

# Discourse and praxes of actors involved in the creation of indigenous public policies in Chile

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**Abstract:** This document presents a project of research combining Political Sciences and Anthropology. The relationship between the Chilean Government and the indigenous people has been marked by different measures taken by the Chilean State. The relationship does not seem to improve, hence the measures taken haven't been successful. Therefore, it is interesting to analyse the discourses and praxes present nowadays in the different actors in order to understand the possibilities of these organizations to become a feedback in the creation of public policies.

## 1. Introduction

After the Independence of Chile in 1810, the political life was reserved to an intellectual elite. Only the upper class could vote marginalizing the indigenous population: "*The ideal people cannot be mingled with the rabble of the cities nor the ignorant peasants, especially if they are indigenous*" [1]. After the Independence war, the State demonstrated "*an effort of cultural assimilation reinforced by social policies for the dispossessed population*" [2] imposing the Chilean culture. These measures aimed the indigenous people although they were created without their participation nor their consent.

## 2. The Indigenous Policy of the Chilean State.

The relationship between the Chilean State and the indigenous people began with the creation of "mediating institutions" [3] that represented communication channels with the State, but which the State would use as tools for domination. Vergara (2005) defines this mediation as a bidirectional but not necessarily equalised process. These institutions faced a communication problem because the mediation was focused in the indigenous functionary and not in the authorities of the State, generating a feeling of distortion of the information. Therefore, the

author interprets that the States that applied an indigenous policy generated difficulties to create valid mediating institutions, thus stimulating the subsistence of confined spheres for dialogue. The domination appeared while the State deprived the indigenous society of its power of decision reinforcing ethnic inequality. In 1850, the State's concern was to solve the economic development of the region, which was only focused in the economic growth field. The considerable European immigration at this period triggered the fleeing of the indigenous population towards the region of Araucanía and the Argentinian Pampa causing a demographic decrease. The author infers this meant a reduction of their capacity of negotiation in front of the State. According to Vergara (2005), the new indigenous legislation aimed to control the sale of indigenous lands, but the regional oligarchy and the local authorities were against. Briefly, early in the XX<sup>th</sup> century starts a dis-institutionalisation of the relationship and the direct institutions become more significant. In this context, a situation of political subordination takes shape. Vergara (2005) explains that the alienation of indigenous lands prohibition was applied late, and that the lack of knowledge of the laws protecting the indigenous people facilitated the appropriation of the lands by the private sector. As a solution to this problem, the State delivers *Títulos de Merced* (Title deed offered), through a Locating Commission for Indigenous People and the creation of a new public function, the "Protector of Indians". However, this took place too late, the action was also incomplete as it didn't consider all the area, their attributions were not well specified, the resources were insufficient as well as the number of functionaries. Consequently, the State created new mediating institutions with the temporary purpose of protecting the indigenous lands. But the author specifies that the final purpose was to end with the collective character of the Mapuche communities. The *Títulos de Merced* became individual title deeds, which implied that the problem starts to be seen as a peasant problem. To date, the use of official mediators is frequent, since they allow to maintain a better dialogue as well as they share a life story with the beneficiaries of the public policies and therefore they feel empathy with their situation [4]. In 1961, a new indigenous law is proposed, reopening the process of division of the land, the smallholdings are created. At the same time, the Agrarian Labour Party is formed, composed by the union between farmers, indigenous people and landlords. The lobby of this party determines the "*triumph of the regional economic power*" [5].

Le Bonniec (2009) notices that in 1979, the military dictatorship completed the dismantling of the Mapuche social organisation establishing the market economy logic. The law-decree 2.568 aimed to divide the land in individual subdivisions, as a way of reinforcing the private property and reducing the land to its productive aspect. After the dictatorship, the Mapuche intended to regain the control over the natural and cultural resources by creating the *Consejo de Todas las Tierras* (Council of All the Lands) which demanded to be considered as a legal entity according to their socio-territorial claims [6]. Being opposed to the military dictatorship these organizations stood by the left parties of the *Concertación de Partidos por la Democracia* (Concertation of Parties for Democracy). Their relationship became legally tangible in the *Pacto de Nueva Imperial* (Nueva Imperial Pact) in 1989, where President Patricio Aylwin compromised to recover the dignity of the indigenous people, creating the *Comisión Especial de Pueblos Indígenas* (Special Commission of Indigenous People), CEPI. In 1993, the indigenous law N° 19253 replaced the CEPI with the *Corporación Nacional de Desarrollo Indígena* (The National Corporation for the Indigenous Development), CONADI that aimed to restore the properties to the Mapuche families who had proof of property. However, as it wasn't accepted by the political opposition, a few but important aspects specified by the Mapuche were modified without their approval, hence a part of the Mapuche movement did not approve this law, which only allowed an inquiry participation and therefore did not provide the liberty of association nor representation [7].

Moreover, President Eduardo Frei, did not pursue the negotiations and the relationship suffered the consequences [8]. In this context, the State demonstrated difficulties to ratify the ILO Convention 169, since it contained a number of subjects that conflicted with the Chilean Constitution, mainly in the application of the inquiries. Besides, CONADI proved not to be able to establish a fluid dialogue between the indigenous population and the governmental institutions. Heine (2001) explains that the degradation of the economic situation of the Mapuche communities determined the focusing of the economic aspect in the political policies [9]. These advances meant a formal but rather insubstantial acceptance of the multi ethnicity of Chile. Aylwin (2001) interprets these elements as a proof of the ending of the *Pacto Nueva Imperial*.

