because of the emergence of the BLD, which cornered 5 core seats. During the second revival of the Jharkhand movement, the JMM once won 1 core seat only in 1991. In the geographically isolated Alipurduars seat the Revolutionary Socialist Party established an unchallenged authority and has continuously won the seat from 1977, when the constituency was formed, until the last elections in 1999.

Two interesting observations can be made about the zone: firstly, the same tribe behaves differently in different states and, secondly, the Congress failed to address the autonomy issue of the indigenous peoples, which was raised initially by the Jharkhand Parties and was later taken up by the BJP. In Orissa and Madhya Pradesh, the Jharkhand parties were never able to win a parliamentary seat (although in Orissa, the Jharkhand parties were constantly winning assembly seats). In the 2 core seats of Orissa, out of 13 general elections held so far, the Congress has won only 6 times in each constituency. Different anti-Congress parties came and went with little success, such as the AIJP, the GP, the SWA, the BLD and the JD. The Congress, however, ruled over the lone core seat in Madhya Pradesh until being seriously challenged by the BJP since 1984.

Zone 6: Santal-Dominated Constituencies in Orissa, Bihar and West Bengal

The zone had 1 core and 1 peripheral constituency in 1952, which was increased to 3 each in 1957. In 1962 the number of peripheral seats was further increased to 6. This zone has also largely been a non-Congress dominated one, like zone 5. Out of 13 general elections, the

nents have been the Jharkhand parties and the BJP. During the last two elections in 1998 and 1999, it was wiped out of the area.

In this zone also, like in zone 5, the ST voters are influenced more by the nature of state politics than by their ethnic solidarity. While in Bihar the ethnic issues are stronger in Orissa and in West Bengal other factors - mostly economic ones - play a determining role. In Orissa, the Congress and the opposition parties fight neck and neck and win the seats intermittently. But in West Bengal the CPM and its Left Front ally the Forward Block have established permanent dominance in the 2 peripheral seats since 1971 and 1977 respectively. In the Bihar part of the zone, the ethnic issue of political autonomy and cultural identity has heavily dominated the electoral politics. After the initial set back in 1962, the Jharkhand groups under the Jharkhand Mukti Morcha held a strong presence in the area from 1989 to 1991. But then the demand for political separation from Bihar was hijacked by the more powerful BJP, which made landslide victories in 1998 and 1999. The socialists were never really able to enter the area. The PSP, the JP and the JD have been able to win only 1 peripheral seat each so far.

Zone 7: North-East India

This zone covers the land of the rebellious indigenous peoples. Its connection with mainstream electoral politics is comparatively weaker than in mainland India. Owing to the strong demand for autonomy, several new states were carved out of the former Assam, thereby increasing the number of core constituencies. The number rose from 2 in 1952 to 3 in 1971 and 8 in 1977. The number of peripheral seats, however, remained at 2 the whole time.

The Congress had a very tough time until 1977 when it created the three new states of Arunachal Pradesh, Meghalaya and Mizoram. In the elections of 1952, 1957 and 1971 it won only 1 core seat each time, while in the 1962 and 1967 elections it scored a duck. It is mostly the tribal parties who have challenged the Congress party. Except for the Communists and the Socialists (only once in 1952), no other all-India parties have so far been able to secure a seat in the zone. The CPI and the CPI-M, however, continued to win in Tripura alone not on the basis of ST votes but on the basis of the migrant Bengalis from neighboring East Pakistan, later re-christened as Bangladesh. The independent winners are actually the representatives of small tribal parties.

CHAPTER 4

POWER THROUGH THE BULLET OR THE BALLOT: STATE POLITICS AND INDIGENOUS PEOPLES IN SOUTHEAST ASIA

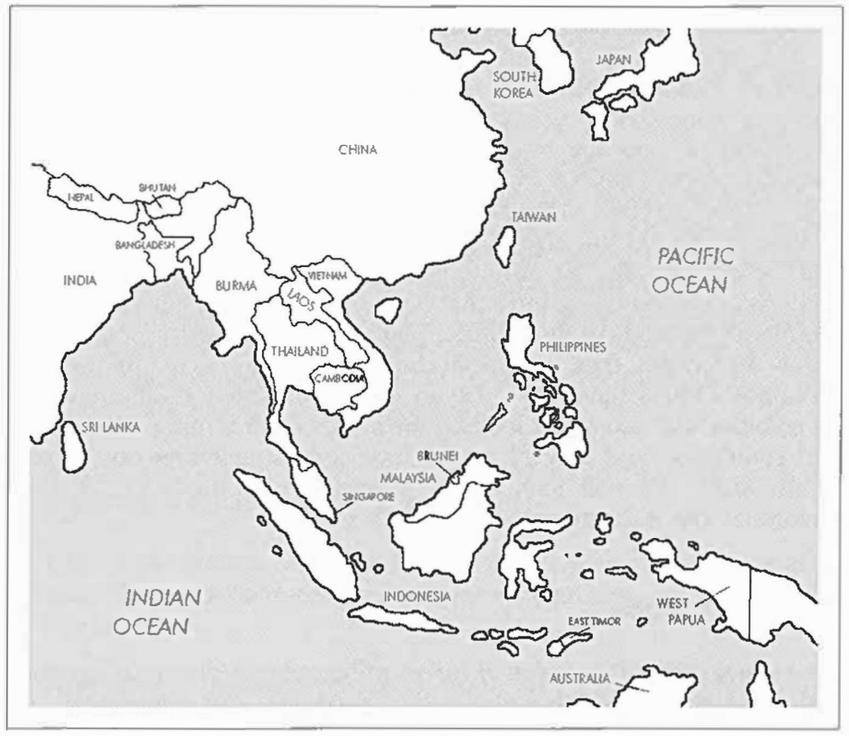
by Syed Husin Ali

The scope of this paper should be confined to the experience or experiences of indigenous peoples in electoral and party politics. There are two things that need to be clarified from the outset. Firstly, although the paper is meant to provide a general overview of Southeast Asia, it will concentrate its discussions more on the Malaysian situation. This is because the involvement of indigenous peoples in electoral and party politics appears to be more dominant in Malaysia than in other countries of the region. Secondly, whereas the focus will be mainly on electoral and party politics, other forms of politics will also be considered. The latter appear to be more prevalent in countries other than Malaysia. For this overview, we shall be looking mainly at Indonesia, Malaysia, Burma[1], the Philippines and Thailand (not in order of importance)[2].

Indigenous Characteristics

Each of these five countries has its share of indigenous populations. They form quite a substantial number. For instance, in Burma a third of its 40 million people are indigenous. By contrast, Thailand has only about 550,000 indigenous people and the Philippines about 4.5 million. Malaysia, with a population of around 22 million, has approximately 1.8 million (less than 9 percent) indigenous people. Peninsular Malaysia probably has the smallest number, with only about 100,000, while the number is much greater in East Malaysia (Sarawak and Sabah), i.e. about 860,000 persons in Sabah and around 839,000 in Sarawak. The number is not available for Indonesia, where the situation is more complicated when trying to distinguish the indigenous peoples from others, who are often considered minority sub-ethnic groups. For example, are the Acheh, Bugis and Madura peoples to be categorised as indigenous or sub-ethnic groups? For the purpose of this paper, the Acheh people is categorised as an indigenous group, just as the Moros and the East Timorese.

The indigenous groups in each country are normally referred to as a single category by a common name. For example, in the Philippines they are known as "Tribal Filipino", while in Thailand the term "Chao Khao" (hill tribes) has been used for more than three decades. Similarly, in Malaysia they have been called "Orang Asli" or lately "Orang Asal" (Aboriginal People). But each category in every country is inevitably made up of many different indigenous peoples with different origins, languages and cultures.



Although a common name category has been given, this does not mean that the various indigenous groups or communities within that category have evolved into a coherent social unit and regard themselves as part of the common wider entity. More often than not, they are still conscious of, and even wish to maintain, their differences and do not accept the fact that they are considered as part of one wider category. Nevertheless, indigenous communities or groups are not homogeneous. Owing to the participation of a growing number of their members in the administrative and commercial sectors, followed by occupational changes, some of these communities are becoming increasingly stratified. But the speed at which this is happening varies from community to community.

Indigenous peoples are often historically recognised as the original or first inhabitants of a country or territory. They have been influenced by different waves of people who have come as immigrants and / or colonisers and have often been driven into the jungles in the hinterland or into the hills. As a result, sections of their societies continue to this day to practice different forms of subsistence economy. They are close to the land, which is not only the primary source of their livelihood but also forms an important basis for their culture and beliefs and for an autonomous existence. But there are other sections of indigenous groups that have moved to the plains and learnt "modern" methods of agriculture, planting subsistence or commercial crops. As a result, they have been drawn into and affected by the cash economy. Others have been driven away from their traditional land by colonisers or capitalists looking for profits from mining, plantations and commerce, and also by recent development activities on the part of the state. We will look at the political implications of all these factors on the indigenous peoples later on.

Types of Politics

There seem to be two types of forces influencing indigenous communities, which we may describe as the centripetal and centrifugal. The opposite effects of these two forces can be seen among many indigenous peoples in various countries The centripetal force tends to draw the indigenous community closer to, or even into, the wider national or state structure. Economic, political, administrative, educational, social and religious changes tend to encompass or bring the indigenous communities closer to the rest of the population. In other words, the centripetal force has the effect of integrating or assimilating the indigenous communities into the national or state organisation. Some may see this as a natural process of development in the formation of the state.

On the other hand, the same factors of change and development processes that can lead to the integration of indigenous peoples into the state system may not be accepted or may be resented by indigenous groups or sections of them. This is especially so when those changes or developments appear to be forced on them from above by the ruling elite and, consequently, cause what are perceived as disastrous effects on the indigenous peoples, undermining their economic resources and livelihood, and threatening their culture and religion. Indigenous peoples try to resist these changes, which are considered to be an undesirable onslaught by the state or national organisations. All these approaches and effects can be deemed as

constituting the centrifugal forces, which tend to draw the indigenous communities away from the state or national structure and, in fact, sometimes lead them towards demanding autonomy or secession.

Following the effects of the centripetal force, some indigenous groups or individuals within them tend to participate in or are co-opted into the government, the administration and the political parties, playing different roles at different levels. In the same but opposite manner, the centrifugal force tends to lead towards different political activities, which are often oppositional in nature, against the state and the *status quo*. We can identify different manifestations of the political effects of the above mentioned trends and activities of indigenous peoples, which result in particular from changes and developments brought about from above:

a) Armed or peaceful struggle in opposition to the state and demanding a separate state or autonomy;

b) Extra-legal actions to resist certain government development projects and encroachments by commercial groups onto traditional territories;

c) Formation of political parties through which to participate in the electoral political process in order to oppose government policies detrimental to the indigenous peoples and to promote their general interests and welfare; and

d) Cooperation with the power elite by participating in government, administration and political parties, in order to share power and protect the interests of the indigenous peoples or of individuals.

In these political manifestations or activities, there are three observable tendencies: Firstly, the tendency to operate alone or independently as an indigenous people, without cooperating with other groups, either indigenous or from the mainstream society in the country. Secondly, the tendency to cooperate by forming alliances, coalitions or fronts with other indigenous groups or with mainstream social groups, for the purposes of strengthening their political position and bargaining power. Thirdly, the tendency for some groups to split up or divide owing to different political interests and orientations or even religious beliefs. We shall now proceed to look at the various political actions or activities by indigenous peoples in different countries and the nature of cooperation forged by the different groups.

Struggle for Separation or Autonomy

Armed struggles for separation or autonomy are still being carried out in Indonesia, Burma and the Philippines. In **Indonesia**, struggles have continued for a long time in Acheh, East Timor and West Papua/Irian. In West Irian, it is led by the Free Papua Movement (OPM). In the second half of the sixties, and in 1977-78, there were intense conflicts between the Indonesian army and the OPM. The leader of the OPM was killed while in detention, allegedly while trying to escape. Today the struggle is taking a non-violent turn. Although there has been a change in central government, which is now more democratic, the OPM is nowhere near achieving its aim of gaining freedom for Papua. Traditional land belonging to the indigenous peoples continues to be ravaged by logging or mining companies, without payment of any compensation to the local people. As far back as 1967, 10,000 hectares of traditional land and hunting grounds owned by the indigenous Aungme were lost to a company as an initial part of a much bigger concession. The Aungme were never consulted about this exploitation. Apparently, to date, they have still not been compensated. Cases like this create anger among the indigenous peoples of Papua and stoke the fire of their freedom struggle.

East Timor, with a population of about 750,000 people, is "divided into more than 30 distinct ethno-linguistic groups, with one language, Tatum, serving as the lingua franca" (Colin Nicholas & Raajen Singh 1996: 212). Now it is in the final stages of achieving independence. Judging by the results of the UN-supervised referendum held there recently, it is evident that the majority of the people are united in their desire to set up their own independent homeland. The story of the independence struggle in East Timor showed an important turn in 1974. East Timor was a Portuguese colony. When the military took over control in Lisbon around that time, it committed itself to allowing self-determination to the Portuguese colonies. The two political parties that existed in East Timor, namely Fretilin and Uniao Democratica Timorense (UDT), were in favour of independence. The former wanted it promptly, while the latter preferred a slower process. A much smaller party, Associacao Popular Democratica Timorense (APODETI), preferred integration with Indonesia. When the Portuguese practically abandoned East Timor, the Indonesian military, with the cooperation of the leadership of UDT and APODETI, occupied the ex-colony in 1975.

Freedom fighters, led by Fretilin, took up the struggle against the cruel and repressive Indonesian military rule. This struggle united

almost all the people of East Timor, except for those who supported the military regime. There appeared to be an element of religion involved in it. The antagonism towards the rulers in Jakarta was further intensified among sectors of the Christian populace in East Timor because they regarded the centre of power in Jakarta as being predominantly Muslim. Nevertheless, the East Timor liberation struggle was fundamentally a non-religious struggle supported by the majority. The Indonesians, as well as the Americans and Australians, were primarily interested in East Timor because of its wealth of natural resources, particularly petroleum.

Now that the East Timor struggle is almost over, Acheh is beginning to take centre stage. But it is not gaining as much international attention as East Timor did. Some say this is because the Muslim international lobby is not as influential as the Christian one. Although Acheh, as part of Indonesia, has been independent for more than half a decade, a large section of the people there consider themselves to be internally colonised by Jakarta. Much of the wealth from the natural resources of Acheh primarily benefits the powerful in Jakarta. At the same time, from 1988-98, there were more than 7,000 reported cases of human rights violations by the Indonesian army, including 5,000 killings, in Acheh. These events roughly coincided with the period of armed insurrection in Acheh. The Free Acheh Movement (GAM), which is leading the insurrection, was formed in 1976. More than 98 percent of the population in Acheh is Muslim; Islam constitutes a very strong moving force among the majority of the people. A large number of strict Muslims considered the previous military regime in Jakarta to be un-Islamic, if not heretical. This argument may now be flawed since a respected Muslim leader now leads the government and the military role has been much reduced. Further, GAM itself is facing leadership and organisational problems.

In **Burma**, there has been a long history of military power and legal force being used to control and dominate the various indigenous communities. This ignited the struggle for increased autonomy from the centre, with each of the indigenous groups, such as the Shan, Rakhina and Kayin, having its own insurgency movement. The central leadership seems to have carried out all kinds of strategies since the early sixties that could but cause dissatisfaction and restlessness among the indigenous peoples. The strategies included: usurping political, economic and social power from the indigenous peoples; forcefully regrouping them into fenced-in "strategic hamlets"; and carrying out policies or programmes that resulted in internal colonisation and ethnocide. In order to strengthen their struggle, the

indigenous peoples formed a front in 1976, which later joined the National Democratic Front (NDF).

Political organisations associated with the Arakan (ALP – Arakan Liberation Party), Chin (CNF – Chin National Front), Karen (KNU – Karen National Union), Kachin (KIO – Kachin Independence Organisation), Kayan (KNLP – Kayan New Land Party), Lahu (LNO – Lahu National Organisation), Mon (NMSP – New Mon State Party) and Wa-u (WNO – Wa National Organisation) were united within the NDF. They are de facto political parties but given that under the military regime there is no electoral process and repression has been severe, they are forced to resort to armed struggle. The objective of this front is not to form a separate or autonomous state for each indigenous community, but "to establish a genuine Federated States of Burma including a Burmese state based on equality, liberty, social progress and the right to self-determination." (Colin Nicholas and Raajen Singh 1996: 146-147). In spite of the democracy protests of 1988 and the great electoral victory of the NLD over the SLORC military regime a couple of years later, the generals refused to concede power. Instead, they detained hundreds of the victorious NLD leaders, including Aung San Suu Kyi. Thousands of students, monks and politicians fled to indigenous territories controlled by the NDF. They formed the Democratic Alliance of Burma (DAB) and continued waging armed struggles to achieve their objective.

In the case of the **Philippines**, although many indigenous groups have been involved in armed struggle against the central government, it is the Moro movement in Mindanao that appears to enjoy the limelight. The Moros have been Muslims since the 13th century. Although the Spaniards managed to colonise the Philippines, they were not successful in subjugating Mindanao. Much later, the American succeeded in doing so. The Americans recognised the Moro people as "distinct from the Filipino and treated them as wards" (Colin Nicholas and Raajen Singh 1996: 242). They opened the islands up to capitalist ventures in plantations and commerce. While some Muslim factions welcomed and cooperated with the American colonial enterprise, others who felt deprived and humiliated by it joined the liberation forces. After the Americans left, the struggle continued, this time against the powers in Manila.

In 1968, the Mindanao Independence Movement (MIM) was formed and Moro national consciousness was openly manifested. The Philippines armed forces were involved in terrorising and evicting Moros from their ancestral land. At the same time, together with some fanatical Christian groups, they carried out "search and destroy" operations. MIM was led by traditional Muslim leaders who were suspicious of the expanding Christian influence in Mindanao, and

their struggle was thus influenced by religion. Three years later, the Moro National Liberation Front (MNLF) was formed under the leadership of Nur Misuari. MNLF was a left wing nationalist movement, which quickly launched a militant liberation struggle for the setting up of Moroland (Bangsamoro). A breakaway group set up the Moro Islamic Liberation Movement (MILF), as the MNLF was beginning to negotiate with the central government for autonomy. After the autonomous state of Mindanao was established with Misuari as its head, the MILF gained greater support for its armed movement to form an Islamic state in the southern Philippines. Presently, it has a contender in the form of the smaller Abu Sayyaf group, which has been in the news lately. The Islamic element is very much in the fore of the struggle against the central ruling elite, which is perceived to be dominated by Christians. This is the reverse of the situation in East Timor.

Extra-Legal Peoples' Resistance

As mentioned earlier, outsiders have often transgressed the boundaries of many traditional land areas belonging to indigenous groups. There are mainly two types of transgressions:

The first type is related to activities by local business groups as well as foreign multinationals. Their activities are of different types but consist mainly of logging, setting up plantations, and mining. Large land concessions are given to individuals or companies at a low premium. This very often involves land that has been traditionally used for generations by the indigenous peoples for food gathering and shifting as well as settled agriculture. The people affected are seldom notified, consulted or paid compensation; even if they are paid compensation, the amount is small.

The second type of transgression is related to development projects carried out by the government, either directly or indirectly, which also involve plantation and mining. But over the last decade or two, there have been many large projects for building airports, dams and highways that have encroached upon indigenous land. Besides these, there are also government programmes to move indigenous peoples to new areas, where they are supposed to be "modernised" and can be more easily integrated into mainstream society.

Private commercial and government developmental activities have resulted in ancestral lands being taken over and indigenous peoples being displaced or evicted. In Thailand, most land areas belong to the Forestry Department, which can easily claim certain areas as reserved and then drive the people out. In Peninsular Malaysia,

although some land areas have been gazetted as Orang Asli Areas or Reserves since the enactment of the Aboriginal People's Act, it is not very difficult for the authorities to move the original owners of the lands out. It is easier to do this in the much bigger areas of land that have only been approved as reserves and not yet gazetted. As stressed by Colin Nicholas, the aborigines are no more than "tenants-at-will" (Colin Nicholas 2000: 110). In Sabah and Sarawak, the introduction of and amendments to land laws have affected the status of NCR (Native Customary Rights) and customary land. Land can easily be bought and sold and taken by the government for plantations, logging activities and the development of industries such as tourism. A Minister, and even a Settlement Officer, can extinguish NCR by paying compensation, and is thus able to overrule the Native Court.

Indigenous peoples can thus be easily robbed of their source of livelihood and are increasingly uprooted from their cultural and religious base. As a result, indigenous communities face a great deal of stress and try to find ways to improve their situation. While there are those who are ready to cooperate with the companies and/or government in the hope of deriving benefits, there are also others who resent these activities. It is for this reason that they view those indigenous people associated with these activities as transgressors. Since the central powers of the government and the companies seem far away, their actions are targeted against what is immediate or close by. The indigenous peoples are also not ready or organised for such armed struggle as described earlier. So, they often carry out a different form of resistance, which includes protests, blockades or sometimes trying to inflict injury on personnel associated with the projects or damaging poorly guarded machines and tools brought in by the companies to carry out work.

It can be observed that most of the extra-legal resistance is executed in a reactive and spontaneous manner. The participants are often confined to members of the communities immediately affected by the transgression. Other communities that are not affected may sympathise or harbour fear that their turn may come next, but they very seldom join the resistance to show solidarity. Sometimes, local or foreign Non-Governmental Organisations may give their support to the local actions and political parties may raise the matter through media statements or in the state legislative assembly and the national parliament. As a result, the government often accuses the indigenous communities of being encouraged by these outsiders. In fact, to discredit them further, local communities may even be branded as communist pawns, although there may be no truth at all in this.

In response to the actions of the people, the government uses the army, police or enforcement officers to curb them. Very often they

resort to arrests. But they may act even more brutally. For instance, in Sarawak some time ago, a number of people protesting against work by a logging company were shot dead. Others have been detained without ever being brought to court. In Mindanao (Philippines), the Higaunon of Agusan "have been the targets of bombing and military assaults, because they want to protect their ancestral lands from the Nsipit Lumber Company, which is extensively logging these areas. (T)housands of Higaunon have been driven from their homes by the military and the ancestral land have been declared as free fire zone" (Colin Nicholas and Raajen Singh 1996: 249).

In many cases, actions by the state have the effect of creating fear and disillusionment. But in others, as in the case of the Moros and other groups in the Philippines, they have managed to arouse greater anger among the people, enough for them to intensify their armed resistance.

Electoral and Party Politics

Peninsular Malaysia

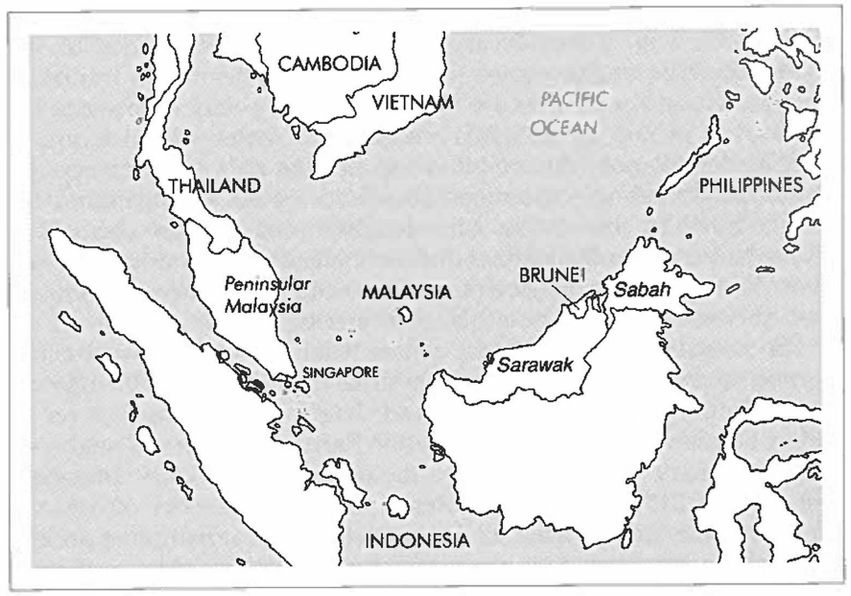
Malaysia is not devoid of the tradition of armed struggle, for it has seen its share, especially following the advent of Portuguese and British colonial rule in the early sixteenth and late nineteenth century respectively. In Melaka, the Portuguese and, in different Malay states, the British were resisted with arms by groups of Malays, led by some of their traditional leaders. In the 1950s and 60s, following the Declaration of Emergency and the banning of political parties and unions which were fighting for independence through legal means, there was an armed insurrection largely by the Chinese (but also with some Malay and Indian participation), led by the Communist Party. Owing to pressure from the British military, helped by the local police and military forces, made up largely of Malays, as well as troops from other British colonies, the insurrectionists had to withdraw into the jungle. There, they managed to gain support from groups of Orang Asli. To break the insurrection, the colonial government implemented a strategy of resettling these indigenous peoples into a number of confined areas surrounded by what were called "forts" or "posts".

Meanwhile, the Malays, Chinese and Indians were allowed, in fact encouraged, by the British to form and operate their own ethnically-based parties. They were also encouraged to cooperate in an Alliance for the purposes of fighting to achieve Merdeka (Inde-

pendence). But most of the indigenous people remained in the jungles or away from towns. They continued to be neglected, exploited and poor. To win their hearts and minds, in 1961 the government officially introduced the collective term Orang Asli by which to refer to them. At the same time, an Aboriginal Peoples Act was enacted purportedly with the objective of guaranteeing them some rights. An Orang Asli Affairs Department (JHEOA) was formed presumably to "protect" the Orang Asli as its "wards". This department has since then been in full charge of the administration of Orang Asli affairs.

A development strategy was initially devised to give the indigenous peoples land for agriculture and also to provide services to improve their health and education. Later, a policy of integration was introduced, aimed at assimilating them into the mainstream Malay social group and culture. It also included proselytising programmes for the Orang Asli and their schoolchildren in order to convert them to Islam. Politically, they were given the right to vote. Some of the Muslims among them were welcome to join UMNO (United Malay National Organisation; for a very long time a Malay political party, and only now beginning to open its door to some other Bumiputera - sons of the soil - groups). But the government made not the slightest effort to encourage the indigenous peoples to form a political party of their own. At any rate, there was as yet no sign of the Orang Asli suggesting any such thing. Actually, the desire to form their own political party was expressed only much later.

Although the development efforts carried out under the JHEAO had some positive results, the Orang Asli did not consider them satisfactory. Not enough land was given to them. In fact, ironically, various companies and the government encroached upon more and more of their ancestral lands, with all types of projects. A large number of Orang Asli communities have been forcibly displaced or evicted from their lands. In 1997, it was reported that 25 applications had already been received by the JHEOA from corporations interested in developing Orang Asli areas under privatisation programmes. The social facilities, especially health, education and housing provided to the indigenous peoples were very much below the national average. The state always protects the interest of big capital whenever there are conflicts around issues involving traditional land. Measures to alleviate poverty and government allocations have always been negligible. In fact, at present more than three-quarters of the Orang Asli still live below poverty line, about five times the national average. More serious than all this is the dissatisfaction of the Orang Asli about the processes of assimilation (and conversion) that are being imposed upon them, sometimes in crude but at other times in subtle ways.



Traditional leaders have voiced much of the dissatisfaction of the Orang Asli to the JHEAO. But the results have been disappointing. Of late, this dissatisfaction has been expressed more effectively through their own association, the POASM (Persatuan Orang Asli Semenanjung Malaysia). The POASM started as a small organisation trying to unite all Orang Asli groups under a common umbrella. Particularly under the leadership of Bah Tony, it expanded very fast, achieving membership of around 15,000 people, with more than 1,000 representatives often attending general meetings. It was able to undertake many different activities, such as media campaigns, seminars and workshops, submitting memorandums to various authorities, taking up court actions, holding demonstrations, demanding Orang Asli representatives in Parliament and more Orang Asli appointees in the Senate and so forth, in order to draw government and public attention to the plight of the Orang Asli. But the desired effects have still not been achieved. Some Orang Asli leaders express the need to form an Orang Asli political party. It is argued that if the Malays, Chinese and Indians can have their own parties, why not the Orang Asli?

Political governmental parties, as well as the opposition parties, have always tried to woo the support of the Orang Asli voters, especially at times when their votes are considered crucial. During the 1990 and 1995 elections, the government coalition – BN (Barisan Nasional or National Front), went out of its way to win over the

Orang Asli in Gua Musang, particularly because the candidate who stood there, who was a local person, was also the leader of the opposition front and a former government minister. He is traditionally revered and supported by the Orang Asli, partly because of his status as a prince in the Malay traditional society. Ministers and other leaders went to the area to campaign. As part of the campaign, several jamborees or gatherings were held for the Orang Asli leaders, attended by the Prime Minister, in order to coax them. The Orang Asli came in batik shirts and new pairs of shoes that had been given to them, they feasted and, later, the government promised them increases in their monthly allowances.

The same thing happened on a more localised level during the by-election at Sanggang in April 2000. The BN (especially its UMNO component) was afraid of losing, and determined to improve on its earlier election victory over the Islamic Party, Parti Islam Semalaysia (PAS) candidate, who represented the opposition. In order to ensure that all the 217 Orang Asli votes were there, leaders of UMNO camped in the Orang Asli area during the whole campaigning period. During the day they organised bus trips for the voters and their families to visit places, and at night they organised movies and musical entertainment. All types of gifts were given, for example, money to voters, bicycles to schoolchildren and also house keys (with the promise that houses would later be given to a number of people. This latter was to be given under a government scheme to help the poorest of the poor).

This is the kind of corruption that seems to be constantly practised during elections, especially by the governing parties, which have unlimited resources. But once the elections are over, they get away scot-free because no legal actions are taken against anybody for the buying of votes.

It was in the middle of 1999, before the country's general elections were held in November of that year, a move that was unofficially supported by POASM was made to form the Parti Orang Asli (POA). But to date the application to register the party has not been approved by the Registrar of Societies. Nevertheless, not to be discouraged, some Orang Asli leaders inside and outside POASM thought that it would be a good idea to put up candidates to contest the elections. Two people were appointed to run as candidates, one for parliament and one for a state constituency in Pahang. The parliamentary candidate, a Deputy President of POASM, was disqualified from standing because his nomination papers were rejected for some technical reason. The state candidate for the Jelai constituency was a youth leader of UMNO for that area. But he did very poorly, losing his deposit.

Many reasons have been suggested for his poor performance. Among them: (a) lack of financial and human resources, (b) weak electoral campaign machinery, (c) success in the government ethnic propaganda, which convinced the people that the candidate, though an Orang Asli, was not a local person and did not belong to the same indigenous group as most of the indigenous voters there, and (d) a last moment allegation by a local Christian group that the candidate, a Muslim, represented the alternative/opposition front which was allegedly dominated by PAS, and that if this front were to win the elections, an Islamic state would be formed and all Orang Asli would be forced to embrace Islam.

These outcomes are the results of the opening chapter of the Orang Asli attempt to enter into electoral politics in Malaysia.

Sabah

Let us now turn to Sabah, where the Kadazan, known earlier as the Dusun, constitutes the biggest indigenous community, accounting for nearly one third of the state's population. Although there are many other smaller indigenous groups, it was the Kadazandusun who initiated the formation of an indigenous political party. Kadazan nationalism emerged in the 1950s. The name of the community was changed from Dusun to Kadazan and the Kadazan language was promoted. Then a political party was formed, known as UNKO (United National Kadazan Organisation), which was based mainly on Kadazan membership but was also open to other indigenous groups. Two other parties, the USNO (United Sabah National Organisation) and SCA (Sabah Chinese Organisation), existed besides UNKO, which had mainly indigenous Muslims and Chinese members. When the formation of Malaysia was suggested, it was supported by the leadership of all three parties and they later formed the Sabah Alliance. In the general elections of 1963, the Alliance won and Donald (Fuad) Stephen, a Kadazan Eurasian who had turned Muslim and who had led UNKO became Chief Minister, while Mustapha Harun, leader of USNO, became the Governor.

In 1967, Stephen left because of internal conflicts, in particular with Mustapha, and he was succeeded as Chief Minister by Peter Loh from SCA. Following the elections in 1967, Mustapha Harun, with the backing of Kuala Lumpur, led the USNO and the Alliance to victory and became CM, remaining in office for almost ten years. But the central government was not happy with him because he treated Sabah as his personal fiefdom, and large numbers of the Sabah people began to oppose him because he was forcing a more

widespread use of the Malay language and the conversion to Islam. Stephen was encouraged to form a new party, BERJAYA, which accommodated Muslim and non-Muslim indigenous people as members. When this party, as part of the BN, won the elections in 1976, Stephen became Chief Minister again. Not long after, Stephen was killed in an air crash and Harris Salleh succeeded him and remained Chief Minister for almost ten years.

Meanwhile the re-emergence of what is often referred to as "ethno-nationalism" among the Kadazan people evolved, partly as a reaction to what was perceived to be pro-Muslim policies but which, in fact, was hiding the rather authoritarian and corrupt rule of Harris. The growth of the Kadazan middle class also helped in this process. In the beginning, the activities were centred around the Kadazan-Dusun Cultural Association (KDCA), but soon led to the formation of the Sabah United Party (PBS), which was Kadazan-led and in which Kadazandusun were a majority of its members, although there were also many non-Kadazandusun in the leadership as well as the membership. In 1985, the PBS swept to victory. In its election campaigns it tried to unite the peoples of Sabah, particularly the indigenous peoples, with the catchy slogan of "Sabah for the Sabahan". Joseph Pairin, leader of the PBS, and also a traditional Kadazan leader, became Chief Minister. He gained popularity from non-Kadazandusun, too, by appointing a Chinese and an indigenous Muslim as Deputy CMs.

A year later, the PBS joined the BN as a coalition member. But Pairin continued to pursue his pro-Sabah line. He urged the implementation of the 20 point Agreement that was signed between Sabah and the central government regarding the formation of Malaysia. In line with this, he raised several issues in the interests of Sabah, such as petroleum royalties, control of illegal foreign migrants, Borneoisation of the public services, establishment of a television station for Sabah, the return of Labuan – an area within Sabah that had been acquired as a Federal Territory - to Sabah and a review of the ISA (Internal Security Act, which allows for indefinite detention without trial). His demands irritated the Federal Government. Before the elections in 1990, Pairin's brother and a number of others were detained under the ISA, allegedly for being involved in a scheme to pull Sabah out of Malaysia. Then the PBS left the BN to join the opposition coalition known as GAGASAN. After the elections, Pairin was charged in court on several counts of corruption. Although found guilty, he continued in power because the fines imposed were below the disqualifying amount. He still enjoyed support both from the Kadazandusun and other communities.

