

# Chiapas

## Current Dilemmas in the Conflict And Negotiations

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In this article<sup>1</sup> I aim to present strictly personal observations about Chiapas and its recent past and current situation, the singular conditions that explain the complexity of its social, political and cultural processes, as well as comment on the challenges the federal government faces and the commitments it has made to achieve conciliation and promote the welfare of all people in Chiapas.

Since the Zapatista National Liberation Army (EZLN) armed uprising Jan-

uary 1, 1994, Chiapas has been the focus of special attention by the public. In particular, it has received support from society through nongovernmental organizations (NGOs) both nationally and internationally. The conflict has been constantly covered in the media and on the Internet, and different analysts have shared their thoughts about the situation and its implications.

It is necessary to reflect on three basic questions: Why, how and where did the conflict arise? What are the characteristics of the Zapatista movement and the conflict? And, what is the Mexican government doing to deal with the problem?

It is important to say that, after being annexed to the emerging republic in 1824, Chiapas became isolated from national development. It did not benefit from the agrarian reform that began in Mexico with the Lázaro Cárdenas administration in the mid-1930s, and therefore latifundio structures were left intact, condemning peasants and indigenous people to continue as peons tied to the land without acreage of their own except a tiny plot to eke out their existence.

Chiapas has strategic resources that point to its economic potential, including its great biodiversity; this is counterposed, however, to the poverty of the

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majority of its inhabitants.<sup>2</sup> In addition, the exponential growth of rural communities has made it difficult for institutions to respond to social needs in the state.

Two other factors determined the conditions conducive to the gestation of an armed uprising: politics and religion.

It is no exaggeration to say that for a long time, Chiapas was outside the rule of law, and democracy was foreign to it until very recently. Governors were frequently designated from Mexico City, without taking into account the opinion of the Chiapas community. An exception to this rule is the current governor, Pablo Salazar Mendiguchía, who was the candidate of a broad coalition of political parties.

Chiapas is the state with the broadest diversity in religious practices; nevertheless, the majority is Catholic, divided into three dioceses: Tapachula, Tuxtla Gutiérrez and San Cristóbal de las Casas, where the area of conflict is located.

The strategy for spreading the Gospel developed by the current honorary bishop of San Cristóbal de las Casas, Samuel Ruiz, who headed up the diocese for 38 years, has been unique: on his arrival in Chiapas, he called for “spreading the Gospel in a way that countered domination and the destruction of cultures.”

Given the need to administer the sacraments, Bishop Ruiz organized a broad structure of deacons, pre-deacons and catechists who, guided by the principles of liberation theology, managed to enter the indigenous communities and begin a process of consciousness-raising that contributed to the creation of the state’s main peasant organizations.<sup>3</sup>

Some sources relate the church structure with the arrival in the 1980s of

radical groups who may have fostered the politization of the communities and would in the long run form the basis for the EZLN, arguing that only through armed struggle would full political and social rights be won.<sup>4</sup>

The EZLN differs in several ways from other guerrilla movements. It is an armed group that combines very modern tools with others that are very backward, and it contains actors with different values and objectives.

While the EZLN’s social base is mainly made up of indigenous people, mestizos with little indigenous blood hold the key leadership positions, like Subcommander Marcos, who has made communications his main means of expres-

sion and expansion. I should point here to the broad support network that uses Internet as a mechanism for influence and struggle, the EZLN’s main political weapon, to attract the attention of thousands of users, particularly NGOs.

Another thing that differentiates the EZLN is its changing strategies. We can observe at least four general stages in its positions: in the first phase, from January 1, 1994 to 1995, the Zapatista movement’s priority was to bring down the government. In the second stage, during the 1995 San Andrés Larráinzar negotiations, we can see an ideological shift: from national demands, the focus changed to demands about autonomy for indigenous communities.

During the third stage, from June 1998 to mid-2000, we can see a search for alliances with civil society organizations and groups. And, during the fourth stage, that has lasted until today, we see the EZLN sealed in hermetic silence,<sup>5</sup> prompting speculation about its condition, possible reorganization, attrition and even disappearance.<sup>6</sup>

The peace process has not concluded. The Mexican government had managed to channel the conflict toward a negotiated settlement in legal terms in order to arrive at agreements through political means, an effort that gave rise to the “Law for Dialogue, Conciliation and Peace with Dignity in Chiapas,” a piece of legislation unique in the world.<sup>7</sup>

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This provided for the creation of a representative congressional commission, the Cocopa, of which I had the honor of being its founding president when I was a senator.

When it unilaterally suspended the dialogue, the EZLN also defaulted on its commitment signed April 9, 1995 in the San Miguel Joint Declaration, establishing the guiding principles of the negotiation, which was meant to be uninterrupted. However, this document clearly states that the Cocopa is the only body with the faculty to declare the negotiations broken.

Despite this, the administration of President Vicente Fox has constantly insisted on the need to return to the

dialogue, showing its willingness, first, to respect the content of the Law for Dialogue, Conciliation and Peace with Dignity in Chiapas; second, to guarantee free transit and provide maximum security conditions during the EZLN march to Mexico City in March 2001; and third, to comply with the conditions the EZLN imposed. These were 1) withdrawal of troops at seven different points; 2) implementing procedures to liberate over 100 Zapatista detainees (only five remain incarcerated, because they are subject to state laws); and 3) submitting a bill on indigenous rights and culture, agreed to at San Andrés, to the national decision-making bodies for deliberation.

