DISSIDENT WOMEN
Gender and Cultural Politics in Chiapas

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Area of the Zapatista rebellion and the location of Chiapas in Mexico.

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CONTENTS

ACRONYMS AND ABBREVIATIONS ix

PREFACE: Indigenous Organizing and the EZLN in the Context of Neoliberalism in Mexico  LYNN M. STEPHEN, SHANNON SPEED, AND R. ÁIDA HERNÁNDEZ CASTILLO xi

ACKNOWLEDGMENTS xxii

SECTION ONE: KEY WOMEN'S DOCUMENTS  3

Women's Revolutionary Law
Women's Rights in Our Traditions and Customs
Comandanta Esther: Speech before the Mexican Congress
International Day of the Rebel Woman  28

INTRODUCTION  33

R. ÁIDA HERNÁNDEZ CASTILLO, LYNN M. STEPHEN, AND SHANNON SPEED

SECTION TWO: INDIGENOUS WOMEN'S ORGANIZING IN CHIAPAS AND MEXICO: HISTORICAL TRAJECTORIES, BORDER CROSSINGS  57

Chapter 1. Between Feminist Ethnocentricity and Ethnic Essentialism: The Zapatistas' Demands and the National Indigenous Women's Movement  R. ÁIDA HERNÁNDEZ CASTILLO

Chapter 2. Indigenous Women and Zapatismo: New Horizons of Visibility  MÁRGARA MILLÁN MONCAYO  73
Chapter 3. Gender and Stereotypes in the Social Movements of Chiapas  SONIA TOLEDO TELLO AND ANNA MARÍA GARZA CALIGARIS  97

Chapter 4. Weaving in the Spaces: Indigenous Women's Organizing and the Politics of Scale in Mexico  MAYLEI BLACKWELL  115

SECTION THREE: RIGHTS AND GENDER IN ETHNOGRAPHIC CONTEXT

Chapter 5. Indigenous Women’s Activism in Oaxaca and Chiapas  LYNN M. STEPHEN  157

Chapter 6. Autonomy and a Handful of Herbs: Contesting Gender and Ethnic Identities through Healing  MELISSA M. FORBIS  176

Chapter 7. Rights at the Intersection: Gender and Ethnicity in Neoliberal Mexico  SHANNON SPEED  203

Chapter 8. “We Can No Longer Be Like Hens with Our Heads Bowed, We Must Raise Our Heads and Look Ahead”: A Consideration of the Daily Life of Zapatista Women  VIOLETA ZYLBEBERG PANEBIANCO  222

REFERENCES  239

INDEX  263

Photo section follows page 114

ACRONYMS AND ABBREVIATIONS

ANCIEZ  Alianza Nacional Campesina Independiente Emiliano Zapata (National Independent Emiliano Zapata Peasant Alliance)

ANIPA  Asamblea Nacional Indígena Plural por la Autonomía (Plurality Indigenous National Assembly in Support of Autonomy)

ARIC-UU  Asociación Rural de Intérés Colectivo-Unión de Uniones (Rural Association of Collective Interest-Union of Unions)

CCRI  Comité Clandestino Revolucionario Indígena (Clandestine Indigenous Revolutionary Committee)

CEB  Comunidades Eclesiales de Base (Ecclesial Base Communities)

CBOIC  Consejo Estatal de Organizaciones Indígenas y Campesinas (State Council of Indigenous and Campesino Organizations)

CIAM  Centro de Investigación y Acción para la Mujer (Center for Women’s Research and Action)

CIOAC  Central Independiente de Obreros Agrícolas y Campesinos (Independent Center of Agricultural Workers and Peasants)

CNI  Congreso Nacional Indígena (National Indigenous Congress)

CNMI  Congreso Nacional de Mujeres Indígenas (National Congress of Indigenous Women)

COCOPA  Comisión de Concordia y Pacificación (National Commission of Concord and Pacification)

CODIMUJ  Coordinadora Diocesana de Mujeres (Diocesan Council of Women)

CONAMI  Congreso Nacional de Mujeres Indígenas [formerly CNMI] (National Congress of Indigenous Women)
WOMEN'S REVOLUTIONARY LAW

In the just fight for the liberation of our people, the EZLN incorporates women into the revolutionary struggle, regardless of their race, creed, color or political affiliation, requiring only that they share the demands of the exploited people and that they commit to the laws and regulations of the revolution. In addition, taking into account the situation of the woman worker in Mexico, the revolution supports their just demands for equality and justice in the following Women’s Revolutionary Law.

First: Women, regardless of their race, creed, color or political affiliation, have the right to participate in the revolutionary struggle in a way determined by their desire and capacity.

Second: Women have the right to work and receive a just salary.

Third: Women have the right to decide the number of children they will have and care for.

Fourth: Women have the right to participate in the affairs of the community and hold positions of authority if they are freely and democratically elected.

Fifth: Women and their children have the right to primary attention in matters of health and nutrition.

Sixth: Women have the right to education.

Seventh: Women have the right to choose their romantic partner, and are not to be forced into marriage.

Eighth: Women shall not be beaten or physically mistreated by their family members or by strangers. Rape and attempted rape will be severely punished.
Dissident Women

Ninth: Women will be able to occupy positions of leadership in the organization and hold military ranks in the revolutionary armed forces.

Tenth: Women will have all the rights and obligations elaborated in the Revolutionary Laws and regulations.