Pairin and the PBS were increasingly considered thorns in the flesh by the central government. Before the 1995 elections, UMNO, the Malay and leading component of BN, went into Sabah in a big way to contest the elections there. Prior to that, an exercise was carried out to delineate constituency borders in order to weaken those constituencies that were considered strongly supportive of the PBS. During the elections, the media, government machinery, i.e. departments, personnel and money were used to the full to mobilise support for UMNO/BN. The PBS won 25 out of the 48 contested seats. It still proved it had multi-ethnic support, winning 14 seats in indigenous non-Muslim majority constituencies, 5 in indigenous Muslim majority constituencies, 4 in Chinese majority constituencies, and 2 in mixed constituencies. But there was a delay in the swearing in of the new government, purportedly because the Governor was indisposed and, before the new government could be formed, a number of candidates who won the elections under the PBS banner left the party. Some joined existing parties in the BN while others formed new parties, which were easily admitted into the coalition, including the non-Muslim Left. Religion, money, blackmail and promises of development were used to undermine Pairin's and the PBS' position. Almost immediately, the BN government was sworn in, commanding a majority in the new Legislative Council, although it obtained fewer votes than the PBS. In 1999, the PBS faced the elections from a weak position. It was badly trounced. Some of its supporters and legislative councillors still continue to leave the party. As in the case of those who left after the 1995 elections, the general public believes that they have been bought by the BN too.

Sarawak

The experience in Sarawak is slightly different. In Sarawak the indigenous Dayak people (three-quarters of whom are Sea Dayak or Iban), forms about 40 percent of the population, while the Chinese and Malays make up 30 and 26 percent respectively. Two political parties, the SUPP (Sarawak United Peoples party) (which had socialist tendencies) and the SNAP (Sarawak National Party) (which was nationalist) already existed in the 1950s. When Malaysia was formed, the majority of its traditional and political leaders supported independence, while the ordinary people were apparently divided. A group of people comprising mainly Chinese and some Dayak and Malays retreated to the jungle for some time, taking up arms to oppose the formation of the Malaysian state. But they later returned to the fold. During the 1960s the SUPP, SNAP and the BUMIPUTRA

party dominated the political scene in Sarawak. Both SUPP and SNAP were relatively multi-ethnic, with SUPP having largely Chinese leaders and members, while the indigenous Iban people dominated the SNAP. As for the BUMIPUTRA party, it was made up of Muslim Malay/Melanau.

In the first Sarawak Alliance government, Kalong Ningkan, a Dayak leader of SNAP became Chief Minister. Later, owing to policy and personal differences within the alliance, the other parties joined forces with the federal government to oust Ningkan. The central government did this by resorting to emergency powers. For a while, another Dayak replaced Ningkan as Chief Minister. This episode clearly demonstrates how important it is for the state leaders to get support from central government, as shown too in the case of Sabah described earlier, in order to retain power. In 1973, the BUMIPUTRA party combined forces with PESAKA, a Dayak party, to form PBB (Parti Pusaka Bumiputera Bersatu), which is predominantly under Malay leadership. Since then, the BN coalition in Sarawak has continued to be led by the PBB, and the state government had always been under the PBB leadership. The PBB has been able to remain in control of the state for many reasons but mainly because it always receives strong backing from the centre. Being the government, it controls financial resources and the state machinery, and its opponents, especially the Dayak, have always been divided under different parties and leadership.

Just as in Sabah, ethno-nationalist consciousness, in the form of "Dayakism", emerged during the 1980s in Sarawak. In 1983, a Dayak National Party (PBDS) was formed from a breakaway group of SNAP. To face the elections in 1987, it joined hands with a group that broke away from PBB, PERMAS, and the coalition was led by ex-Chief Minister Rahman Yaacob. The PBDS did very well, winning 15 seats or two-thirds of the Dayak majority constituencies, but PERMAS won only five seats. The two parties failed to get the majority to form a government. The PBDS made another bid during the 1991 state elections but its performance was worse, winning only seven out of the 56 seats in the enlarged legislative council. Thus humbled, the PBDS applied to rejoin the Sarawak National Front and it was readmitted in 1994. It should be noted here that the Sarawak BN government, led by the PBB, is not very dependent upon central government support. But in any case, it has an affinity and good relations with the centre. So it does not have to worry about being pressured by the central government, as the Sabah government always does. Because of this, too, UMNO (United Malay National Organisation) has not entered Sarawak as it did in Sabah, to mount any challenge to the Sarawak ruling elite.

With the return of PBDS, the position of Sarawak BN became almost unassailable during the 1996 state elections. There is no doubt that this is an important factor that helped the Sarawak BN to perform well. But there is another reason, which is no less important. It was the politics of development (POD) that were introduced by Chief Minister Taib Mahmud in 1992. According to A. Aeria, the "POD strategy was applied quite successfully by the BN as its central election message during the 1996 elections. Many rural villages and long houses supported the BN, partly out of conviction but also partly because of their fear of the negative consequences of acting otherwise" (Aeria 1997: 60). Of course, the Dayaks dominated many of these villages and long houses. Besides, under the pretext of the POD, large amounts of state funds were committed for development projects or disbursed before and during the elections in order to ensure support. This is a form of money politics or politics of patronage that is widely used in Sarawak to retain support for the government from all parties, including the PBDS, and their key leaders.

Cooperation and Collaboration

As already quite evident from the preceding discussions, there are individuals, groups and parties that are always ready and willing to support the *status quo*, even when there is strong opposition against it from the people. During the liberation struggles in Mindanao and East Timor, which were overwhelmingly popular, there were some individuals, groups and parties that cooperated or collaborated with the central power against their own people. In many cases involving extra-legal peoples' movement, whether in Thailand, the Philippines or Malaysia, there have been those who not only refuse to participate in the resistance but who choose to take sides with the companies or the government. Some are convinced that this is the right thing to do for development. Others, of course, have been persuaded for other reasons.

In the arena of electoral politics, as shown in the case of Sabah, the indigenous political party – the PBS, has been crippled by central government, after being in power for a decade. One way to weaken the electoral support of the leading party is by gerrymandering. The other, as has been constantly alleged, is by enticing some of its leaders and legislative assemblymen with money, contracts, public positions or threats of prosecution for one thing or another, in order to make them leave the party. Some of them are accepted readily into the existing BN parties while others form parties of their own, which are also easily admitted into the governing coalition. The Kada-

zandusun vote, on which the leading PBS party depended for support, is dwindling and very much divided. At the same time, life is made very difficult for the PBS and its leaders who chose to continue with their politics. The party's application to return to the BN has been repeatedly refused, perhaps out of spite. PBS leaders find it impossible to operate under conditions where so much money is demanded of them in order to operate effectively.

In the case of Sarawak, the PBDS tried to operate as an opposition but it failed. Firstly, there are not enough Dayak voters and not enough constituencies dominated by them for the party to be able to return to power on its own. Not only does the Dayak population constitute less than half of the state of Sarawak, it is also politically divided. The PBDS has come to realise that it is almost impossible for it to depend entirely on the support of its own community. Whatever may be said about it, Sarawak politics, just as in the case of Sabah and, in fact, Malaysia as a whole, has to be multi-ethnic in its approach because of the balance in the population composition. Only with multi-ethnic structures and support can political parties win enough seats to gain power.

There was a chance for the PBDS to achieve that when it gained the cooperation of the PERMAS, a breakaway Malay/Melanau group from the PBB. But they realised that this could not last long. The PBB and its leader (who leads the BN coalition in Sarawak) are too rich and powerful to be challenged effectively. On its own, the PBDS does not have enough resources to organise the party and carry out electoral campaigns satisfactorily. On the other hand, the PBB, with money, machinery and the media at their disposal, are not only able to rally round the Malay/Melanau but can also easily dispose of any opposition effort. Perhaps this is one of the reasons that influenced the PBDS's decision to rejoin the BN. Furthermore, it considers that, by being in government, it can also do something to help its own indigenous supporters, which it will not otherwise be able to do. It is almost taken for granted by most Iban now, that only a Malay/Melanau-led coalition government with cordial relationships with the centre and multi-ethnic support can survive in Sarawak. Perhaps such kind of thinking is now quite prevalent among the Kadazandusun in Sabah too.

In Malaysia, the Orang Asli population is very small (only about 0.5 percent of the population). Very few state constituencies, and perhaps no parliamentary constituency, register more than 10 percent Orang Asli voters. So it is impossible for an Orang Asli candidate to be elected by depending entirely on the support of the indigenous peoples alone, even if s/he could harness every single Orang Asli vote. In Jelai, where about a third of the votes are Orang

Asli, the Orang Asli candidate who stood there in the recent general elections failed miserably, getting less than 150 votes. Some of the reasons have been explained earlier. On the other hand, the Orang Asli vote can play a key role in determining the winner of the next elections in constituency areas where the margin of victory is small, smaller than the number of Orang Asli voters. Such a situation exists in Pekan, where the present Minister of Defence won by only 271 votes, and in Chini, the state constituency where the candidate from keADILan (Parti keADILan Nasional or National Justice Party) won by only five votes. In these areas, the current value of the Orang Asli vote is certainly very high, and can surely be used as a good bargaining chip, especially for getting facilities and development for the community.

The chance of the Orang Asli party gaining registration is rather remote. Some leaders associated with this move have indicated that the party does not intend to join the opposition but wants to apply to be a component member of the BN. Even if this is the true intention and not just a tactical ploy, its fate seems to have been almost sealed. Some individuals are known to have joined as members of existing political parties, especially the UMNO. But they do not seem to rise very high and have not been able to put forward the major demands, concerns or complaints of the Orang Asli. In a sense, Orang Asli organisations, especially POASM, have proven themselves more effective in doing this than Orang Asli individual members. But even some POASM leaders have been approached by the government, with more than all expenses paid, to help them in their party election campaigns. Some of the leaders managed to maintain neutrality by advising the Orang Asli voters to vote for the candidates whom they thought would be able to serve them best. But during the recent Teluk Kemang by-election, some Orang Asli leaders, claiming to be associated with POASM, pledged to give their support to the BN candidate.

At the same time, there is a slot for an Orang Asli representative in the Malaysian Senate. There are many educated Orang Asli who have found jobs with the JHEAO and other government departments. Others have been able to obtain opportunities to participate in business. Some of them, because of their links and orientation, do not have much difficulty in helping government candidates in elections. A number of such individuals, including the Orang Asli senator and a local radio personality, worked very hard to ensure victory for the UMNO and defeat of the Orang Asli candidate who stood as an independent in Jelai last year. Of course, there are also Orang Asli leaders who support the opposition parties, as described earlier. But whether they support the government or opposition parties, their

role should not be confined to merely that of delivering votes for the candidates of their choice every five years. They need to be sure that these candidates will also raise issues and problems affecting the Orang Asli communities. This means that the Orang Asli leaders need to have a clear agenda or manifesto of their own. This requires organisational effort as well as persistence. To some extent, this has been achieved. But it has to be strengthened. In the unlikely event that their party is registered, then it will certainly have to create alliances, for instance with other organisations, political parties and NGOs, in order for it to operate more effectively than on its own.

Conclusion

Politics is about power, which, history has shown, can be achieved through the bullet or the ballot. In the above general survey, we see that indigenous peoples in Asia have, or are still experiencing, both possibilities. Different conditions have given rise to different situations. It appears that the more undemocratic and repressive the central power, the more revolutionary the forms of struggle against it become. There are armed struggles still being waged by indigenous peoples in South East Asia, to liberate themselves and to create their political environment in a separate state or as part of the existing but transformed political entity. There are also extra-legal forms of resistance, protracted or sporadic, planned or spontaneous, to fight against the political and economic measures taken by the government or big business groups that affect the livelihood of the indigenous peoples as well as undermine their cultural and spiritual lives. At the same time, the indigenous peoples also have the experience of political processes that involve elections and political parties. In Sabah and Sarawak, they have their own parties and participate in elections regularly.

In Sabah, the PBS (Parti Bersatu Sabah or Sabah United Party), which had the experience of being in power, is currently facing strong pressures from various BN government strategies to undermine and marginalise it. There seem to be concerted efforts to outcast the PBS leadership, which, at one time, enjoyed the support of the Kadazandusun as well as other groups in Sabah too. Here the central government has moved in, through UMNO, with full use of their control over money, media, and government machinery. It must be stressed that nobody can be in power without the blessing of the central powers in Kuala Lumpur. Unintentionally, this also emphasises the fact that the only alternative is to be able to mobilise

strong multi-ethnic local Sabah support in order to challenge what appears to be a formidable BN power. In Sarawak, the Iban party, SNAP, had a taste of acting as the government party but central power made sure that this situation did not last long. There was a bid by PBDS to try and repeat the early success of SNAP but this time with the help of some Malay/Melanau support. It succeeded in winning a good number of seats the first time around but failed to gain power. When its performance deteriorated during the second round, it returned to the BN coalition. Fortunately, the BN has not been as vengeful on PBDS as it has been on the PBS in Sabah.

In Peninsular Malaysia, the participation of the Orang Asli in electoral politics has not been as colourful as in Sabah or Sarawak. Their dream to have a political party may be, at best, no more than a hope. There does not seem to be any likelihood, under the present government, that they will be able to see even a slight increase in representatives above their sole nominated member of the Senate. Their venture into electoral politics by putting up a candidate for parliament and one for a state in the recent elections, praiseworthy as it is, ended in almost total disaster. For election purposes, the Orang Asli cannot depend exclusively on the support of their own community. They are small in number, divided and not very politically aware. There is the possibility that, with the fast processes of nation building and globalisation that are now taking place, it will be more difficult for them to retain their identity. It is true too that the same processes can create stronger resistance and unity. But in order to be effective, the Orang Asli need to strengthen their internal unity and at the same time try to reach out to other bigger communities for cooperation, solidarity and support.

Indigenous politics is not about majority-minority or rich-poor relationships alone. What makes people, including the indigenous people, move are not merely common political and economic interests. Equally strong are the forces related to their shared beliefs and values. These common interests and shared values can have a centripetal effect, uniting them within their own group and also across various, racial, ethnic or indigenous boundaries. But, of course, any attempt by any ruling elite to force, in a dictatorial and undemocratic manner, any sectarian interest or values will only cause a centrifugal effect, resulting in disunity and disintegration. All these factors determine the nature of politics - and not just electoral politics - in general, among indigenous peoples.

Notes

1 The country's name was changed by the junta from "Burma" to "Myanmar" nearly a decade ago. However, the decocracy movement never recognised this change and Myanmar is considered a chauvinistic name by many ethnic groups.

2 This paper was presented at the Workshop on Indigenous Peoples' Experiences with Electoral and Party Politics, at Poring National Park, 14-16 July 2000. General analysis in the paper, which does not claim to be academic, owes very much to information and data gathered from many books, articles and websites, but largely from three books, namely: Colin Nicholas, *The Orang Asli and the Contest for Resources*; Colin Nicholas and Raajen Singh (eds.), *Indigenous Peoples of Asia: Many Peoples and One Struggle*; and Francis Loh Kok Wah (ed.), *Sabah and Sarawak: The Politics of Development and Federalism.*

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CHAPTER 5

INDIGENOUS RIGHTS IN THE PACIFIC: A CHALLENGE FOR THE NEW MILLENIUM

by Jimmy Nâunââ

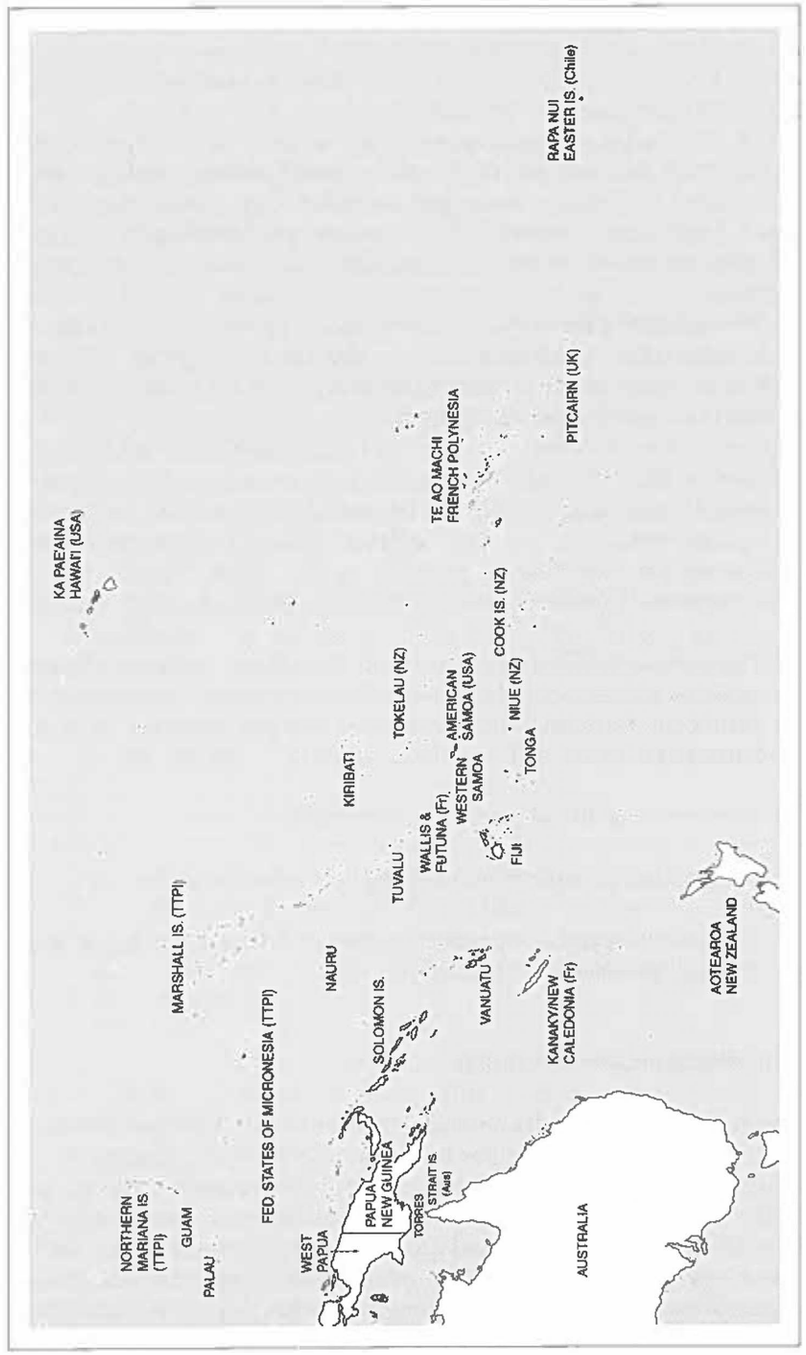
It is high time the indigenous peoples of the Pacific revisited the foundations of modern Pacific political structures. The wave of political crises shaking the Pacific today is a reminder that indigenous rights form the basis for stability in the region.

Indigenous peoples have resorted to all possible means to achieve their right to self-determination and development. While most Pacific nations have attained some degree of independence over the course of history, true self-determination and full sovereignty are yet to be attained by indigenous peoples themselves in the Pacific today.

The dilemma facing modern indigenous Pacific communities is the viable combination of an indigenous vision of governance with the modern forms of government instituted by political parties, governments and parliaments. Furthermore, indigenous peoples in the Pacific are, like many other peoples, affected by global events and movements, and they are endlessly striving to fashion their environment to survive these rapid changes.

The fragmentation of Pacific indigenous societies and the abandonment of indigenous forms of governance have made Pacific indigenous peoples more vulnerable to outside forces, be they social, political or economic. The impact of colonialism damaged many of the indigenous social and political structures that sustained traditional Pacific societies for many generations. The Pacific will face endless crises as long as the structures on which society is based are not thoroughly thought through.

Given the diverse history of each island of the Pacific, the use of political parties has differed from country to country. Today, most countries have adopted political parties in order to advance their struggle for self-determination and independence, while some others have espoused political parties in order to fit into the new societal framework established by the colonial administration. Political parties were primarily designed and adopted to facilitate the transition towards new social norms and a new form of government imposed upon indigenous norms of governance in island countries.



The Pacific Regional Workshop on "Indigenous Peoples and Political Parties" was an opportunity for indigenous peoples to lay the foundations for a Pacific that will accommodate indigenous aspirations and non-indigenous expectations.

In the workshop, indigenous peoples discussed the use of institutional mechanisms (political parties, parliaments, and government structures) to achieve the right to self-determination and development but, most importantly, ways of strengthening or adapting political parties to meet the demands and aspirations of indigenous peoples.

The relationship between indigenous peoples and political systems was also considered within the context of the international debate on human rights, and the universal, indivisible and interconnected nature of human rights norms.

Given the diversity of interests and emphases and the socio-political context of the countries represented in this paper, it is expected - and hoped - that the issues highlighted will form the basis for constructive debate and will be given further consideration. Following an overview of political parties in the Pacific, this paper will raise the questions that were taken up during the workshop:

a) The role of chiefs and customary authorities in parliamentary systems (such as the *Bose Levu Vakaturaga* in Fiji, Kanak Customary Senate in Kanaky/New Caledonia, House of Ariki in the Cook Islands etc.)

b) Women in political parties in the Pacific

c) Indigenous perspectives of good governance in the Pacific

d) The role of political parties in the goal to gain independence in non-self-governing territories

The Pacific: An Overview

In pre-independence Pacific island societies, indigenous communities manifested their resistance to colonial rule in a variety of forms: through Christian associations, through customary cultural groups, often derided as "cargo cults", through movements for self-government. Communities resisted government or commercial "development" projects encroaching upon the land, reefs and waters of customary landowners and not benefiting the local community.

Often, these movements did not take the form of a political party, as the development of elected local assemblies and Parliaments came later to Pacific Island countries than to other regions of the developing world. However, the transition to independence (starting with Western Samoa in 1962 and continuing today) has involved the creation of Parliamentary assemblies and the creation of political parties to participate in the electoral process.

Analyses of political institutions in the Pacific Islands have been preoccupied with written constitutions and the achievement of independence. Political institutions are treated as part of a system, relating to each other and to the society, territory, and economy they govern. The types of institutions are familiar: the executive, the legislature, political parties, the bureaucracy and the judiciary. The army also plays an important role in some countries, such as the Fiji Islands and Papua New Guinea.

Although these types of institutions are more or less universal, they come in different packages. Today, Pacific island nations still maintain a variety of political statuses:

- as independent nation-states (Papua New Guinea, Vanuatu, Solomon Islands, Fiji Islands, Tonga, Samoa, Nauru, Tuvalu, Kiribati);
- as territories in "free association" with New Zealand (Niue and the Cook Islands), or with the United States (countries having signed a "Compact of Free Association", such as the Republic of the Marshall Islands, Republic of Palau, Federated States of Micronesia).
- as non-self-governing territories:
  of France (Kanaky / New Caledonia; Te Ao Maohi / French Polynesia; and Wallis and Futuna);of Britain (Pitcairn);
  of New Zealand (Tokelau);of Chile (Rapa Nui);of the United States of America, as commonwealth and unincorporated territories (Commonwealth of the Northern Marianas, Guam and American Samoa).

There are also indigenous Pacific peoples that have been incorporated into the nation-states of the Pacific Rim but maintain their quest for self-government, self-determination or sovereignty (e.g. the Kanaka Maoli of Ka Pae'aina / Hawai'i; the Torres Strait Islanders of Australia; and the Maori of Aotearoa / New Zealand)Many of the differences and similarities between the polities have to do with the relationship between political institutions rather than with the institutions themselves. For example, the relationship between metropolitan and territorial institutions distinguishes independent states from colonies. The relationship between executive and legislature

distinguishes the Westminster systems of former British, New Zealand and Australian colonies from most of the former US and French territories. It also distinguishes Tonga, where the monarch may veto legislation, from the other constitutional monarchies, like the Solomon Islands, where the monarch does not hold such a veto.One legacy of colonialism in the Pacific is the variety of Parliamentary systems to be found in various island nations:US-style presidential systems (Federated States of Micronesia, Republic of Palau); Presidential systems that incorporate Westminster parliamentary notions of executive responsibility to Parliament, where the head of state is combined with the head of government (Nauru, Kiribati, Marshall Islands);Westminster parliamentary systems, with a monarch as ceremonial head of state (Papua New Guinea, Solomon Islands, Tuvalu, Niue, Cook Islands, New Zealand);Westminster parliamentary systems, as a republic (Vanuatu, Samoa, Fiji Islands);Territorial self-government within the French Republic.These institutions do not operate in isolation. Acting together as a political system, they relate **downward** to the society, territory, and economy they govern, sometimes through intermediate layers of state, provincial and local government. Political institutions in the US Commonwealth, US unincorporated territories, and French overseas territories also relate **upward** to metropolitan legislatures and government departments. American Samoans and Guamanians, for example, elect a non-voting delegate to the US Congress, as well as a local Governor. New Caledonians and French Polynesians vote in elections for the French National Assembly and Senate (and even the European parliament). The political systems also relate **sideways** to their counterparts in other territories, through foreign ministries and regional agencies such as the South Pacific Forum and the Secretariat of the Pacific Community (SPC), as well as wider international organisations such as the Commonwealth.

Traditional versus Introduced Institutions

One fault line through Pacific political institutions lies between those regarded as "traditional" and those regarded as "introduced". The issue is complicated, for several reasons. First, most traditional institutions, such as chieftaincies, have been redefined or repositioned by social and economic changes, colonial rule, and independent governments. Introduced institutions have likewise adapted to, or acted through, traditional institutions. They are interconnected, and neither exists in a pure form. Second, confusion often exists about what counts as the opposite of traditional institutions: is it

"modern", in the sense of up-to-date metropolitan, as in Britain, Australia or France? or simply introduced? The House of Ariki in the Cook Islands will be discussed further as an example. Third, a defining characteristic of "modern" institutions is often said to be their specialisation. Traditional institutions - such as village meetings of elders - typically combined several functions that are now carried out by separate agencies: courts, police, and parliament.Fourth, existing differences between traditional and introduced institutions would make substitution of one by the other difficult. Introduced institutions generally have a wider geographical scope, enclosing a number of separate - and possibly rival - traditional systems. Another matter is disagreement between traditional and introduced institutions on the definition of "public" or "political", and "private" and "non-political"[1].

Indigenous Peoples and Political Parties: Past and Present

Party politics is not indigenous to the Pacific. But in the Pacific today (as elsewhere), political parties are a widely-used mechanism for various purposes. It has become almost indispensable to be a member of a party when running for public office. Party membership is almost regarded as an element of the social status of Pacific Islanders today. One's actions, achievements and thoughts are predetermined by one's political affiliation. Party membership or affiliation tends to become a pre-condition to one's full enjoyment of and access to basic human rights in the Pacific today.The strength and vitality of political parties varies enormously across the Pacific. Some political parties have been established for decades and have a clear political ideology (e.g. the pro-independence party *Union Calédonienne* in Kanaky that has its roots in church associations established in the 1940s, and contested elections from the 1950s onwards). In some small island countries, there is no strong established system of parties with identifiable political ideologies, and Parliamentary candidates draw support from island, regional, religious, or personal affiliations. Another phenomenon, especially in Melanesia, is the central role of one political party or movement in nationalist mobilisation, often followed by a split into different factions or parties after achieving this primary objective. Such divisions are often spearheaded by charismatic leaders, as in the example of the *Vanua'aku Pati* in Vanuatu, *Pangu Party* in Papua New Guinea, *Union Calédonienne* in Kanaky etcPolitical parties, as a political instrument, have been increasingly adopted and used by indigenous peoples of the Pacific in their struggle for the right to self-determination and development.

However, in some Pacific countries, the primary utility of political parties has faded into popular indifference and is increasingly considered obsolete, especially by younger generations. Many grass roots organisations and political activists in the Pacific now regard political parties as largely serving individual greed for power and personal status instead of their primary purpose of providing greater participation in the decision-making and development processes of their country.The last decade has seen the growth and spread of non-parliamentary civil society organisations throughout the Pacific, providing an alternative focus for activity and social change for indigenous peoples. They are women's associations, human rights organisations, environmental and cultural groups, trade unions, economic associations ranging from co-operatives to chambers of commerce, educational, sporting and youth groups etc.

Customary Authorities and Political Parties

The development of western forms of political institutions has significantly undermined and altered traditional mechanisms of decision-making in Pacific indigenous societies. The adoption of Western values and the introduction of external forms of governance irreversibly altered the traditional structures of Pacific societies. The need to balance indigenous and non-indigenous forms of governance in order to reach a consensus in decisions - known as the "*Pacific Way*" - has also seen the growing involvement of customary authorities in modern political institutions. While a few post-independence Constitutions make no specific provision for customary authorities (e.g. Papua New Guinea), most Pacific Constitutions include provisions recognising the authority of customary structures in certain spheres[2]: in *American Samoa*, all Senators, district governors, county chiefs and mayors shall be *matai*[3]; in the *Cook Islands*, customary chiefs play an advisory role in the House of Ariki (see case study 2) and the *Koutu Nui*[4]; the *Federated States Of Micronesia Constitution* (Article V, Section 1) notes that "Nothing in this Constitution takes away a role or function of a traditional leader as recognised by custom or tradition..." and allows the creation of a Chamber of Chiefs (though a proposal to establish such a Chamber was defeated by popular referendum in 1990); successive Constitutions (1970, 1990, and 1997) of the *Fiji Islands* have recognised the *Bose Levu Vakaturaga* (Great Council of Chiefs), and its role in the appointment of the President and some Senators, the protection and enhancement of indigenous Fijian rights and interests; the 1979 Constitution of the *Republic of the Marshall Islands* establishes the Council of Irioj and

defines its relationship with the Nitijela (elected legislature); customary chiefs are given authority in the state governments of *Palau*, and their advisory role to the president is recognised in the 1981 Constitution; the *Solomon Islands* Constitution only makes provision for consideration of the role of traditional chiefs in the provinces and at the level of local governments; *Tonga's* constitutional structure is headed by a traditional hereditary ruler whose authority transcends that of other lesser chiefs, and he has crucial powers to appoint and dismiss Ministers and Parliamentarians and to veto or approve legislation. The Constitution does not require the King to act on the advice of ministers or any other person; chapter 5 of *Vanuatu's* Constitution sets out the structure and powers of the National Council of Chiefs; in *Samoa*, under the 1962 Constitution, only *matai* were eligible to sit in the Legislative Assembly, and only *matai* were allowed to vote, until Constitutional changes in 1990-91 decided in favour of universal suffrage to elect *matai* representatives. The status of customary authorities is also an issue in moving towards greater autonomy, self-government and independence. The 1998 Noumea Accord in Kanaky[5] acknowledges that, "A greater role will be given to Kanak customary authorities, and recognised by the new Congress and Executive. Customary authorities will have a greater role in land, custom and social issues. The current customary council of New Caledonia will be transformed into a "Customary Senate" of 16 members, which must be consulted on issues that affect Kanak identity."

Case study 1: Self-government through local institution: The Modern House of Tokelau

The small island state of Tokelau is working to achieve self-determination through the creation of the Modern House of Tokelau, which recognises the power of the village authorities as central to governance[6]. New Zealand currently administers Tokelau, which is one of seventeen countries on the list of non-self-governing territories with the UN Special Committee on Decolonisation[7]. In July 1994, a visiting United Nations Special Mission was told of Tokelau's plan to develop a Constitution as a self-governing nation and to hold an act of self-determination. In recent years, there has been a process to devolve powers from New Zealand to the people of Tokelau. In 1993, the *Council of Faipule* (the council of elected village officials) was established as a Cabinet-style structure. The chair of the Council rotates between leaders from the three separated

atolls that make up the small island nation: each *Faipule* serves for one year as the *Ulu O Tokelau* or titular leader. Since August 1996, the *General Fono* (the Village Governing Council) has had the power to make rules for peace, order and good government in Tokelau. In forging Tokelauan nationhood, the village is the foundation of *pule* (authority). The *Taupulega* (Village Council) is the central authority in government, not some distant colonial administration located in Wellington or Apia.

Chiefs and traditional leaders increasingly contest elections on party tickets. The appeal to foreign institutions also arose as a way of supplementing the authority to manage community affairs in a society where the same foreign institutions are progressively eroding the traditional authority of chiefs and community leaders; their authority is being overtly challenged by community members influenced by foreign values and expectations, such as transparency and accountability.

The overt challenge to traditional authorities in Pacific island countries has been so evident in the recent history of Pacific indigenous societies that it has become difficult to distinguish between customary authority and political power being vested upon chiefs and community leaders by their active involvement in domestic and national politics. Such ambivalent involvement can create more challenges for traditional forms of governance rather than help the day-to-day management and resolution of conflict within the community. The difficulty becomes apparent in land rights issues, where chiefs and customary authorities rely on non-indigenous mechanisms (police, land tribunals and courts) instead of using traditional ways to settle land disputes. Such ambivalence can only create more confusion and conflict within the community.

Case study 2: Joining "traditional" and "modern" forms of government: The House of Ariki

The Cook Islands Constitution (1964) established the House of Ariki, which is a national organisation of *ariki* (paramount chiefs). The selection of *ariki* varies according to the leadership structure of each island. Although some islands may have more than one *ariki,* the 1966 House of Ariki Act only provides for 15 *ariki* to be appointed to the House by the Head of State. As prescribed in the Constitution (amended 1982) and the 1966 Act, the House shall make recommendations to the Parliament

on matters affecting the customs and traditions of the Cook Islands. The Prime Minister or his Ministers may attend and address the House when any matter for which they are responsible is under consideration. However they cannot vote on issues.

In 1998, a Commission of Political Review issued a report on the political system in the Cook Islands, and possible reforms[8]. The review suggested that some people today question the need to expand the political power of such a body. However, others argued in favour of the *ariki* and their role in the community. The challenges for such a body are evident, as many of the roles played in local governance by chiefs have been taken up by elected or appointed officials.

Women in Political Parties in the Pacific

Women have been involved in political parties in the Pacific from the early days of nationalist aspirations for independence. However, their participation in political institutions in the Pacific has never been adequately acknowledged in the public arena. Today, few indigenous women are elected or nominated to positions of leadership in the governance of independent nations and non-self-governing territories of the Pacific. The challenge for the new independent nations of the Pacific today includes greater sharing of power in political institutions. In some countries, women play central roles in customary institutions, especially in communities with matrilineal land tenure systems (such as Palau, Bougainville etc.). But there are few opportunities for women to be elected through the Parliamentary systems established after independence. In Papua New Guinea, for example, there were very few women candidates in the national elections in the years after independence, and even fewer were actually elected to Parliament, even though the 1975 Constitution highlights women as equal partners in development and governance[9]:

Total candidates	Women candidates	Women elected	
1972	608	4 (0.66%)	1
1977	880	10 (1.14%)	3
1982	1,124	17 (1.51%)	1
1987	1,515	19 (1.25%)	0
1992	1,653	16 (0.9%)	0

In most countries of the region, few women have held leadership positions at party level or in the national government or parliament. As of March 2000, there were only 21 female elected Members of Parliament throughout the independent countries of the Pacific as a whole: Cook Islands (2); Fiji Islands (8); Kiribati (1); Marshall Islands (1); Niue (2); Palau (1); Papua New Guinea 92); Samoa (3) and Solomon Islands (1)[10]. Are there mechanisms that can increase the representation of indigenous women in politics? The Women in Politics project of the United Nations Fund for Women (UNIFEM) Pacific has been holding workshops to strengthen the capacity of female parliamentary candidates but current debates in New Caledonia highlight other legislative options.