These measures failed since they transgressed their rights related to their land properties and access to natural resources. Aylwin (2001) sees a government's strategy to postpone the acknowledgement of the indigenous people in the Chilean Constitution since Frei's government, applying policies that have been "*inefficient and ineffective to face the poverty and marginalisation that affects the indigenous communities*" [10]. Therefore, they haven't been able to attend the inequality nor the power problems, by establishing an actual multiculturalism [11]. De la Maza also comes to this conclusion taking into consideration the *Programa Orígenes* (Program Origins) in 2006 that aimed to "*Contribute to improve the learning achievements, from the reinforcement of the ethnic identity of children and of scholar institutions established in cultural and linguistic diversity contexts*" [12], segment of the *Programa Re-CONOCER* (Program AcKNOWledge) [13]. This last one is created with the *Pacto Social por la Multiculturalidad* (Multiculturalist Social Pact) in 2008 aiming to modify the Chilean political system and thus to improve the integration of the indigenous population, including the creation of a Sub Secretariat of Indigenous Affairs and the complete ratification of the ILO Convention 169 in September 2008 [13]. These initiatives were not conducted. Nonetheless, these programs allowed to increase the participation and the proximity of the communities but at the same time it generated more dependency than development [15]. Namuncura (2001) marks the need to create a suitable mechanism for a political solution concerning the development of a cultural identity as well as an effective participation in the processes of decision making. Marimán (1990) states there is a new possible approach of solving this conflict, the decentralisation of the State, introducing the status of Regional Autonomy. [16].

### **3. What is in query**

The policies have focused in the economic problems of the indigenous population, and so the governmental institutions lack of corridors of participation for the indigenous population. From the beginning, the indigenous population aims to participate in the creation of public policies and in the governmental institutions. However, what level of participation can the Mapuche organizations count with today? It is interesting to analyse the discourses and praxes present nowadays in the different actors, government and Mapuche organizations as a political and a social movement, to find the presence of these organizations in the

creation of public policies and see how they could become a feedback. As well, it is interesting to know the proclivity of the organized Mapuche population to participate in the design of the public policies, with questions such as: “what is the image they have of the public policies and what is the discourse they stand for?”

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#### **5. References**

- [1] COUFFIGNAL, G. (Dir.) (1992). *Réinventer la démocratie, le défi latino-américain*. Paris: Presses de la FNSP. p. 64.
- [2] MUSSET, A. (2006). *Géopolitique des Amériques*. Paris: Ed. Nathan. p. 65.
- [3] DE LA MAZA, F. (2014). “Between conflict and recognition: The construction of Chilean indigenous policy in the Araucanía region”. *Critique of Anthropology*. Volume 34, number 3, pages 346–366.
- [4] VERGARA DEL SOLAR, J. I. (2005). *La herencia colonial del Leviatan: el estado y los Mapuche – huilliche*. (PhD. Thesis in Sociology. Freie Universität Berlin. Germany).
- [5] LE BONNIEC, F. (2009). *La fabrication des territoires Mapuche au Chili de 1884 à nos jours : communautés, connaissances et État*. (Tesis de Doctorado en Antropología Social y Etnología bajo la dirección de Alban Bensa y José Luis Martínez. París, Francia). p. 268.
- [6] BOCCARA, G. (1998). *Guerre et ethnogenèse Mapuche dans le Chili colonial: L'invention du soi*. Paris: Nathan: L'Harmattan.
- [7] AYLWIN, J.: “Los conflictos en el territorio Mapuche: antecedentes y perspectivas” (pp. 25-56) in AYLWIN, J. (2001). *Políticas públicas y Pueblo Mapuche*. (Compiler José Aylwin). Concepción: Instituto de Estudios Indígenas, Universidad de la Frontera.

- [8] NAMUNCURA, D.: “Los pueblos indígenas y los desafíos del 2000” (pp.57-80) in AYLWIN, J. (2001). Políticas públicas y Pueblo Mapuche. (Compiler José Aylwin). Concepción: Instituto de Estudios Indígenas, Universidad de la Frontera.
- [9] HEINE, J.: Introducción: “Políticas públicas y la cuestión indígena” (pp. 17-24) in AYLWIN, J. (2001). Políticas públicas y Pueblo Mapuche. (Compiler José Aylwin). Concepción: Instituto de Estudios Indígenas, Universidad de la Frontera.
- [10] AYLWIN, J.: “Los conflictos en el territorio Mapuche: antecedentes y perspectivas” (pp. 25-56) in AYLWIN, J. (2001). Políticas públicas y Pueblo Mapuche. (Compiler José Aylwin). Concepción: Instituto de Estudios Indígenas, Universidad de la Frontera. p. 12.
- [11] DE LA MAZA, F. (2014). “Between conflict and recognition: The construction of Chilean indigenous policy in the Araucanía region”. *Critique of Anthropology*. Volume 34, number 3, pages 346–366.
- [12] MINEDUC, Ministerio de Educación. Ministry of Education of Chile (2005). Programa EIB. Estudios EIB, Identificación y descripción de contenidos culturales aymara, atacameños y Mapuche. Informe Final. Santiago: Coordinación Nacional Programa Educación Intercultural Bilingüe, Universidad Austral de Chile.
- [13] Gobierno de Chile. Chilean Government. <<http://www.gobiernodechile.cl>>, consulted on June the 24<sup>th</sup>, 2009.
- [14] DE LA MAZA, F. (2012). “Construir el estado en el espacio rural e indígena: Un análisis desde la etnografía del estado en la Araucanía, Chile”. *Ruris*. Volume 6, number 2, September.
- [15] MARIMAN, J. (1990). *Question Mapuche, décentralisation de l'Etat et autonomie régionale*. Temuco: Centre of Studies and Documentation Mapuche –Liwen.