Women’s Rights in Our Traditions and Customs

Translated by María Vinós

[In May 1994, Tzotzil, Tzeltal, Tojolabal, and Mam women met in San Cristóbal de las Casas, Chiapas, to make clear to the government and to peasant organizations that women have a great deal to say about constitutional amendments and to offer at the negotiating tables, popular polls, and forums in which these changes are planned and discussed. The document that we reproduce here—for the first time in English—is the product of this encounter. It is a historic document that, with the Women’s Revolutionary Law, represents the first written text in which Maya women express their specific gender demands.]

We indigenous women have begun to reflect on our rights and the rights of our people. That was the purpose of the workshop "Women’s Rights in Our Traditions and Customs." About fifty women from the Tzotzil, Tzeltal, Tojolabal and Mam ethnic groups came together in the city of San Cristóbal on May 19 and 20. We came from communities in the municipalities of San Juan Chamula, San Cristóbal de las Casas, Motozintla, La Independencia, Ochuc, Tecpán, Ocosingo, Chenalhó, Chánal, and Pantelhó. We talked about the poverty, discrimination, and injustice suffered by indigenous peoples, and we talked about violence and the mistreatment of women.

We talked of the things we are unable to do now, the things we are prevented from doing. We talked about the rights denied to indigenous peoples and to women by the authorities, by the Kaxilques [nonindigenous people], by poverty. We talked of the rights denied to women by the community, by our husbands, by our parents, even by ourselves.
14. Stanley Millet, affiliated with the Instituto Mexicano de Medicina Tradicional (Mexican Institute of Traditional Medicine), discusses the usage of terms for what has been called “traditional” medicine and notes, “There are many ways in which health and sickness can be understood and dealt with. Some are simple; some are complex. However, one way of understanding health and sickness and dealing with it has become hypertrophied and has monopolized the name of medicine. That is the real problem with which we deal” (1999:205).  
16. Literally, “walking,” used to mean working for her community.
17. For the security of community members, I have replaced small village names with pseudonyms.
18. Pseudonym.
19. Pseudonym.
20. When discussing the work of this project with a medical anthropologist working in the highlands in 2003, she disparagingly referred to groups in the Cañadas as “migrants”—with the coded meaning, not the “real” thing.
21. A Global Exchange memo circulated on the Internet in September 2002 belies this danger. While the situation of the communities threatened with eviction in the Montes Azules Reserve is critical and the government’s divide-and-conquer strategy has been highly effective, I believe that the problem cannot be couched in “good Indian/bad Indian” terms. This leaves the door open for questioning the authenticity of all groups of indigenous peoples. I heard the main argument of the memo being used publicly by NGOs and Zapatistas to undercut the Lacandon people’s claims to the jungle because they were not originally from there:

Unfortunately, the current situation in Montes Azules is plagued by a number of myths. The first is the so-called Lacandon Indians [sic] are the “true” inhabitants of the region. In reality, the Lacandones were eradicated roughly three hundred years ago at the hands of the Spanish conquerors. The indigenous peoples currently living in the region, in fact, originated from eastern Campeche and are actually of the Caribe Indigenous People. Evidence reveals that the Caribes migrated to the Lacandon jungle over the last two centuries. The Mexican government used the misnomer “Lacandon” to refer to them and granted them huge land concessions in one of the most fraudulent land distribution schemes in Mexican history.

22. Kascan is a Tzeltal word that has a number of related meanings; it can mean “outlier,” “rich person,” or “mestizo,” depending on the context.

The women were gathered in the dark front room of a house in the community of Nicolás Ruiz, Chiapas. They had gathered to discuss with me their experience with social movement participation, as base supporters or milicianas (militia members) of the Zapatista National Liberation Army (EZLN). The talk wound through various topics before finally making its way to the conflict among women in the community that had surged the previous year. I was worried about the topic. “What happened?” I asked uneasily. The talk became suddenly animated, leaving behind the reserved decorum of our earlier discussion. The women talked over each other, anxious to add details or elaborate their perspectives. Finally, one woman’s voice rose above the others, who fell silent. “Lo que pasa,” she said with emphasis, “is that in this community, we don’t want protagonistas [those who assert themselves forcefully in a certain situation, usually for personal gain of prestige or power].” “We women want to organize for our rights,” she said, “but we want to do it collectively.”

Her words spoke directly to the theoretical questions I had been struggling with as a feminist, an activist, and a researcher, regarding the presumed contradiction between indigenous communities’ collective rights to maintain their culture and the rights of individual community members, in particular, women, that might be violated by those cultural norms and practices. Taking Nicolás Ruiz as a starting point, I examine here the tension between individual and collective human rights and the specific issues raised by gender and ethnicity in that tension. I argue that resolving this tension is not possible and that focusing our analytic efforts on establishing whether individual or collective rights should have primacy is unproductive and obscures as much as it clarifies. In fact, the
conceptual dichotomy individual/collective often serves to deny many women's—especially indigenous women's—experience as lived in both realms. Further, I suggest that indigenous women's gender demands, constructed at the intersection of individual and collective rights, represent an alternative way of thinking about rights that has powerful implications for resistance to neoliberal logics and forms of rule.

**THE INDIVIDUAL AND THE COLLECTIVE IN THEORY AND PRACTICE IN CHIAPAS AND MEXICO**

We have to struggle more, because we are triply looked down on: because we are indigenous, because we are women, and because we are poor. (Comandanta Esther, 2007a)

The Zapatista uprising began in January 1994, just as Mexico entered the neoliberal world order through the North American Free Trade Agreement. It was a key moment, in which relations between the state and civil society were shifting dramatically, as the corporatist state gave way to the neoliberal multicultural model. This shift had been set in motion two years earlier with the changes to the Mexican Constitution that ended agrarian reform and other nationalist and corporatist policies while simultaneously recognizing its population for the first time as "pluriethnic."