Case study 3: Gender Parity in (New) Caledonian Politics?

Following the 1999 elections for the provincial assemblies and the new government of New Caledonia, political parties have been confronted with the debate on equality / parity in electoral politics. The 1999 Assembly elections were notable for the number of women elected from all parties. The nine elected women include independence activists such as Nicole Waia, former director of the Kanak radio station *Radio Djiido*, and the Kanak poet, teacher and writer Déwé Gorodey, one of the four pro-independence representatives. But as a French Overseas Country, New Caledonia is also subject to government legislation passed by the French National Assembly in Paris, which requires equal numbers of men and women to be nominated for eligible positions in future elections. In Kanaky, all political parties, including the pro-independence movement and the settlers' party *Rassemblement Pour la Caledonie dans la République* (RPCR), reacted defensively to the idea of applying this legislation. Although the recent elections saw a greater number of women being elected to the provincial assemblies, the new Government of New Caledonia declined to adopt the legislation on parity. The decision was even more contested when the President of the Territorial Congress – a Kanak elected on the conservative RPCR ticket – declared that Caledonian society was not yet ready to accommodate the legislation on parity, given the cultural diversity of the country. Elected women leaders and organisations from across the political spectrum, and especially indigenous Kanak women, strongly reacted to the backward attitudes of their male counterparts. Women challenged their own party's hierarchy - or patriarchy - to ensure equal representation, alternating men and women in eligible positions on future electoral lists. No political party has yet made a clear commitment to the demand for equality / parity in Caledonian politics. Equal representation of women in domestic politics in Kanaky (New Caledonia) will remain on the agenda for years to come unless it is now genuinely tackled.

Political Parties in Non-Self-Governing Territories of the Pacific

Institutional politics, as it is known today, is not endemic to indigenous societies of the Pacific. Modern forms of political systems have been introduced into traditional social and political structures and, gradually, through western economic expansionism and colonialism, have influenced Pacific indigenous philosophy and currents of thought.

Currents of social, spiritual and political thought and ideology, including Christianity, Third Worldism, Marxism, Republicanism and nationalism, have also influenced most modern political movements in the Pacific. During the 1990s, the development of a body of international instruments on human rights (including the UN Draft Declaration on the Rights of Indigenous Peoples) has further influenced the debate on cultural and political values.

Indigenous peoples of the Pacific have resorted to all means possible to assert their right to self-determination and development. Contemporary nationalist movements in some colonies, such as the *Organisasi Papua Merdeka* in West Papua or the Bougainville Revolutionary Army, have taken up armed struggle to oppose the central state and to demand a separate state.

At various stages, independence movements in the Pacific have worked at the "taro-roots" level to create popular institutions. Sometimes they boycotted colonial political structures, while at other times contesting political representation. A striking example of this are the parties that make up the pro-independence coalition *Front de Libération Nationale Kanak et Socialiste* (FLNKS) in Kanaky / New Caledonia. Between 1984 and 1988, the Kanak independence movement created alternative institutions, such as popular schools and local struggle committees, and boycotted elections for provincial and territorial assemblies created under French statutes. However, since the Matignon Accords of 1988, most pro-independence parties have contested elections again and, in the recent elections under the 1998

Noumea Accords, some Kanak progressive parties entered into coalition with the anti-independence majority to create a balance of power in the new government.

Some movements that have decided to enter the colonial parliamentary institutions have created their own political parties (such as *Tavini Huiraatira* in Te Ao Maohi / French Polynesia), while others have used political parties created by colonial powers (e.g. Chamorro activists in Guam largely use the US Democratic and Republican parties for elections to the Territorial government and US Congress).

Most groups that have turned to modern parliamentary systems to advance their claims do so while at the same time questioning the introduction of new political structures. The use of modern political institutions has increasingly shaped nationalist movements in the Pacific today. But the frustration of being denied recognition and full participation in the decision-making and development processes might surface again if the question of indigenous rights is not fully accommodated in the new institutions.

The challenge is now for the remaining Non-Self-Governing Territories of the Pacific to develop or reinstate the most appropriate institutions by which to ensure a peaceful and irreversible process of decolonisation in the remaining colonies. But this does not exclude the need for the independent nations of the Pacific to revisit their institutions and re-evaluate the effectiveness of those foreign systems too, in order to address indigenous peoples' aspirations.

This debate is also evident for indigenous activists in minority populations as, for example, in Aotearoa/New Zealand, where you find Maori representation in the major political parties such as Labour, Alliance etc. but also separate Maori parties. In 1979, the *Mana Motuhake* party – a Maori nationalist political party - was formed. *Mana Motuhake* has become established as a strong voice for Maori self-determination. In Aotearoa/New Zealand, Maori groups are still advocating a Maori parliament. The call for a Maori parliament is not so much to achieve greater control over land and resources, but to ensure control over funds allocated to Maori affairs, such as health, education, housing and other basic services.

New Challenges

History has shown the failure of non-indigenous institutions to cater for the fundamental rights of indigenous peoples. The time is due for the indigenous peoples of the Pacific to reinstate indigenous political institutions in order to enjoy true self-determination and attain full sovereignty.

Today, the wave of political crises sweeping across the Pacific is another reminder of the dilemma faced by the modern Pacific today. Nationalist movements in the remaining colonies of the Pacific are gradually turning to modern political institutions, political parties and governments in order to advance the process of decolonisation, while some independent countries are being destabilised by indigenous groups resorting to armed conflict through which advance the agenda of indigenous rights.

Liberation movements in the Pacific have been using political institutions and armed struggles alternately to assert their right to self-determination and development. Although political parties may open new arenas in which indigenous peoples can express their concerns, the voice of indigenous peoples is still very much restricted within the confines of alien institutions. Resorting to armed struggle in the Pacific is a sign of frustration on the part of indigenous peoples, who see no further progress in the process of decolonisation through political institutions.

For the "Indigenous Voice of the Pacific" to be heard in the concert of nations, indigenous peoples of the Pacific, regardless of the colonial status of their country, must now conceive and fashion the best institutions to fully accommodate indigenous aspirations and non-indigenous expectations for Pacific peoples. But, for this to happen, the rights of indigenous peoples to true self-determination and development must first be recognised and sovereignty returned.

One important issue relates to the rights and responsibilities of indigenous peoples in relation to the "victims of history" – the descendants of convicts, indentured labourers, guest workers or "blackbirded" plantation labourers who came to the country during the colonial process and gained citizenship rights. This challenge has been posed most sharply in the Fiji Islands, where three coup d'états have highlighted the status of indigenous Fijians in relation to other communities (not only the large Indo-Fijian community – descendants of the *girmitya* indentured labourers in the sugar industry – but also Rabi Islanders, Melanesians from the Solomon Islands etc.). In countries where the indigenous people have become a minority on their own land (the Maori of Aotearoa, Kanaks of New Caledonia, Kanaka Maoli of Hawai'i, Chamorro in Guam etc), this non-indigenous immigration has implications not only for voting and parliamentary systems but also for immigration laws, economic advancement, affirmative action and other elements of citizenship.

Indigenous Perspectives of Good Governance in the Pacific

Given that alternative paths outside the framework of western political institutions have been exhausted, it is now time to develop the most appropriate institutions to accommodate the aspirations of indigenous peoples. The dilemma for the indigenous Pacific today is to choose between maintaining alien forms of governance or reinstating indigenous social and political institutions for good governance. The challenge must be now taken up. Part of the dilemma, however, is the lack of a common vision of the most appropriate mechanisms with which to govern politics in the Pacific. "Good governance" is becoming a term of reference in modern political discourse and Pacific politics. But the practice of politics in the Pacific does not adhere to the same model of "good governance" as preached by western institutions. Governance or public management can be defined as the manner in which power is exercised in the management of a country's economic and social resources for development. It encompasses the direct and indirect management, by government organisations, of all activities whether public or private, which impinge on human affairs.

Good governance is characterised by:

- political accountability and legitimacy.
- freedom of association and participation.
- predictable legal frameworks and respect for the rule of law.
- bureaucratic accountability.
- freedom of speech and information.
- effective and efficient public sector management.
- co-operation between Government and non-governmental and private sectors.

It must be noted that this list of characteristics of good governance is not exhaustive. Most island countries inherited from the colonial government a system that provided for the coexistence of western legal and governmental mechanisms with traditional and indigenous systems of property rights and conflict resolution. The interface between these modern and traditional systems provides for complex and potentially violent situations.

There is a growing emphasis on good governance by international aid donors such as the World Bank, with increasing efforts to ensure that human rights and good governance are a condition for the provision of development assistance[11]. The demand for accountability and transparency in government, however, also arises from pressure within Pacific societies, as the early dreams of independence have been soured by many examples of government corruption, waste, inefficiency and a growing gap between urban elites and those living on outer islands and in rural villages. The growth of non-governmental and civil society organisations (national councils of women, church and youth groups, human rights advocates, etc.) has also placed pressure on established political parties to live up to campaign promises.

Anti-corruption purges in most Pacific island states are indicators of the dynamics of good governance in process: the inquiry of the Ombudsman's office in Vanuatu regarding corruption within government circles; auditors' reports on surplus expenses incurred by Fijian parliamentarians and the Fiji Military Forces; investigations into the controversial sale of passports or granting of logging concessions in various Pacific Island nations; adjustment programs imposed on the Cook Islands to salvage an almost bankrupt state. The balance of power between traditional and modern forms of governance in the Pacific is a delicate issue to address. Some countries have upheld traditional forms of authority, while others are calling for a review of the application of such traditional institutions.

Civil society groups have played an important role in challenging arbitrary governments in many situations: halting the former PNG government's debacle over the Sandline mercenaries[12]; awareness raising of democratic rights through the drafting of a people's constitution for Tonga and the struggles of the Pro-Democracy Movement in Tonga; the Lincoln Agreement[13] to move towards resolution of the Bougainville crisis; the adoption of the Reeves Report[14] and the adoption of the 1997 constitution for Fiji.

One must not be complacent about these few positive notes. They are indicative of the efforts of NGOs and civil society as a whole to hold their governments accountable and thus should be taken as a note of encouragement in continuing to denounce the many forms of abuse of power that may lead the Pacific Island countries into dire straits.

Within these complex and potentially explosive situations, there have been positive signals from civil society as a whole coming to terms with what one defines as a Pacific style of democracy. A major challenge is to promote human rights from a Pacific perspective, combining indigenous perspectives with international human rights norms.

Good governance must not simply focus on systems of parliamentary accountability and administration but also on peace and human security, economic, social and cultural rights and on the right to self-

determination. Women's rights as human rights will also be a central focus, including the full participation of women in Pacific Island affairs.

Case study 4: The movement for human rights and democracy in Tonga

The movement for human rights and democracy in Tonga is an example of a country revisiting the powers vested upon customary authorities.

In Tonga, only nine Members of Parliament – the People's Representatives - are elected by Tongan commoners. Another nine members are nobles elected by the Tongan nobility, and twelve Cabinet ministers are directly appointed by the King.

Towards the end of 1998, the Tonga Human Rights and Democracy Movement's Constitutional Review Committee completed its work on a draft constitution. In the proposed draft constitution, there are two major changes to the present political system. The first major change is the restructuring of the Legislative Assembly and the Executive Branch of government, which, in effect, shifts the executive power of the monarchy to the executive, or the ministers elected by the people. The second major change is the reallocation of land rights to give the people a fair share of the monetary benefits gained from the land resources.

In January 1999, a convention on the draft constitution was held at Nuku'alofa on the theme, "A search for a democratic ruling model suitable for Tonga for the year 2000 and beyond." One of the resolutions adopted in the convention is as follows:"That a request be submitted to government for a referendum to coincide with the last election seeking the response of the people to the question, "Should the people elect the Members of Parliament, including the noble representatives and all the government ministers?"

Major changes in modern Tonga have been brought about by forces that originated outside the system. The factors at play here derive from the new freedom of Tongans to travel, study and sojourn overseas and the subsequent opening up of Tonga to the outside world. The most influential factor in the rapid changes inside modern Tonga is certainly the emergence of an elite, educated abroad, especially in Australia, New Zealand, the United States, Britain and Fiji. Their lobbying for a fairer and more equal distribution of power and recognition of rights has been effective in changing peoples' perceptions. The educated elite has taken on the task of articulating the political rationale for the changes needed, and has pushed the issues onto the public agenda. Although in the past there has been only grumbling regarding the relationship between law and public regulation in government policy, as well as certain aspects of the distribution of privileges and rights, it was stifled well. What is new is the openness of the criticism directed at the establishment and the highest authorities.

The troublesome areas are located mainly in the constitutional provisions for the allocation, exercise, and retention of power. Although the Tongan government system is often described as based on the Westminster model, the constitutional dice in this case, are loaded in such a way that power remains in the hands of the monarch who wields, in practice absolute power.

Human rights and civil and political liberties are not adequately protected under the law of Tonga. The monarch's power is quite extensive, and the constitution can be easily construed in such a way as to give him or her autocratic and arbitrary sway. The monarch can summon or dissolve Parliament at any time, proclaim martial law, make treaties, command the forces or appoint nobles and grant estates without popular consultation. The pro-democracy movement in Tonga has, since its inception, gained increasing support at local, regional and international level. The long task of articulating the rationale for political and institutional changes in the monarchy has proved successful. The movement for democracy and good governance in Tonga may prove to be an interesting learning ground for other Pacific islands seeking to strike a balance between indigenous and non-indigenous forms of governance.

Indigenous Pacific at the Crossroads

For centuries, human waves have reached the shores of the islands of the Pacific, inspiring new developments but also challenging the foundations of our indigenous nations.

It is time for the indigenous peoples of the Pacific to take up the challenge and to lay the foundations of a Pacific that will accommodate indigenous aspirations and non-indigenous expectations and guarantee peace in our Pacific.

In concluding the Pacific Regional Workshop on "Indigenous Peoples and Political Parties", participants acknowledged the magnitude of the task ahead for the indigenous peoples of the Pacific today and expressed the commitment to nurture the challenging thoughts shared in this workshop further. They also expressed the importance of holding similar discussions at community, village and national level to raise the peoples' awareness about these challenging issues.

This current paper is thus not final. It remains subject to constant change as future discussions evolve around the above themes and new issues, considered critical and urgent to the indigenous peoples of the Pacific.

Land and related issues such as environment, air, sea and space are fundamental issues that Pacific peoples live and breathe everyday and they witness its ever-changing nature.

In its discussions and deliberations, the workshop identified land as the uniting concern requiring thorough examination in order to develop suitable and relevant measures to accommodate the equitable use of resources by the individual, the community and the nation as a whole.

Notes

1 Peter Larmour. 1994. Political institutions. In: Howe et al. (eds.). *Tides of History*. University of Hawaii Press, Honolulu.

2 Guy Powles. Chiefly systems in Constitutions. In: Brij Lal / Tomasi Vakatora. *Fiji and the World*. Research papers of the Fiji Constitution Review Commission, Vol. 2.

3 *Matai* is the chiefly title in Samoan society. The *matai* does not inherit his title but is selected by the *aiga* (landholding clan) on the basis of leadership ability, maturity, wisdom and knowledge of the *fa'a samoa* (Samoan custom and way of life).

4 The *Koutu Nui* (Cook Islands) was established by the House of Ariki Amendment Act of 1972. This amendment was specifically introduced to allow *kavana, mata'iapo,* and *rangatira* (community leaders) to meet officially and make recommendations and/or submit resolutions on any matter relating to customs and traditions in the Cook Islands. The *Koutu Nui* operates on the same Standing Orders as the House of Ariki, although it meets more frequently.

5 In May 1998, a new Agreement was signed in Noumea between the French Government, the pro-independence coalition FLNKS and the anti-independence party, the RPCR. The "Noumea Accord" aims to provide for another ten-year peace process and further rebalancing of the economy in the French territory. In addition, the Accords shall provide for a gradual transfer of power from France to the new government and institutions of New Caledonia.

6 Faipule, Aliki / O'Brien, Kolouei. 2000. The Modern House of Tokelau. *Pacific News Bulletin*, July 2000.

7 Faipule, Aliki / O'Brien, Kolouei. 2000. The Modern House of Tokelau. *Submission to the UN Special Committee on Decolonisation*. Pacific Regional Seminar, May 2000, Marshall Islands.

8 Commission of Political Review. 1998. *Reforming the Political System of the Cook Islands – Preparing for the challenges of the 21st Century*. Office of the Prime Minister, Rarotonga.

9 Orovu Sepoe. Women in the election: casualties of Papua New Guinea political culture. In: Y. Saffu (ed.). *The 1992 election*. University of PNG, Port Moresby.

10 Figures provided by the Women in Politics Pacific Centre (WIPPAC) of the UNIFEM Pacific Mainstreaming Project. In Fiji, the number of women in Fiji's Cabinet was drastically reduced by the May 2000 coup!

11 The emergence of the "good governance" agenda is outlined in MacDonald, Barrie. 1998. "Good" governance and Pacific island states. In: Peter Lamour (ed). *Governance and reform in the South Pacific* ANU, Canberra.

12 In 1997, the Government of Papua New Guinea under Sir Julius Chan signed a $US 36 million contract with Sandline International – part of British-based Executive Outcomes – to hire 70 mercenaries to crack down on the 9-year rebellion on the island of Bougainville. Public protest and opposition from high ranking officers in the PNG Defense Forces forced the government to terminate the contract and repatriate the mercenaries already stationed in PNG. The Sandline Affair led to the fall of the Chan government.

13 The Lincoln Agreement was signed in January 1998 between the PNG government , the pro-independence Bougainville Interim Government (BIG) and the PNG-backed Transitional government. The Agreement provided for a phased withdrawal of PNG Defense Forces (PNGDF) from Bougainville and established the Peace Monitoring Group comprising unarmed military and civilian personnel from New Zealand, Australia, Vanuatu and Fiji.

14 In July 1997, the report of the Constitution Review Commission headed by Sir Paul Reeves (NZ) was submitted to Parliament for approval, passed through the Senate and was endorsed by the Great Council of Chiefs before finally being ratified by the President of Fiji. The Reeves Report – an 800 page Constitution entitled "*Towards a united future*"- then came into effect on July 27 1998.

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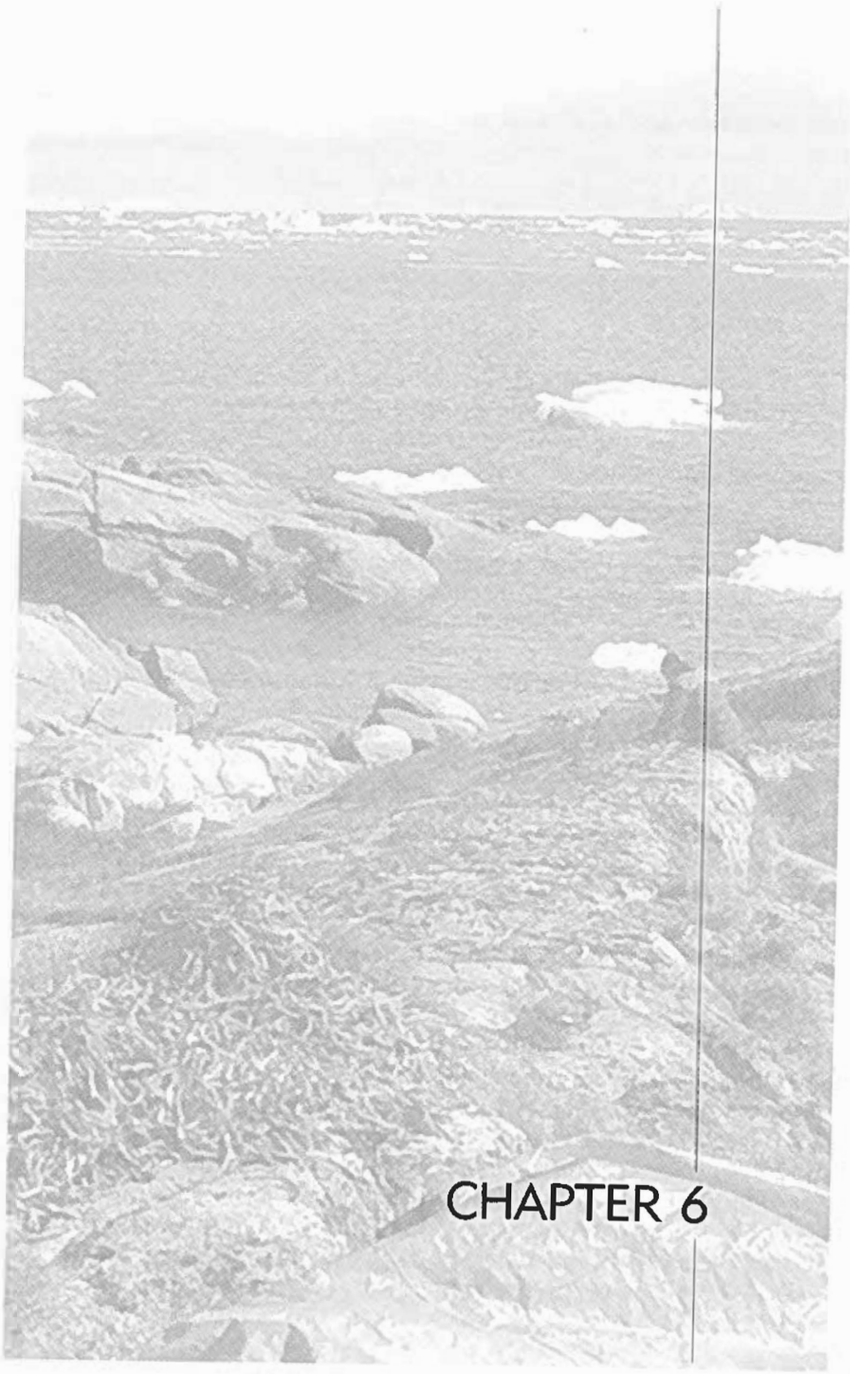


CHAPTER 6

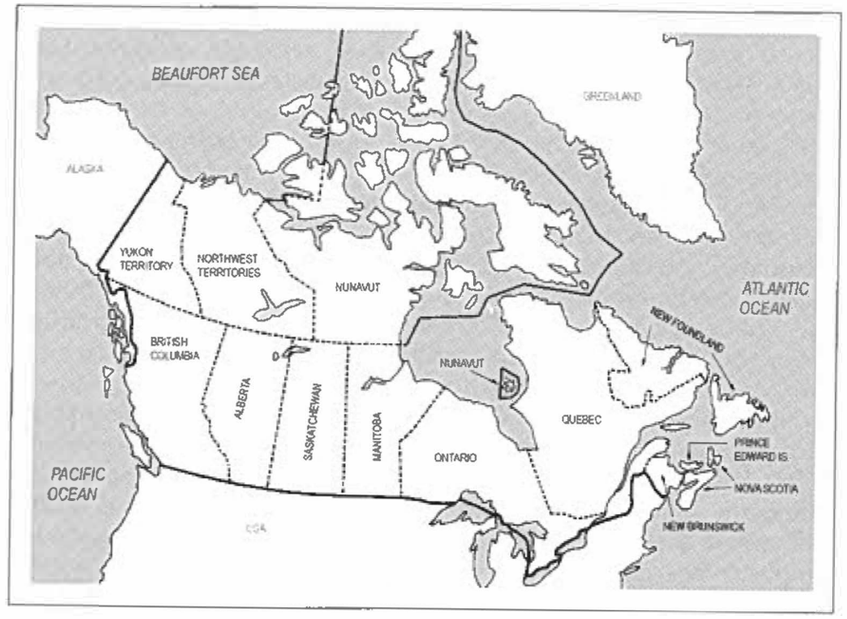
"NATIONS WITH WHOM WE ARE CONNECTED"[1]: INDIGENOUS PEOPLES AND CANADA'S POLITICAL SYSTEM

by Peter Jull

Introduction

The purpose of this article is to outline briefly indigenous peoples' relationship with Canada's formal political system and the dominant non-indigenous political culture. It illustrates recent post-1945 transformations through some of the most important indigenous policy and political outcomes – the Northwest Territories' recent political evolution; reform of Canada's Constitution; creation of Nunavut; and the impact of active indigenous internationalism. Finally the paper moves to discussion and observations, drawing in part on the Canadian national election of 2000; and ends with conclusions and an executive summary. The observations and conclusions reflect on *all* of Canada, a general summing-up, while the four cases described are chosen for their richness in illustrating aspects of that generality – and for the author's familiarity with them. The article attempts to contextualise instances of elections, political parties, and national political systems at work *vis-à-vis* indigenous politics and peoples in order to show how Canada's process-oriented and steadily evolving national and indigenous political cultures shape and are shaped by these[2].

Canada was visited from c. AD 1000 by Norse based in Greenland, according to saga evidence (Gad 1971, Jones 1986). In 1497 the era of persistent European contact began with the voyage of John Cabot for England, followed in 1534 by Jacques Cartier for France. Permanent European settlement began with the French brought by Champlain from the early 1600s. Whites, indigenous, and mixed-blood or *métis* peoples lived side by side and cooperated well enough until c. 1815. Then the era of indigenous peoples as fur trade producers and wartime allies ended and they became a nuisance in the path of settlement, land hunger, and development interests. The next 150 years were grim and indigenous people today are still overburdened with the scars and ills of that time. However, the Second World War brought forces and factors that would soon break that 150-year era.



The Post-1945 Era

The Depression, Second World War, and Cold War laid foundations for a new indigenous-white relationship in Canada. The war similarly had a large impact on indigenous Australia, Greenland, Alaska, Sápmi[3], European Russia and Siberia. Confident materialism became the answer to human ills, an extension of gung-ho wartime spirit. The long post-war economic boom and public shame at racial disadvantage combined to fuel indigenous and hinterland policy in the national government. Education was most important, giving greater numbers of indigenous persons the means to deal more confidently with the White Man's culture, myths, and society – and showing that practice in white relations with Métis, Inuit, and Indian First Nations was far short of stated Canadian ideals.

The North became an important new myth. Its great expanse – made greater by Mercator projection maps in schools and offices – was an emptiness where national energy and purpose would create technical marvels and population centres, rather like the Americans were imagining for the Moon and Mars. These visions were notable in two ways: they were *material* achievements, and there was too little thought given to the Inuit, Indian nations, and Métis who lived there. In one memorable federal government film, *The North Has*

Changed, c. 1967, we begin with an indigenous hunter in skin boat silently crossing a northern lake when an explosion ends the scene and fast-paced music brings us to noisy construction and extraction sites.

Dynamiting the Native North was how many indigenous people saw (or experienced) the policy of that era. With bumptious ignorance and innocence Canadians' national government poured money into the two northern territories and Arctic Québec. After 1960, nationalist governments in Québec rejected and replaced federal roles in Arctic Québec, while in the Northwest Territories (NWT) and Yukon indigenous political movements targeted social discrimination, political disadvantage, and environmental damage (see below).

Non-indigenous people knew that indigenous conditions nationwide were bad but had little idea of precisely *what* to do, or *how* to do it. However, they were sure that Ottawa *should do something!* When the Government of Canada's 1969 white paper on Indian policy had the opposite effect of its intention – uniting indigenous people from coast to coast behind a rights agenda and against perceived assimilation – this seemed more urgent. Meanwhile, the Supreme Court of Canada has re-validated equal relations, as in decisions on two 1760 treaties, *Sioui* 1990 and *Marshall* 1999. But the depth of public ignorance had been revealed when "mainstream"[4] Southern media took a long-term interest during the 1975-77 Berger inquiry into a proposed Mackenzie Valley gas pipeline to carry Arctic Ocean gas through Inuvialuit (Western Arctic Inuit) and Dene territories to Southern Canada and the USA. News reports were often baffling, raising more questions than they answered for those who knew the North. But the Berger inquiry became a national "teach-in" and a turning-point in national consciousness. Most importantly it introduced many Northern indigenous voices and their needs to the Canadian public.

Some Major Episodes

The Northwest Territories (NWT)

Arriving in North America from the temperate climates of Western Europe, the first white fishers, traders, settlers, and adventurers found a deceptively pleasant continent rich in resources of many kinds and basking in early summer. However, winter revealed a ferocious climate. Latitudes were misleading – the southerly reach of cold ocean currents and Hudson Bay made Canada quite unlike

coastal Europe. Much trial and error – and loss of life – accompanied Canada's early European settlement.

Indigenous peoples in large numbers could easily control white contacts and incursions, able to vanish into rocky wilderness or forest and re-appear at will. While European nobles, capitalists, promoters, and dreamers conjured up images of new wealth and fine new cities to arise when lands were transformed magically by the White Man, realities were often disappointing. Governor Winthrop's great on-board sermon envisioning white settlement as "a City upon a Hill" was forgotten on arrival in Massachusetts as he and others bloodily exterminated New England's Indians.

From 1945, those first themes of colonising history, politics, and identity were confronted anew when the pragmatic materialism and equality ideals of war-weary Canada turned northwards. The experience of the Northwest Territories has been both an illustration and an epicentre of indigenous political change (Cameron / White 1995). It reveals contradictions and confusion in Canadian political culture, but also an ability to respond creatively. With political determination, a small number of isolated, mostly illiterate, and scattered hunter-gatherers won great victories and re-wrote the script of indigenous-white relations (Jull 1997, 2000a, 2000b).

The NWT was 34% of Canada's land area until Nunavut's creation in 1999. The 1996 NWT population (including Nunavut) was merely 64, 402 out of Canada's total 28.8 million. With the census taken in summer, the northern total and the proportion of non-indigenous people is swollen by skilled tradespeople and other visitors. Inuit, Dene, and Métis comprised an indigenous majority. With Nunavut withdrawn, the rump NWT is now estimated to have a small majority of non-indigenous people.

The NWT was "left over" from earlier nation-building processes. Its vastness was repeatedly diminished by creation or extension of Provinces whose boundaries were drawn neatly with no regard to traditional territories, interests, or views of indigenous peoples. After the Yukon was created in 1898 to provide closer administration of the Klondike Gold Rush, the NWT comprised two vast regions. One was the tundra, coasts, glaciers, and islands that stretched from the bottom of Hudson Bay to near the North Pole and westward along the Arctic coast, the ancient homeland of Inuit. The other, lying south and west of that Inuit region, was the system of huge lakes and many rivers flowing into the great Mackenzie River (Deh Cho), which empties into the Arctic Ocean. These Sub-Arctic forests are the homeland of Dene (or "Athapaskan") peoples, as well as the mixed-blood Métis of more recent times. Fur trading from the late 18th and resource industry projects from the mid-20th centuries,

together with missionaries and "Mounties" (Canada's federal police), followed later by government administrators, brought several large settlements or small towns, notably Yellowknife, Hay River, Fort Smith, and Inuvik. Yellowknife, a gold mining, aviation, and supply centre became the NWT capital in 1967 because it had a diversity of other roles and would not be overwhelmed, it was hoped, by the infusion of bureaucracy.

In the 1950s, many Canadians were nervous about the American Cold War presence in the North posing risks for Canadian sovereignty. They were also stung by American criticism of Canada's treatment of Inuit whose famine deaths were bringing unwelcome world attention (Tester / Kulchyski 1994). A new federal Department of Northern Affairs and National Resources was created – later re-organized and in 1966 renamed Indian Affairs and Northern Development. In the late 1950s, a Conservative prime minister John Diefenbaker broke the long Liberal hold on national government. His Northern "vision" included "roads to resources", a program of dirt roads built and many more surveyed for the future. An able Northern Affairs minister, Alvin Hamilton, and many fresh ideas, including introducing "co-ops" (producer and retail co-operatives) to Inuit communities, helped transform the North into something more like North America's material norms.

Indigenous people were not participants, however, their "backward" ways, traditional languages, and hunting economy being seen as obstacles to the White Man's superior and benevolent purposes. This denigration fuelled a political agenda driven by everyday resentment, e.g., all the new houses and best jobs going to transient whites. However, it was left to the first generation of able indigenous young who became fluent in English in northern schools to demand and win respect for their parents and indigenous culture. Often those young people themselves lacked more traditional culture than their childhood memories of the old life "on the land", making them seek more urgently to rescue ways that were disappearing. But it was their parents whose knowledge and outrage at the White Man's next assault – on the land and seas themselves by transport, resource exploration, and construction activities – provided the catalyst for a political movement centered on land rights and land claims. These claims included freshwater – and, for Inuit, the sea.

At the end of the 1960s, a recognisable and articulate *native movement* in the North appeared. A white "action research" specialist who had worked in the Mackenzie Delta among Inuvialuit and Dene, Paul Lumsden, became an Ottawa official helping to achieve "core funding" for indigenous political associations across the North and across Canada (Lumsden 1987). In retrospect, "core funding" by

which indigenous groups received predictable multi-year funding may have been Canada's key reform. It enabled some indigenous representatives in all parts of Canada to work full-time articulating their peoples' needs and seeking better policies and a remedy to injustices. It was approved by Prime Minister Pierre Trudeau and his Cabinet because it provided the voice in government affairs which the small numbers of indigenous peoples could not achieve through election of sympathetic spokespersons or their own representatives in Parliament. Lumsden's Citizenship Branch argued that the North was part of Canada, and that indigenous peoples everywhere were Canadians, too, and that in both cases deserved the opportunities to work for the improvement of their communities, which were largely unrepresented in the "mainstream" political system.

The first such NWT organisation, the Committee for Original Peoples Entitlement (COPE) in the Mackenzie Delta, hoped to unite Inuit, Dene, and Métis, but Ottawa decided to fund separate Indian first nations, Métis (and non-status Indians), and Inuit bodies in each province and territory. COPE became a regional organisation for Inuit and in 1984 achieved a Western Arctic land claims settlement – with work still proceeding today on regional and local government structures. An Indian Brotherhood, later to be renamed the Dene Nation, and a Métis Association, were formed in Denendeh, while the Inuit regions outside COPE's area would later become Nunavut with three regional organisations under a national Inuit association, Inuit Tapirisat of Canada (ITC). ITC also included Labrador and Quebec Inuit, but its focus was Nunavut. Through creation of special subsidiary bodies it negotiated Nunavut claims and self-government from 1976 to 1993.

The differences between Denendeh (the western part of the NWT) and Nunavut were many. Denendeh bore the full brunt of the White Man's settlement, resource development, and construction projects. Already in the early 1960s, the federal government in Ottawa decided - with bi-partisan support - to split Denendeh from the Inuit areas of the east. The Inuit and their region were slow to develop, it was said, and it would be better to allow the Mackenzie region of Denendeh to move ahead faster. There was even a coat of arms drawn up for a new Inuit territory, "Nunassiaq", but the whole idea was dropped, partly because Inuit had not been consulted. (When Inuit themselves later proposed Nunavut within similar boundaries to "Nunassiaq", this was seen as dangerous separatism by many white officials!) However, Dene, Inuit, and Métis were in broad agreement on the need for land claims settlements, greater environmental control of resource and other development projects threatening their livelihoods and food species' habitats, and indigenous

self-government. They also agreed on the failure of first federal and, after 1967, the Northwest Territories government to design and implement cultural, social, and environmental programs appropriate to indigenous peoples.

