

# Discrimination against Indigenous Peoples in Mexico

## Public Policies to Prevent and Reduce It

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The history of Mexico's more than 60 indigenous peoples testifies to innumerable cases of discrimination against their languages, forms of dress, health care and justice, but, above all, to their exclusion from the

benefits of the country's economic, political and social development.

More than 50 years of indigenist policies sought to assimilate these peoples into a homogeneous nation and a single mestiza national culture, arguing that they were isolated groups, cut off from the rest of society, superstitious, resistant to change, ignorant and, therefore, incapable of taking the reins of their own development.

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The media glorifies the past of indigenous peoples, saying their origins nourish and enrich our national identity, and at the same time propagates an image of the Indian of today, whose way of life is an obstacle to national development. This portrayal is also an expression of discrimination and racism.

Despite all this, it is only relatively recently that the Mexican government has recognized the existence of discrimination in society. The disadvantages of the indigenous population were explained rather as part of the country's economic and social backwardness or blamed on the indigenous peoples themselves, who stubbornly insisted

up and broke with the homogenized model of a single culture, a single identity, a single nation. Regionally and internationally, the Mexican government's ratification and/or adherence to the aim of fostering measures to consolidate attention to indigenous peoples were also important. Among these international measures and bodies are the Inter-American Indigenous Institute, the Fund for the Development of the Indigenous Peoples of Latin American and the Caribbean, International Labor Organization (ILO) Convention 169, the Decade of the Indigenous Peoples of the World, the working groups in charge of writing the Universal Decla-

Huichols, Rarámuris, Wírrarics, Coras, Nahuas, Purépechas, Mixes, Tojolabals, Mames, Mayos, Tepehuans, Mazahuas, Tzeltals, Mixtecs, Zapotecs, Triquis, Yaquis, Cuicatecs and many others are part of that multicultural make-up. They organize in each territory to demand respect for their civil and collective rights and to get the different states to amend their laws to guarantee the effective implementation of the constitutional reforms.

However, despite the advances described, history has shown that legislative and constitutional reforms alone will not put an end to a history of practices of discrimination and social exclusion. Proof of this are the results of the 2005 National Survey on Discrimination carried out by the National Council for the Prevention of Discrimination (Conapred). Forty-three percent of those polled thought that indigenous people will always be limited socially because of their racial characteristics; one out of every three thought that the only thing indigenous people have to do to escape poverty is to stop acting like indigenous people; 40 percent of Mexicans are willing to organize with others to prevent a group of indigenous people from settling close to their community.

Of indigenous people surveyed, nine out of every ten thought that in Mexico they are discriminated against because of their ethnic origin; 90.3 percent feel they have fewer opportunities for employment; three out of every four think they have fewer opportunities to get an education than the rest of the population; two out of every three think that they have few or no possibilities of improving their living conditions; 45 percent think their rights have not been respected because they are indi-

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on remaining in their territories, cut off from national development.

It was therefore a big step forward when at the 2001 Preparatory Conference in Santiago, Chile, the Mexican government recognized for the first time the existence of discrimination in society. As a result of that recognition, Article 1 of the Mexican Constitution was amended to include the prohibition of all forms of discrimination for any reason because they constituted an attack on human dignity and aimed to deny or diminish fundamental rights and freedoms.

Another important achievement was the change made to Article 4 of the Constitution which finally recognized our nation's multi-cultural make-

up and broke with the homogenized model of a single culture, a single identity, a single nation. Regionally and internationally, the Mexican government's ratification and/or adherence to the aim of fostering measures to consolidate attention to indigenous peoples were also important. Among these international measures and bodies are the Inter-American Indigenous Institute, the Fund for the Development of the Indigenous Peoples of Latin American and the Caribbean, International Labor Organization (ILO) Convention 169, the Decade of the Indigenous Peoples of the World, the working groups in charge of writing the Universal Decla-

ration and the American Declaration of the Rights of Indigenous Peoples, the Special Rapporteur on the Situation of Human Rights and the Fundamental Freedoms of Indigenous Peoples and the Permanent Forum for Indigenous Matters of the Economic and Social Council (Ecosoc).  
The advances in restoring dignity to indigenous peoples are not only the product of international bodies' mandates, but also of the activities over recent decades of the indigenous peoples themselves, who have organized to win respect for their cultural diversity and for the exercise and recognition of their collective and cultural rights that would allow them to foster their own forms of organization and development.

genous; one in three has suffered discrimination in the last year because he/she was indigenous; and, finally, one out of every five has been denied a job for the same reason.

The National Commission for the Development of Indigenous Peoples (CDI), the body in charge of promoting public policy actions in favor of the indigenous population, coordinated a national survey among indigenous peoples in November 2003 and April 2004 to find out their opinion about the issues and actions the CDI should carry out. Discrimination showed up as one of the barriers to the recognition and respect for these peoples' rights: of a total of 1,348 responses about rights, 16 percent mentioned discrimination. Forty percent of those polled denounced the discrimination they suffer for speaking their native language, for their form of dress and for cultural differences; 14 percent denounced discriminatory abuses and practices suffered at the hands of government employees; 24 percent associated discrimination with their being marginalized in society, to the difficult access to education and the lack of real indigenous participation in legislatures.<sup>1</sup>

We also cannot ignore the UN High Commissioner for Human Rights' observations to the Mexican government. Among other things, its reports mention the disadvantages indigenous people suffer from in the justice system because they do not speak or understand Spanish and due to corruption and abuses of power. It also underlines how thousands of indigenous have been uprooted because of political and religious conflicts; the clashes due to their land being taken from them; the increase in the number of drug traffickers who take advantage of the popula-

tion's poverty and need; the rise in indigenous migration because of poverty and marginalization; and the discrimination and harassment that indigenous women and children suffer from.<sup>2</sup>

As we can see, this information shows that we are still a society with prejudices against the indigenous population, a society that refuses to tolerate difference and recognize them as citizens with full rights, thus limiting their participation in the country's economic and social life.