This process was not unique to Mexico but was underway (or soon to be underway) in a number of Latin American countries. Legal and constitutional reforms implemented to "neoliberalize" states—shrinking state functions and giving priority to ensuring stability and the free market—were regularly accompanied by legal recognition of indigenous populations and, to differing degrees, their rights. Charles R. Hale (2002) uses the term "neoliberal multiculturalism" to refer to this process, suggesting that the two—neoliberalism and multiculturalism—are integrally linked. As I argue below, multicultural recognition is a part of the new logics of governance that predominate in the neoliberal state.

It is thus not a coincidence that the constitutional reforms designed to transform Mexico into a neoliberal country simultaneously recognized its plurinational status. In the very same set of constitutional reforms implemented in 1992 in preparation for the North American Free Trade Agreement, Article 4 was altered to recognize Mexico's pluricultural composition. In Mexico, the implications of such a shift in forms of governance and the state-society relationship were significant. The ruling party, the PRI, had long governed through corporatist strategies—drawing different sectors of the population into the state project by mediating social inequality through a variety of means, from agrarian reform to state-sponsored labor unions and the National Indigenous Institute. The 1992 constitutional reforms signaled the shift in forms of governance that was under way: they dealt a death blow to corporatism by (among other things) ending land reform, diminishing rural subsidies, and opening communal lands to privatization, at the same time highlighting a new relationship to indigenous people—one of recognition rather than assimilation. Mexico was on the road to neoliberal multiculturalism.

However, it was not the reforms but the Zapatista uprising that put indigenous rights on the national radar screen, and in the process drew out the tensions and contradictions with which this shift was fraught. The reform of Article 4 had acknowledged Mexico's pluricultural makeup, but it did not recognize indigenous peoples as "peoples," nor did it provide indigenous groups with any specific rights. Such a move would have been a much more dramatic break with the past, as Mexico's 1917 Constitution is founded on liberal concepts of the equality of each individual Mexican before the law. But these two concepts, equality and the individual as rights bearer, were called into question by the demands of the Zapatistas and other indigenous groups throughout Mexico for real collective rights based on their cultural difference.

The question of equality and individual rights was a thorny one for the state, and also for the Zapatistas. Notably, it was not just indigenous people who stepped onto the national stage to assert their rights but also, quite prominently, indigenous women. From the start, the EZLN highlighted the presence of women in their leadership and elaborated a strong rhetoric of indigenous women's rights. Women constituted 50 percent of the Zapatista army, and the Revolutionary Women's Law represented a clear and systematic elaboration of the movement's support for "women's just demands of equality." As Karen Ramírez (2002) notes, this is similar to the percentage of women involved in the Central American guerrilla movements of the 1980s, but the fact that the women participating in the Chiapas uprising were almost exclusively indigenous made this level of participation notable and distinct. Some feminists criticized the Zapatistas' "masculinist" approach to resistance and argued that the women's laws were limited and did not constitute feminist demands (Rojas 1994). Others, while noting that in many communities little had changed for women on the ground,
nevertheless argued that the Zapatista movement contributed to creating a cultural climate in which gender relations could be renegotiated and opened spaces in which new forms of women’s participatory citizenship could flourish (Hernández Castillo 1998a; Olvera Bustamante 1995; Garza 2002).

In the intervening decade, few would deny that Zapatista women have contributed to the advancement of the indigenous women’s movement (see chapter 1, this volume). By drawing attention to the multiple oppressions suffered by indigenous women—typified by Comandante Esther’s statement, “We are triply looked down on: because we are indigenous, because we are women, and because we are poor”—the Zapatistas made it clear that while the Mexican Constitution established equality, including women’s equality, in legal practice and everyday life, some people enjoyed “real” equality considerably less than others: indigenous people and women.

The tension between individual and collective rights, rendered highly visible and contentious by the Zapatista uprising, was one that Mexico, like other neoliberalizing states, would have to grapple with. Political theorists have struggled to reconcile liberal principles of individual freedom with the claims of collectivities through a “politics of recognition” (Kymlicka 1997; Taylor 1994). They understand collective rights as inherently antagonistic to the liberal concept of individual equality but believe that this is an antagonism that states nevertheless must resolve in the interests of doing justice to the individuals who make them up those groups. But other theorists have suggested that the increasing prevalence of a state recognition model and multicultural reforms, rather than a necessity of the democratic state in pursuit of democracy per se, in fact serve to reinforce the underlying goals of neoliberal economic and political strategies and limit the force of collective indigenous demands (Gustafson 2002; Hale 2002; Postero 2003). As I argue further below, the limited recognition of collective rights is an integral part of neoliberal subject formation and the construction of neoliberal rule.

The flourishing of demands for community autonomy and personal autonomy combined with the shifting terrain of governance and public policy to generate a national debate about collective and individual rights, about equality and cultural difference. The demand for autonomy in Mexico— as elsewhere in Latin America— has been built on the concept of usos y costumbres (traditional practices and customs). Usos y costumbres usually refers to consensus decision making, local administration of justice, and the election of authorities through traditional means, but it can also encompass virtually anything a community or its leaders define as “tradition.” In the autonomy debate, government officials, as well as some prominent jurists and intellectuals, argued that indigenous people’s usos y costumbres served to justify local power relations and that collective norms frequently violated individual rights. Some went so far as to argue that indigenous people should not be permitted by the state to make any use of autonomy based on their usos y costumbres because they had antidemocratic tendencies and would almost certainly violate the basic human rights of individuals in the community (Krauze 1999; Bartra 1997; Burgos 1997). Often, women’s rights served as primary examples: usos y costumbres such as arranged marriage, exclusion of women from political participation, and male-line inheritance were cited as examples of practices that violated women’s rights to personal autonomy, civic participation, and economic sustenance.