The NWT was imagined by the best minds and hearts in Ottawa as a model region which, unlike the disastrous experience of the slaughter of the buffalo (i.e. bison) and marginalisation on reserves of Prairie indigenous peoples, would see indigenous people as well as whites sharing new communities and jobs in a mineral resources boom. The North would be happy, prosperous, and multi-racial[5]. There were also dreams of high-tech solutions, including a bubble dome over Frobisher Bay (Martin Frobisher's locale which has now become Iqaluit, the Nunavut capital) under which even palm trees might grow!

Something successfully multi-racial has now happened, but rather differently, and with different assumptions. For one thing indigenous peoples are not an undifferentiated mass of backwardness but a patchwork of peoples and cultures across the NWT, each with its own language or dialect, and unique traditions and aspirations. Furthermore, white ideas about "northern development" have *not* been superior. Material visions – building up, digging out, blasting through – came to seem mindless vandalism, and social intentions to seem paternalistic. Indigenous northerners hired white experts and lawyers to get those messages through to environmental panels, courts, parliaments, and ministers. In the process, they highlighted their own knowledge of Arctic and Sub-Arctic eco-systems.

While the federal government and its creation, the NWT government, wanted to overlook differences between peoples and ignore legislation like the *Indian Act,* indigenous peoples saw such measures as the bare minimum recognition of their status and "native rights". They fought hard to keep such recognition and, far from supporting assimilation, they wanted rather to build new political structures supporting and enhancing their languages and cultures.

In the mid-1960s, the federal government moved to strengthen its indigenous political vision. For the first time, there would be elections in what is now Nunavut for three Arctic seats newly created in the NWT Council. (The Council was made up of both appointed and elected members, the former often being more socially progressive.) However, few Inuit understood what was at stake and in two of the new seats whites fluent in the Inuit language were elected without anyone else running against them. Both turned out to be excellent and articulate representatives – one was world-renowned scholar and author on Inuit and Circumpolar studies, RG Williamson. The third seat was won by Simonie Michael, an Inuk of Iqaluit. Among the appointed members were also one Inuk and one Dene.

Ottawa had appointed a commission to recommend future political structures and programs for the NWT. This Carrothers Report (1966) was a landmark. Devoted to finding ways to ensure that indigenous peoples were not marginalised in politics or society, it cleared the way for creation of a full NWT government rather than the two field administrations for Denendeh in Fort Smith and for Nunavut (and Arctic Quebec) in Ottawa. The Northern Affairs Branch in Ottawa would be scaled down and most jobs moved to the new capital, Yellowknife. The report's economic development proposals were ignored. However, the call for fully elaborated local councils and the work of local government to be the centrepiece of indigenous social and political development was heeded. Indeed, the huge commitment of Ottawa and Yellowknife in funds, new buildings, and personnel was astounding. The new bodies, each with a meeting hall, offices, and a strange new coat of arms (usually displaying Arctic wildlife in biologically impossible or improbable poses) provided places for Inuit, Dene, and Métis to master new skills. However, when they realised that they were only going to be allowed to "practise" limited decision-making for needs they had never worried about, e.g. street lamps, disillusionment set in. The immediate result was a more general turning to land rights and self-government, i.e., to the *native movement,* to achieve political goals.

From 1968 the "frontier resources" frenzy in Canada saw tremendous pressure by government and industry to explore, develop, ship, and market NWT oil, gas, and minerals. Indigenous peoples worked through their "core funded" political associations as well as the courts, Southern Canada media, national church groups, and other bodies to oppose development of their territories until indigenous land ownership was settled and proper environmental safeguards put in place. This was a radical agenda to most Canadians, and especially to governments. It became much less radical and much more threatening in 1973 when the Supreme Court of Canada found in *Calder* that indigenous native title rights existed in principle in all parts of Canada[6]. (Much of Canada's indigenous rights experience and cases is found in Tennant 1990.)

In 1968, too, another milestone occurred. Pierre Trudeau, who had newly succeeded Lester Pearson as Liberal prime minister, called an election and visited Yellowknife during the campaign. Trudeau spoke in a packed school where only about two indigenous persons – an Indian chief on stage and a Métis government clerk in the audience – were present. While Northern affairs minister Laing gave his usual resource development speech, Trudeau said that his northern priority was social policy. In answer to a question, he said that he was prepared to negotiate new NWT constitutional arrange-

ments. Any comfort whites had from the hope of more power in the NWT was more than mitigated by his *social policy* commitment, a term well understood as code for indigenous interests and aspirations. Trudeau's candidate won the seat. For once northerners had been able to vote on northern policy.

The 1970s were a time of anger and dispute in the NWT. There was a breakdown of indigenous-white relations at the very time when many young Dene, Inuit, and Métis were coming out of school with "mainstream" skills. The new NWT government was under firm control by an Ottawa-appointed Commissioner, Stu Hodgson, a big man for a big job. Only slowly during the decade did more power come to be shared with members of the elected NWT Council (which optimistically renamed itself NWT Legislative Assembly). The NWT government did not acknowledge the indigenous political associations, and they in turn regarded the government as the unacceptable and authoritarian face of the White Man's colonialism. There were a few indigenous persons elected but most indigenous leaders called for a boycott of the Legislative Assembly. Ottawa was moving towards a position where it would require, in effect, the agreement of *both* indigenous organisations *and* the elected assembly to move forward on constitutional and rights issues.

But a federal election in 1972 brought an omen of the future, one from which indigenous peoples and their friends took heart. Despite the tight white hegemony in the NWT and its institutions, and the denial by those in power in Yellowknife of indigenous rights or cultural imperatives, an indigenous candidate won the federal seat of NWT. More importantly, his campaign posters ignored his party label (NDP, or "labour") and simply said "Our land, our man" while his obviously indigenous face filled the rest of the poster, with "Vote Wally Firth" at the bottom. It was a plain confrontation with the White Man's political system, but one using the mainstream system and drawing the pan-indigenous vote regardless of ethnicity. Firth, a popular but reclusive radio broadcaster from a well-known Métis family, got votes from all peoples. Liberals and Conservatives, who had always won the seat previously, had to accept that a new social agenda and a challenge to white supremacy were emerging. Firth won again at the next election. (In recent times the seat has been comfortably held by a Dene woman, Ethel Blondin, a federal Liberal cabinet minister.)

In the mid-1970s, the Berger commission was set up by Ottawa to resolve a fundamental NWT conflict (Berger 1977). A pipeline to carry Beaufort Sea gas through Inuvialuit and Dene lands along the Mackenzie River to Southern Canada and US markets was opposed by indigenous peoples on environmental and social grounds but

eagerly sought by the NWT government and white business people. This conflict, Judge Berger's patient style, community meetings in rough cabins, the anger and wisdom of indigenous persons speaking through interpreters, and glib company representatives all provided a long-running national drama. For the first time the national media were revealing the real North, the indigenous North – one unlike the "wide open spaces" that Canadians imagined. The hearings and public disputes over the subject became a turning-point. The whole issue of hinterland development became a national political issue in which all Canadians were involved. Literally it was such an issue, one for resolution by legislation of the national Parliament. It became a vessel into which environmental and progressive social interests poured their idealism. Canadians now found themselves having to choose between a powerful arrogant system acting in their name to make money out of further disadvantage to some very poor indigenous people, or, the environmental needs (and daily livelihoods), cultures, and society of those people. The Trudeau government was not so unwise as to overlook Berger's eloquent recommendations. Berger's report quickly became an international classic on indigenous-white relations (Berger 1977).

NWT whites and government felt bypassed and mistreated, and threatened to organise a public inquiry on constitutional progress as recommended by Carrothers for the 10-year anniversary of his commission's work. Ottawa, anxious to avoid further inflaming race relations, decided to appoint a special representative, senior former cabinet minister, Bud Drury. Drury's preference for discreet private consultations was understandable as an Establishment figure but out of keeping with the times and with the mistrust of Northern indigenous leaders, who simply boycotted his work. Nevertheless, when his report was finally released in early 1980, delayed by a national political crisis, the fall of the Clark government and an election, its quiet but damning criticism of the operations and style of the NWT government was all an indigenous rights advocate could ask (Drury 1980). But in preceding months other things had happened.

1979 was a big year in NWT history. Commissioner Hodgson, a man *too* large and too unashamedly pro-development for the quiet transition to democratic rule, was replaced by his more tactful deputy. Indigenous leaders now decided that the time had come to take control of events though the legislature and several ran for election. There was much speculation about what Drury and Ottawa might be proposing, a process not helped when a Yellowknife newspaper printed parts of a report by this author (Jull 1979). The report was provocative to the NWT white establishment but merely reflected the reality that Dene, Inuit, and Métis were the overwhelm-

ing majority of permanent NWT residents and that the political institutions and political economy must reflect and address their needs first and foremost[7].

The great NWT 1979 breakthrough after the change of Commissioner was the territorial election. Old redneck whites were swept from power and replaced by younger better educated whites with no racist feelings, persons happy to accept indigenous rights and to work with indigenous people. Also elected were a number of outstanding and well-known indigenous leaders – Métis, Dene, and Inuit. Most extraordinary was the newly elected members' first act. They convened quickly in a short special session to repudiate the constitutional and indigenous rights positions of their predecessors and they established a "unity committee" to report on the future of the NWT. The main finding of the report delivered in 1980 was that territorial unity and the existing NWT government were neither natural nor acceptable to indigenous peoples, and that the existing NWT structures were seen as merely an "interim arrangement" (MacQuarrie 1980, Jull 1992). As in the Drury report (1980), "Banquo's ghost" who insisted on disrupting the party was Nunavut. The NWT future hinged on the future of Nunavut and what Inuit would do. As subsequent events would show, Inuit commitment was clear and persistent.

The question for the future NWT constitution now was not *if* there would be change but *how* and *when* to achieve it. Inuit were determined to have Nunavut and even the Drury report, which had botched the question, was unable to reject it entirely. In April 1982, an NWT-wide referendum was held on whether or not to create Nunavut. Ottawa panicked and said it would not respect the outcome[8]. In the 1982 referendum, many in Denendeh did not bother to vote. In Nunavut, however, not only did Inuit vote in record numbers, but they voted 4-1 for Nunavut. This was too clear a signal even for a timid Ottawa. Creation of Nunavut became both NWT and federal government policy. Luckily, the Inuit also had a reasonable majority in the NWT-wide vote so they had "won" the referendum in every sense.

Denendeh was where the bigger problems were. Not only were the several Dene nations – e.g., Dogrib, Deh Cho (a.k.a. Slavey), Gwichin, Sahtų, Chipewyan – of different views and with some traditional rivalry, but the Inuvialuit (Inuit of the Western Arctic) and white towns had decidedly different agendas. Since 1982, just as in the years before, the Dene would try to lead or at least manage successive constitutional development exercises in Denendeh, but they were always unable to win sufficient support among others to carry arguments to conclusion. They also had their preliminary land claims agreement fall apart amid many recriminations. But the whites

overplayed *their* hand. Having resisted many Dene proposals for years, they found themselves now faced with Inuvialuit and Dene regions, each with its own land claims settlement and regional government structure agreed or under negotiation. This would decentralise NWT governance to such an extent that some doubt the NWT government would have a serious role. The NWT might become a sort of *confederation.* Meanwhile, today it is enjoying its 6th or 7th indigenous Premier.

The NWT narrative will move to Nunavut, below. However, the NWT story is common to many countries in its basic dynamics. A national government ambivalently or alternately favouring environmental and indigenous values on the one hand, and national development and resource extraction projects on the other, is faced with noisy classical liberalism from settlers who wish to control hinterland politics through their command or ease with the national political system. Indigenous rights and imperatives are dismissed as backward or racist. However, the truculence of settler bodies and leaders slowly repels national authorities and national opinion, while the skill or pathos of indigenous peoples attracts sympathy. Solutions lie in changing conventional systems or adding new elements to them, e.g., Sami parliaments or national indigenous rights guarantees.

Opening the Constitution

The Constitution has been central to Canada's political debate since the mid-1960s (Russell 1993). In some ways, this assisted indigenous peoples by opening up the fundamental law for reform and in increasing public awareness of federal principles. That is, Canada has two distinct levels of government, federal and provincial, each with its own sovereign power and each protected by the Constitution and the Supreme Court of Canada from interference by the other level. Ottawa cannot simply intervene in matters for which provinces have jurisdiction (e.g., lands and resources), and provinces cannot interfere in federal matters (e.g., criminal law, Indian and Inuit rights). Persons unfamiliar with federal states find this structure difficult to understand. Ottawa cannot override provincial governments at will. However, some important matters have not been tested. It is believed that Ottawa could not make land claims settlements without provincial cooperation as these involve matters that are either under provincial jurisdiction or relate closely to provincial responsibilities, e.g., forestry management.

Federalism complicates many issues. Canadian anxiety since the early 1960s about "Quebec separatism" and the possibility that the

country will break up has made governments and public fearful about indigenous claims and agendas as another fragmenting force (Russell / Ryder 1997). A further complicating factor has been "Western alienation" – i.e., resentment in Manitoba, Saskatchewan, Alberta, and British Columbia, the provinces with the highest proportions of indigenous people[9], against Ottawa and some national policies. Western provincial politics have been polarised between the NDP (New Democratic Party, the "labour" party) and various Right parties. However, it is not always easy to make generalisations about party politics in Canada. The Conservatives ("Tories") nationally have strong "Red Tory" elements with progressive social outlooks overlapping with NDP and Liberal views at national level (Nevitte / Gibbins 1990: 37); Saskatchewan voters may elect the NDP provincially but Conservative or even more conservative members to federal Parliament in Ottawa; and Quebec has often elected gradualist separatist Parti Québecois governments provincially but sent staunch federalist Liberals to Ottawa. In Canada the provincial Premiers are usually the real "opposition" to the federal government. Provincial agendas *vis-à-vis* Ottawa have much continuity despite changes of provincial governing party. Because Canadian parties are not "vertically integrated", e.g., provincial Liberals in British Columbia have indigenous policies very different from the national Liberal government, political provincialism is deepened. Recently, the Reform party, now recreated as the Canadian Alliance, has been a more visible and audible Opposition in Ottawa because of its populist Right positions on social and cultural (including indigenous) issues. This will be taken up in the conclusions again.

Indian nations had long realised that constitutional change and constitutional recognition were both necessary for their security. They rejected the official Ottawa view that the federal *Indian Act* "gave" them what rights they had. They believed that their rights existed prior to the White Man's settlement and governance in North America, and that governments today should recognise them. However, Ottawa's full power in indigenous affairs in the 1867 Constitution was the essential protection for Indians and Inuit from provincial governments, i.e., protection from provincial land, water, and resource powers[10]. Inuit, Dene, and other northern peoples have been anxious that their rights and future be secured against governments seeking to extend provincial boundaries northwards, as happened earlier in the 20th century. After indigenous people brought northern territorial government reform (see NWT section above), they and northern whites were anxious to have guarantees that those territorial governments and territories should not be diminished.

Indigenous Yukon and NWT peoples, like those in Northern Quebec, had been negotiating *de facto* constitutional change at sub-national level through claims agreements or treaties, although it was not called that. New governments and governing structures were being created, and the powers and roles of existing territorial governments were changing[11].

After failed attempts to agree on national Constitutional changes, Prime Minister Trudeau invited Indians, Inuit, and Métis to join Ottawa and the Provinces in a new attempt in mid-1978 (Jull 1981). If recognition of various rights could be negotiated, they could be enshrined in a new Constitution. In February 1979, this was broadened by Trudeau and Ontario Tory premier Davis, leading the other premiers in a small *in camera* meeting (which had broken off from a televised heads of government conference) to a broader invitation to meet with government leaders face to face to discuss indigenous constitutional issues. Trudeau's government was defeated in May 1979 by "Red Tory" Joe Clark who continued this initiative. In September 1979, Clark met with Canada's national and regional Indian leaders and promised that face-to-face federal-provincial-indigenous meetings would be a forum for discussion of many items, not simply one new item squeezed into Canada's already long list of constitutional issues. In December 1979, a committee of federal and provincial constitutional ministers met with indigenous leaders in a preliminary discussion, one in which Inuit leader Charlie Watt enumerated subjects of likely interest. The federal minister warned that there would be many practical problems in future meetings because indigenous and government people had very different ideas and experience of law and of Canadian history, and different concepts of constitutional matters but that, if everyone tried to be patient and tolerant, successful outcomes could be achieved. This proved prophetic. But, also in December, the Clark minority government's Budget was defeated in Parliament and elections were called. Trudeau was persuaded not to leave politics and he returned as Prime Minister early in 1980.

It must be remembered of these constitutional developments and those in the NWT and Nunavut that all this was happening against a background of major constitutional dispute between Ottawa and Quebec about the future of Canada. There was also dispute between Ottawa and Western provinces wanting more power and recognition for their growing population and dynamic society, and between Ottawa and all provinces on several issues. Trudeau, meanwhile, was determined to entrench a Charter of Rights, including French language rights, and to secure a constitutional amending formula so that Canada did not have to ask the British Parliament to rubber-

stamp Canadian constitutional changes, while some Premiers and public opinion opposed such changes. Trudeau wanted a package of "patriation" reforms. Not *repatriation*, because the Constitution had always been a British law and now it would come to Canada for the first time (although its details had been worked out in the 1860s by Canada's legendary founding Prime Minister, Sir John A Macdonald, and other Canadian politicians). Any changes, however, would have to pass through the British parliament for one last time. In the 1979-81 period, not only were Quebec politicians lobbying in London against Trudeau's proposals, which they feared would inhibit their future exercise of power, but Indian and some Métis leaders were a frequent presence in London attracting publicity to their socio-economic and constitutional needs and demands at home. Inuit took out a half-page ad in *The Times* in December 1980, putting their case to the British Parliament, written to pressure but not infuriate Trudeau or his justice minister, Jean Chrétien. (Within 48 hours, a senior federal minister came to the Inuit to discuss possible constitutional agreements.)

When Trudeau returned to power in early 1980, Provinces which had opposed him in early 1979 were now facing a new situation. He withdrew his conciliatory 1979 offers to them. But first, there was a Quebec referendum on independence or "sovereignty-association" in June 1980[12]. Trudeau made several speeches in the period before this first referendum, and even referred positively to the "Inuit nation", despite the fact that Inuit themselves do not use this term. In late April, he made a major pre-referendum speech to Canada's indigenous leaders. In particular he wanted Quebec's indigenous peoples to vote in large numbers, despite the fact that they would normally be busy on the land with their spring goose hunt. Inuit and many Indians in Quebec are strongly pro-federal and oppose Quebec independence, so their votes could be important. In this speech Trudeau changed the constitutional outlook for indigenous peoples by explicitly accepting their preferred agenda topics rather than the usual White Man's categories. Ottawa would support constitutional discussion between governments and indigenous peoples on indigenous self-government within Canada, "aboriginal rights" (the first time that term had been used at a high level by the Canadian government), treaty rights, indigenous political representation (e.g., in Parliament), and the actual needs and delivery of government programs by all levels of government to indigenous peoples. Trudeau and Clark had earlier agreed to provide constitutional funding to enable indigenous peoples to hold consultations, hire experts, and prepare their case.

In mid-1980, Trudeau pressed the provinces to work on the patriation package, a long hot constitutional summer, leaving aside

indigenous peoples who were supposedly not affected. However, indigenous peoples feared that any changes which strengthened the Provinces or changed the rules for constitutional amendment would pre-empt their hopes for rights recognition. They returned to London to lobby and publicise their case. A special parliamentary constitutional committee was set up to consider elements of the patriation package. The Tories insisted that its proceedings be televised. To the amazement of many, Canadians took a strong interest in this unlikely "TV show" and especially in the discussion of rights. Because they watched American TV police dramas, Canadians blandly assumed that they had enumerated rights like Americans. They did not. As this was revealed, a strong public sentiment for constitutional rights grew – despite some traditionalist premiers and élites arguing that elected legislatures, not appointed judges interpreting constitutional law, should determine rights as the need arose. The reply was that entrenched rights are needed precisely to protect people who may be unfashionable and unable to win legislative support. Indigenous groups performed impressively, although some hard-line leaders lost their cause some support. The best of all, the group who made Canada sit up and take notice, were the Japanese-Canadians. In World War II, they had been persecuted and then forced into prison camps in the Rocky Mountains, their property and business assets confiscated. Canadians were shocked that such things "could happen in our country!"

This was a turning point in Canadian constitutional politics. No longer was the Constitution a matter for a few older males in dark suits to discuss and decide behind closed doors, but now it was a truly popular ("of the people") issue. The public and various lobby groups demanded and won many changes. For indigenous peoples the big day was Friday, January 30, 1981. Justice minister Chrétien arrived at the parliamentary committee hearings from hospital looking like a corpse. Before long, he seemed fresh and happy because the Inuit promised him their support and likely Métis and Indian support for the patriation package in return for some clauses they wanted. At the time, the package was in deep political trouble across Canada, so the support of aggrieved indigenous peoples would be very significant. The Inuit delegation, led by Mark R. Gordon, sought the recognition of "aboriginal rights" (a Canadian term including native title rights), explicit recognition of the contents of the Royal Proclamation of 1763[13], the specific recognition of Inuit and Métis no less than Indians, and a constitutional commitment to hold face to face indigenous constitutional conferences with heads of government. Chrétien wanted to leave out the last clause, it being so novel as to seem bizarre, but Inuit insisted. At day's end, the

national TV news showed Chrétien sitting with the three national indigenous leaders whom he graciously called "my advisers", announcing the most positive changes in Canadian indigenous policy since the War of 1812.

In the following days and months, some indigenous leaders complained that the January 30 amendments were too little, while others said that any amendments were bad and might diminish indigenous rights by their *de facto* recognition of Canadian governments and sovereignty. They campaigned *against* the amendments. This gave provincial and federal governments the excuse that some wanted: in November 1981 they met to finalise the "patriation package" and threw out the indigenous amendments (Jull 1982). Even some of the most vocal opponents of the January amendments were now shouting on TV about betrayal. The following three weeks were extraordinary (Jull 1982). Many indigenous leaders gathered in Ottawa and others in provincial capitals. They held press conferences, had demonstrations in the streets, lobbied anyone and everyone they could find in governments, held strategy meetings, and travelled from coast to coast whipping up support. Except for the one day following the federal Budget, they kept the issue of their betrayal as a main item on front pages of the press and TV news. Indigenous leaders had little money and no high-powered professional support but they had a just cause and Canadians responded to their claim that the White Man had betrayed them yet again. The new Premier Howard Pawley, elected in Manitoba, announced that his government supported the indigenous clauses. Then the other governments fell into line, and with the addition of the word "existing" to qualify "aboriginal rights" (and to save face for the hard-line Alberta premier), the indigenous clauses were restored. When the Supreme Court of Canada at last interpreted this Section 35 of the new Constitution in *Sparrow* 1990 the word "existing" was really no obstacle at all.

The *Constitution Act 1982* includes Part I, Canadian Charter of Rights and Freedoms, and then Part II, Rights of the Aboriginal Peoples of Canada.

Part II says, *inter alia:*

> 35 (1) "The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed."

It then specifies in 35 (3) *inter alia* that "'treaty rights' includes rights that now exist by way of land claims agreements or may be so acquired", an important protection for indigenous claims agreements yet to be negotiated.

Then Part IV, Constitutional Conferences, consists of Section 37 specifying indigenous-government constitutional conferences.

In June 1982, indigenous teams met Prime Minister Trudeau to discuss the process for holding the indigenous-government conferences now required by the Constitution. This process would turn into a multi-year series of conferences with televised First Ministers' Conferences (FMCs) held in March or April in 1983, 1984, 1985, and 1987 (Kajlich 2000). FMCs and executive federalism are a central aspect of Canada's political and policy culture. They have many uses in finding political consensus among players long familiar with each other and with the issues they discuss. They are élite rituals full of coded terms and little protocols. They were, therefore, highly improbable forums for indigenous persons to bring their anger, grievances, hopes, and demands in search of clear answers. Things are rarely clear in First Ministers' Conferences.

A First Ministers' Conference is a high peak in a mountain range. It is preceded and followed by ministers' meetings and high officials' meetings, and much work goes on for a long period in preparation for all of these. The first serious meeting of federal and provincial officials (i.e., public servants, not politicians) with indigenous delegations in late 1982 was a breakthrough. Indigenous issues had previously been seen as a low order rural welfare matter carried out by low order government bureaus, but now the best and brightest of federal, provincial, and territorial governments were assembled and ready to be involved. What these persons might lack in relevant background they would make up for in liberal outlooks and access to influence and expertise. The Indian leaders had decided to boycott the meeting and had only observers present, so the young Inuit leader Mark R. Gordon was the principal indigenous spokesperson. This was fortunate because he was articulate, incisive, amusing, and could present the most difficult issues and problems with ease across the cultural divide. The provinces were unconvinced about the whole indigenous constitutional initiative, and about the possibilities of reasonable dealings with indigenous leaders at all, but by the end of the first of the meeting's two days, Gordon had won them around on both counts.

Inuit sent a simple powerful message at the televised FMCs. At some point an Inuit speaker, or TV crew unaided, would point to the booths for simultaneous interpreting in the chamber – English, French, *and Inuktitut.* Across the northern third of Canada, the language of daily use was neither English nor French, something few Canadians really understood.

The conference years were astounding with their high drama and low farce. The process was kept alive through the years by "political

accords" which papered over stalemates and disagreement, providing opposed sides with more time to work through difficult issues and to keep talking to each other (Kajlich 2000). A fine video, *Dancing Around the Table,* shows the interplay of indigenous grass roots reality and high conference rhetoric (NFB 1987). The quality of governmental political leadership, vision, and expertise was significantly greater at the beginning than at the end. The disappointment of the indigenous delegations was powerfully and passionately expressed in the final session of the last conference by Saskatchewan Métis leader Jim Sinclair. While Prime Minister Mulroney and the Premiers could not sign up to indigenous self-government because it was too vague, they said, the same men had no trouble in signing up to truly vague constitutional recognition of Quebec's unique status some weeks later at Meech Lake. (When the deadline for the Meech agreement to become law was reached in 1990, a single Indian member of the Manitoba legislature vetoed the procedure and killed the whole package.) The indigenous mood was left by governments to fester for several years until indigenous activism led to deployment of the Canadian army and its tanks against a small Mohawk reserve, Oka, at the mouth of the Ottawa River in mid-1990. The remarkable demonstration of official righteousness at Oka – in which some Indians and some military personnel saved Quebec and Ottawa political leaderships, saved themselves, and saved the country from bloody disaster – did very little for Canada's image in the world, sharing TV news images with Saddam Hussein's tanks in Kuwait.

The "failure" of these 1980s conferences was an opportunity missed but not a dead end (Jull 1987, Kajlich 2000). They had highlighted the fact that indigenous peoples – unlike great cities, unions, or business – could sit down with Prime Minister and Premiers to renegotiate the Constitution itself and the wider constitution of arrangements small and large, which make up Canada. They had introduced non-indigenous Canadians to a plethora of "new" indigenous personalities, many of them charismatic and articulate, who made too familiar premiers and ministers look rather pedestrian. The passion of their cause was a change from the bland circumlocutions of political life.

Soon Prime Minister Mulroney (1984 – 1993) had to open the door to a more intense round of indigenous work in the negotiated constitutional packages embodied in the Charlottetown Accord, 1992. Although that Accord was defeated in a national referendum, polling showed that the indigenous elements were relatively popular. (He also had to appoint a Royal Commission on Aboriginal Peoples, most of whose Commissioners were indigenous, to appease indigenous anger.)

But little was lost despite the 1987 and 1992 "failures". This is the hard fact: the processes of negotiation were part of a longer stream, and the evolving consensus and evolving indigenous political culture have been positive. The period of breakdown from the March 1987 FMC to Oka in July 1990 was the only interval for decades in which Canadian indigenous policy and constitutional accommodation were not progressing. When they resumed in 1990, they progressed more quickly. Trying to avoid constitutional conferences that Quebec could turn into a separation scenario, Canadian Anglophone and some Francophone politicians, and indigenous leaders, have been content to help move constitutional consensus along more quietly. Charlottetown would have made indigenous government a third order of government along with existing federal and provincial governments, but this is occurring willy-nilly. Prime Minister Chrétien and the federal government have formally accepted an indigenous "inherent right to self-government" since August 1995. Canada now has three sections of the public with very different senses of national identity – Anglophone, Francophone, and indigenous – but sharing a common civic identity (Russell 1999-2000, Kymlicka 1998).

Building Nunavut

Following the 1982 referendum supporting Nunavut (see NWT above), the NWT Legislative Assembly created two bodies, a Western, i.e., Denendeh, Constitutional Forum (WCF) and a Nunavut Constitutional Forum (NCF). They were made up of elected Members of that Assembly (MLAs) reflecting its cultural diversity, and elected leaders of the major indigenous associations in Denendeh and Nunavut respectively. Again one sees the implicit view that an elected legislature *by itself,* and even with genuine indigenous leaders now among its members, did not sufficiently represent indigenous aspirations. (This view was made explicit in a talk to the two Forums together in February 1985 by federal DIAND minister Crombie, a former teacher of constitutional politics, see Jull 1985.)

From the start, the WCF apparently hoped to hold back the rampaging Nunavut while harnessing its momentum for their own more difficult process. They viewed NCF as having committed itself to move in tandem. The NCF, however, had no such view and simply wanted to create Nunavut as soon as possible, having seen the 1982 referendum as a needless delay. NCF insouciance and WCF suspicion proved corrosive. Things began well. In late 1982, the leading NWT members and indigenous leaders came to Ottawa and, as mixed teams, lobbied cabinet ministers and others for constitu-

tional progress, especially on issues of resource revenues and block funding. Ottawa was astounded. The northern whites and *natives* had been at each other's throats for years and here they were now, all friendly and mutually supportive. Nobody was in any doubt that this was a new era in the North.

Before the 1979 election, the NWT had been one huge federal electoral riding. Now it was split so that the Inuit area, including the Western Arctic, could elect its own member. Peter Ittinuar, an able and intelligent Inuk from Rankin Inlet, won the seat as an NDP candidate[14]. His high-powered staff backed his articulateness with good research so that his initiatives were effective. His office became an Inuit outpost in Ottawa. It would be hard to overstate this importance. During the January 1981 Constitutional "negotiations" with Chrétien and the Trudeau government, it played a crucial role despite a reluctant national NDP leader. More generally, a scattered people in the most remote areas of Canada suddenly had Ottawa access and could have problems and aspirations taken up with politicians and officials[15]. Canadians accept that particular circumstances such as a distinct culture or region, or huge distances, should allow the usual representation measure by population numbers to be varied to provide effective electoral representation. On the other hand, when Brian Mulroney had half the Inuit of Quebec's Arctic coast in his huge southern St. Lawrence River-based riding in the mid-1980s, he did not even bother to visit their region during the 1984 election campaign that made him Prime Minister. But in late 1982, Peter Ittinuar used his seat in an unusual way: he defected to Trudeau's Liberals in return for federal support for Nunavut, announced at the same time as his switch[16]. Thereafter, Ittinuar was able to play a valuable role within the governing party on Inuit constitutional matters, not least when sitting beside Trudeau during the 1980s First Ministers' Conferences discussed above. (At other times, Trudeau appointed both an NWT and a Quebec Inuk to Canada's Senate, an unelected job for life. Both Senators Willie Adams and Charlie Watt provided valuable access to the national political process for all indigenous peoples.)

The NCF chose a white lawyer fluent in the Inuit language as chair. Chairperson Dennis Patterson, elected in Nunavut's main town, Iqaluit, was also NWT Minister of Aboriginal Rights and Constitutional Development, and Minister of Education and, later, "premier" (Government Leader). This was politically deft, disarming anxieties among Canadian public, media, and officials about Inuit racial "separatism". Inuit reasoned that a lawyer would be skilled in the legal and constitutional work ahead. Inuit leader John Amagoalik, recognised as the longtime guiding spirit of the Nunavut movement, was the other key NCF figure.

NCF's first year's work was frenetic. Forum meetings were open to the media. At a meeting in Tuktoyaktuk, it was agreed to welcome the Inuvialuit to NCF, a move, which upset WCF. The question of whether the Inuvialuit would be part of Nunavut or part of the Western NWT, and the precise location of the Nunavut boundary *vis-à-vis* Dene, would become the most vexing (and one of two serious) problems facing Nunavut. The Western NWT was determined to keep the Inuvialuit homeland of the Mackenzie Delta and Beaufort Sea coast, not least for their proven oil and gas reserves. Some Inuvialuit leaders were playing hardball politics, more eager to push the Western NWT into offering them more future autonomy than wishing to be a minority region in Nunavut's far west.

The main work of NCF was to develop a constitutional plan or framework that would *both* win federal government approval *and* express Inuit needs and aspirations. Canada, its government, and public had been obsessed with "Quebec separatism" for 20 years. Almost anything that was seen as ethnically or culturally defined, or that was centred on non-WASP[17] Canadians, attracted irrational fears and rhetoric. For instance, when Canadian Inuit became active in the Inuit Circumpolar Conference[18] from early 1980, MPs and others were fretful that this Inuit internationalism was really a move towards a separate Arctic nation-state, despite the fact that non-indigenous Canadians themselves were enthusiastic members of the British Commonwealth of Nations and the Francophonie. Apart from occasional wishing out loud by idealistic youth or visionary elders, Inuit in Canada never contemplated boundary changes. (Also, Arctic Quebec Inuit, like Quebec's nine First Nations, would prefer to remain in Canada than stay within an independent new Quebec.) But so inflamed was Canadian sentiment, and so opposed to Nunavut were some federal officials, that some demonising of Dene or Inuit as "separatists" was inevitable. So Inuit knew that they had to make their position very clear, i.e., that they were trying to *join* Canada as full participants.

Inuit wanted to regain maximum control of their lands *and seas,* wrest political and administrative control of their communities and daily lives from outsiders, fill as many jobs as possible with Inuit (and prepare Inuit for those jobs), and have a government strong and clever enough to deal effectively with powerful outside interests such as the oil industry and the federal government. They were quite willing to be flexible on details, but these goals were fundamental. The White Man's governance had been so intrusive and disruptive since the 1950s that Inuit were unenthusiastic about *any* government, and were (and would remain) anxious that any new authority in their daily lives must be different and much more Inuit-friendly,

with many more Inuit decision-makers and staff. Until the Nunavut government achieves that – and education and training will not catch up for some years – they will not stop worrying. (That being said, Nunavut has now attracted many young and not so young non-Inuit who are committed to Inuit goals and to acquiring Inuit language and culture.)