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Since the Supreme Court decision, the EZLN, which expressed its disagreement with the reform, has not said a single word.<sup>8</sup> Neither do there seem to be serious indications of a reactivation of a hot war or of the EZLN's willingness to return to the dialogue, despite the government's—and particularly my, as coordinator—persistent exhortations.

The EZLN's current position, however, does not mean that the Fox administration should wait and do nothing. That would be the equivalent of accepting that the problem of Chiapas is circumscribed only to the conflict with the EZLN. That limited view would negate the unquestionable social and political causes underlying the armed insurrection.

The Mexican government has reformulated its strategy for Chiapas, particularly in the last year, which aims not only to resolve the armed conflict, but to attack the roots of the problem, facing both causes (marginalization, poverty, community division and insecurity) and effects (the conflict with the EZLN).

The administration's new initiative is two-fold: 1) social policy to deal with problems and demands of the communities involved; and, 2) the proposal of a solution to the conflict founded on dialogue, without the use of force. The task force I coordinate seeks to establish the necessary conditions to return to the negotiating table. I am convinced

that this cannot be achieved without reestablishing trust between indigenous communities and the federal government.

The Zapatistas' control over the so-called "autonomous municipalities" has gone to the extreme of not allowing these communities to receive government funds for social programs (that are implemented in the rest of the state's municipalities), thus cutting off their residents from basic goods and educational, health, housing and infrastructure services that the government has both the obligation and the desire to provide.

Given this situation, some of the residents of these municipalities are seek-

ing to detach themselves from the armed group, which is currently not offering solutions for immediate, strategic or political needs. Opening up to dialogue will always offer peaceful, negotiated options. Closing down that possibility will never maintain a permanent power.

For these reasons, my recent trips to Chiapas have had as their main objective the forging of a new relationship with the indigenous peoples and towns, remaining there a good part of the time, dealing with state and federal authorities and recognizing, of course, that their complaints are totally just and that with or without a declaration of war, the indigenous peoples have by no means been able to satisfy their most elementary needs.

I visit the conflict zone to see as directly as possible the real conditions that exist. Without intermediaries, I have talked with and listened to local residents; I have heard their demands in order to, in consultation with the communities, articulate the implementation of social programs in accordance with their views.

This governmental policy has not lost sight of the fact that the conciliation and the new relationship we have talked about must take into consideration basic factors that can be neither disregarded nor eliminated: this is the case of "uniform and recognized practices and customs." It is everyone's task to try to build a peace with dignity, appealing to tolerance and the need to be inclusive, and always with the understanding that recognized practices and customs, the basis for indigenous social and political organization, will neither clash with nor contravene the Constitution or human rights.

The situation is complex because of our country's ethnic diversity, but it is well

worth the effort because it is a matter involving them in national development without forfeiting either their customs or their culture.

I reiterate that the Zapatista uprising shook the nation and made us look in the mirror at a face that we did not want to accept: the face of marginalization, social discrimination, poverty, abandonment and injustice. These realities, present throughout Mexico, came to the fore in Chiapas.

For that reason, I will conclude by saying that it is not only necessary and obligatory to solve matters, but to solve them right...and soon. **MM**

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#### NOTES

<sup>1</sup> A longer version of this article was read at the seminar "Chiapas: Current Dilemmas of the

Conflict and the Negotiations," organized by the CISAN and the Woodrow Wilson Center Latin American Program, in Mexico City, October 30, 2002.

<sup>2</sup> Fifty percent of Chiapas inhabitants are still in the primary sector whereas in the rest of Mexico the average is 23 percent.

<sup>3</sup> These organizations were formed after the First National Indigenous Congress in 1974, organized by Ruiz, where the bases for the main political positions that exist today were laid: the agrarian-reform current, production-oriented positions, the radical political stances and those linked to government positions.

<sup>4</sup> Carlos Tello Díaz, *La rebelión de Las Cañadas: origen y ascenso del EZLN* (Mexico City: Cal y Arena, 1995), and María del Carmen Legorreta Díaz, *Religión, política y guerrilla en Las Cañadas de la Selva Lacandona* (Mexico City: Cal y Arena, 1998).

<sup>5</sup> After this article was written, Subcommander Marcos broke his silence with an open letter on the occasion of the preparations for a pro-Zapatista conference in Spain. He did not, how-

ever, make any reference to the EZLN's position on the dialogue. [Editor's Note.]

<sup>6</sup> Groups near the EZLN suggest that the Zapatista leadership is reorganizing its base prior to its reappearance on the scene. However, it would seem that the religious and political conflicts in the state, the division of its base and the exhaustion of its discourse has prompted it to profoundly reexamine its strategy in the face of new federal and state governments that, democratically and peacefully elected, have changed the political situation that gave rise to the declaration of war in January 1994.

<sup>7</sup> This law was key in the negotiations that led to the signing of the San Andrés Larráinzar Accords on Indigenous Rights and Culture, which recognize the free determination of autonomy for the country's ethnic groups as well as a series of political, social, economic and cultural rights.

<sup>8</sup> The author is referring to a Supreme Court decision declaring valid Congress' procedures for approving the Law on Indigenous Rights and Culture, thus rejecting the case brought by several civic organizations' questioning the law's constitutionality. [Editor's Note.]