These arguments echoed debates in the literature on gender and human rights, which has a “central concern” regarding the struggle for cultural rights “when respect for customary law or traditional customs and practices violates the individual rights of women” (Deere and León 2001:76). There is a growing literature on questions of “cultural rights” and “women’s rights” (Deere and León 2001; Okin 1999; Gunning 2000; Obiora 2000; Sierra 2001; Hernández Castillo 2002a; Otzoy forthcoming). One group of analysts has argued that collective rights claims based on cultural difference tend to violate women’s rights, conceived largely in universalist and individual terms. This argument is made against a position that, though rarely in fact articulated, is seen to argue for the full autonomy of groups—even to discriminate based on sex—because of a right to culture or a relativist position that denies the moral and legal validity of universal human rights. Thus the debate has been framed as one between cultural relativists who believe that culture is the principal source of validity of right and rule and feminists concerned that such a position requires accepting the subordination of women and negating indigenous women’s individual human rights. In this framing, given the direct contradiction between collective claims to culture and women’s individual human rights, one is forced to side with one position or the other.

Cultural rights are thus positioned against gender rights in both academic writings and public discourse. In Mexico, such arguments were made by a broad range of people, from feminists to conservative constitutionalists. Some critiques were made by people with a long-established commitment to women’s rights; others were more concerned with raising the issue of women’s rights to demonstrate the supposed authoritarian and undemocratic nature of indigenous communities. But while the ac-
tors making these arguments are diverse, they are nevertheless united by an underlying adherence to notions of liberal individualism inscribed in the Mexican Constitution and the popular consciousness of much of Mexico—that the rights and equality of individuals should always have primacy and that these rights are always inherently put at risk by the collective. Even more problematic is the implicit notion that indigenous culture is “the problem” and that therefore individuals in indigenous communities are in need of external protection from the civilized Mexican state to keep the cultural collective from running amok.

The multilayered paternalism and ethnocentrism in this position are perhaps readily apparent, and it is hard not to recall Gayatri Spivak’s (1988) reference to the commonplace ideology of colonialism: “white men saving brown women from brown men.” It is also somewhat ironic given that there is little to indicate that the state is willing or able to intervene on women’s behalf. For example, the state has done very little to protect individual women from suffering violations of their rights implied by particular customs, such as those I have mentioned. Moreover, it is not at all clear that the judicial system of the Mexican state is entirely disposed to protect any women’s rights, even those of nonindigenous women (see Azaola 1996). Comandante Esther recognized this in a speech on International Women’s Day, shortly before her address to the Mexican Congress: “Women who are not indigenous also suffer. That is why we are inviting all of them to fight, so that we will not continue suffering. It’s not true that women don’t know, that they’re not good for anything except being in the home. That doesn’t happen only in the indigenous communities, but also in the cities” (“Mexico: Words of the Rebel Women,” March 8, 2001).

Perhaps more important, usually those advocating for the regulation of indigenous culture to protect individual women are not themselves indigenous women. This is in part distrust of the state and its laws, but also, importantly, because indigenous women have difficulty separating out distinct realms of individual and collective experience. Recognizing this, and in part drawing on the arguments of indigenous women themselves, some recent writings have advocated a third position, one that asserts that culture is continually changing and that indigenous groups are capable of both defending their culture and transforming it from within (toward better gender equality). This position rejects the dichotomy between relativism and women’s rights and interrogates the definition of culture that underlies both the relativism and universalism stances (Engle 2003; Hernández Castillo 2002a; Merry 2003; Kapur 2002; Sierra 2001). In the following sections, in the context of one community’s experience, I focus my discussion on the articulation of the individual and the collective in women’s experience and the implications of their integration into a unified struggle for women’s rights for indigenous men, individualist feminists, and even the neoliberal state.

NICOLÁS RUÍZ: THE MULTIPICITY OF LOCAL EXPERIENCE

The community of Nicolás Ruíz has lived the effects of the recent social dynamics outlined above. This community and municipality in the Central Zone of the state was founded 270 years ago by Tzeltal Indians. Yet for many decades it has not been defined, internally or externally, as an indigenous community. Today in Nicolás Ruíz there is a reassertion of indigenous identity and the community’s right to govern itself based on its usos y costumbres. Like many other communities in rural Mexico, residents of Nicolás Ruíz went from being “Indians” to being “peasants” and are now occupying the new “subject position” of globalized multicultural neoliberalism, that of indigenous peoples (Postero 2001).

These shifting subjectivities reflect the fact that community identity is a fundamentally relational concept, historically constructed in dialogue with external social actors and groups. During the period in which the state’s relationship to rural peoples was formulated through agrarian reform and “campesinita” assistance policies, Nicolás Ruíz’s Tzeltal identity gave way to campesino identity. As the Chiapas conflict brought Nicolás Ruíz into dialogue with new interlocutors, giving them increased interaction with the discourse of human and indigenous rights, and as the discourses of the state shifted from agrarian corporatism and toward the indigenous as a basis for rights claims, people in Nicolás Ruíz reinterpreted their history and their practices in ways that altered their community identity.