There were other difficult issues. Nunavut has a very small population, only c. 27,000 people. In theory it would take only a few major development projects to overwhelm the Inuit in their homeland. Of course, not everyone chooses Arctic living and even resource projects now fly staff in and out from Southern Canada for multi-week shifts. To deal with such threats, Inuit had earlier proposed 10-year residency for voting in Nunavut. This caused uproar and was quickly abandoned, although a period of 2 years residency seemed acceptable to governments and others. Also, the idea of isolating development workers from Inuit communities was proposed in the key document, *Building Nunavut* (NCF 1983), but immediately drew fire from Canada's national newspaper. NCF had drawn on active precedents in other small Northern jurisdictions including Norway, Iceland, the Faeroe Islands, Shetland – all of them European peoples. Inuit did not want their society and culture swamped by outsiders, with all the woes which come with transient male workforces as had occurred in Nunavut and elsewhere with military bases, resource extraction crews, etc. (Inuit in Greenland and North Slope Alaska also worried about such problems, the former legislating strongly to control the entry of outside labour.) Nunavut thus found itself confronting the liberal political ideology of a modern "first world" country.

The Canadian government also faced the issue. It insisted that the Inuit land/sea claims be negotiated separately from the creation of Nunavut as a self-governing territory. The stated reason was that a government must be open to all, whereas *claims* were exclusive to Inuit (and the descendants of Inuit). Inuit leaders suspected that there were other reasons, especially a lack of federal government commitment to a Nunavut government *and* a means for government to play off one process against the other. Certainly, the principles stated were often ignored and Inuit had to fight every inch of the way until both claims and Nunavut government legislation were finally passed and became law in June 1993. However, Inuit were interested in outcomes more than philosophy so they did not allow government to distract them. Because the negotiations went on from 1976 to 1993, with much implementation planning to follow until 1999 when Nunavut became the government of one-fifth of Canada's total land area, Inuit constantly had to educate and persuade new ministers, new parliamentary committees and new prime ministers

of the value and practicality of their Nunavut vision. In every case, the problem was to win over persons from a simplistic version of liberal democratic ideology to an understanding that the Inuit homeland was distinct and different.

For instance, Inuit wanted collective ownership of land. Indeed, there was almost no private land in all Nunavut. It was Crown (i.e., public) land. The lack of property rights or use rights for indigenous peoples – that is, the refusal of the White Man's legal and political system to recognise peoples who plainly owned, occupied, and derived their food and livelihoods from the lands and waters of what is now Canada – was the underlying problem in indigenous-white relations. In a sense, the whole indigenous claims process has been an attempt to recover a little of what European settlers and their governments took away.

In the case of Nunavut, this involved the sea as much as the land. Government experts, and especially the federal fisheries department, were outraged at Inuit demands for ownership, use, management, and restrictions of the sea. However, Inuit were a maritime people. They not only lived from the sea – especially from seals, walrus, whales, and polar bears – but they used its frozen surface for most of the year for travel, as a platform for hunting at the ice edge or by seal breathing holes, and for situating their hunting camps. Here, European law, and especially international sea law, clashed with Inuit needs and practice. There was some wonderful hypocrisy. The Canadian government took Inuit sea claims documents to international conferences to demand recognition of *Canadian* ownership and control of marine areas in the Arctic *but*, the same documents were rejected at home by the same government when presented as *Inuit* claims. Eventually this story had a happy ending. The Canadian government agreed from 1986 to accept Inuit sea claims in principle, overruling its own fisheries department in order to move the Nunavut claim forward – and other claims looming in Labrador with Inuit and British Columbia (BC) with Indian nations. Ottawa and the Inuit would each appoint half the members of the co-management panels. Inuit already strongly advocated maximum Canadian control of the oceans because they wanted as few ships as possible, such as annual supply vessels, using these ice-filled waters with the constant threat of accident and oil spill. They also wanted strong enforceable safety standards. At the 1989 International Circumpolar Conference meeting in Sisimiut, Greenland, much of the corridor talk was about the *Exxon Valdez*, a disaster, which took place in non-Arctic waters in perfect weather and daylight conditions with no ice.

Indigenous peoples across the NWT had general hunting rights whereas others did not. Outsiders or white residents could apply for

some strictly limited local hunting rights if game was plentiful. So the Northern and other claims settlements did not establish anything new in that respect. Indeed, almost the only aspect of Indian treaties that had been upheld by courts in the post-1945 era was the right to hunt and fish of indigenous peoples. Some of the greatest Canadian indigenous cases, e.g., *Sparrow* 1990 and *Marshall* 1999, are about persistence of rights thought not to exist. However, Inuit led the successful push for a Constitutional amendment to state clearly that indigenous rights established in the past, present, or future in any treaty or land claims agreement took precedence over the rest of the Constitutional *Charter* enacted in the *Constitution Act 1982* (see above). In other words, non-Inuit could not go to court and unravel Inuit rights. Obviously such an amendment would not have been accepted by Canadians or their governments in the fundamentalist equal rights era post-1945, but by the 1980s it was unexceptional. That is, the explicit and implicit *negotiation* of indigenous rights and interests that went on daily in the press and in countless meetings was changing the political culture of Canada.

Nunavut would have, therefore, a dual constitution. Like all other parts of Canada, there would be a legislated framework for the governance of the region, the *Nunavut Act*. This would create a government for which all residents who were Canadian citizens could vote. (During the first Arctic elections in the NWT in the mid 1960s, sometimes the only French- or English-speaking person in a village, qualified to be an election officer, was, e.g., Belgian, and therefore could not legally do the job.) But alongside that Act was the *Nunavut Land Claims Agreement Act*, which contained many elements previously exclusive to governments, and other elements that restricted governments. The negotiated Inuit-federal government Agreement enacted in that Act created a number of new bodies in which Inuit appointed half the members through the successor to their claims organisation, Nunavut Tunngavik Inc (NTI). These bodies work with government to manage the lands and seas, resources and development, and to plan future use. Because this constitutional framework is legislated at federal level, it is not susceptible to change by any future Nunavut Legislative Assembly, even if such an Assembly one day has a majority of non-Inuit members. Also, the Agreement is further reinforced and protected by the *Constitution Act 1982*, its provisions having the status of constitutional law (Section 35) and immune to non-Inuit "equal rights" lawsuits (Section 25).

This is a new type of constitution in Canada. Such structures also apply to Northern Quebec where Inuit and Cree signed their 1975 claims settlement, the Western NWT (where different claims apply

or will apply to one or other region when negotiated), to parts of Labrador under Inuit and Innu, the Yukon, etc. However, in Nunavut the claims area and territory are coterminous, and the whole constitutional package was negotiated simultaneously. Despite the fantasies of Ottawa separating the two processes, they were always one to Inuit.

Inuit were not merely individual citizens who exercised a right to vote in territorial or federal elections. They had further rights as the indigenous people of the Nunavut region and exercised these through NTI. NTI owned on their behalf selected areas of Nunavut, gave them special benefits from certain other areas they had selected, and gave them special rights as trustees of the lands and waters of their entire ancient homeland. NTI membership was not only for Inuit living today, but all future Inuit born would become members automatically. In other words, a liberal ideology prevailed through the *Nunavut Act* and collective rights through the *Nunavut Land Claims Agreement Act*.

Ottawa, for its part, had faced a difficult situation. While determined not to recognise or create ethnically-defined governments (despite the continued existence and growing roles of Indian first nations governments), it had to acknowledge that indigenous peoples were different. The highest Canadian court had recognised this in *Calder* 1973 and other decisions. So Ottawa used a sort of sleight of hand or self-deception to reach a solution. Inuit would have their indigenous rights recognised through one Act while the fiction of Canada's non-ethnic and territorially-defined political arrangements were upheld through another Act. Nevertheless, today Ottawa is negotiating self-government at 80 different "tables" with indigenous peoples, including Inuvialuit.

Such juggling of realities is not unique to Canada. The Greenland *Home Rule Act* of the Danish Folketing insists that the Danish realm is one and indivisible but also acknowledges some special rights for Greenlanders in respect of their huge island territory. The Sami are able to see that their Sami Parliaments in Norway, Sweden, and Finland are Sami-defined political bodies but other Scandinavian citizens can see these as simply special corporate entities, which work with the national government in relation to certain matters like many other national organisations. (And the Norwegian reindeer herders association, NRL, is also a Sami-only body, one with extensive rights for a regionally important industry, but there are also many other "industry bodies", e.g., the national fishers' organisation.) Or to take another Canadian example, one may argue that Quebec is *only* a geographic region in which the population majority happen to be French-descended, so that language and culture reflect

that Francophone inheritance, while many *québecois* insist that their province is one of the *deux nations* ("two nations") that make up Canada. Such latter persons regard Canada's constitutional life as an ongoing process of negotiation between two nations, joined recently by indigenous nations as a third. Indeed, many Quebec nationalists view the addition of indigenous nations to the Canadian constitutional mix as a ploy by Anglophones to undermine Quebec's territorial integrity and fundamental nationhood as one of two Canadas!

Canadian constitutional policy-makers, including the notoriously anti-ethnocentric Trudeau, were quite ready to accept an Inuit self-governing homeland, Nunavut, *in fact*, while continuing to deny ethnic polities *in theory*. One might almost say – and many Canadian thinkers would – that such pragmatism and measured muddle has been the essence of Canadian constitutional culture from the days when the British Parliament included Edmund Burke and others debating political arrangements for Quebec and the future Canada. In their practical way, Inuit understood this aspect of Canadian culture and, having watched the unjustified uproar over a "Dene nation", were careful not to make the same political mistake. Similarly, they avoided making an explicit sovereign claim to their homeland or its resources. They were astute constitutional practitioners – they secured *de facto* sovereignty of the total area of their homeland while more demanding and doctrinaire indigenous groups in Canada have failed to achieve any claims or political settlement at all. (For the Nunavut story see Dahl *et al.* 2000, especially Hicks / White 2000 and Jull 2000a.)

Another essential matter illustrated by Nunavut and other Canadian experience is that *process* is an essential part of indigenous and Canadian political life. Canada's process-oriented political culture has been noted by many experts at home and abroad (e.g., Wiltshire 1992). This has enabled Canadians to put difficult issues such as Nunavut itself, and recognition of indigenous rights generally, into a process and expect a resulting agreement, compromise, or consensus in the fullness of time. What is more, this approach works. It is also the accustomed method of deliberation among most indigenous cultures with their high regard for individual autonomy within the group and their reluctance to impose outcomes.

Nunavut in itself, and Nunavut as part of the wider debates on the future of the North, and as part of Canada's whole post-1960 experience of indigenous recognition and policy reform, have proceeded as a sort of multi-lateral negotiation. Although some of it has occurred around or across a table, much of it has occurred through news media and various public processes. This has not been "managed", and to the extent that governments tried to manage it, they

failed. Of course, government decision-makers made all sorts of firm and final decisions, and announced positions, but these had a habit of being quickly undone by events. Rather, all sides, including the general public, were learning as they went along. Few, if any, knew where they would end, and although certain goals have been achieved, the journey and form of the result have been surprises. The indigenous leadership and organisations (but certainly not the whole indigenous public), governments, most politicians (until Reform appeared), and the informed public and national élites learned a great deal and moved a very long way in their assumptions and notions of good relations with indigenous peoples. Most people (except the indigenous disadvantaged) changed their views of Canadian society, culture, history, and the national community. The country, once a byword with foreigners for claustrophobic earnestness, began to feel larger and enhanced. One may lament the profusion of books of uneven quality, sometimes seeming as if anyone who had known an Indian or Inuk could publish a memoir, but the fact that there was so much demand for literature, films, and other insights shows the depth of commitment of Canadians to recognition and reform.

Indigenous Internationalism

Specific international influences have been important in Canada's recent indigenous policy and political evolution. For instance, American comments about Canadian failings towards Inuit in early Cold War years were annoying – and painful. The American Arctic presence and criticism hurried Canada's establishment of its Northern Affairs department in 1953.

Decolonisation of the former British Empire, where dark-skinned peoples fighting for freedom from the White Man's overlordship and then winning it, were constant images in TV news. The Union Jack was lowered and new flags raised to replace it all over the world. If poor fussy old England was doing "the right thing", how much more should an idealistic New World country like Canada do?

The later violence and dysfunction of black-white relations in America upset Canadian TV watchers who knew or felt so close to those cities. Could such things *really* not happen in Canada? Continuing failure of governments to address indigenous urban needs – or sheer bloody-mindedness by governments refusing moral and financial responsibility – may be Canada's greatest social failure. (The indigenous horrors of the Mid-North, i.e., Provincial northlands, are the other such failure, a region which often escapes media notice,

except in extreme cases like the current problem of self-destructive children in Labrador indigenous villages.)

Even in the early 1970s, it was typical of Canadian governments to assume that their political culture and way of life were universal, i.e., objective absolutes that would benefit "unfortunate" and "backward" people like Inuit and Indians once they stopped resisting and adopted them. The word "acculturation" appeared often in Ottawa memos – a desirable process, which would heal indigenous peoples when they became "more like us". Very specific influences and inspirations for Canada were the Alaska Native claims settlement negotiated by indigenous leaders with Congress in Washington becoming law in 1971, followed by Inuit Greenland's home rule movement resulting in political autonomy from May 1979. However, a more active inter-action began. In November 1973, the Arctic Peoples Conference in Copenhagen brought Inuit, Indian, and Métis notables from Northern Canada, and Sami from the three Scandinavian countries, together with Greenland Inuit assisted by the International Work Group for Indigenous Affairs (IWGIA), see Kleivan 1992. This is usually considered the beginning of indigenous internationalism.

Indigenous internationalism is the cooperation of indigenous peoples with each other across or beyond national borders to share ideas, information, and inspiration; to concert moral and political influence on national governments and international bodies; and to establish better international standards for themselves and other indigenous peoples in matters of shared or universal interest. To date, the main subjects of international attention on the part of Canada's indigenous peoples have been raising the level of indigenous rights observance by nation-state governments; establishing universal indigenous rights instruments (i.e., ILO Convention 169, and the United Nations Draft Declaration on the Rights of Indigenous Peoples); strengthening environmental safeguards for indigenous livelihoods and resources; opposing environmental campaigns directed at themselves, e.g., animal rights, anti-whaling, etc.; sharing experience for strengthening language and culture, and for dealing with social crises (e.g., alcohol abuse); and responding to specific disasters, e.g., Chernobyl radiation fallout in Scandinavian Sápmi or genocide in Guatemala.

At that Copenhagen conference in 1973, the power of contact was evident. Peoples, remote and marginalized, were represented by young (and one or two older) persons regarded as trouble-makers or quixotics at home. They now met in the awe-inspiring Christiansborg Palace in Copenhagen, for centuries the centre of Danish government, with welcoming Danish hospitality[19]. There was shock

at discovering that other people in far places endured the same tragic and sometimes comic stupidities of the White Man's governance, and understood perfectly the local and regional issues of social and cultural discrimination, political powerlessness, and environment and resource mismanagement by others, and laws wishing away centuries of indigenous rights and use. Here, amid strange languages and manners, a recognition of shared needs and common causes took place, an outcome far more important and less explicit than any possible resolutions. Not only did participants realize that, however marginal and misunderstood they were at home, they were part of a larger world with others far away who understood their plight. They could also share their victories and mistakes to help each other, and even reach public and official audiences who were more understanding and supportive (Jull 1998a).

Two further major developments flowed from the example of 1973. Chief George Manuel of the Shuswap nation in British Columbia travelled the world and brought together many peoples on a Nuu-chah-nulth (Captain Cook's "Nootka") reserve near Port Alberni, BC, in late 1975 to found the World Council of Indigenous Peoples, or WCIP (Manuel / Posluns 1974, Sanders 1977). Greenland Inuit, Sami, Maori, Australian Aborigines, North American Indians, many Indian peoples from Latin America, and others joined together for a week of the most intense discussion, debates, and all-hours talking, leavened with shared meals and cultural performances. The level of pain and rage, and difficulties of translation – Norwegian, Spanish, and English were the conference languages – made for enormous strain and only the charismatic presence of the Iroquois spiritual leader, Chief Oren Lyons, brought peace and calm when explosions threatened. Canadian first nations were rightly proud that their renowned leader, Chief Manuel, head of the National Indian Brotherhood (later renamed Assembly of First Nations), had achieved so much. He turned the eyes of indigenous Canada outward, and international contact and studies blossomed. A few years later during Canada's indigenous constitutional work, Indian nations found it natural to turn to extensive American Indian legal experience with rights, self-government, tribal sovereignty, and constitutional standing (despite different American and Canadian constitutional systems).

In 1977, Alaskan Inuit invited Canadian and Greenland Inuit to Alaska's northernmost point, Barrow, for the first Inuit Circumpolar Conference, or ICC. For a remote and scattered people who had never in history or prehistory been united it was an astounding event (Lauritzen 1983). Among other things, Inuit adopted the same name, Inuit Circumpolar *Conference,* for the successor organisation,

calling their 3-yearly meetings "general assemblies". In summer 1980, at ICC's second assembly in Nuuk, Greenland's proud home rule capital, Inuit adopted a charter and working principles. While the WCIP had the desperate plight of many Latin American Indian peoples as its central concern, Canadian Inuit demanded that ICC focus closer to home. Mary Simon of Kuujjuaq (who later became ICC president) explained that Inuit had no experience wrestling with military dictators in hot countries and that such work would require the total effort of any organisation. Inuit should focus ICC on practical matters with liberal democratic governments in Ottawa, Copenhagen, and Washington to secure better policies. In 1977, the Alaskan Inuit mayor Eben Hopson, Jr., had prophetically told the ICC opening that achieving maximum self-government in their home regions and the strongest possible marine and coastal environmental protection were the two great needs of Inuit. Since then, political reform at home to achieve greater self-government, and cooperation among themselves and with other peoples and international bodies on environment and sustainable development issues, have been unceasing in all Inuit regions. An ICC compilation of standards or "Arctic policy" was produced over many years through workshops, debate, and expert input, resulting in a document probably unique in the world and perhaps more widely used today outside the Inuit Arctic, where its goals have been largely achieved (ICC 1992). With growing experience Inuit international work has flourished and has even included aid feasibility projects in Melanesia and the Caribbean, while Inuit have been active in many international forums. Mary Simon's presidency of ICC achieved such impact in world environment work that she and ICC received significant national, foreign, and UN honours. More recently, Canadian Inuit-led emergency aid and self-help programs to Russia's Inuit and other Northern peoples has captured public support at home and abroad.

The internationalising of Canadian indigenous awareness had profound impacts on indigenous political relations at home. Governments had viewed indigenous regions and peoples as awkward little problems of local backwardness, a case of some "primitive" people being "slow" to adopt superior white Canadian cultural ways. Those ways had not been in doubt. Now, however, indigenous peoples were learning that their problems were typical of many other peoples in other hinterlands far away. They no longer felt merely like small powerless minorities facing strong government pressure to conform, but drew strength for their resistance from new friends. They could learn tactics, strategies, and useful models or precedents from each other's struggles, as well as support each other. For their part, officials and advisers within governments began to see that

imposing ethnocentric formulas on indigenous peoples was not only morally wrong and politically counter-productive, but created resentment, resistance, and internationally predictable problems (Jull 1991a). Some also now saw less special wisdom and more simple bullying in past policy. Comparative study up-ends policy assumptions and national pomposity.

The Circumpolar impact is unquantifiable. The empty north is no longer a forgotten "backyard" but Canada's window onto a new region of the planet. "Illiterate" and informal hunter-gatherers are *de facto* ambassadors[20] and practitioners, moving easily and speaking fluently where national governments fear to tread. Arctic political, social, economic, and environmental imperatives are those which indigenous peoples have been long proclaiming, and now ones which national governments – including the most powerful on earth – accept and help enforce. The North is not a mere frozen expanse under which Soviet and American nuclear submarines chase each other, but home to living people with rich old cultures predating European nations and nationalities. It is also a new field of action for Canada as a whole, thanks to Inuit initiative and, unlike other multilateral opportunities, one in which Canada is a significant and increasingly enthusiastic player. Inuit continue to lead Canada on many Arctic and global issues and, in good years, the federal government gives them funding to help. Today, international precedents and contacts are a normal part of indigenous and governmental work, although indigenous peoples must continue to press for real action no less than ceremonial inter-governmental events (Jull 1999).

Drawing Conclusions

Some Ruminations

Indigenous peoples in Canada have been working with the White Man's formal mainstream political system as a collection of individuals for 40 years, i.e., since they were allowed to vote and since other constraints were removed. By and large this has achieved little, although a useful adjunct to other processes in Northern Canada and occasionally in Southern Canada (Cameron / White 1995).

However, indigenous peoples have worked with the White Man in war and peace – both against him and alongside him – for 400, 500, or 1000 years as collectivities, depending on whether one starts counting from Champlain's lasting French settlements, the Cabot and Cartier era, or from Leif Eriksen. Only as collectivities have they

won their positive achievements of recognition, rights, respect, etc. Even remote, scattered, and small groups of Inuit and other northern peoples beyond the reach of roads or mainstream media have shown that they can stand up to the collected expertise and political culture of the White Man to initiate and win crucial battles, e.g., in environmental conflicts and the creation of Nunavut (Jull / Craig 1997, Jull 2000a). The key to their success is sheer persistence. (For a full check-list of successful Canadian Inuit practice recollected in hindsight see Kusugak 2000, Fenge 1994, Makivik 1995 & 2000, Jull 1991b.). Whether as *skraelings* to be fought or traded with by the Norse, or negotiating partners around the constitutional conference table with Prime Minister Trudeau and the premiers a thousand years later, the weight and persistence of indigenous numbers, and the determined indigenous defence of traditional territory, have been their political assets. However, this has been a natural cultural response more than a considered or contrived strategy (e.g., Cassidy / Bish 1989).

Canada's Royal Commission on Aboriginal Peoples (RCAP) has provided a mass of useful background studies and a powerful volume of recommendations on ethno-regional treaty-making (1996, 1997). In many ways, it is a fulfilment of the arguments and case studies in this report, but has not been dealt with in detail here because it remains largely undigested by governments and indigenous peoples themselves, not to mention the wider public in Canada. It is undoubtedly the most important discussion and blueprint available in the world today on indigenous rights and governance issues. One of its contributors, Tully (1995), has advanced a political philosophy based on Canada's indigenous experience to date, attracting world interest.

Like the indigenous nations who met the first Europeans, whether by the sea or inland, again today the Canadian Constitution and the entire constitutional structure and practice of Canada recognise and embrace indigenous peoples or nations (e.g., Abele 1999, Prince / Abele 2000, Abele / Prince 2001). This is a moral and political fact. It seems secure.

On November 27, 2000, all Canadians were able to vote in a national election on the Canadian Alliance party's political program of rejecting indigenous peoplehood, rights, and exceptionalism, seeking to replace them with a fragmenting and assimilating uniformity. The Alliance program was soundly defeated nationally. Only in the far West – where a deeper agenda of alienation from Canada's federal power-brokers carried the day, with indigenous issues only one of numerous voter grievances – was the Alliance vote strong. Indeed, the whole Alliance strategy to win what votes it achieved

was to under-communicate or deny its populist Right radicalism. The election was amazing because it was won by a prime minister serving in cabinets for the past 35 years, a man apparently tired and prone to some recent *faux pas*. Much of the Alliance vote was a generalised protest vote, e.g., in Ontario's Ottawa Valley[21]. Nevertheless, Canadians understood the nature of the populist challenge and largely rejected it. Prime Minister Chrétien articulated the issue clearly, firmly, and forthrightly[22]. Canadians had a clear choice and decided on moral and philosophical grounds to reject new-minted liberal Right populism – just as they had overcome it in the 1860s to create the Canadian federation, and had overcome it at other moments in even earlier Canadian history.

Populism works against minorities (including indigenous peoples) by claiming a right to tyranny for the majority, while defining majority nostalgia as virtually an official culture. Or at least it enshrines a part of the majority culture – but rarely the most tolerant or educated or civilised part! People who burn books are rarely readers. Unlike the usual *laissez-faire* smugness of the majority about the rights of minorities, populism replaces that with zealous insistence on aspects of majority culture. Far from being the celebration of confident nationhood that populism pretends to be, it is rather a protest of those who fear they are losing ground under contemporary circumstances, e.g., globalisation, and are looking for scapegoats. It would be hard to find a more obvious situation requiring minority protection through rights recognition. Canada, Australia, USA, and Siberia are especially at risk because they are "new" countries in which white settlers pushing a myth of equal opportunity are also keen to push "the natives" from their lands and waters, populism in such places assuming the folkloric and fantastic innocence of the myths of "pioneer days" even when those were genocidal. A new study on Anglo-Saxon populism and its sources, wiles, and nuttiness is based on the recent Australian phenomenon in which indigenous issues are central, a study no less relevant to Canada, alas (Leach *et al.* 2000). The havoc in Australia is so great because the national Prime Minister has encouraged anti-Aboriginal sentiment and uninformed populism (Jull 2000c). While nothing like this has yet occurred in Canada, a victorious Alliance leader with a 5-year term could wreak great damage not only in domestic civility but in foreign relations, as has occurred in Australia.

Of course, the Alliance in coming years will find new ways to seduce voters with new policies, while trying to hide religious and political radicalism from commentators and mainstream opponents. And of course Canada has seen other populist movements of both Left and Right blow out of the West and into national power equa-

tions. But recent scare tactics, negative publicity for indigenous politics, economic uncertainties, and a government long in office and sometimes seeming rather tired were unable to prevail against accepted constitutional tradition. Canada's tradition embraces *both* individual rights and individual opportunity, which are the great legacies of liberal and social democratic government, *and* collective identities of culture and region (Saul 1997).

Indigenous involvement in political parties has a mixed history. The Conservatives long held many indigenous voters support, not least for bringing them the vote. The Liberals since Trudeau's middle period have been more successful at holding many indigenous voters. The New Democratic Party (NDP) *should,* by conventional thinking, be the logical home for indigenous votes and there have always been strong supporters of indigenous issues among NDP MPs. In the indigenous constitutional crisis of 1981 it was bizarre that Tory and NDP leaders Clark and Broadbent backed away from real public support while Trudeau, who was part of the problem, i.e., by giving in to the united premiers, was their best friend among Ottawa party leaders.

The hold of parties is debatable. The Liberals won over most Inuit leaders in the early 1980s. When this author asked one Inuit leader who held a formal Liberal party position in the Nunavut riding what he would do when Mulroney won the next election, as was almost certain, he replied as if the question were foolish, saying, "Well, we'll all become Conservatives!" They did not, but Mulroney made no apparent attempt to win back the indigenous vote – perhaps because he thought it Liberal, or perhaps its Western base was beyond his Quebec-based knowledge.

The NWT boast that their non-party legislature is "consensus government". Nunavut has inherited this system. The idea is that the consensual decision-making of indigenous peoples is better served without adversarial party confrontation in the legislature. In the NWT, party development was delayed until Nunavut withdrew because the Nunavut members, both Inuit and non-Inuit, were a *de facto* party and the strongest in the chamber. However, the attempt to formalise parties since has failed. Instead, the NWT sees a variety of members chosen as ministers by vote. They then sit as a cabinet, united by nothing but a desire to get the biggest possible share of money available for their home community or district, money almost entirely raised by Ottawa and shovelled out to them in quantity. Few democratic politicians are so lucky. While the NWT government is excellent in its public services and programs, almost all designed for indigenous people, it has a harder time with wider policy issues. However, its long-time indigenous majority, and continuing division among the white towns, mean that its positions on indigenous issues

are always well in advance of other jurisdictions, alongside the new Nunavut. Unfortunately Yellowknife is taking a petulant and anti-Nunavut attitude to the splitting of NWT agencies and budgets necessitated by the creation of Nunavut, so relations may be frosty for some time and concerted national impact blunted.

The theoretical sources of indigenous identity and authority are of little *political* or *constitutional* interest. Indigenous nations are facts, like King George III said they were. Historians and philosophers could argue endlessly about the source of French or British or Canadian identity and governance. It would be irrelevant. For instance, was it the "genius" of those closely related butter-haired tribes who settled England from AD 450, and were called Franks across the Channel? of Celtic peoples among whom they lived? of Norman organisation? of Christian religion? of Tudor or Cromwellian nationhood? Does it matter? No. Whatever the cultural background of Algonquian or Iroquoian peoples in Eastern Canada, or Inuit in the Arctic, that is their own business. What matters is not to inspect each other's souls or intellects but to make practical arrangements among settlers and indigenous governing bodies for jurisdictional boundaries, territorial boundaries, public service funding, sharing or dividing powers, and mechanisms for resolving disputes. For the rest, people can think what they like.

Canada's indigenous peoples have used ethnically-defined bodies of various sorts to press their political demands on governments. Their objective is always the creation of local and regional bodies governing on a land base. They have not sought outcomes like the Sami Parliaments or Australia's national Aboriginal and Torres Strait Islander Commission (ATSIC)[23], and would not want those *unless* they were a supplement to their own governments. Even the Inuit-speaking dialects of a common language withdrew their leaders, staff, and advisers to their proper fields of action, power, and interest – the four regions of Labrador, Nunavik (Northern Quebec), Nunavut, and the Western Arctic – when they had achieved what they could through national organisation.

Self-government or simply government in defined regions has been the main goal of Canada's indigenous peoples. At the beginning of the First Ministers' Conferences (FMCs) in the early 1980s there was a phase when organisation lawyers rushed around drafting putative bills of indigenous rights, but after the first FMC in 1983 the focus of all indigenous groups became, and has remained, workable and properly funded governing institutions. A further movement has now developed, especially among indigenous women's groups, to demand that such institutions deliver better social outcomes and operate justly.

However, Canada's indigenous peoples and regions have things to share and various topics on which to combine usefully. Sadly, Indians may visit Greenland but not the regions of their Inuit neighbours at home. The moments of shared purpose and common understanding, such as the pan-indigenous Northern Canada delegation to the Arctic Peoples Conference, 1973, or the Saskatchewan Indian-sponsored World Assembly of First Nations, 1982, are rare. The Aboriginal Rights Coalition of November 1981 saw Northern peoples – Yukon Indians, Métis, Dene, and Inuit – working closely and happily with Pacific First Nations, national indigenous women's groups, national Métis and Non-Status Indians, and Atlantic regional peoples (Jull 1982). There were also times of close cooperation among national leaders during the First Ministers' Conferences of the 1980s. Cooperation among Northern and Pacific coast peoples – Inuit, Indian, and Métis – during the life of the federal Coolican task force on claims experience and policy, producing an excellent report, was not repeated (Coolican 1985). In mid-1993, the four Inuit regions gathered with their self-government specialists at Pangnirtung at a closed workshop to share experience and ideas. It was an exciting moment. But after promising opening statements, some withdrew into "confidentiality" and refused to talk further, while all were persuaded to abandon the purpose of the workshop to produce a brief complaint to Ottawa. (This was the brief interregnum of Ms Kim Campbell whose prime ministership ended in the electoral annihilation of her party)[24]. If long-time Inuit and Inuit movement friends and associates will not speak privately together, cooperation looks unhopeful. However, there is a clear need for Canada's indigenous regional entities to work together and share experience, and work with others abroad, overlooking differences of culture and ideology, because nobody else has comparable experience (Jull 1999). Meanwhile, the recent United Nations report on treaty areas is factually wrong and philosophically uncomprehending on actual progress in Canada and Greenland, ignoring valuable experience[25].

The tragedy of Canada has been that, despite solemnly and ceremoniously making treaties with indigenous nations, processes that appear to have been conducted in good faith in the 18th and early 19th centuries by the British, later Canadian authorities conducted them as ritual expedients (e.g., Allen 1992 and Fumoleau 1975 respectively). Some Canadian negotiators conducted *pro forma* rituals to silence Indian nations before filling their land with new settlers and projects. However, in a curious way, some of the old thinking was retained. In the late 20th century governments have been content to "throw money at" indigenous councils or other bodies and ask few further questions, a recognition of indigenous collective identity and

autonomy. Unfortunately, communities have often been ill-prepared for such opportunities, and some notable indigenous leaders have blocked government funds until they were sure that organisations or communities had the capacity and personnel to manage them. Such leaders' point was that the legacy of failure in indigenous lives was a poison and one which should be prevented where foreseeable (e.g., Boldt 1993, Alfred 1999). In recent years, Canadian court decisions have begun to get back to the real meaning of indigenous-white treaties, sometimes with long overdue argument and respect as in the written judgment in *Marshall* 1990.

Today, a situation of great uncertainty has arisen in Canada about the extent of indigenous autonomy and its implications. For instance, an Indian First Nation may not provide the same terms and conditions of employment for staff as similar jobs in nearby towns or cities. Such cases are already public issues in Canada. They raise questions for employees of the value and extent of autonomy and difference. Indian staff may seek reasonable pay and benefits while their councils may view priorities differently. Such disputes will become more common, with charges *within* Indian nations that leaders are looking after their own pay and power at the expense of humble employees. Such matters will re-fuel white arguments that indigenous autonomy is a form of *apartheid,* however mischievous or wrong-headed such a view may be. It is fortunate that Canada has already made some large progress on principles of contemporary indigenous-white relations, unlike Australia where not only do petty issues inflame national opinion against indigenous peoples but are actively used by national and some state and territory governments to manipulate public opinion against blacks for partisan electoral advantage[26].

Observations and Conclusions

Some general observations and conclusions may be made.

1. Indigenous peoples have achieved positive and unforeseen outcomes through determination, innocence, occasional bloody-mindedness, good fortune, and reference to stated Canadian and European ideals – and by gaining the support and capturing the imagination of important elements of non-indigenous opinion.

2. Indigenous peoples have been political collectivities *vis-à-vis* the White Man in Canada implicitly and explicitly for 400 years (or 1000, strictly speaking), and continue to be so today. Group

identity and cohesion have been the reasons for any benefits and influence they have gained.

3. The White Man carries his aspirations to create a conventional political structure into indigenous hinterlands and can appeal to national liberal traditions to overrule or ignore indigenous customs and imperatives, e.g., as in Canada's Red River and Northwest rebellions in 1869 and 1885, and in northern territories after 1945.

4. Devastating interference in indigenous lives and families by government, as well as the policy assault accompanying its Victorian religious and social values – and the Victorian Age lasted until c. 1970 in much of indigenous Canada – have made most indigenous people wary of governments and governance, even of their own.

5. The failure of British and Canadian authorities to honour treaties signed with indigenous peoples in the way they were understood at the time is the most tragic failure of indigenous-white political relations and has poisoned working relationships and trust from coast to coast to this day as a result. The most basic element in that failure was that the solemnity of respect offered by the indigenous side was not reciprocated later by the whites, whose greed for lands and removal of tribes became the all-consuming feature of the White Man's Canada.

6. Until the mid-1970s or later, governments were reluctant to accept indigenous agendas, or simply ignored them. However, only a romantic would believe that *all* political and policy failures since the late 1970s lie with non-indigenous governments. Indigenous peoples, too, have often been unable or unwilling to take up opportunities to negotiate real change – usually because of long-time powerlessness, disadvantage, lack of education, and lack of confidence.

7. Indigenous peoples in Canada over the past 35 years have not joined in the existing national political system so much as they have enlarged, modified, remedied, and renewed it in the process of seeking to deal with grievances, needs, and aspirations, and to accommodate new political and constitutional structures. Practical changes have been most evident in vast hinterlands where new structures have been negotiated with land (and sea) claims[27].