For any government really committed to the eradication of discrimination in society, these survey results must be a matter for concern, since they express

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the arduous road still ahead on the way to destroying prejudice.

For its part, the National Commission for the Development of Indigenous Peoples is implementing actions to reverse discrimination against indigenous peoples. To do that, Article 3 of the law that created it proposes "promoting non-discrimination and [the fight against] social exclusion, and the construction of an inclusive, plural, tolerant society, respectful of difference and intercultural dialogue."<sup>3</sup>

In the first place, the CDI is creating mechanisms for participation that will include the indigenous population in public policy design. To do this, it created a consultative council made up of 183 representatives, 123 of whom

are indigenous, in charge of monitoring and proposing public policy actions for their integral development.

The CDI aims its actions for fostering recognition of indigenous rights at protecting individual rights, on the one hand, and on the other, at recognizing and enforcing collective indigenous peoples' rights: their legal standing, self-determination and autonomy, full access to state jurisdiction and respect for their culture.

Through the System of Indigenist Radios, work is being done so that the CDI's 20 radio stations, which broadcast to 40 indigenous peoples in more than 30 languages, air programs aimed

at promoting the respect and recognition of indigenous cultures. Also, in the indigenist cultural radio system, different participatory processes are being carried out such as consultative councils or community correspondents. These councils review and analyze programming so it does not reproduce discriminatory messages and to try to get it to correspond to the cultural interests and characteristics of the indigenous peoples and communities themselves. Much is left to be done to make the dissemination of indigenous peoples' cultures a daily phenomenon, and, what is more important, so that they can have access to the media.

One factor in the distorted perception of indigenous peoples is the folk-

lore-laden, stereotyped images of their cultures. For this reason, it is very important that there be support for conferences, music and dance festivals, and prizes and honors, such as the National Prize for Science and the Arts, the Nezahualcōyotl Prize, the National Prize for Indigenous Youth, the Fonart Prize, the nominations for the UNESCO's Oral and Intangible Heritage List and the Acolmiztli Nezahualcōyotl National Prize for Young Indigenous Poetry, among others. All of this makes it possible to foster a realistic, modern image of the wealth and cultural diversity of Mexico's indigenous peoples.

Through its Office of International Affairs, the CDI monitors the Mexican

national bodies to support the exchange of experiences.

While Mexico has about 100 indigenous languages, one of the clearest expressions of discrimination has been impeding their day-to-day use, to the degree that many indigenous have stopped speaking their native tongues. In that sense, one fundamental issue is the recognition and dissemination of the social value of using their languages. To this end, the Mexican government created the National Institute of Indigenous Languages, in charge of defending the "right to communicate in [their] native language, without restriction in the public or private spheres, orally or in writing, in all their social, economic,

to include a gender focus in the federal government's policies, programs and actions for promoting the participation, respect, equity and full opportunities for indigenous women.

Much remains to be done since the big challenge for eradicating discriminatory practices against the indigenous population lies not only in destroying society's prejudices, but also the prejudices embedded in institutional culture after decades of paternalistic and integrationist policies.

Another challenge consists of overcoming the mistrust among the indigenous population given that the changes stemming from the reforms that created the new institution have still not been generally perceived. Many continue to think that these public policies are really a mechanism to demobilize and a strategy to control and repress the advances in organization and struggle achieved by indigenous peoples in recent years. **MM**

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government's international commitments with regard to indigenous issues. It also promotes the participation of experts and representatives of these peoples in international fora and bodies that discuss and analyze relevant issues, particularly in terms of their rights and fundamental freedoms. It fosters technical and economic cooperation through bodies specializing in indigenous matters, such as cooperation and development agencies and the diplomatic missions of other countries. It disseminates information about indigenous issues relevant to the international scene, and fosters the establishment of links with academic institutions of other countries and international and

political, cultural, religious and other kinds of activities" (Article 9 of the General Law of Linguistic Rights of Indigenous Peoples).

Another form of discrimination that is currently being combatted is based on gender. Indigenous women suffer more from poverty and discrimination, a situation evidenced in the educational lag, high rates of maternal mortality and, in general, the lack of opportunities for participating in the economy, politics and culture, which limits their possibilities for achieving a decent quality of life and of accessing opportunities for development.

For this reason, the CDI law stipulates that one of its basic principles is

## NOTES

<sup>1</sup> CDI, *Consulta Nacional a Pueblos Indígenas sobre sus Formas y Aspiraciones de Desarrollo* (Mexico City: CDI, 2004).

<sup>2</sup> Oficina del Alto Comisionado para los Derechos Humanos en México, *Diagnóstico sobre la situación de los derechos humanos en México* (Mexico City: United Nations, 2004), pp. 153-160.

<sup>3</sup> The Law Creating the National Commission for the Development of Indigenous Peoples was published May 21, 2003, in the *Diario Oficial de la Federación* (Official Gazette). This law replaced the Law about the National Indigenous Institute, the institution that for 54 years had been in charge of promoting indigenous policies in Mexico.