Nicolás Ruíz does have traditional customs and practices, whether or not they have been defined in the recent past as indigenous. Since the community’s formation, land has been held communally. Men become comuneros, meaning that they are entitled to work a parcel of land and have a voice in the community assembly when they become heads of household. Decisions about virtually every aspect of community political life are made in the community assembly by consensus, in which all comuneros participate. Even candidates to the municipal presidency are chosen by consensus in the assembly and then voted for in the official election. In other words, leaders are chosen through the usos y costumbres system, a deep and complex tradition that has been maintained through the years of state intervention.
tumbres of the community and then ratified through the official electoral process. Those who are elected are expected to carry out—not to make—the decisions that affect the community. That is, decisions are made in the assembly, then implemented through the elected officials. This is the predominant mode of decision making in indigenous communities in Chiapas. While there is significant variation throughout the state, where many indigenous communities were once governed through civil-religious hierarchies (cargo systems), the assembly is today the principal space, and consensus decision making the principal form, of local governance. Consensus is crucial to the community's understanding of itself. The violent conflict that emerged there in recent years is a clear demonstration of this: for decades following the Mexican Revolution, during which the community supported the seventy-year ruling party, the PRI, consensus decision making in the assembly worked relatively smoothly. Things changed, however, with the Zapatista uprising of 1994, which challenged the PRI's hegemony and presented alternatives for political organization and struggle. In 1995 the comuneros of Nicolás Ruiz shifted their loyalty to the center-left PRD by consensus decision in the community assembly and in 1996 elected the first PRD municipal president. Also in 1996 Nicolás Ruiz declared itself a "comunidad en resistencia," meaning that it became a Zapatista base community. But when twenty-three families officially returned to the PRI in 1998, conflict broke out. The majority felt that this dissent was an intolerable violation of the community norm of consensus. As one resident expressed it, "We were in agreement for 264 years, and this changed everything."

The comuneros revoked the land rights of the dissenting community members, who were refusing to participate in the assembly. This resulted in a massive raid by the army, state and federal police, and immigration officials in defense of the ruling-party loyalists. Dozens were arrested, and several persons spent more than a year in prison. Their legal defense was similar to that of authorities in several other Zapatista autonomous municipalities that were raided in the same period. They argued that they were acting based on their usos y costumbres, which they had a right to do. By "usos y costumbres," they were referring to their traditional practice of decision by consensus and the concomitant responsibility to participate in the assembly, both of which had been violated by the dissenting members.

It is worth noting at this point that in Nicolás Ruiz, as in most indigenous communities in Chiapas, there is some internal differentiation—in class position (this is limited in Nicolás Ruiz and is more evident in some highland communities, where caciques have enriched themselves, creating greater social divides), political and religious stances, and, of course, along gender lines. In situations of internal discord, all sides are likely to legitimate their actions based on "customs and traditions," rendering the debate, in many cases, one over which "traditions" are the legitimate ones. In Nicolás Ruiz, the dissenters argued that the community tradition was to be Prista, that is, in support of the PRI.

Y LAS MUJERES, ¿QUÉ? (AND WHAT ABOUT THE WOMEN?)

In Nicolás Ruiz, as in many communities, consensus means consensus of the men. Women do not hold land and therefore do not participate in the community assembly. Nevertheless, women in Nicolás Ruiz have a history of organizing that predates the Zapatista uprising. This has been especially notable in moments of conflict, when women organized to support the men, but also on occasion to wrest benefits from the state, for example, a corn mill that reduced the labor involved in producing tortillas.

After the community became Zapatista, women began to have new types of interactions with people from outside the community. Some became involved directly in "the organization" as milicianas, actively training with and responding to Zapatista leadership. Others became involved with "civil society" activists—generally pro-Zapatista but not tied directly to the organization. Several of these activists were feminists with long histories of activism in the region.

The work of women with civil society groups had a high profile, whereas that of the women with the organization was of necessity clandestine. The women formed two committees: a health committee that studied and practiced herbal medicine and a "political committee" that did political support work, such as providing a "presence" at political events in other communities. A prominent figure among these women was Doña Matilde, coordinator of the health committee. Over the course of several years, Doña Matilde became something of a spokes person for the community and was often seen at rallies with a microphone or megaphone. An ode to Doña Matilde's strength and courage circulated on the Internet.

Not surprisingly, as women became increasingly organized and had increased interaction with outside actors with a women's rights orientation, some began to question and challenge their lack of political
voice in the community. A women's assembly was formed, parallel to the men's assembly. Though they did not have the power to make decisions affecting the community as a whole, they could address the men's assembly on certain issues and try to sway opinion there. Women from both the organization and civil society groups participated in the assembly, and it seemed a big step forward in women's right to political participation. Doña Matilde was the president of the women's assembly.

Less than a year later, when I returned to the community after a period in the United States, I found that the women's assembly had been officially dissolved, the committees were no longer meeting, and Doña Matilde was all but censured in the community. Shocked by this turn of events, it took me some time to piece together a picture of what had happened from the various and distinct versions. There had been a rift among the women, along lines that could be roughly divided into those affiliated with "civil society" and those affiliated with the Zapatistas. Tensions grew into open rupture, and the issue was brought into the general assembly. After a very tense meeting in which Matilde addressed the assembly, the male authorities of the community discontinued the women's assembly.