8. Indigenous politics have resulted in concrete modifications of governing systems, e.g., the impact of indigenous claims and environmental research on policy form and substance validating indigenous traditional ecological knowledge (TEK) and embodying it in new administrative structures sharing power with governments in resource management, land use planning, regulation of development, parks, etc.

9. Proper environmental standards in hinterlands were achieved by illiterate poor isolated hunter-gatherers rather than scientists, experts with glossy booklets, or powerful government ministries. Collective political will makes all the difference.

10. Indigenous peoples have had four sequential but overlapping political phases *vis-à-vis* government since 1945, namely passive resistance, strong advocacy of rights to deal with wrongs, negotiation with the White Man in fact or in law of new governing frameworks, and a reform movement often led by women demanding more outcomes, less rhetoric, and better practice in new governing frameworks (the last two of which should be cumulative and not opposed to each other).

11. Since 1945, Canadians in the North have faced the same initial challenges for white settlement as faced the first Europeans in the Americas, notably indigenous relations, environmental understanding, and creation of new political structures and societies. They have arrived at very different solutions than did those in the 19th or early 20th centuries, by seeking accommodation between natives and newcomers.

12. The indigenous peoples who have achieved most, politically, in post-1945 years have not adopted *either/or* approaches of high-level constitutional change or local community development but have worked at many levels simultaneously, e.g., the Nunavut and Nunavik (Arctic Quebec) Inuit *vis-à-vis* national Constitutional reform, territorial/provincial constitutional reform, court cases, litigation, native title claims, interventions in regulatory and inquiry processes, regional and local governance bodies, local study and research efforts (e.g., hunting and ecologically sustainable development needs and realities), and community projects.

13. Northern successes have occurred despite resistant national policies. Now that the new system is proven, more supportive policies should be put in place.

14. Canada's process-oriented mainstream political and constitutional culture, e.g., use of devices such as political accords, seems to be congenial to resolving deep divisions and bitter past histories in indigenous-white relations.

15. The process has been a *de facto* negotiation – and sometimes a formal one as in land claims, self-government, and constitutional work – through official, indigenous, and general public understanding evolving through public debate, media reportage and comment, specialist and expert reports, court decisions, normal processes of liberal democratic politic life, international cooperation, and foreign scrutiny. It has often been angry and bitter, and confrontational – but rarely violent – its character as "negotiation" only visible in hindsight.

16. The principal Canadian political "advantage" for indigenous peoples has been federal jurisdiction which, albeit often consigning them to oblivion, has provided what protection they have had from provincial land and resource development interests. This is an element of the national system working properly and well. Nunavut is another example of the value of federal principles, with Inuit language and cultural difference protected by federal and Constitutional enactments, while the region shares in revenues and opportunities of an affluent nation-state. However, the largest indigenous people, Métis and non-status Indians, have been largely left out of federal arrangements, while being often marginalized by provincial governments, too.

17. A principal breakthrough was federal funding of indigenous political associations regionally and nationally from c. 1969 on a multi-year block funding basis (to avoid real or apparent political interference from governments under attack from those associations). The practical and vocal outcome was that indigenous peoples regained the ear of government after 150 years. Denied access to legislatures and parties in practice, now those bodies met able indigenous people and began to recruit them for parties and elections.

18. Canada's indigenous peoples have had full access as individuals to elections, parties, and the national political system for 40 years at most. Indigenous locations, small numbers, culture, and distance from Canadian socio-economic norms make many of them marginal participants today. Elections and elected persons have gained some symbolic moments, a push along for Nunavut, one 1990 constitutional veto, and almost no power.

19. The absence of indigenous people in electoral politics, legislatures, or the rest of the dominant political system was undoubtedly a factor in bad policy and neglect. This was a rationale for Citizenship funding of indigenous voices through political associations outside legislatures from the late 1960s.

20. Many indigenous people do not vote or participate in political affairs beyond their own community because such activity incurred loss of Indian status in times past. The *Indian Act* was designed "to get rid of" Indians, expelling them from their cultures and demanding that they break with their own people to keep "benefits" such as voting rights. Inuit voting in their homeland have had the highest voter turnouts in Canada – much higher than non-indigenous people.

21. A recent estimate that c. 45 (of 301) seats in Ottawa's House of Commons have electorally significant indigenous voter numbers may encourage indigenous electoral work.

22. Today, indigenous people in some areas have discovered the utility of "mainstream" elections and party politics. They are prepared to use these as an adjunct or follow-up to their collective agendas – not as a replacement.

23. The rejection to date of political parties in the Northwest Territories and Nunavut has not necessarily been an advantage to indigenous or non-indigenous voters.

24. Jurisdictional and physical boundaries of indigenous communities are permeable. An infinite number of "simple" matters, e.g., clerical pay on-reserve compared with outside pay and conditions, have potential to fuel local disputes, negative images, and odious comparisons.

25. Indigenous political entities such as political associations and claims bodies have operated at arm's length from government and less formally than similar bodies such as the Sami Parliaments. Nevertheless, they have not been disadvantaged in comparison with those structures, even re-negotiating the national Constitution with Prime Ministers and Premiers.

26. National indigenous associations in Canada are secondary and have roles delegated by the primary regional or even local political communities. National consensus was easier when a few large

grievances were widely shared but the situation is more complex and varied today.

27. Indigenous nations have experienced a paradoxical relationship with white authority, the dysfunction of many indigenous communities today resulting from official aloofness in some areas no less than interference in others. As a result, indigenous reformers such as women's and "accountability" movements are often driven by unfulfilled hopes of equality and social improvements *within* indigenous society following from greater indigenous-white equality reforms achieved earlier without adequate preparation or capacity-building.

28. Indigenous peoples prefer even dysfunctional and isolated communities of their own to trusting unreformed white-dominated territory governments.

29. In Western Canada, and non-indigenous Canada at large, some people are moving towards talkback radio and tabloid newspaper democracy, confusing equality with uniformity. Most of the indigenous political reforms achieved over the past 35 years are under attack by the Canadian Alliance, the federal Opposition party.

30. Canada's indigenous political and constitutional cultures have been evolving steadily in themselves and *vis-à-vis* dominant non-indigenous political culture since the mid-1960s. This flow modifies, gives meaning to, and is modified by each new element. Canadian experience misleads those abroad who seek single events or single documents as applicable "solutions".

31. Essentially Canada has now cleared constitutional and political "space" for indigenous government as a third order alongside federal and provincial (or territorial) government. This may be achieved piecemeal and confirmed through constitutional amendments later. It was one of the least contentious parts of the Charlottetown Accord process, which failed in a national referendum of 1992. In general, federal and even some provincial governments, and the courts, have been leading non-indigenous opinion on indigenous policy in recent decades.

32. The religious or cultural origins of Anglophone, Francophone, Inuit, or Indian nations are not and should not be a matter of dispute. The only issues for constitutional negotiation need be

practical ones of governance, boundaries, and dispute resolution – on top of basic fiscal and economic impacts, of course.

33. Canada's legal and constitutional background is seen abroad as uniquely advantaging indigenous peoples. In fact, indigenous-white relations have been determined by broad social and political events and eras, with legal and constitutional safeguards useful only when the times have been right.

34. An active national government and strong constitutional framework are needed to protect indigenous peoples and broker genuine political accommodations in such hinterlands. No sub-national settler government anywhere has done this voluntarily or adequately apart from a few fleeting moments, e.g., enlightened premiers in Manitoba or South Australia.

35. The indigenous constitutional success story unfolding across the country, and especially in the northern 75% of Canada, is more a happy blur than a detailed picture to most Canadians, including some political scientists. Successful recent Canadian policies have been largely achieved by trial and error, not by design. They have been achievable in part because of scant public interest, and in part because of indigenous determination. As the Nisga'a Treaty uproar shows, public understanding is limited, public interest is often unhelpful, and a need for constitutional explanation great.

36. Indigenous Canada is experiencing a renaissance built on nationhood and other ethno-regional notions – the best way forward, as the Royal Commission on Aboriginal Peoples advocates. Three quarters of Canada was "all equal and the same", as an Australian populist would say, with indigenous peoples ignored and impoverished; now a better approach sees much of the country "all equal and different".

37. In the late 1960s, northern indigenous leaders were patronised by southern indigenous organisations, but within a few years northern Inuit, Dene, Métis, and Yukon Indian personalities were highly visible national political leaders. It is tempting to speculate that indigenous politicians with more fluid politico-legal contexts in which to innovate or negotiate, e.g., in northern hinterlands, have been the most successful reformers. This bolsters the conclusions of RCAP that negotiating northern-style regional frameworks across Canada breaking free of past policy and statutory shackles would be the most promising national policy.

38. In the 1973 Arctic Peoples Conference, 1975 World Council of Indigenous Peoples founding, and 1977 Inuit Circumpolar Conference founding, Canada's indigenous peoples became initiators of indigenous internationalism. This outlook widened and validated indigenous agendas at home, and altered perceptions of indigenous peoples and those peoples' perceptions of themselves. It also transformed the northern 75% of Canada from passive national hinterland to international zone of innovation and action.

39. Implicit and explicit comparisons between Canada and other countries in indigenous politics and policy reinforced the validity of indigenous aspirations and resistance in official and many other white eyes. They also reminded Canada's Anglophone and Francophone leaders and communities that their own political cultures were specific developments arising from particular contexts – not universal truths as many politicians and officials believed.

40. Indigenous peoples everywhere have similar aspirations, although styles or rhetoric may differ. They have only each other from whom to learn and improve the "political science" and "public administration" of renewal and self-determination. They should cooperate internationally in political studies, exchanges, and mutual support much more than at present.

41. An overall indigenous political culture in Canada exists and evolves today, in addition to many re-emerging and even new local and regional indigenous political cultures. At the same time, Canada's overall culture, including its political culture, is modified and expanded by interaction with the indigenous renaissance. The wider picture and the wider policy settings are now very encouraging. However, small issues of equality confused with uniformity, and the inevitable messes and mistakes which will occur as new indigenous structures take on old and new roles, will create much noise which the faint-hearted and unsympathetic will represent as chaos, danger, and division. Canada's governments and social, economic, and cultural establishment must explain the constitutional, legal, moral, and commonsense imperatives behind indigenous *self-determination* to all Canadians. The past failure to do so in respect of Quebec should be a stark warning of the dangers of not doing so.

42. Indigenous customary law has received little attention in Canada despite many people saying it is important. Indigenous women would have to be fully involved in restoring it. Indigenous governments being re-established would have to meet international standards of human rights, like all other governments.

Notes

1 King George III on the need to respect "the several Nations or Tribes of Indians with whom We are connected", *Royal Proclamation of 1763*.

2 Special acknowledgments for the writing of this report are due to Helena Kajlich with whom I have been discussing indigenous constitutional politics in Canada for the past 20 months, leading to her thesis (see references). Several other students have also been talking with me and sometimes writing with me about related matters: Kathryn Bennett in particular on indigenous comparisons between Canada and Australia; Christie Groves on Torres Strait and marine issues which stir up my Inuit experience; Jodhi Rutherford on our poisonous era of populist policy and politics in indigenous affairs; and Deborah Verco on northern territories. I have also been influenced by recently reading the fine new edition of Miller's indigenous-white relations history of Canada, *Skyscrapers Hide the Heavens*, and the work of Bjørklund, Brantenberg, and their collective centred at Tromsø Museum resulting in the wonderful words and images of the Sami politics exhibition catalogue, *Sápmi – Becoming a Nation*. Special thanks to Professor Emeritus Peter H Russell of the University of Toronto who kindly checked various key points and made helpful suggestions now incorporated, and Professor Rick Ponting of the University of Calgary for commentary on some recent events. I wish to thank all, and know that some, in turn, will be interested in what is written here.

3 Sápmi is the Sami (Lapp) term for the Sami homeland across northern Norway, Sweden, and Finland, and Russia's Kola Peninsula.

4 The *mainstream* is a much over-used word in modern English, with more imagined locations and sources in the late 20th century than the Nile in Europe's imagination in the 19th century.

5 On the one hand the White Man was pouring money and improvements into the NWT for indigenous benefit, but indigenous people generally felt disoriented and unwelcoming towards the imposition of so many changes. Furthermore, white workers and their families moving in from the South seemed to get the greatest benefit. The scattered camps and seasonal shifts of indigenous peoples were largely replaced by unhappy new settlements where indigenous people were living in little houses in rows watched over by young white administrators with all power over their lives. With population now concentrated, any hunting had to be within reach so areas were quickly over-hunted, leaving the older people with little familiar activity or meaning in their lives.

6 Indigenous native title rights existed, where such rights had not been extinguished by clear and plain law, such as treaties, or by acts of development which removed indigenous use in fact, like locating a city on former hunting land. Australia's *Mabo* 1992 and *Wik* 1996 decisions are similar.

7 An unhelpful event nearby created indigenous uncertainty. The long-time Yukon MP, and now a minister in the short-lived Clark Conservative government in Ottawa, propelled his prime minister into prematurely transferring power to the extremely indigenous-unfriendly Yukon Territory government. Yukon Indians (including Métis) had been negotiating land claims quietly

for years and the Commissioner there was seen as a balancing force to help make sure the Indians were not steam-rollered by the aggressive pro-development whites. The transfer set off alarm bells across all indigenous Canada, especially the NWT, as people wondered what policies the Clark government might reveal next. In fact, Clark backtracked quickly and meetings were held to reassure Indians and re-start negotiations. However, this brief episode, albeit typical of new and inexperienced governments everywhere, was one of several *faux pas* by the Clark government in 1979 leading to its defeat in Parliament and defeat in the following elections in early 1980. It created a very negative image of Clark in indigenous eyes, sad because the man was (and presumably is, being national Tory leader again today) genuinely sensitive and committed to indigenous issues.

8 This is a good example of Ottawa's long-time fearfulness of *anything* that could be seen as accepting principles of *separatism* and, therefore, feeding Quebec – whether support for indigenous rights at the UN or overdue changes at home. The mere name of the Dene *Nation*, when adopted in 1975, set off a frenzy in Ottawa, with one weak minister publishing an attack poster in reply in an attempt to win favour with Trudeau. The fact that King George III had no trouble with the word "nation" for indigenous peoples 200 years earlier was overlooked.

9 Much higher proportions of indigenous peoples are found in Nunavut, NWT, and the Yukon Territories in descending order.

10 In Australia where the states have land powers and control of most indigenous matters, the outcomes have been disastrous, justifying such concerns.

11 The Nisga'a treaty [NTC 2000] in British Columbia is being challenged in court because it is said to represent constitutional change and therefore should have special scrutiny. Strictly speaking it is like the northern claims settlements. Their recognition or creation had been long possible in principle under Canada's constitution, at least from 1763, so they may not be constitutional changes *per se*. But in practice they are something new.

12 Successive Quebec premiers have blurred the question of independence or "sovereignty-association" in these referenda so that they can claim to be separatist and *not* separatist at the same time, thereby appealing to more voters – a practice which led Prime Minister Chrétien later to enact a *Clarity Act* to force a clear referendum choice.

13 The Royal Proclamation of 1763 became the founding document of British indigenous policy, recognising indigenous peoples as distinct nations and securing the special position of their lands vis-à-vis the Crown (now the Canadian federal government).

14 NDP, the New Democratic Party, is Canada's "labour" party, originally a Western Canada popular movement in which Christian clergy played key roles. It has never held office at national level, but has formed governments in recent decades in Ontario, Manitoba, Saskatchewan, and British Columbia.

15 The author distinguishes between elected *politicians* and hired public service *officials* in the usual Canadian way.

16 Greenland MP Moses Olsen played a similarly pivotal role in Danish government acceptance of Greenland home rule in the early 1970s, and Alaskan Inuit are adept at the art of Congressional influence.

17 I.e., white Anglo-Saxon Protestants.

18 Inuit Circumpolar Conference is the international Inuit organisation including Inuit from Greenland, Canada, Alaska and Russia.

19 There was dramatic irony in the Christiansborg meeting. The buildings and city were dimly lit and less than fully heated to conserve oil. Weeks earlier the Danish prime minister's support for Israel in the Arab-Israeli war had caused Arab countries to cut off oil so Danes were shopping in gloom and wearing extra sweaters. The "frontier" energy search of world oil companies and governments in remote regions such as the Circumpolar Arctic increased the pace of indigenous resistance and self-determination politics. It had helped bring about this very conference. Nobody then knew that this global oil shock was the end of the long post-1945 boom.

20 Meanwhile, one very literate Inuk, Mary Simon, is Canada's Ambassador to the Arctic and to Denmark.

21 The Ottawa Valley protest was notable. This region, although including the anomalous national capital, which is the most highly educated city in North America, has been economically disadvantaged since the Depression of the 1930s. It is not only the homeland of the Algonkin Indians but also a pioneer, folklore, and cultural heartland of the White Man's Canada – and a heartland of Canada's traditional political parties. Its fine old houses going to seed, waving fields of sweet corn, troubled small businesses, and a high incidence of social problems even *look* like Australia's One Nation heartland of Gympie, Maryborough, and Wide Bay with its fields of sugar-cane. Apart from special factors like military base resentment at continuing lack of adequate funding, the region shows the capacity for radicalisation of old populations by new populists. Yes, these whites should know better, but they are hurting and their votes for the Alliance or One Nation are a cry for help. Resentment of the highly-paid opportunists and interlopers of the civil service who swan about the capital eating strange foods at foreign restaurants, well... what does one expect? Their protest at "Ottawa" is much more intimate and edgy than that of British Columbians. (The author is both a child of an Ottawa Valley town who escaped thanks to the excellence of its public library and a former well-paid smart-ass of the Ottawa civil service)

22 In Australia since 1996 a prime minister has not taken a firm or convincing stand and the worst sorts of populist nonsense have proliferated. There have been many calls for the sort of leadership Chrétien has shown. However, Australia's Howard is believed to agree with much of the Right populist agenda.

23 ATSIC combines a federal administrative agency with a national and regional set of elected indigenous councils to advise it. Its successive heads – Lowitja O'Donoghue, Gatjil Djerrkura, and Geoff Clark – have proven to be effective spokespersons on the national scene and a thorn in the side of the federal government. Unlike Canada and other countries, Australians do not yet accept that indigenous peoples are intrinsically "in opposition" to all governments in power.

24 The voters were venting their rage at her mentor, Conservative Prime Minister Brian Mulroney, who had resigned in her favour.

25 See especially paragraphs 129-130 and 135-146 in *Study on treaties, agreements and other constructive arrangements between States and indigenous populations, Final Report*, Unedited Version, by Miguel Alfonso Martinez, Special Rapporteur, United Nations, Geneva, 1998.

26 During the completion of this paper, *The Ottawa Citizen* (26-12-2000) reported that Canada's national elected Indian chief is seeking a government-sponsored truth commission like that in South Africa to address the painful stories of indigenous victims of residential schools and similar matters as a healing

measure. In Australia such a commission held well-publicised hearings in 1995-97 and issued its powerful report which reduced tough politicians to tears. However, the Howard government treated the tales and report with disdain, see Jull P, 1998: Australia's Stolen Children & Lost Conscience, *Indigenous Affairs*, 1/1998 (January-March 1998), 16-19. For general Australian indigenous scene, markedly different from Canada, see Jull & Bennett 2000, and Jull & Rutherford 2000.

27 In Australia, Canada's comprehensive claims settlements are called "regional agreements", although such Australian agreements to date involve less than the Canadian ones.

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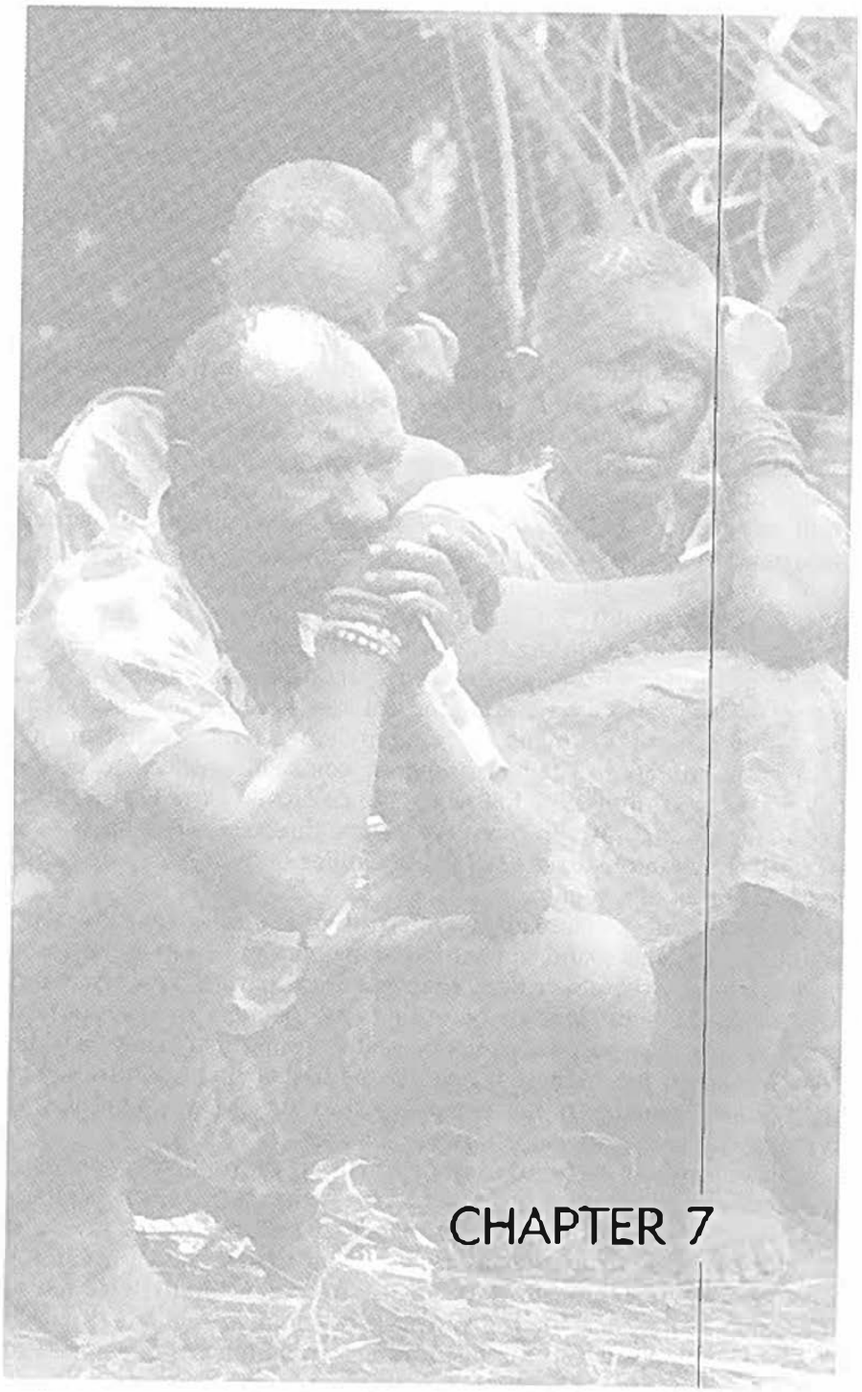


CHAPTER 7

SEEKING SPACE IN POSTCOLONIAL POLITICS: THE CASE OF INDIGENOUS PEOPLES IN EAST AFRICA

By Naomi Kipuri

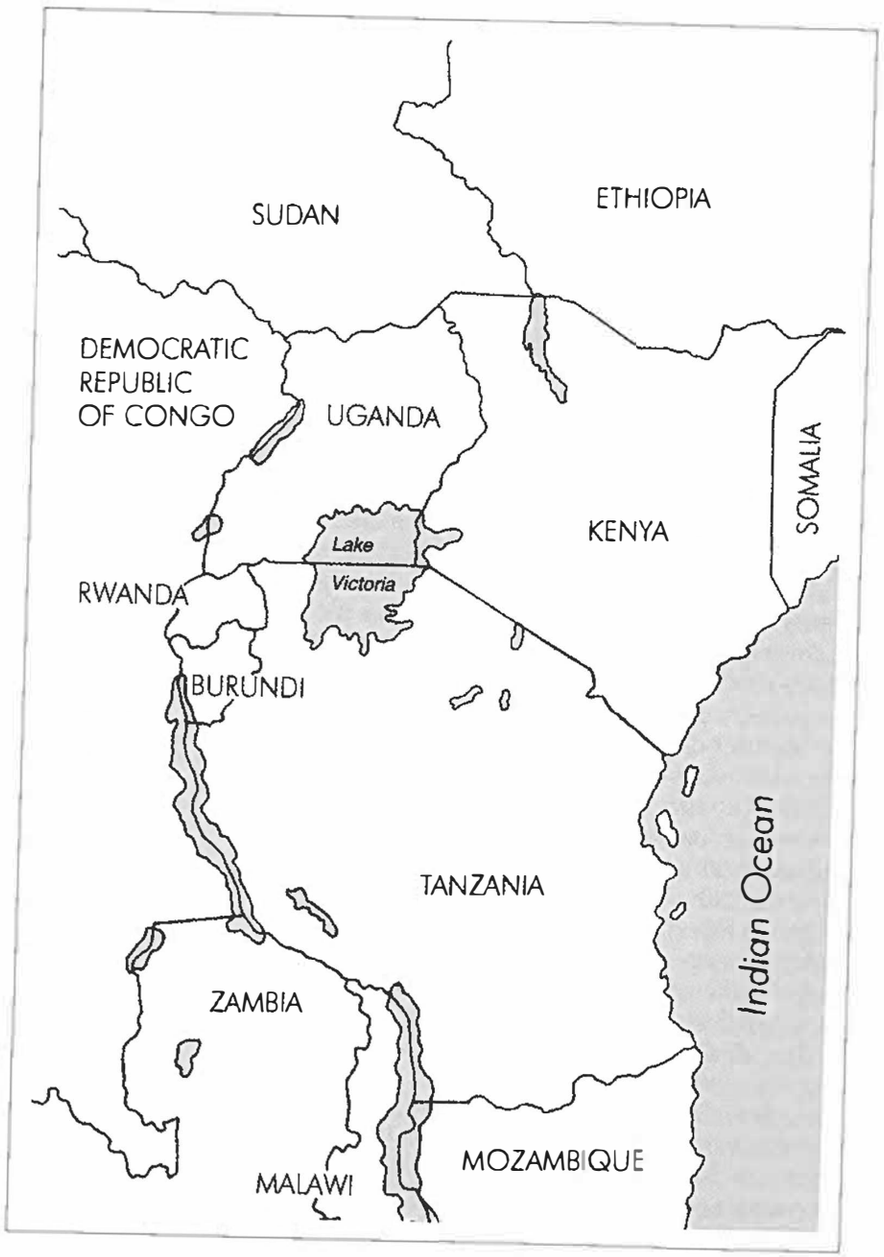
Introduction

Given the enormity of the African continent, and the heterogeneity of its peoples, this analysis has been restricted to the situation in the East African countries of Kenya, Uganda and Tanzania[1]. However, for comparative purposes, some examples are provided from outside the region. The three East African countries also seem to fit into a single political entity. A number of communities overlap the common borders defining political boundaries, making political sovereignty somewhat artificial. This artificiality of boundaries is further accentuated by the fact that the signs showing the end of one territory and the beginning of another have long faded and there is hardly any presence of "government" in some outlying areas. The three countries also have a common colonial heritage (except for the brief presence of Germans in Tanganyika) having been Britain's sphere of influence. They also shared common services from the colonial period until 1977 following the collapse of the East African Economic Community. In recent years, the three countries have been making preparations to re-establish a similar body to facilitate cooperation within the region.

In East Africa, colonialism ended after a period of sixty long years, but its legacy and impact has remained and has tended to be perpetuated by the new rulers. Many political parties have risen and fallen but the participation of indigenous peoples in the political processes of their respective nation-states is minimal. They may be represented in the highest legislative bodies of their countries, but their issues remain in the periphery and the people continue to remain vulnerable to more powerful forces.

I have found it useful to examine the issue of indigenous peoples' involvement in national politics in Africa from a historical perspective, hence the structuring of the paper in historical periods.

The paper is structured as follows: the first section provides a brief overview of the history of East Africa from the pre-colonial to the colonial periods, for the purpose of highlighting the situation prior to colonialism and the institutional arrangements developed to



facilitate governance at the local, regional and national levels. Section two is an analysis of the impact of colonialism and its role in the creation of differential development and subsequent marginalization of some ethnic groups in the respective countries. It also discusses

the emergence of indigenous peoples and conceptual issues relating to the term "indigenous" within the African context.

The rise of nationalism, independence movements and political parties and the continuation of the colonial legacy in the post-colonial state is the subject of the next section. Section four looks at the state-centred nature of politics of the post-colonial states and the possibilities, amidst difficulties, for the agenda of indigenous peoples to make any inroads. The last section concludes with a focus on future strategies and the roles that could be played by various actors at all levels to bring issues of indigenous peoples of Africa to the international arena with hopes of bringing about an improvement of their situation.

East Africa in Pre-Colonial and Colonial Periods

The nature of the relationship between the state and society has been a major influence on politics and political action the world over. This is also true in Africa. In order to set the stage in the analysis of the political roles of different players within the region, it is first necessary to give a brief historical overview of the stages that the East African states have gone through and the implications of these stages for politics, political parties and indigenous peoples. First, a look at the nature of societies prior to major intervention arising from European colonialism and after.

Prior to the scramble for Africa and subsequent partition into spheres of influence, the continent comprised dispersed linguistic and cultural groupings with a number of organizational structures. Some societies had centralized hierarchical structures with recognized kings or chiefs, while others were more acephalous, with decision-making being vested in councils of elders or priests. The notion of "tribe" was quite different, but some groups were merged, others were split, in the creation of quite novel notions of ethnic groups.

The Berlin Treaty of 1884 resulted in the partitioning of Africa into European spheres of influence. However, since European rule preceded the scramble for and partition of Africa in some regions, particularly in the coastal areas, the penetration of European influence was felt differentially by different colonized peoples. Thus, the intensity of the engagement, and the structure of societies, largely determined the resultant nature of politics and political parties. There were many styles of governance and much experimentation (Oliver / Sage 1975).

In the initial stages, following the partition of Africa, the establishment of colonial control was carried out through military conquest. Then, the British, French and Portuguese practised one of two methods of governance. One was indirect rule, which was achieved through using traditional local leaders to administer their areas. The other method was through direct rule, which meant choosing leaders from among communities where such notions were non-existent.

The first method was commonly preferred in situations where monarchical structures already existed. The process of seeking suitable governance structures and leadership evolved over a long period of time following interaction with varying groups in each colony. Alliances were formed with various groups to whom the colonial administration conceded representation. In Kenya, the settlers played a dominant role; in Uganda, the Ganda chiefs were effective in the establishment of local administration.

In general, direct rule was practised by the Portuguese in Angola; the Belgians in the Congo; by the French in West Africa and the British in Kenya, Zimbabwe and Uganda. In Northern Nigeria, the British tried to practice indirect rule.

The Germans practised direct rule in the stateless societies of German East Africa, comprising Tanganyika, (present Tanzania), Rwanda and Burundi, and in Togo and Cameroon. Indirect rule was practised in some parts of West and North Tanganyika where chiefdoms existed, such as among the Nyamwezi, Sukuma, Chagga, Bena, Hehe, Uzigua and Sangu.

Intermediaries with the local administration were drawn from among persons who came into direct contact with the people who had assisted in the conquest, or endeared themselves to the initial European administrators by other means. These became the communicators who would make the wishes of the colonial state known to the population at large. Besides this task, these communicators were also expected to assist in the maintenance of law and order and in the stimulation of production for export. In this way, an authoritarian system of local administration based on the often artificial institution of a chief backed by a coercive power of a colonial state was established.

Another significant dimension of colonial governance was the policy of divide and rule, which involved first a clear definition of ethnic identities or so-called "tribes". Ethnic identities and territorial integrity were easily identifiable where kingdoms existed, as in the cases of the Ganda, Nyoro, Ankole of Uganda and Hehe, Nyamwezi of Tanzania and others. Where ethnicity was fluid and territory was held communally, treaties were drawn up with local "leaders" to free more land for white settlement. This was necessary in places such as Kenya with a large settler population, forcing the indigenous Maasai of Kenya sign treaties to allow the expropriation of their land

to make room for white settlers. The same also happened in Tanzania with their eviction from Serengeti to Ngorongoro, during the creation of the National Park. As a result, ethnic identity became essential attributes in solidifying the basic framework for African political activity up to the present, particularly in the maintenance of a system of local administration based on ethnically distinct locations and districts. The district became the focal point for local administration and the province became the focus for the region. The governor was the overall head of the colony. The size of the colony and the distance from the colonial administrative centre or capital determined the devolution and effectiveness of policy implementation.

The nature of colonial rule reflected a number of elements: political philosophy and practice of colonial power; current social theories in Europe; the thinking of the political officers in the colonies; the size of the colony and the attitude of the colonized.

Since Britain is a monarchical state, the colonizers respected traditional societies, which had similar structures and defined lines of authority. The British chose, appointed and confirmed chiefs. The chiefs occupied the pyramidal base of power and authority. They were most important in the administrative machinery because they linked the political officers with their subjects.

Political officers preserved and, at the same time, modified traditional local self-governments. They also advised the traditional rulers, but in some cases they had supervisory powers. Indirect rule was therefore applied differently to different areas.

In areas where indirect rule was practised, the political officer was an "adviser". The *Emir* was paramount in Northern Nigeria, while the *Kabaka* was in Uganda. They were both heads of the Native Authority whose duty was to collect taxes and budget for its expenditure on building and maintaining roads. The *Kabaka* had two *Katikiros* or Prime Ministers, one catholic and one protestant. Others below simply assisted the Prime Minister. Convinced that the Baganda administration was the best, the British encouraged its exportation by Baganda agents to the rest of Uganda. That meant the destruction of indigenous political/social systems. This divide-and-rule method of administration created ethnic animosity among peoples. Where direct rule was predominant, the political officer was both an adviser and a supervisor. He appointed, promoted and demoted a chief (Karugire 1980).

In some cases, kings were reduced to village chiefs, as among the Wanga of Kenya. Warrant chiefs were also introduced to work in the courts and claims were made that they were traditional chiefs. Chiefs were also created in stateless societies such as among the Kikuyu of Kenya and the Langi of Northern Uganda. Among the

Maasai of Kenya, the *Oloiboni* or diviner was chosen as a paramount chief and allowed to exercise political powers, which he had never had before. He too became an object of hatred from the rest of society (Kipuri 1989).

In the stateless societies of Eastern Africa, the Germans appointed *Akidas* (chief) and *Jumbes* (lit. headman) who were essentially Zanzibari agents, but were generally people who had held administrative, religious and commercial power on the coast. They were put in charge of collecting taxes, recruiting labour for plantations and for building and maintenance of public works. The *Akidas* received a salary and the *Jumbes* extracted tribute from the peasants. The Germans federated some chiefdoms and placed them under a paramount *Jumbe*. The foreign *Akidas* and *Jumbes* were more hated than were the Germans, and it was partly because of them that the Maji Maji uprising of 1905-1907 broke out.

In hierarchical societies, the traditional kings and chiefs were retained although, in some cases, these kings and chiefs had no political power. In the feudal society of Rwanda, the Hutus refused the traditional oppression of the Tutsi. The government then appointed some chiefs and stationed police on most hills, to maintain law and order. Yet, in practice, because of the paternalistic attitude of the colonizers, however much power chiefs may have retained under colonial rule, ultimate control was with the colonizer. In actual fact, direct rule was thus ubiquitous.

The First World War resulted in Germany losing all its colonies and all of East Africa was brought under British rule. Tanganyika became a British possession under the terms of a British League of Nations mandate.

In every case, the establishment of colonial rule meant the destruction of local freedom, sovereignty and autonomy. Administrative styles were changed, modified and institutionalised depending on their suitability at given times and places.

The Impact of Colonial Rule and the Creation of Indigenous Peoples

The impact of colonial rule, hence the nature of politics and political parties, varied depending on the structures of societies in place at the time of colonization and the responses different peoples adapted in handling the new situations. The present shape of politics of the modern nations dates back to that time. A brief summary is appropriate.

Colonialism was characterized by land alienation, taxation, recruitment of labour, restrictive crop production, neglect of social

services and lack of political representation. It was therefore necessary to emphasize the maintenance of law and order as the most important objective of the colonialists, since this would facilitate the exploitation and development of the colonies.

The best land was alienated for various reasons as recruitment of labour was similarly carried out through coercion for building and maintenance of public works. Different interventions were used in different areas and this gradually resulted in differential penetration. It was through this process that the people, who now refer to themselves and are referred to by others as indigenous, emerged.

Besides this, changes were achieved in the spread of religion and culture and education. The children of chiefs and Christians were the first to benefit from formal education. While education uprooted the youth from their culture, it also facilitated political exposure, which later turned out to be very useful and an important element of social differentiation.

The centrality of the government in socio-economic development placed the civil service closely in charge of the management of development in all the three countries, with varying degrees. One of the most dominant characteristics of the colonial state is the centralization of power. Its operative manifestations were a centrally directed governance, an administration that was oriented purely toward managing law and order and authoritarianism in political life (Saul 1979). Similarly, the performance of the institution of local government is significant in explaining the relationship between the government and the people.

The local government had colonial origins and it is the institution that links the central government and local communities. The local government became more significant in the post World War II period and was expected to act as a democratising institution which would allow for democratic participation in the governance and development process.

It was within the economic sphere that fundamental differences among different communities started to emerge. The most significant sphere of expansion and impact of the colonial state was in its role of economic arbiter. This represented a continuation of its central economic role, and additional responsibility was thrust upon the states by the economic crises brought about by the depressions of 1919-1922 and 1930-34 and the need to achieve more substantial and effective mobilization of resources during World War II. All the three colonial states dramatically increased their control and management of the colonial economy during World War II so as to achieve increased production of essential raw materials (e.g. cotton and sisal) and food supplies for the military.

The state also introduced taxation, created marketing and financial structures, appropriating land and livestock, instituting forced labour and building infrastructure. In order to pay for taxes and improve their social lives, some Africans moved to urban centres to seek employment. Urban centres, with poor social infrastructure and inequitable relations of production, were responsible for the creation of political consciousness and feelings of nationalism.

During the inter-war period, too, the colonial states' administrative and political policies continued to support policies that fostered regional differentiation. Perhaps the most crucial example of this for the future was the continued neglect of certain areas within the region. Northern Uganda and Northern Kenya are the best examples.

The resultant effects of these policies varied depending on the strategies adopted (some intended, others not) in the governance of each state. Some of these effects have persisted in the post-colonial period. For example, the centrality of the state in economic development was to accentuate regional and ethnic inequalities as the state, through stereotyped notions, developed certain areas and people at the expense of others. Ethnic stereotypes then emerged which were to remain as legacies of the colonial period. For indigenous peoples, some of these have produced permanent scars.

The Concept of Indigenous Peoples in Africa

"Indigenous Peoples" as a concept gained currency in the last thirty years in discussions of human rights, democracy, political development and civil society. In a literal sense, it has been used to refer to original peoples in a given region of the world. While this definition has been useful to refer to the original inhabitants of the Americas and Australia, the term has been somewhat controversial in its application to some peoples of Africa and not others. This is for the simple fact that Africans have no other origin except Africa, despite migrations from one region of the continent to another.

Marginalization has sometimes been added as a qualification of indigenous peoples in Africa, but as it has rightly been pointed out (IWGIA 1993), while it is an important characteristic, it is not only indigenous peoples who are marginalized. Other special distinguishing characteristics have been used to qualify indigenous peoples from other marginalized communities. They are: special attachment to the land; having a shared ancestry; their own language, culture, spirituality and knowledge; having their own social institutions; and that their lands and way of life are violated by states and global

forces through acts of domination. These are all useful definitions, and now, self-identification has also been added to the definition.

Despite difficulties with the term "indigenous" in Africa, what is not in question is that the African continent has communities whose political, social, cultural and economic conditions are depressed in ways similar to the ones experienced by peoples in other parts of the world and, because of this, they identify themselves as "indigenous". It is because of this quite widespread human experience that the ILO Convention 169 was drafted as a specific code in international law, addressing Indigenous and Tribal Peoples.

In Africa then, the people who exhibit characteristics of Indigenous Peoples are primarily peoples who usually reside in isolated parts of the nation-state. These are communities who have been "abandoned" so to speak by development interventions and, in the process, have managed to retain their social and cultural systems against the onslaught of modern systems. At times, indigenous peoples in Africa have found themselves in these situations purely by accident. Their areas may have been inaccessible, or they have been able to retreat from outside influence. In Africa, hunting-gathering communities and pastoralists have generally been accepted as falling under the category of indigenous peoples. They have usually retained certain important and often visible elements of their cultures and social institutions, which are clearly different from those of mainstream societies. Because of this, they are looked down upon by dominant members of their societies.

The economies of indigenous peoples are often constrained and made unviable by development interventions that aim at expropriating large and often better parts of their ancestral lands, and they are relocated or pushed to less hospitable terrain. They give way to other forms of developments perceived to be more productive. Some of these include wildlife Parks and sanctuaries, protected forests, ranches, irrigation schemes, mines, dams and hydro-electric plants, airports and air-bases, army camps and other uses that are not of any benefit to indigenous peoples.

In East Africa, the Hadza and the Barabaig of Tanzania, the Konjo, the Basua and the Karamojong of Uganda, the Ogiek, the Samburu, the Rendile and the Maasai of Kenya and Tanzania, have all had experiences of having their land taken away and are finding themselves increasingly vulnerable such that their survival is threatened.

In politics, indigenous peoples may be represented in the legislative assemblies and other political structures of their respective states, but that representation is either minimal or ineffective, hence the issues that concern them are not adequately addressed. For

example, the improvement of the livestock sectors or the hunting rights of hunter-gatherers are not important policy concerns despite their centrality for the survival of pastoralists and hunters respectively. Many indigenous peoples feel alienated in the modern state, and a paternalistic attitude and top-down approach to development leads to poor performance in development initiatives. Projects that are of no benefit to them have continued to be implemented in their areas, and these have further increased their marginalization.

In terms of social services, few indigenous peoples have adequate access to schooling. Often school attendance is less than 50% below the national mean and literacy levels are also usually very low. The reasons for these low figures could be attributed to a range of factors, including unavailability of schools or the unsuitability of the mainstream school curriculum for the needs of the indigenous peoples.

Because of low educational levels, indigenous peoples also find themselves with low per capita incomes and low and decreasing life expectancy owing to poor nutritional standards and basic health care status. To these have, in recent years, been added alcohol abuse, high levels of domestic violence, crime and depression. The question is, do political parties have answers to these problems?

The Rise of Nationalism and the Emergence of Political Parties

The colonial state was reluctant to democratise the local governments and bring development genuinely under local control. Continued extensive rural opposition to forced development programmes, the total breakdown of newly created local government structures in parts of Tanganyika and Uganda, and an increasing number of strikes all clearly pointed to the growing discontent in East Africa. Members of potentially hostile groups joined what were essentially coalitions to call for independence from colonialism.

The resultant political activity was collaboration with the new order, becoming chiefs or headmen, and others becoming adherents of the Christian missions or of Islam as a means of coping with the new challenges brought about by colonialism. Those areas where capitalistic and missionary penetration had the greatest impact were invariably the ones to experience political activity in the years ahead. Thus the first political response during colonial rule was resistance to European domination and halting the spread of alien rule, as communities, individuals or households. As a means of exercising greater independence and control over their own destiny from both the missionaries and the colonial state, some converts started inde-

pendent or separatist churches. These were most vocal in Kenya, while in Tanzania, a movement popularly known as the Maji Maji emerged in the south of the colony as a reaction to colonial domination. In other areas, people took up arms as a means of ridding themselves of the burdens imposed by colonial rule. The Mau Mau rebellion was one of these.

The exploitation created by colonial rule, particularly during the inter-war years with increased need for commodity production, worsened the situation in the colonies culminating in increased agitation and demands for the end of colonial rule. This set the stage for the emergence of various political parties, movements and pressure groups. The development of political consciousness and, particularly, the rise of nationalism was essential in the struggle against colonial rule and the demand for self-determination.

The class and ethnic divisions that had manifested themselves as a result of colonial rule had substantial impact on forms of African political organization and activity. As an example of the latter, most political activity was "local" in nature in that it focused on localities normally inhabited by a single ethnic group, bringing together peoples of differing ethnic identity.

This political activity rested first of all on economic divisions brought about by colonial rule that produced white capitalists, Asian merchants, African workers and commodity producing peasants and a straddling petty bourgeoisie. This segmentation rested on class, ethnic, racial, regional and religious divisions as diverse interests found expression in various forms of political activity. Political activities of various kinds continued although no political party had a truly nationalistic focus and following.

Those most involved in such political activity had normally experienced the economic, political and social impacts of colonial rule more profoundly than other inhabitants of East Africa, but were also direct beneficiaries of colonial rule. Many had made gains as a result of colonial rule and sought to protect those gains and to enhance their economic and social positions through political activity of various types. In each of the three countries a number of political parties were active at this time.

Kenyan Political Parties

In Kenya, the earliest known pro-nationalist movements took the form of associations in 1920s. The Kikuyu association was made up of Kikuyu chiefs. Its objective was to improve the lives of rural populations. It united the chiefs who were civil servants.

This was followed by the Young Kikuyu Association, which was founded by a telephone operator in Nairobi. He organized the urban workers against a planned wage cut in 1920s, and the grievances spread to the rural areas and became a nationalist movement. Then the Kikuyu Central Association was formed with the main objective being to petition government to allow Africans to grow coffee. It was not interested in immediate independence for Kenya.

Among the Luo of Nyanza, the Young Kavirondo Association was formed for the same purpose of calling for better terms for urban workers. It spread to the local people of Nyanza province. Then the Kavirondo Taxpayers Welfare Association was created with an emphasis on the improvement of social services for the urban workers. Other parties included the Kikuyu Loyal Patriots, which was closely associated with church politics; the Kikuyu Progressive Party; the Native Catholic Union; the Akamba Members Association, etc.

Then in the early 1960s, several political parties emerged in Kenya on the eve of the first Lancaster House Constitutional Conference on Kenya. The factors that led to the formation of racial and tribal political parties in the second half of 1959 and in 1960 had much to do with the fears generated by discussion centring on constitutional plans. These plans, among other things, sought to mobilize the hard-core Europeans' support against substantial political change in the country and led to the formation of the Unity Party for settlers in 1959. These attempts never went very far since the political situation demanded a more realistic approach based on some accommodation between the need for European survival in Kenya and the political interests of Africans.

On the other hand, the more moderate Europeans campaigned for a multi-racial solution to Kenya's problems. This group also formed their own parties, the New Kenya Group and the Kenya Coalition party. Yet another multi-racial party, the Kenya National Party, was formed for European and Asians. But since they did not attract much support from African leaders, they eventually fizzled out. A number of political parties were also formed in this period to cater for other racial minorities. These included the Kenya Indian Congress formed in the 1940s and the Kenya Freedom Party, formed in 1960 to cater for Asian interests. Then the Mwambao United Front, a largely Arab party, was formed with the aim of securing the secession of the Kenyan coastal strip and its annexation to Zanzibar.

Then the Somali National Association was formed, for the purpose of negotiating the annexation of the North Eastern Province to the Republic of Somalia. All these parties were formed to express the kind of advantages the group wanted to secure for themselves before the country became fully independent. They all sought firm

pledges that their privileges would be retained and that their special interests fully secured.

Europeans, for example, sought full guarantees that their land would not be forcibly appropriated by the future African governments. Asians wanted their citizenship and business interests secured before the British left. And so on. At the time, the only legitimate means of organization through which to secure political interests was through political parties.

Non-African parties eventually fizzled out in the face of much stronger African Nationalism. In the process, African-led political parties became the central focus of the next phase of political development leading to independence. Many of them were formed after the first Lancaster Constitutional Conference for Kenya, which took place in London in 1960.

Prior to the Lancaster House Conference, African-led political parties were still restricted to their districts. When KANU was formed in early 1960, ethnic emotions rose - especially among the Maasai and the Kalenjin - for the return of their former lands and also among coastal peoples, who also feared domination by migrant communities. Their fears culminated in the formation of the Maasai United Front, the Kalenjin Political Alliance and Coast African Peoples Union.

The Maasai considered the problem of their land, alienated by the European settlers under the 1904 and 1911 Treaties, still unresolved and that this was the time to obtain final resolution before it was too late. On this basis, the formation of the Maasai United Front was a means though which their representation would be assured politically. It would also be the most legitimate avenue to articulate their demands over the lost land.

It is important to point out that the possession of a political party was regarded as the only trump card a particular group could show in the negotiation for political advantage before power was finally transferred to an African government.

On realizing the danger of competing individually against the much stronger and numerically larger KANU, the leaders of the small parties decided to form a coalition of their parties, which they called the Kenya African Democratic Union (KADU), to stand for the numerically minority ethnic groups. At this stage, KANU and KADU crystallized into two main countrywide political parties as they headed to the attainment of independence.

The search for political balance in the country, however, was far from over. Some of the communities still felt politically insecure and were looking for ways of playing a more influential role in political decision-making. This was when the Akamba also asserted themselves by forming the African Peoples Party (APP) in 1962, working closely with KADU without joining it, and in opposition to KANU.

As the names suggest, most of the political parties were ethnic-based and a majority of them were initiated by the urban educated elite. These also happen to be the communities who were most affected by direct contact with the colonialists.

Tanganyikan Political Parties

In Tanganyika, unlike in Kenya, the rise of early nationalism was not widespread. This was partly because of the uneven awakening of the population through education and economic improvement; the uneven distribution of the population; and an absence of a large and powerful European settler community.

The Kilimanjaro Native Planters Association was formed by the Chagga. It was organized to provide an efficient means of marketing the coffee produced by the local growers. Some of their grievances included a demand for chieftainship, dispute over land with European settlers and the role of government in the improvement of Chagga society.

The Association of the Unity of African people (Chama Cha Umoja wa Watu wa Africa, in Kiswahili) was founded in Dar es Salaam in 1929 with the aim of uniting the African people. It was dominated by civil servants and achieved little in the area of politics. Other parties included the Tanganyika African Welfare and Commercial Association and Tanganyika Territory Civil Servants Association. The latter was important because it later became the Tanganyika African National Association and the Tanganyika African National Union (TANU) evolved from it.

Ugandan Political Parties

The situation in Uganda is summed up by Karugire as follows:

> "Uganda politics had revolved around local issues and there had not emerged a political party which had purely national aims or indeed national leaders – there were parties and leaders aimed at striking down some section of the country or uplifting some section but always at the expense of someone else in the country" (Karugire 1980: 168).

Uganda had two main political parties, the Uganda Peoples Party and the Royalist Kabaka Yekka party. Towards independence, a

marriage of convenience between the two was forged which served the short-term interests of Britain by enabling it to "retreat with honour" as Maxon (1994) puts it. The demand for the monarchy in Uganda and the federalist demands in Kenya have both re-emerged after thirty years of silence.

Uganda's problems are compounded by armed insurgency from at least three directions. The Lords Resistance Army in the north-west, the extremely underdeveloped Karamoja residents in the north-east (though not necessary fighting government but occupying it nevertheless); the minority Konjo along the border with Congo demanding their own kingdom like the others, etc.

Overall, some comparisons could be drawn. It is evident from the above that the political parties that emerged had typical features: they were initiated by the educated elite who were better endowed with resources, had better access to information, were in close proximity to each other and were therefore able to organize better than the rural elite. Many of them simply wished colonialism to be improved and that political consciousness should be local or ethnic-based, rather than national.

Types of protest were diverse and motivated by different factors. Some reflected the desire of individuals and groups to improve their ability to cope with the colonial situation by obtaining greater access to Western education, agricultural improvement, enhanced opportunities in commerce, greater employment opportunities, and more equitable treatment when employed. These types of drives for modernization could be reflected in the activities of political organizations, separatist churches or ethnic-based protest groups, and were mainly propounded by teachers, clerks, and those involved in trade or commercial agriculture. A significant factor, therefore, was competition for access to local resources and control over them.

In the majority of cases, the African political parties were parties of independence. Many were close to being national movements of some sort, and were directly associated with the struggle for independence. In East Africa, TANU belonged to that category. Parties in Kenya and Uganda were, on the other hand, "fractional" parties in that their formation symbolized the fractional nature of politics on the eve of independence and after (Oyugi 1994).

The fractional nature of the party system in Kenya was inherited at independence, and involved both inter and intra-party contests. Rather than emerging as a major actor in the governance process, the party was marginalized and later ignored, only to be remembered whenever it became necessary to use it as a weapon against real or imagined adversaries. The party as such exercised no influence over the behaviour of the state, either in the executive branch or in

parliament, and throughout the post-colonial period the relationship between the party and the state has been characterized by uneasiness. The weakness of the party has been attributed to benign neglect, infighting and the existence of a dominant executive. The latter leads to the negation of a meaningful role played by the party (Oyugi op. cit.)

This was to be accentuated even more, particularly in Uganda in the 1990s, with the acceptance of the monarchy as ceremonial head in some pre-colonial kingdoms such as the Ganda. In order to gain a measure of recognition and autonomy, the Konjo of Western Uganda are following suit to make similar demands despite the egalitarian nature of their polity. Incidentally, a similar trend is being observed in many other parts of Africa, particularly in Southern Africa, with similar objectives.

The Post-Colonial State

The three East African countries attained independence against a common colonial background.

Of the three East African states, Tanganyika was the first to gain independence. The British departure was hasty. But unlike Uganda and Kenya, there were no difficulties, such as regional rivalry and ethnic political splits. The large number of ethnic groups in Tanganyika also prevented the dominance of any single group. Thus Tanganyika achieved self-governance with little change in the political and administrative structures.

Kenya was the last of the three states to attain independence and it did so with two non-nationalist parties. The party with the majority following was the Kenya African National Union (KANU), which was dominated by the larger "tribes" and which proposed a unitary form of government. The Kenya African Democratic Union (KADU) pushed for a regional type of government for fear of domination by the larger "tribes". The most significant distinction between the two parties, therefore, was ethnicity rather than class. Divisive confrontation between the two parties ensued and although they reached an agreement to facilitate the achievement of independence, the minority "tribes'" fear of domination by the majority still persists to the present time. In recent years, there have been frequent calls for the return to a federalist (or *majimbo*) system of government as a way of allowing for some degree of autonomy for the minority communities. The creation of coalitions such as KAMATUSA (Kalenjin, Maasai, Turkana and Samburu) are expressions of a fear of oppression by the majority.

Since the basic colonial policy frameworks were different for the three countries, they accounted for some fundamental differences that survived colonialism and emerged later. In Kenya, the political executive has emerged as the dominant actor subordinating all other institutions to itself. In Tanzania, on the other hand, the performance of socialist policies so much identified with the party apparently led to its decline and, before it could regain the lost ground, it own singular existence was recently successfully challenged as evidenced by the emergence of many political parties. But what is common in all three cases is the centralization of power through centrally directed governance, an administration that is oriented purely toward managing law and order and authoritarianism in political life. The creation of unitary systems of governance that leave no space for minorities and indigenous peoples has been adopted by all three states.

Ethnicity remains a major form of consciousness that influences how groups and individuals react to political situations. Of the three East African states, Kenya's overall social structure is characterized by strong tensions along both ethnic and class lines forming some specific patterns of interaction.

There has persisted a tendency in all three states to use state power to serve the interests of certain groups at the expense of others. The co-optation of individuals, ethnic groups, and others, an effective legacy of the colonial era, has re-emerged. So have the patron/client systems at local and national levels and excessive use of force. The one-party system of government was soon introduced in all the East African states, a significant departure from pluralistic and democratic principles.

State institutions and organizations in Africa are the least developed; political instability has been prevalent, and most of the national governments exercise only tenuous control over the people, organizations and activities within their territorial jurisdictions. This is why the state in Africa has been described as "soft" (Myrdal 1954, Hyden 1983). It is because of this that it has been argued that, if some African states had not been protected by the norms of international public law, they would not be regarded as states (Jackson / Rosberg op. cit).

It has also been shown that a weak state is likely to be associated with a system of governance that exhibits political instability and an absence of functional political institutions. Politics is also said to be centred around one dominant actor who is capable of manipulating the political system to his advantage and that of his group. It is a system characterized by manipulation, purges, rehabilitation, and institutional neglect. Formal institutions exist that are never allowed

to function according to stipulations unless the interests of the regime are perceived as likely to benefit (Barkan 1980).

After independence, the image of the party and that of the state were merged. In Kenya, in 1963 KADU was persuaded to dissolve its party and join KANU in order to end divisive politics. At that time, the country became a *de facto* one-party state, a situation that prevailed until 1966 when the need for another party was realized.

For Tanzania, TANU, later Chama Cha Mapinduzi (CCM) was, before and after independence, regarded as the epitome of the unity of the nation. The party mobilized the populace for support as it gained popularity with the masses. By 1965, it had become the sole party as a *de jure* one party system was introduced. The party later became supreme in 1977. It has been observed that the fates of the party and that of the government have been so intertwined that the failure of the socialist policies since the 1970s has been accompanied by the steady decline of the party.

In Tanzania, national institutions were manipulated to suit socialist principles, as manifested in the many documents produced in the name of the party since the Arusha declaration. For example, Education for self-reliance, Socialism and Rural Development, etc., all suggests the centrality of the party. The changing of the constitution to reflect a one-party rule was a common phenomenon in East Africa. It happened in Kenya in 1969, in Uganda in 1966 and in Tanzania in 1967.

In Uganda, fractional parties remained in operation up to 1966, but after the so-called "Obote revolution", the militarization of politics became the operative norm notwithstanding the pretensions of UPC leadership. And during 1980 to 1995, the UPC was operationally tied to its military allies and lacked an independent voice. It is argued that the militarization of politics as a strategy of crisis management has been well institutionalised in the political culture of Uganda. And the manner in which national leadership has been acquired has contributed to and consolidated it. What has therefore emerged in Uganda is a symbiotic relationship between the military organization and the state, an undesirable situation and one that leaves no room for other political actors, except along the same lines of operation. This is precisely why the Indigenous marginalized peoples of Uganda in Karamoja and Soroti Districts feel that they must retain their guns as a way of ensuring their own security.

In Uganda, although Obote was said to be an "ardent constitutionalist" during the first half of his first term (1962-66) in office, since he frequently stressed the sanctity of the constitution, the Kabaka revolution of 1966/67 destroyed any such pretensions when Uganda truly became a "dislocated polity" (Low 1988) as the state

relied a great deal on the military. This is the situation the Uganda state has not been able to dislodge to the present day.

Indigenous Peoples and Political Participation

The merging of the party and the state was carried out - theoretically - to achieve unity in the face of the fractional politics of the pre-colonial era. However, in reality, it suppressed opposition and differences of opinion, not only within the political arena but also in the social, cultural and economic spheres. The worse case scenario of intolerance was demonstrated by Tanzania in 1970s when the Maasai were proscribed from wearing traditional attire in preference to Western clothes and, particularly, trousers.

In Kenya, just about the same period, a General Youth Service contingent was dispatched to beat up and disperse the Maasai who were gathered for a peace ritual, but had made the mistake of flying a flag (symbolizing peace) which the authorities did not recognise. The assumption was made that the flag was a declaration of sovereignty other than that of Kenya, hence the quick response to stamp out any notion of possible secession. Similar reactions have been reported in Uganda following incidents usually surrounding some religious sect and where indigenous peoples have been involved.

Some of the stereotypes held against indigenous peoples derive from the fact that their livelihoods do not derive from mainstream methods of agriculture. Hunting gathering and pastoralism evoke negative images for the mainstream populations, hence the people are similarly denigrated.

Negativity is demonstrated by the fact that many development interventions initiated by the three countries before and after independence have been aimed at replacing, rather than promoting, means of subsistence practised by indigenous peoples. In general, centralization of the operations of the postcolonial states, and subsequent curtailment of democratic participation by local communities in decision-making, have not helped the cause of indigenous peoples.

Various aspects of politics are identified within the administrative structures of each state during specific historical periods. It is within the spectrum of administrative possibilities provided by each of the states that we can access political entities and actions of Indigenous Peoples over the years.

Lack of effective political participation in the political affairs of their countries is a matter of concern for most indigenous peoples and others both in Africa and elsewhere. While inadequate political representation at various levels contributes, to a certain extent, to the marginalization of indigenous peoples in the political affairs of their countries, the situation is complicated by other factors.

Some indigenous peoples have parliamentary representation, but others do not. Those who do not find themselves being represented by persons who may not know their problems. At other times, the representative does not speak the indigenous peoples' languages, which makes communication between them and the people minimal. The majority of indigenous peoples do not have fluency in the national languages and this makes communication difficult unless use is made of the local indigenous languages.

However, despite the parliamentary representation, they find themselves still unable to effectively participate in active politics. A combination of factors related to the distance and lifestyle of the people and the style of politics adopted by the respective states has contributed to this situation. Most indigenous peoples in Africa are either hunter-gatherers or livestock keepers who reside in areas that are far away from the metropolitan centres. For pastoralists (whether nomadic or transhumant) this means that they move long distances in search of grazing and water for their livestock. Hunter-gatherers also move to places where wildlife is plentiful. Depending on the season, this could mean being totally engrossed in the survival of herds and people with little time and energy left for involvement in any other activities.

During the 1997 elections in Kenya, the heavy rains and floods in the North Eastern Province seriously affected both voter registration and the actual voting exercise. It was reported that after the votes had been cast, some ballot boxes along with the officials accompanying them, were swept away by heavy floods. Then, in the middle of the year 2000, at the peak of a most devastating drought when pastoralists had moved far and wide with their herds in search of pasture, the voter registration exercise was announced in preparation for the next general elections.

Besides environmental upheavals, insecurity in the form of banditry and cattle rustling (but also wildlife), in some parts of Kenya and Uganda also almost always mar elections in pastoralist areas, making it difficult for many people to go out and vote and assert their rights politically.

This greatly contrasts with areas where settlements are in close proximity to each other and to urban centres with better infrastructure and security. The infrastructure permits easier communication and better access to information through the media. This affords urban-based people the opportunity and capacity to participate fully in political activity, to articulate their concerns and to express them through the vote with no hindrance.

The question of numbers also plays a role in determining levels of participation in politics. Indigenous peoples are often minorities in their countries compared to the more dominant groups. And the fact that they occupy vast and inaccessible areas creates complications that further hamper their political participation. At national level, political representatives are drawn from constituencies, which are created on the basis of population numbers. This results in many small indigenous communities having no representation at national level, such as the national assembly, where representation is necessary for matters of concern to be addressed.

Representation is also complicated by party politics. In East Africa, following independence, some countries adopted multi-party politics as a method of governance through parliamentary representation as a way of realizing democracy. However, in order to obtain support from the electorate, party leaders, who are usually the urban elite, have to co-opt individuals to rally behind them. Support may be obtained voluntarily or through granting favours and sometimes gifts of various kinds to the electorate. In this way, party politics is manipulated and the electorate finds itself used and misused without participating in any real sense in making political decisions or in taking political action.

Examples may include outright buying of votes, but also more subtle methods of obtaining support. The selling of party membership cards to a largely illiterate electorate without any explanation of what benefits will accrue to the purchaser, is commonly used by all parties to rally support. While mainstream societies are also manipulated through party politics, indigenous people are more disadvantaged than the others. This is because the rates of illiteracy are higher among indigenous peoples but also because the newly emerged opposition parties have taken no interest in garnering support from indigenous peoples in isolated parts of their respective countries.

Where there have been attempts to do so, opposition supporters are frustrated, not just by the ruling parties but most significantly by the realization that perhaps the process of campaigning and seeking votes might cost more than it is worth in terms of those votes. The distances covered are too long, the infrastructure is too poor and the votes are too few to make a difference. At the same time, the issues that beset indigenous peoples might not be of interest to the mainstream communities and, in some cases, they may be in contradiction with the objectives of opposition politics. For example, when the question of land and economic marginalization is raised, the core complaint of most indigenous peoples, it is difficult to avoid the role the dominant communities have played through commission or omission, either in expropriating land or in designing policies that lead to regional disparities and inequity.

So far in East Africa, the primary objective of the opposition parties has been to remove the party in power, and not necessarily to institute fairer methods of governance and more equitable distribution of national wealth. Because of this, while many indigenous peoples are increasingly dissatisfied with the treatment they have been receiving from the ruling national parties, the emerging opposition parties have not demonstrated that they are capable of delivering radically different methods of governance that would assuage the ills committed. Indeed, more fear (perhaps unfounded) is expressed by indigenous peoples at the thought of some opposition parties taking over the reigns of power than if the status quo is maintained. This is because the emerging opposition parties are always associated with one particular ethnic group. In the case of Kenya, the main opposition party is associated with the Kikuyu, and in Tanzania and Uganda, they are associated with the Chagga and Baganda respectively, all of whom are numerous, dominant and perceived to be inward looking in terms of national development. For this reason, indigenous peoples find it easier to accept the "devil they know" and can continue struggling with, rather than the "angel" they do not know but suspect will be worse. It so happened that in Kenya, the first president was a Kikuyu and he was perceived to favour his own people at the expense of all the other communities. The same happened in Uganda. In Tanzania, while no Chagga has ever ruled the country, the promotion of socialist doctrine was accompanied by the suppression of capitalistic tendencies perceived to be exhibited mainly by the Chagga. This history is recalled every five years through political campaigns and election rallies. This is why support to emerging opposition parties has been obtained mainly from mainstream dominant communities and not from marginalized indigenous peoples.

Another factor has to do with the historical experiences of many indigenous peoples. In East Africa, hunter-gatherers and pastoralists have, to a large extent, been totally neglected in development initiatives or they have been exploited through the expropriation of resources that are critical for their survival. This has been done either deliberately for the interest of national development or haphazardly by and for the benefit of state officials. Both processes have produced somewhat typical reactions of indigenous people to government. They have learnt never to trust government and never to rely on it. Having no faith in government and generally being suspicious of its intentions has also meant striving to remain independent to the extent that it is possible to do so. While this is the

reaction to the ruling elite of any given moment throughout the region and the continent at large, the same has been extended to the opposition parties. For one thing, the opposition has not had a chance to exhibit any acknowledged difference between themselves and the ruling party and, in most cases, it has been the same personalities shifting alliances between different parties at different elections. This has been quite confusing, not just to indigenous peoples, but to many people. It is no wonder then that indigenous peoples perceive the opposition in the same way as they view government and the ruling party. Consequently, indigenous peoples strive to be independent of politicians, of politics and the state in general. This has not of course been possible, except in circumstances where indigenous peoples have formed "rebel" groups and succeeded in dismembering the state to form their own independent nation. Such cases are few.

Suspicion and lack of faith also results in indigenous people trying to seek their own solutions to resolve problems rather than depend on government or expecting solutions to emerge from political action. This is often seen during drought conditions when people move instead of approaching government for solutions to hunger problems.

While their own local and cultural political governance systems are still functional, lack of professional training in democratic systems places indigenous peoples in a disadvantaged position. They know little about parliamentary debates motions and the drafting of bills. Because of this deficiency, they are unable to contribute effectively to the improvement of their own situations where political intervention is required. The issue of language also comes into play to make IP seem disabled in political participation.

Other political action in which indigenous peoples perform dismally but in which it seems important to make an impact is lobbying and attracting favours from those who are better placed to assist them politically. A good example of this is found in Kenya where *harambees* (public contributions for self-help) have become mechanisms of demonstrating loyalty and allegiance to parties and powerful individuals. While other persons haggle for positions in the political limelight, the majority of indigenous peoples prefer to remain invisible rather than pull the necessary economic strings for political gain.

It is possible that the inability to haggle and campaign for political posts has its roots in the very nature and style of politics observed among many indigenous peoples. In many cases, leadership skills are developed gradually from youth to adulthood such that "natural" leaders emerge naturally without having to campaign for their positions. In other words, instead of seeking political posts, political roles are thrust upon those indigenous people perceived to be naturally capable. This greatly contrasts with the new system where campaigns are the processes through which leadership is sought. In the process, wrong persons often end up occupying leadership roles, making participation in political activity seem irrelevant to the majority of indigenous people.

Effective use of the media as a political tool has been comfortably mastered by the mainstream society and indigenous peoples have yet to discover its significance. In the process, they are often portrayed negatively and this negative image is disseminated through the media. Indigenous peoples are then left with no recourse for defence or correction of this image since so far they do not have their own media.

Conclusions, Future Strategies and Possible Action

The paper has shown that indigenous peoples have had little political space in the African nation-states. Their marginalization dates back to the colonial period and has continued to the present day with potentially serious implications. Something needs to be done for indigenous peoples to be brought into parity with other peoples in Africa. It is clear that special initiatives will need to be developed both at the local, national and international level and that all stakeholders should take a role in this.

Indigenous peoples of Africa have in recent years started to organize and to look for mechanisms of addressing their problems. Within Africa, the term "indigenous" with reference to peoples evokes controversy and is perceived with suspicion and resistance. It is because of this that no African government has so far ratified ILO Convention 169 on account of the term "indigenous". This has hampered the process of identifying and articulating common and specific problems affecting indigenous peoples the world over.

Yet problems persist, and are threatening the very survival of some indigenous peoples. In some regions of Africa, indigenous peoples have taken up arms to demand recognition and autonomy from their respective nation-states. Eritrea is a case in point. There are also examples in Cameroon, Senegal and others in West Africa. Closer to home, the Oromo Liberation Front has also been making specific demands. In northern Uganda, there are large areas that are avoided because of one "rebel" group or another. And so it goes on.

While some insurgency movements have resulted in the creation of new states, it is clear that many have no interest in dismembering

states within which they find themselves. Instead their demands have been restricted to certain political, social and economic rights enjoyed by other nationals.