This was clearly an unhappy episode for the women involved—one that affected women's solidarity and their advances in political participation within the community. I have not recounted the details of the conflict because it would be fruitless to attempt to establish who was right and who was wrong. I personally have respect for and owe a debt of gratitude to women in both camps, including Doña Matilde, for the time they spent answering my questions and telling of their lives and the life of the community. For the purposes of this analysis, it is more important to examine how the issues were perceived and interpreted by the different actors and why.

Both the male authorities and the women Zapatistas accused Matilde of protagonismo—of asserting her own agenda, wielding power over others, and flouting the community's norms and collective will. For her part, Doña Matilde and her supporters felt that the other women were jealous of her strong position, that the male authorities were threatened by her, and that the community's response was little more than an attempt to keep an assertive and capable woman "in her place."

One can clearly see the outlines of a classic collective culture versus individual gender rights debate taking shape. A fairly straightforward argument could be made—and in fact was made—cogently by a feminist sociologist close to Doña Matilde—about the violation of individuals' rights based on claims to the collective. The reassertion of indigenous identity and the mobilization of a discourse of usos y costumbres in Nicolás Ruiz, from this perspective, was functioning to maintain relations of power within the community, especially gendered relations of power.

I felt uncomfortable with the interpretation, as I often do with the usos y costumbres critiques, and this is why I was so worried about the subject of the conflict when it came up in the conversation with the Zapatista women. It was not that I doubted that the male authorities of Nicolás Ruiz are capable of exerting their power to maintain patriarchal relations, and in fact they do this in myriad ways on a daily basis. Yet I kept returning to the fact that the conflict erupted between women and to the intuitively illogical fact that it was the Zapatista-aligned women who requested that the male authorities cancel the women's assembly. Were the Zapatista women caught in the all-too-familiar bind of subverting their own gender demands to the greater struggle of the community (organization, movement)? I gingerly tried to broach this with the women and got little response. But the question continued to gnaw at me: had my query been too vague, or had they purposefully avoided it? I decided to be more direct. Had it ever been suggested to them—by men in the organization or in the community—that they put aside or on hold their own struggle for gender equality because it might be divisive at a time when a unified front was needed in the struggle? The three women with whom I was talking looked thoughtful. After a few moments of reflection, one of them said, "I think the opposite is true. It was through the organization that we began to organize as women, that we began to become conscious of our rights as women." The others agreed. But, I asked, what about the male authorities of the community? They thought about that for a few more moments, then another woman spoke. "Some men are more consciente than others," she said, "but they also know that a community, to advance, must work as a collective, both men and women. That's why they supported us." Undoubtedly, other women would have had a different interpretation. But I found it interesting that, again, the Zapatista women framed the issue as one of individual versus collective.

Nicolás Ruiz's particular insertion into the dynamics of social conflict in Chiapas had a variety of results. One was the separation of the women of the community into distinct camps: one aligned with civil society and one aligned with the organization (and a third, for that matter, aligned with the PRI). The division between these groups is not insignificant, since it brought them into engagement with somewhat distinct discourses regarding women's rights: the civil society version,
which, while diverse itself, was strongly influenced by feminist individualism; and the Zapatista version, also uneven across various terrains, but in which women's rights were tied continuously to the collective. The latter perspective, I believe, resonated more strongly with notions of collectivity and consensus that prevailed in Nicolás Ruiz prior to the events narrated here. This was notable in the fact that, at least in my discussions with community members, it was more often women than men who raised the issue of community norms of non-protagonismo being violated, in their view, by Matilde's increasingly public activism. In other words, it was not a straightforward matter of men mobilizing this discourse in order to subvert women's organizing. Given the community's historical privileging of the consensus model, particularly its heightened sensitivity to the issue in light of the current conflict between pro-Zapatistas and Pristas, it is perhaps not surprising that the view prevailed that individuals need to conform to community consensus and community norms. The individual women's rights perspective was more easily discredited, marked by many men and women as an "outsider" perspective.

**RETHINKING BINARIES: MUTUALLY EXCLUSIVE OR EXCLUSIVELY MUTUAL?**

We resist hegemonic dominance of feminist thought by insisting that it is a theory in the making, that we must necessarily criticize, question, re-examine and explore new possibilities. The formation of a liberatory feminist theory and praxis is a collective responsibility, one that must be shared. (books 1984; 5)

U.S. Third World feminists have long warned us of the dangers of essentializing all women as a homogeneous group, pointing out that women in different cultural contexts have distinct experiences and understandings of gender (Anzaldúa 1987; Bhavnani 2000; books 1984; Lorde 1984; Moraga and Anzaldúa [1989] 2002). It should be clear that even in the localized context of one community, women's experience differed, and for that reason they had differences of opinion about gender rights. Rosalina's statement about wanting to struggle for women's rights collectively suggests that liberal notions of individual rights are not necessarily usefully applied to all women and are not inevitably the principal element of all struggles for women's rights. Overcoming the "feminist ethnocentrism" inherent in applying liberal individual feminist notions of rights to all women and reconceptualizing women's rights in ways that encompass other experiences, such as collective identities, is critically necessary at this juncture.

However, this does not mean that one must be resigned to women's oppression in cultural contexts in which the collective is a significant aspect of women's experience (see Merry 2003). Such arguments are based on notions of culture as static and bounded: collective norms are "traditional" and therefore unchanging. Rather, I understand collectively held norms, like individually held ideas, to be in a state of continual change forged in dialogue both with external actors and among members of the community who challenge hegemonic configurations of power. Like all communities, Nicolás Ruiz's culture and identity are constantly being reshaped in relation to changing social forces, and there is no particular reason to think that gender norms and relations cannot be altered as part of that process.