The United Nations Commission for Human Rights, the International Labour Organization, the International Work Group for Indigenous Affairs, Survival International and others are providing mechanisms by which to bring issues of indigenous peoples to the forefront within the international arena. The ongoing process to establish a Permanent Forum for Indigenous Peoples will further boost the issues internationally. But the hurdles have remained at national level. The African Commission for Human and Peoples' Rights has for the first time addressed the issue of indigenous peoples during its meeting in Benin in September 2000. During that meeting, it was reported that it continues to be a struggle for the Human Rights Commission to respond positively to the issue of rights of indigenous peoples. According to one of the commissioners, "I continue to experience resistance and having to fight all the way [...] there is a serious problem which I do not know how we can overcome, an ideological blockage "(B. Pityana, Jan. 2001). Despite the resistance, however, some gains have been made. The Commission managed to agree to the setting up of a working group on indigenous issues, which would include an expert on indigenous affairs. There is also the possibility of allowing observer status for indigenous persons in future meetings of the Commission. This seems encouraging because, as the commissioner comments, "as members of the Commission, we need to be able to serve the human rights needs of the continent and that should be quite apart from our own predilections etc." (op cit).

The Organization of African Unity (OAU), whose members are drawn from the leadership of rather weak and unstable nation-states, shuns any discussion that might be interpreted as interfering with "internal affairs of members states". However, the recent decision to include "conflict resolution" on its agenda for the first time could be interpreted as a significant sign that the OAU is heading in the right direction in tackling issues besetting indigenous peoples.

The Role of Indigenous Peoples' Organisations

Over the last few years, indigenous peoples have come to realise that there is a gap in knowledge about their situation since the mainstream media either does not report about them at all or does so inappropriately. Kenya's Chief Justice once put it succinctly when, in reference to demands for a freer press, he stated that, the issue of

freedom of the press is a subjective one in Kenya since for example, "the only time we read about the Turkana in the press is when someone is castigating them for being primitive" (Chesoni, ca.1997).

As a way of filling the gap and speaking for themselves, a number of newspapers, newsletters and magazines have been initiated by indigenous peoples' own organization and NGOs. These include *The Pastoralist* by the now defunct Kenya Pastoralist Forum, *Nomadic News* by Indigenous Information Network, *Dupoto News* by Dupoto-e-Maa, *Neighbours News* by Neighbours Initiative Alliance and a number of others. One weakness observed in some of the newsletters is a tendency to replicate issues in the mainstream media in their style and manner of reporting, rather than provide alternative perspectives. This clearly derives from the form of journalism training received by reporters in the region, hence there is a need to strengthen capacity to provide for alternative ways of reporting.

A number of networks and organizations have also been established for the purposes of advocating for the rights of indigenous peoples. Research-oriented networks were initiated for the purposes of documenting the plight of pastoralists in the region and in so doing play a role in influencing policy for the realisation of positive development interventions. Some of the networks in this category include the Arid Lands and Resource Management (ALARM) covering Kenya, Uganda, Tanzania and Ethiopia, with its Secretariat in Uganda. Then there is the Pastoral Information Network Programme (PINEP) covering Eastern Africa and the Horn and the Pastoralist Network (PANET) based in Tanzania. In later years, the Kenya Pastoralist Forum (KPF) and the Pastoralist Indigenous Non-Governmental Organization (PINGOS) for Kenya and Tanzanian respectively emerged. Then there are many community-based organizations that have been trying to cater for the needs of grass roots communities. Some of these include OSILIGI for the Laikipia Maasai, Dupoto for the Kajiado Maasai, Loodoariak for the Loodoariak people of Kajiado district in Kenya, Samburu girl Child Education Programme (SAGEP) and Paran for the Samburu people, and the Movement for the empowerment of Local Initiatives (MELI) for the Boran people, the Ogiek Welfare Council, and so on. In Uganda, the Karamoja Implementation Unit serves the needs of the Karamojong. In recent years, the Indigenous Information Network and the African Indigenous Women's Organization have both emerged to serve the interests of indigenous peoples. And the list continues. In the past few weeks, there has been an attempt to combine forces as communities and come up with one all encompassing organization. On this, the Maasai of Kenya and Tanzania, together with the Samburu and Laikipia (all Maa speakers) have taken the lead to initiate

what they call The Maa Council to facilitate the sharing of information and lobbying on common concerns. This is a very recent initiative.

These non-governmental organizations, community based organizations and networks have attempted to address the lack of inclusion of indigenous peoples in the developmental and political arena. They were set up in order to bring pastoralist issues to the political limelight, exchange views and seek solutions to common problems. Pastoralist parliamentarians in Kenya have also come together and formed their own body that would allow them to discuss matters of mutual concern and lobby government for attention.

On a wider continental scale, two initiatives have been formed with the same aims and objectives of bringing indigenous peoples together as an effective mechanism of addressing their concerns. One is the Indigenous Peoples of Africa Coordinating Committee (IPACC) whose headquarters are in South Africa, and the other is the Organization of Indigenous Peoples of Africa (OIPA) based in East Africa. The latter was formed because of the apparent perception that IPACC was dominated by non-African and non-indigenous people. However, both of them are rather young and are beset by financial problems. They are also constrained by lack of financial and management skills. There is a need to popularize them and raise their capacity to make them accountable to the people they represent and the constituencies within which they operate.

The Role of the International Community

The reluctance by African governments to address the situation of indigenous peoples is apparent in their refusal to ratify ILO Convention 169. Recent reports indicate that the South African government is studying the convention very seriously and that it is one government in Africa where the issue of indigenous peoples is not threatening to national unity as perceived by other governments in the region.

Given this situation, there is need for greater donor involvement in matters that affect indigenous peoples. While donor-driven programs are not appropriate, it may be necessary for donors to forge close collaboration with indigenous peoples to design programs that are beneficial to them and in accordance with appropriate international conventions and policies.

There is also a need to ensure that the informed consultation and consent of indigenous peoples is sought prior to the implementation of development projects in their areas so that participatory development can be achieved. The European Union policy paper on indigenous peoples needs to be disseminated to African governments and also to target communities, and steps taken to ensure that the principles agreed upon are adhered to.

Given the fact that governments lack the will to divert scarce resources to the needs of marginalized indigenous peoples, and given that often what is required is converting favourable policy into reality, there is a need to support such endeavours.

On a regional level, indigenous peoples have started to network, thanks to the support advanced so far by the international community. There is a need to continue and to increase such support to facilitate better organization and create more and wider networks with other indigenous peoples in other continents. So far, the Indigenous Peoples of Africa Coordinating Committee (IPACC) and the Organization of Indigenous Peoples of Africa (OIPA) are the two regional networks that have been established but their operations are constrained by a lack of funds and skills.

To this end, technical assistance in the form of capacity building is necessary to strengthen existing networks, community based organisations, non-governmental organisations, and lobby groups, and to initiate new ones.

The Role of National Governments

At national level, the success of any intervention will be contingent upon the establishment of suitable policy frameworks that are cognizant of the causes of indigenous peoples' marginalization and the factors that reproduce it.

To address the needs of indigenous peoples, it is important that African governments are made to understand that the situation of indigenous peoples is special and therefore requires special initiatives and solutions. Indigenous peoples are special interest groups and affirmative action is needed to address their problems. One example might suffice. The constitutions of the East African states allow all nationals the right to live anywhere within the boundaries of their countries. But, somehow, indigenous peoples never seem to be able to obtain land elsewhere and their own areas keep diminishing as they are being encroached upon. At the same time, the simple principle of "willing buyer, willing seller" is very popular among mainstream societies as they take advantage of statutes to obtain land from minorities and indigenous peoples. It tends to ignore the inequitable relations between them. Such policies need to be addressed nationally through interventions by international bodies, in

order to stem further deterioration of the economic situation of indigenous peoples. In this way, legislation would be made appropriate to accommodating the problems experienced by indigenous peoples.

Indigenous peoples need to be empowered to develop the capacities for skills and to demand their rights within the present systems. Training programmes, short-term courses, and exposure to human rights instruments will go a long way to realizing this objective. The Voluntary Fund for the Decade of Indigenous Peoples, the International Work Group for Indigenous Affairs, the World Council of Churches and the Sami Council have all contributed immensely toward the attainment of this task. Considering that it is only recently that Africans started participating in such fora, more needs to be done rather quickly.

At the national level, too, mechanisms could be developed to inform indigenous peoples about the options available under existing legislation, and better measures need to be established for accurately targeting indigenous peoples all over Africa.

Since many indigenous peoples in Africa are found across international boundaries, means need to be found to relax some of the restrictions that hamper relations between similar communities across borders. Regional bodies could also be initiated to facilitate cooperation across these areas. Governments could be encouraged by donors to spearhead such initiatives particularly in East Africa where cooperation in other spheres is enthusiastically being sought.

Note

1 For sources and methodology, this is essentially a desk study. However, it has benefited from a conference organized by the International Work Group for Indigenous Affairs (IWGIA) in Arusha, Tanzania in January 1998, which brought together indigenous peoples from Eastern, Central and Southern Africa. It also draws upon the findings of an ongoing extensive study on indigenous peoples in selected regions of Africa. This study was commissioned by the Sami Council whose contribution is hereby acknowledged.

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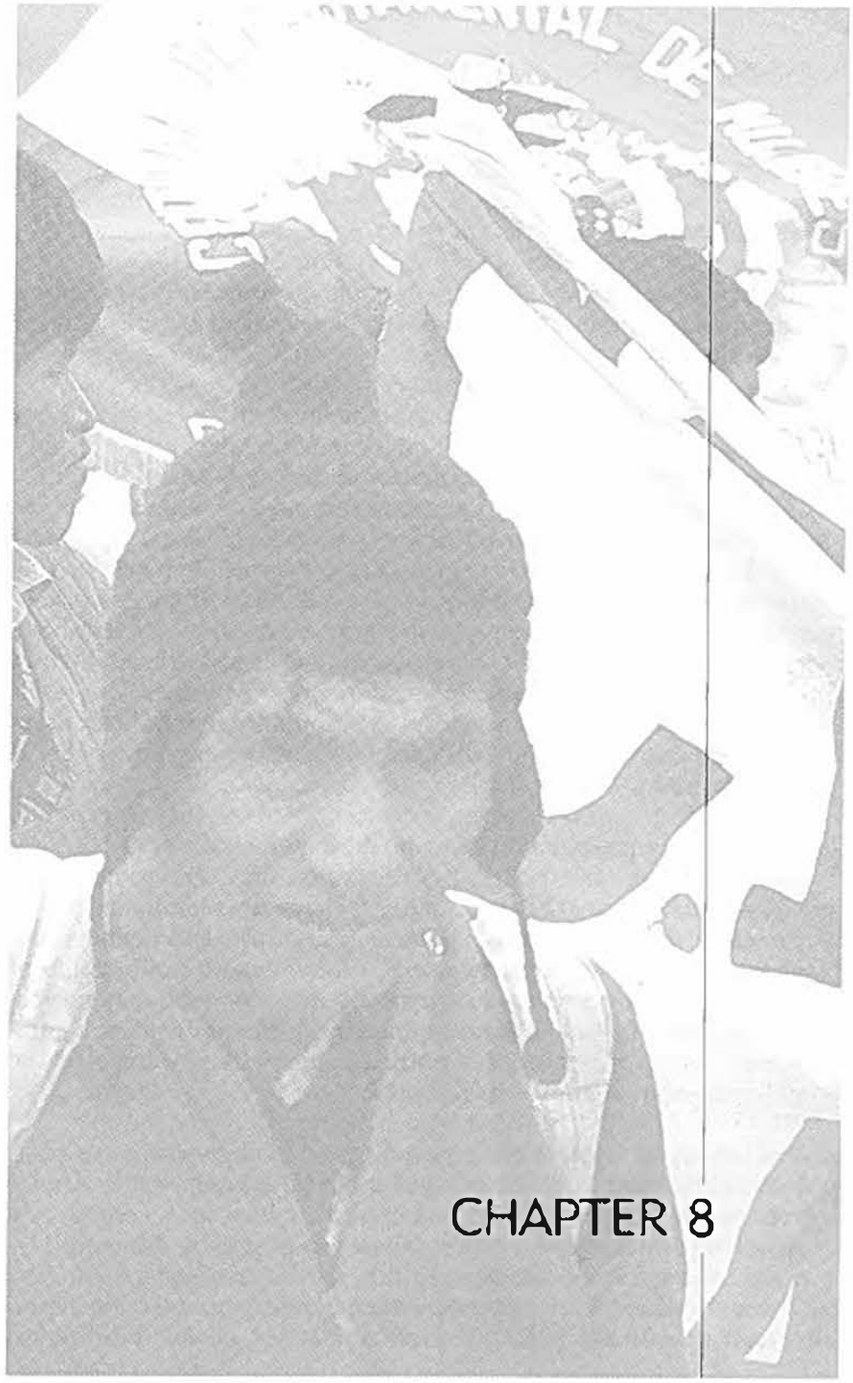


CHAPTER 8

SUMMARY / STRATEGIES / RECOMMENDATIONS[1]

by Joan Carling

General Summary

Indigenous peoples in all regions face similar problems concerning their involvement in national politics. The summary of this current state of things is as follows:

1. Most indigenous peoples are marginalized. Their land and resources are being systematically and unjustly taken away, mainly by governments, multinational companies, and business groups. They also have little or no access to public services such as education, health and needed infrastructures. This state-neglect compounds their impoverishment and economic deprivation. This condition of most indigenous peoples reflects on their powerlessness in mainstream society, especially since they do not have control over their land and resources, and resource exploitation continues to worsen under present political systems. The rapid dispossession of indigenous peoples from their land and resources further weakens their meaningful participation in any political exercise and structure.

2. The minority-majority division in the nation-state limits the democratic space, and political participation and representation of indigenous peoples. Most political systems are dominated if not controlled by the majority. Thus, as minorities, indigenous peoples are marginalized in the social, economic and political life of the nation. The dichotomy of majority-minority without due recognition of the rights of the minority is inherently disadvantageous to indigenous peoples' participation and involvement in the political structures of a nation-state.

3. The history of oppression imposed by colonial governments continues to influence present political systems of nation states. Under colonialism a national elite was created, which took control of a nation's political system and continues to be greatly influenced by their former colonial masters. In this context, indigenous peoples, especially those who opposed colonial rule, are not truly represented in national political systems. History shows the political marginalization of indigenous peoples, even in areas where they form the majority. While there are cases of political representation at the local level, genuine representation is almost absent at the higher levels of government.

4. Existing borders of nation states are causing more conflicts with regard to territories, resources, and political representation. This problem is historically rooted in the political divisions made and imposed by colonial powers, especially in the case of Africa. These border problems are leading to political tensions on resource-control and to confusion on the issue of proper political representation. The non-recognition of the territories of indigenous peoples further aggravates further aggravates conflicts between nation states and indigenous peoples.

5. Systems of political parties and electoral processes violate traditional systems of decision-making and representation of indigenous peoples. National parties do not represent the interests of indigenous peoples but are only interested in getting their votes. Party-politics, based on personalities and social and political influence, is alien to most indigenous peoples, who still adhere to their traditional political systems. These indigenous systems give premium to the wisdom of elders and consensus in decision making in building and upholding community unity. On the other hand, party politics leads to disunity and division in villages and communities. It causes competition among political parties on proper representation of constituents, leading to the further marginalization and disadvantage of small groups.

6. The structures of traditional state party systems do not accommodate multi-ethnic/heterogeneous populations/constituencies for proper representation and selection. Even in areas where indigenous peoples create their own political parties, these can hardly compete with the dominant political parties of the majority, given their limited resources, level of influence in media, and limited capacity to set up support machineries for elections, among other reasons. In addition, the process of popular elections that are usually marred by cheating, fraud and dirty tactics, is deplorable and discourages the meaningful participation of indigenous peoples.

7. Lack of education and low literacy among the indigenous peoples, compounded by their poverty, make them vulnerable to politicians' vote-buying and into believing their empty promises, as

well as political propaganda and advertisements. Thus, lack of education and awareness lessens any meaningful participation of indigenous peoples in the electoral process.

8. The indigenous peoples' lack of access to and participation in media already puts them at a disadvantage in the political life of the nation-state. Even community radio is hardly accessible to them due to government restrictions and corruption in the national media. There is not much interest among the media in indigenous issues and indigenous peoples working as journalists get marginalized themselves. The media is a powerful tool for information dissemination, awareness building, and enlightened decision making on political issues, but the indigenous peoples' situation has marginalized them from its use.

9. Certain indigenous peoples practice self-governance in varying degrees under autonomy structures within their nation-states. These are the Sami people of Sweden, Norway and Finland, through their Sami parliaments, the Inuit of Greenland through the Greenland Home Rule, the Kuna through Kuna Yala in Panama, and the Miskito in the autonomous regions in Nicaragua. In these countries there is some level of recognition of indigenous processes and mechanisms of governance and political systems. Certain indigenous groups also engage in party politics and the electoral process of the nation state as in the case of the Miskito of Nicaragua and the Sami people. These indigenous peoples are relatively more advanced in the exercise of their socio-cultural and political rights as compared to the majority of indigenous peoples. However, their actual control over their land and resources remains a contentious issue with the nation-state.

Strategies and Recommendations:

1. Reform of states' political systems to strengthen IP communities for local autonomy. There should be **recognition of indigenous political systems** as an alternative system for the promotion of the collective interest and welfare of indigenous peoples. Any reform in the state's political systems should also recognize the following:

   a) Mechanisms defined by indigenous peoples in selecting their leaders and in running their affairs. This shall be in accordance with their socio-cultural practices, which adhere to collective decision making, cooperation, unity and peace-building. This shall serve to strengthen the IP systems of decision-making, representation and selection of leaders.

   b) Institutionalisation of the principles of accountability and transparency among all public officials in the selection and proper representation of indigenous peoples at the local and national levels.

   c) Inclusion, active involvement, participation and equal or appropriate representation of women and youth on all levels of governance/political structures.

   d) Any form of self-governance for indigenous peoples should not be limited only to political structures, but also to their collective control, protection, management and utilization of their lands and resources.

2. Promotion of **alliances with other groups and sectors** at the local, national and international levels for the promotion of indigenous peoples' rights, protection of their resources, democratic participation and representation of all democratic sectors within the nation-state. These alliances with other groups shall also work for peace, justice, mutual respect, and cooperation for the common good of the people - both indigenous and non-indigenous.

3. **Review border divisions** of nation-states with due recognition of the territories of indigenous peoples. This shall be towards resolving border conflicts, recognition of indigenous peoples' control and management over their resources, and proper political representation of indigenous peoples within nation states or putting up autonomous political structures for indigenous peoples to exercise the right to self determination.

4. National party system and electoral process can be viable and meaningful to certain groups of indigenous peoples if there exists a **democratic space** within the nation-states that provides an equal playing field for the participation of indigenous peoples. This should include the recognition and respect of the indigenous peoples' systems of decision-making and mechanism for self-governance. The electoral process should also be clean and honest to ensure the integrity of the process as a truly democratic exercise of the people.

5. Develop indigenous peoples' **education systems** that will enhance and transmit traditional knowledge, culture and information to serve the needs of indigenous peoples. To achieve this, the following points should be implemented:

   a) Move to change the imposed/western education system that is discriminatory to indigenous peoples.

   b) Review the content of educational materials and revise curricula to make it relevant and responsive to the needs and interests of indigenous peoples.

   c) Ensure facilities and access to education on all levels and from child to adult, especially for the girl-child.

   d) Promote education on women's rights and gender sensitivity

   e) Adopt **communication and information** strategies to highlight indigenous peoples issues and concerns in the media:

      i) Ensure national and international media coverage of local indigenous peoples' struggles, especially those under repressive states.
      ii) Develop mechanisms and actions to ensure participation in and access to media, including the setting up of media outfits managed by indigenous peoples.

Note

[1] The summary, strategies and recommendations are mainly based on discussion by the participants of the last workshop in Nairobi. They may serve as departure for further discussions.

ANNEX

Juchitán, Oaxaca, Mexico, 7-9 November 1999.
Organised by the National Indigenous Plural Assembly for Autonomy (ANIPA), Mexico – COCEI and IWGIA

The discussions focused on the crisis of the existing electoral systems in all Latin American countries. The parties have lost credibility and the politicians have serious image problems. This has different effects on the indigenous peoples: on the one hand it opens up space for regional leaders and candidates without affiliation to the bigger parties, on the other hand, it can lead to low participation in elections and to frustrations or even to armed struggle. But it can also help indigenous peoples gain more space for involvement in party politics through existing national parties or through their own political parties. There was a consensus among the participants that the participation in Congress is crucial. Nevertheless, the strategies to achieve this goal differ from country to country. Further discussions centred on the danger of being dependent on indigenous individuals, who could be corrupted, and of the lack of preparation for holding government office.

The 17 participants included members of the Democratic Revolution Party (PRD and the Institutional Revolutionary Party (PRI) as well as a member of the traditional Council of the Indian Peoples of the State of Sonora and members of several indigenous organisations in **Mexico**; a councillor of the government of the Autonomous Regional Council of the Northern Autonomous Region of the Atlantic Coast and a journalist and member of URACCAN in **Nicaragua**; a member of the National Congress for the Pachakuti Movement and a parliamentary assessor of **Ecuador**; a senator from **Colombia**; a leader of the social movement in **Guatemala**; a member of AIDESEP and MIAP in **Peru**; and an IWGIA representative from **Denmark**.

Guovdageaidnu (Kautokeino), Norway, 4 March 2000.
Organised by Eva Josefsen and IWGIA

In all three Scandinavian countries the Sami parliaments play a major role in dealing with the national governments. Although their strength and their position within the states vary, they are an important channel through which to get involved in national politics and to have an input in the parliamentary discussion. The degree to which the governments let the Sami participate is most obvious in their respective budgets for the Sami parliaments. Members of the Sami Parliaments in Finland, Sweden and Norway presented papers on the situation in their countries. In Finland, the Sami Parliament has little impact on society and there is an attempt by non-Sami to be elected into the Sami parliament. The Sami had to go to court in order to stop this development. In the case of Sweden the conflict of the Sami political "establishment" and the opposition group was discussed, while in Norway the relationship between the Sami parliament and the National parliament is important. Another topic taken up at this workshop was the position of the Sami in relation to the European Union.

The 13 participants included members of the Sami parliaments in **Norway**, **Sweden** and **Finland**; a member of the Norwegian Government; several members of the Nordic Sami Institute; and two representatives of IWGIA.

Poring Hot Spring, Ranau, Sabah (Malaysia), 14 – 16 July 2000.
Organised by Partners of Community Organisations (PACOS) and IWGIA

This workshop showed very clearly the very many different contexts indigenous peoples find themselves in and therefore the varied experiences they have. While for example indigenous peoples in the Philippines are very well organised and play an active role in the national political system, there are armed uprisings in Burma or a weak involvement in politics in Nepal. For this reason, the discussions focused on different possibilities of participation and non-participation. As the plenary session was divided into groups twice, the possibility of exchanging views and learning from other groups was given in a more intensive context. This practice proved to be very useful and led to a most constructive discussion in the plenary session. Generally the conclusion was that the national political systems don't have anything to offer to indigenous peoples, and alternative ways of getting involved or being part of the nation-state have to be found.

The 27 participants included members of the Arakan Human Rights Research Committee and the Chin Human Rights Organisation, **Burma**;

from the Jharkhand region in **India**; members of AMAN and the Institut Dayakologi in **Indonesia**; the Ainu Association of Hokkaido (Sapporo) in **Japan**; the Peoples Party of Malaysia, Persatuan Orang Asli Semenanjung, PACOS Trust and the Centre of Orang Asli Concerns in **Malaysia**; the Naga Peoples Movement for Human Rights and a member AIPP from **Nagaland**; the Nepal Bhasa Mangka Khala (NBMK / NEFEN) and NEFEN / NTG in **Nepal**; the Cordillera Peoples Alliance (CPA) and Kebager te Ked-Inged, Inc. in the **Philippines**; the Association of Taiwan Indigenous Peoples Policy Development and the Association of Taiwan Indigenous Peoples' Labour in **Taiwan**; a representative of the Indigenous Information Network in **Kenya**; and two representatives of IWGIA.

Nadi, Fiji, 4-6 September 2000.
Organised by the Pacific Concerns Resource Centre (PCRC) and IWIGA

The workshop was influenced by three underlying themes that lead through the meetings: a critique of the western political systems, a commitment to traditional leadership systems, and the problem of non-indigenous immigration. The discussions focused very much on the difference between traditional and imported systems of governance. Political parties were seen as one aspect of a divisive and alien political structure and although there was also critique of some of the traditional authorities, a general consensus was that the existing political systems are defined by others and that there is a need to redefine the way life and politics is run in the Pacific. Another issue that was taken up specifically in this workshop as an agenda item was the role of women. Women's situations in relation to politics vary from island to island. The role of the church is often crucial for the situation of women.

The 12 participants were from governments, indigenous organisations, and traditional institutions of 10 different island states including the Head of the House of Ariki in the **Cook Islands**; a participant from the Ulu o Tokelau, **Tokelau**; a member of PCRC from the **Fiji Island**; a member of the Kanak National and Socialist Liberation Front (FLNKS) and minister of Culture, Youth and Sports in the present coalition government, **Kanaky** (New Caledonia); a member of PCRC from **Vanuatu**; a member of the Nuclear Free and Independent Pacific (NFIP) and the Human Rights and Pro-Democracy Movement in **Tonga**; a participant from **West Papua**; a member of

the Tavini Huiraatira party of **Te Ao Maohi** (French Polynesia); a member of the Organisation of Peoples for Indigenous Rights (OPIR) in **Guam**; a member of the Interim Government of **Bougainville**; and a representative of IWGIA.

Iqaluit, Nunavut, Canada, 2-4 October 2000
Organised by Jimi Onalik and IWGIA

One of the main issues in the discussions about Nunavut was traditional leadership and the Nunavut government. The intermingling of the two important political players in present Nunavut seems crucial and there is a need for combining them. Further it was stressed that Inuit did get involved in political parties through their representatives at the national level. Nevertheless, these representatives were more interested in the Inuit cause than in the party's agenda and tried to use their positions to push the development for the negotiations of Nunavut forward. There is a very high participation in elections in the North of Canada, specifically in connection with the Nunavut government.

The 8 participants included the former president of Inuit Tapirisat of Canada and former chief commissioner of the Nunavut Implementation Commission, a former deputy minister of NWT, a policy analyst of the government of Nunavut, an Assistant Deputy Minister of Nunavut and former (and first) Inuk MP of Canada and the former Executive Assistant to the Premier of Nunavut, **Canada**; a member of RAIPON in **Russia**; an indigenous representative from the **Philippines**; and two representatives of IWGIA.

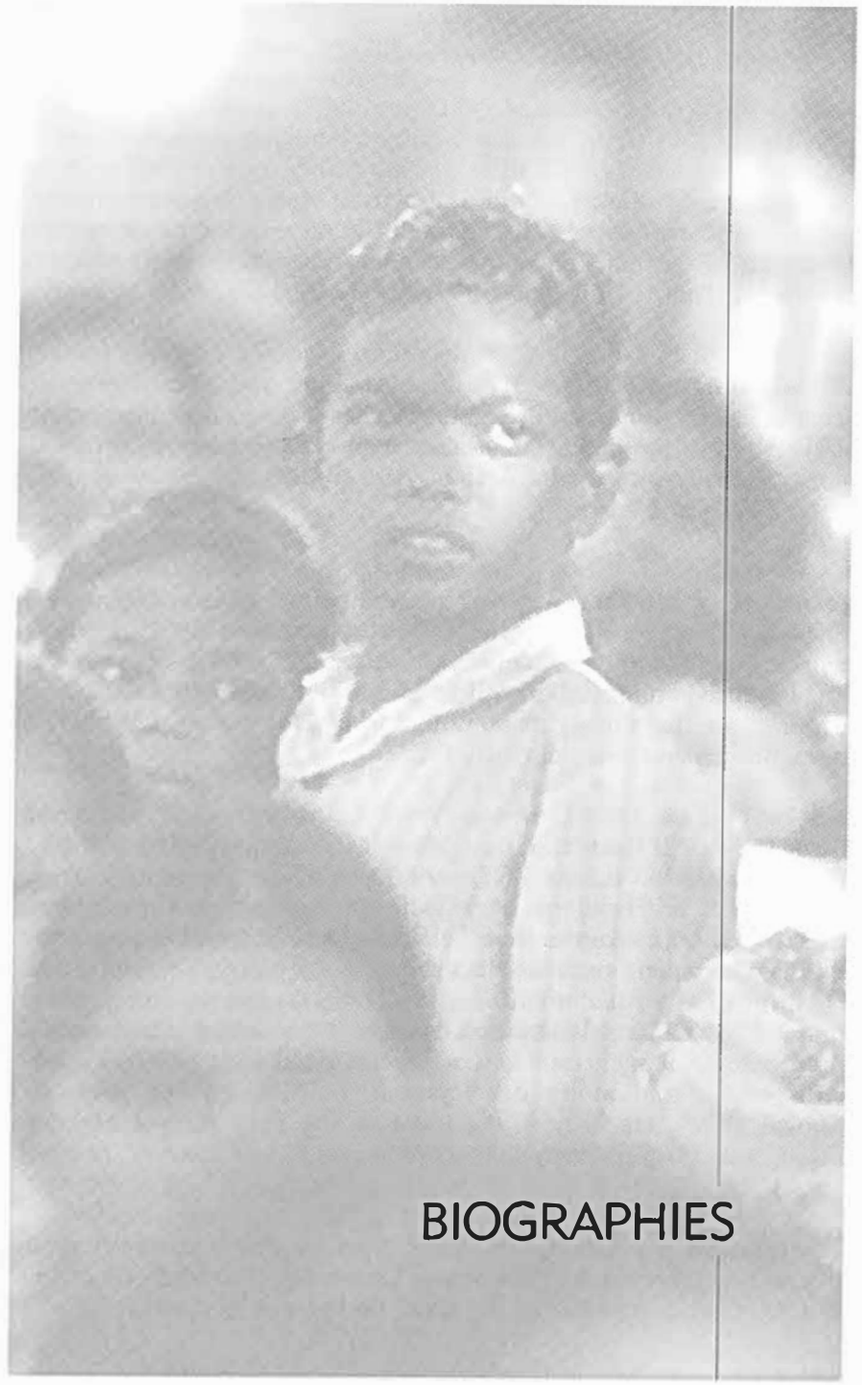
Nairobi, Kenya, 6-8 November 2000
Organised by Indigenous Information Network (IIN) and IWGIA

This workshop rounded up all the regional meetings and drafted recommendations and strategies based on common experiences. It also functioned as the regional seminar for Africa.

The presentations from Africa showed that there is a strong need for further education of indigenous peoples as an effective participation in national politics is otherwise not possible. The discussion on the definition of indigenous peoples in Africa was another point

taken up and it was stressed that the most important element is self-definition. Participation of women was mentioned by several participants from Africa and was repeatedly voiced in different contexts. The participants from other regions made presentations, taking up the discussions of their respective workshops, and a summary of the meeting was drafted by a small group of representatives from the different regions on the last morning. This summary was then presented to the plenary session and discussed.

The 16 participants included members of different indigenous organisations in **Kenya** such as OSILIGI, DUPOTO E MAA, ALARM and the Indigenous Information Network (IIN), and an indigenous Pukot candidate to the Kenyan Parliament; a member of the Kipoc Barabaig organization in **Tanzania**; a member of the Bororo Social & Cultural Development Association, **Cameroon**; a representative of WIMSA, **Namibia**; a representative of the Ethnic Minorities and Indigenous Rights Organisation of Africa, **Nigeria**. Furthermore participants from the previous regional workshops: From the Asian workshop, representatives from **India** and the Cordillera Peoples Alliance in the **Philippines**; from the Latin American workshop a representative from URACCAN in **Nicaragua**; from the Samí workshop, a member of the **Norwegian** Sami Parliament; and two representatives of IWGIA from **Denmark**. Due to personal reasons and to a coup in Fiji, unfortunately, the invited delegates from the workshops in Nunavut and in Fiji could not participate.



BIOGRAPHIES

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Samar Bosu Mullick is a political activist in the Jharkhand movement. He is a research and study consultant with the Willium Cary Study and Research Centre in Calcutta and a Ph.D. student in the Jawaharlal Nehru University in Delhi. He is also known as Sanjay.

Aracely Burguete Cal y Mayor is a sociologist and researcher at the Centre for Research and Higher Studies in Social Anthropology (CIESAS). She worked as an advisor to several indigenous organisations. She currently works as an advisor to the indigenous organisation ANIPA in Mexico.

Joan Carling is a Kankanaey of the Mountain Province, Philippines. She has a background in Sociology, and was a human rights activist working with various sectors and with indigenous peoples in Kalinga before joining the Cordillera Peoples Alliance (CPA) as a convenor of the human rights commission in 1994. Since 1997 she has been the general secretary of CPA.

Syed Husin Ali studied at the University of Malaya and has a Ph.D from the London School of Economics. He was a professor at the Department of Sociology and Anthropology at the University of Malaya but was asked to leave when he became active in opposition politics. He spent six years in detention for political reasons. Syed Husin Ali has written about a dozen books on the peasantry, development and ethnic relations and has been a consultant with a number of international agencies. He was also involved with NGOs, working with ethnic community development, housing for the poor and human rights. He is now President of the Parti Rakyat Malaysia (Malaysian Peoples Party).

Eva Josefsen is a Sami from Alta in Norway. She is currently doing her main subject in social sciences at University of Tromsø. Since 1997 she has been a member of the Sami parliament in Norway.

Peter Jull worked with indigenous peoples in hinterland Canada from 1961. He worked for the government of the Northwest Territories, the federal government and the government of British Columbia from 1966 to 1980. From 1980 he worked for Inuit regional, national, and international organisations; and since 1987 he has lived in Australia, writing and working with Torres Strait Islander and Aboriginal organisations, and researching and teaching at the Australian National University's North Australia Research Unit, Darwin, and University of Queensland.

Naomi Kipuri is a Maasai from Kenya. She holds a Ph.D. in Anthropology from Temple University, Philadelphia, USA, and has taught anthropology for many years at the University of Nairobi. She works with many NGOs on development issues and the concerns of indigenous peoples. She is also a development consultant.

Jimmy Nâunââ is the Assistant Director - Decolonisation of the Pacific Concerns Resource Centre (PCRC) in Suva, Fiji. He is responsible for PCRC's campaign on issues of decolonisation and indigenous rights in the Pacific and coordinates solidarity network between indigenous peoples of the eight regions of the Nuclear Free and Independent Pacific (NFIP) Movement.

Margarito Ruiz Hernández is a member of the Maya-Tojolab'al people, Mexico. He was a federal deputy in the LIVth Legislature of the Congress of the Union from 1988-1991 for the Party of the Democratic Revolution and a member of the Executive Board of the Secretariat of Indian Peoples of the Party of the Democratic Revolution. He is currently the General Coordinator of the Independent Front of Indigenous Peoples (FIPI) and Coordinator of the Plural National Indigenous Assembly for Autonomy-National Political Group (ANIPA-APN).

Kathrin Wessendorf is an anthropologist from Switzerland. She currently works at the Secretariat of the International Work Group for Indigenous Affairs (IWGIA) in Copenhagen.