It is not as counterintuitive as it seemed to me at the time that it was the Zapatista women in Nicolás Ruiz who emphasized the need to struggle for women's rights in the collective context of the community. Zapatista women have been among the leading voices expressing rejection of arguments that would make them—indigenous women—the reason their communities are denied autonomy. Comandanta Esther's words to the Mexican Congress as a representative of the EZLN spoke lucidly of the inseparability of ongoing struggles for gender rights and autonomy:

> We know which are good and which are bad usos y costumbres. The bad ones are hitting and beating a woman[,] . . . marrying by force against her will, not being allowed to participate in assembly, not being able to leave the house . . . It is very important for us, the indigenous women of all of Mexico[,] . . . to be recognized and respected as the women and indigenous people we are.¹¹

Not only Zapatistas but women in many indigenous communities are facing the challenges of renegotiating gender relations in the context of the movement that they support and in the communities they call home. These women struggle to change gendered relations of power in the cultural context of their communities while simultaneously defending the right of the community to define for themselves what that cultural context is and will be (see chapter 1, this volume).
Thus binaries such as individual/collective rights or cultural rights/ women's rights, while they exist on a conceptual and definitional level, are not always so clearly defined in women's lived experience. Focusing instead on how women in a particular social context understand their rights, variously and differentially, may be the best way to think about women's rights and how to gain them. Taking a relativist approach does not mean, necessarily, accepting all practices and traditions of a culture as valid. We can disagree with some practices without calling the entire culture into question (Merry 2003). And we can, as many indigenous women in Mexico now are doing, call on the male authorities of indigenous communities to alter their cultural understandings and community norms to include women's rights. But those of us who are elaborating a discourse of women's rights from outside the community also need to adjust our own historically and culturally specific notions of the individual nature of those rights, so that we may encompass the experience of women throughout the world who understand themselves and their rights as existing and being defined largely in a collective context.

CHALLENGES AT THE INTERSECTION:
NEOLIBERALISM, ZAPATISMO, AND
INDIGENOUS WOMEN

Avoiding theoretical binaries is crucial, not just because it should be our goal to fairly represent the women involved in such struggles and not entrap them in dichotomies foreign to their experience, but also because, I would like to suggest, it may be in this assertion of such multiple and overlapping experiences that a serious political challenge may be located. Gender has provided us with a key site for exploring the challenges presented by the Zapatista uprising to the neoliberal state. Some analysts have argued that indigenous women's demands, at the intersection of gender and ethnicity, are fundamental to the imagining and the mapping of a multicultural Mexico. I suggest that perhaps the opposite is true—that they in some way present a challenge to state multiculturalism. To the extent that indigenous women are imagining or positing a multicultural Mexico, we should be clear that this is a very distinct one from the "politics of recognition" model sporadically pursued by the Mexican state. I am concerned about the uncritical aspiration to a multicultural Mexico as an end in itself and the casting of indigenous women in the role of its emissary.

In Mexico, indigenous rights have been viewed by many not as a goal in and of themselves but rather as a means to an end—that end being a more just society, a multicultural democracy. Multiculturalism, then, has emerged as a principal goal of resistance. But at the same time, as we have seen, multiculturalism is a characteristic of the neoliberal state. This is neither coincidence nor contradiction; multiculturalism is consistent with neoliberal logics and practices, part of neoliberal state making.

Neoliberalism, the extension of liberal ideas that emphasizes and privileges the "free market," entails a variety of government policies and practices designed to ensure that the workings of economic markets are unfettered by state mediation. The neoliberal state must downsize its social welfare undertakings and remove all restrictions on the economy designed to protect those citizens with less resources, a process epitomized by the "structural adjustment" measures impelled by international financial institutions in many countries in Latin America. The state is no longer responsible for ensuring social well-being; all social relations will be established by the "free" market. And the state no longer mediates social conflict; this function is "privatized," passed from the state to industry and business (corporate social responsibility), communities and individuals, and especially civil society organizations such as nongovernmental organizations (NGOs) (Deleuze 1994; Guillemin 1995; Hardt 1998; Hardt and Negri 2000). Thus, as the market is prioritized and the state is divested of responsibility for social welfare, relations between social groups are defined by market forces and mediated by civil society itself (Gill 2000).

Neoliberalization entails not only the reduction of government's social functions and moves to "free" the economy but also a new set of governance practices for the state. On the one hand, the state maintains "law and order" to provide the stability necessary for the market to operate freely; on the other, it produces subjects who are autonomous and self-regulating.

To govern better, the state must govern less; to optimize the economy, one must govern through the entrepreneurship of autonomous actors—individuals and families, firms and corporations. Once responsibilized and entrepreneurialized, they would govern themselves within a state secured framework of law and order. (Rose 1999:139)

The neoliberal state governs by creating responsibilized and entrepreneurialized subjects, on the one hand, and maintaining the structure of law, on the other.
Some analysts have provided insightful analyses of the conjunction of neoliberal governance and multiculturalism in Latin America. For example, Nancy Postero (2002) has demonstrated how the "indigenous subjects of neoliberalism" get constituted through the states' multicultural practices, which work to structure indigenous political participation in ways that imbue them with rationalities proper for adequate and acquiescent—integration into economic markets. Postero shows how, through state policies and NGO training, concepts of individuation and self-regulation are inculcated. Neoliberal multiculturalism thus cedes rights to indigenous people but with the effect of remaking them as subjects less resistant to neoliberal economic and political policies. Hale (2003) argues that "neoliberalism's cultural project entails proactive recognition of a minimal package of cultural rights and an equally vigorous rejection of the rest. The result is a dichotomy between recognised and recalcitrant indigenous subjects, which confronts the indigenous rights movement as a 'menace'" (2002:485). Indigenous people are left policing themselves—their actions and identities—in order to remain in the recognized category, where they are defined as the subjects of rights.

Yet, in Mexico, the neoliberal state has not effectively harnessed multiculturalism to the project of rule. The initial "multicultural moves" have given way in recent years to a serious government retrenchment to institute multicultural policies, notably in its refusal to implement the San Andrés Accords on Indigenous Rights and Culture signed in 1996 by the EZLN and the government and in the failed Law of Indigenous Rights and Culture of 2001. This law, originally proposed as the implementing legislation of the San Andrés Accords, in the version approved by the Congress actually set indigenous rights back by limiting indigenous jurisdiction, by denying rights to territory and to natural resources, and by passing the definition of indigenous peoples and what rights pertain to them on to the individual state-level governments. It is clear, particularly in the Indigenous Law, that the Mexican government is not prepared to cede rights to indigenous peoples to the extent that some other Latin American countries have.

Some analysts have suggested that this failure to move forward on implementing multicultural policies is due to the Mexican government's incompetence or intransigence, or because it is more interested in catering to transnational capital than in creating a new relationship with its indigenous population. Yet elsewhere it is precisely in the process of neoliberalizing and making themselves viable to international capital that many countries have instituted reforms that are salutary, in principle if not in their effects.

One important reason for Mexico's reversed course is undoubtedly the Zapatista uprising. The uprising raised the stakes on indigenous rights substantially. The political fears generated by the indigenous rebellion made ceding indigenous rights and creating a multicultural state more dangerous. However, other Latin American countries have oppositional indigenous movements. What is it about the Zapatista movement that has made it so risky?

I have argued elsewhere that the fundamental challenge of Zapatista autonomy is that it is taking place essentially outside the state, developing in a unilateral process that does not seek state recognition in order to verify or make real its existence. Because they are outside the state, these discourses and practices cannot be harnessed by the state to the task of limiting the scope and impact of indigenous rights, or of constituting new neoliberal subjects (Speed and Reyes 2005). It is worth considering how autonomy itself might play into neoliberal logics by relieving the state of the need to govern and producing self-governing populations still largely beholden to state power. But Zapatista autonomy as it has been elaborated so far cannot be understood to do so. This is because it presents an alternative form and logics of governance to that proffered by the Mexican state. While the various aspects of that alternative are outside the scope of this chapter, one important piece is central to my discussion here: their interpretation of individual and collective rights.

The line between individual and collective rights is one of the most difficult faced by neoliberalizing states. After the Zapatista uprising, Mexico halted the process it had undertaken with the 1992 constitutional reforms toward a politics of recognition of collective rights and strongly reasserted the primacy of the individual. Perhaps the clearest and most evident response against the Zapatistas' autonomy project was waged, both by government officials and in public discourse, on the sanctified terrain of individual rights. While gender issues were not the only site where individual rights and collective ones were said to clash, it was undoubtedly the most prominent in public debates (with religion a close second). Indigenous women, put forward as the poster children of the primacy of individual rights, refused this position and reaffirmed their commitment to collective goals and to maintaining the conjunction of the individual and the collective as central to their struggle.

This is not to argue that "the collective" is always inherently progressive or challenging. It is precisely at the intersection of gender and collective rights that the inaccuracy of such a claim is made clear, when "the collective" is marshaled to justify and defend practices that are harmful to specific members or groups within that collective. However,
through their “double activism” (see chapter 1, this volume) that refuses to conceptualize women's rights outside of their collective context, women present a double challenge to oppressive relations of power. The first challenge is to men within their communities and organizations to recognize women's rights and change “traditional” gender norms; this challenge is strengthened because it is not a product of paternalistic external protections and because it cannot be discounted as the discourse of outsiders. The second challenge, which arises by their refusal to disarticulate their struggle for women’s equality within their communities from their struggle for rights based on cultural difference, is to the multiculturalism of the neoliberal state in Mexico, drawing the contradictions to the fore and offering an alternative logic.

Mexico has not “multiculturalized” in the manner that some other Latin American countries have for a variety of reasons. One of them, I have suggested, is that indigenous challenges from within made the internal contradictions of such an undertaking too difficult to overcome. Zapatismo and the indigenous women's movement that has gained force since the Zapatista uprising are a part of that internal challenge. Given the potentially negative effects of the multiculturalism that is an essential part of the neoliberal project, it seems prudent not to uncritically embrace it. Indigenous women, due to their location at the juncture of multiple identities of race, class, and gender, may well be at the forefront of contributing to a new multicultural Mexico. However, the one they advocate is not only different from but also challenging to that of the neoliberal state.

This process is not without contradictions and complexities. In Nicolás Ruiz, as in many other communities, these positions are still being struggled over, among women and between women and men. But even on this uneven and shifting topography, there is more, I want to suggest, at the intersection of gender and ethnicity than the collision of individual and collective rights. By overcoming feminist ethnocentrism and thinking beyond these binaries to the meanings of their conjunctions, we may see many indigenous women fostering potentially powerful new ways of conceptualizing rights and resisting oppressive power relations and forms of rule.

NOTES

1. To protect the privacy and security of the community and its members, all names in this chapter except those of public figures are pseudonyms.