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# Acteal: An Open Wound on Indigenous Human Rights

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## Acteal: Open Wounds on Indigenous Rights

by Marco Tavanti<sup>1</sup>

The Acteal Massacre is not forgotten. On December 22, 1997 gunmen associated with the paramilitary group known as “Mascara Roja” came into the Maya-Tzotzil village of Acteal in the highlands of Chiapas, Mexico.<sup>2</sup> After several hours of shooting with high caliber weapons used



exclusively by the army, they wounded many and killed 45 innocent people, including 21 women and 15 children.<sup>3</sup> The event was the result of months of sporadic shootings, hostilities, displacements and repression. Since that tragic day, 77 people have been convicted in connection with the Acteal Massacre. Of those convicted, 57

have remained in prison since August 12, 2009 when the Supreme Court of Justice of the Nation (SCJN) freed 20 individuals on the grounds of unclear and improper investigations.<sup>4</sup> They were sentenced to 36 years in prison but spent less than 12 year in jail. The victims – members of the

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<sup>2</sup> Tavanti, M. (2003). *Las Abejas: Pacifist resistance and syncretic identities in a globalizing Chiapas*. Religion in history, society & culture. New York: Routledge. See also: *White paper on Acteal, Chiapas*. (1998). S.l: s.n.].

<sup>3</sup> Hernández Castillo, R. A. (2001). *The other word: Women and violence in Chiapas before and after Acteal*. Copenhagen, Denmark: International Work Group for Indigenous Affairs.

<sup>4</sup> International Service for Peace (SIPAZ), Special report on the Case of Acteal, August 30, 2009. <http://www.sipaz.org>

pacifist *Civil Society of the Abejas (Bees)* – were closely connected with the progressive side of the Catholic Church headed at that time by Bishop Samuel Ruiz. They also sympathized with the Zapatista rebels and their indigenous demands for democracy, land, justice, education and health.<sup>5</sup> Most of those convicted were government loyalists associated with the PRI party and conservative evangelical churches. On October 12, 2009 during a press conference that took place at the Human Rights Center Fray Bartolome de Las Casas (*Frayba*) headquarters, *Las Abejas* expressed their safety concerns as the Mexican Supreme Court considers the release of the other 31 prisoners that were sentenced as perpetrators of the Acteal Massacre.<sup>6</sup>

Despite *Las Abejas*' denouncements of impunity and their requests to bring to justice all the material and intellectual actors of the massacre, the judicial system of Mexico seems to go in different direction. While Mexican and American evangelicals have pressured the Mexican government for the release of those presently "innocent" individuals,<sup>7</sup> *Las Abejas* and numerous nongovernmental organizations interpret the Acteal Massacre as the result of the government's counterinsurgency strategy to fight the *Zapatista* rebels.<sup>8</sup> The *Frayba* interprets the Supreme

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<sup>5</sup> Collier, G. A., & Quaratiello, E. L. (1994). *Basta!: land and the Zapatista rebellion in Chiapas*. Oakland, CA: Food First, The Institute for Food and Development Policy. See also Marcos. (2004). *Ya basta! : ten years of the Zapatista uprising*. Oakland, CA: AK Press. And also: Hernández Castillo, R. A. (2001). *Histories and stories from Chiapas : border identities in Southern Mexico* (1st ed.). Austin: University of Texas Press.

<sup>6</sup> International Service for Peace (SIPAZ), Chiapas: The Abejas Denounce the Harassment of the Chiapas Government. October 23, 2009. <http://sipazen.wordpress.com/>

<sup>7</sup> Bonner, A. (1999). *We will not be stopped: evangelical persecution, Catholicism, and Zapatismo in Chiapas, Mexico*. [Parkland, Fla.]: Universal Publishers.

<sup>8</sup> Alba, J., Ventura, N., & Avila, G. (1998). *Acteal Estrategia de muerte = Acteal: death strategy*. México, D.F.: Canal 6 de Julio. See also: Barmeyer, N. (2009). *Developing Zapatista autonomy : conflict and NGO involvement in rebel Chiapas*. Albuquerque: University of New Mexico Press.

Court's unilateral decisions as a threat to community security that undermines the survivors' demand for justice, accountability and reparation.<sup>9</sup>

Amnesty International and Human Rights Watch have echoed Frayba and Las Abejas in denouncing the situation of impunity in Mexico and the lack of a proper system to guarantee proper justice procedures to indigenous claims for human rights.<sup>10</sup> Indeed, Acteal reminds us how human rights accountability and the fight against impunity are essential for the democratization of Mexico.<sup>11</sup> The aftermath of the Acteal massacre, reaffirmed by these recent court decisions, indicates another sad reality: the inability to consider indigenous rights and culture as part of the legal and societal fabric of Chiapas and Mexico.<sup>12</sup> The Zapatista claims for the constitutional recognition of indigenous rights and culture, as defined in the 1996 San Andres Peace Accords, are still a distant reality when compared to the real discrimination experienced by the 52 indigenous ethnic groups of Mexico.<sup>13</sup> The Chiapas indigenous struggle, headed by the Zapatista movement, has been instrumental in highlighting the basic demands that indigenous populations have for human rights, land rights and cultural rights along with their demands for

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<sup>9</sup> Centro de Derechos Humanos Fray Bartolomé de Las Casas, AC (2009). Suprema Corte de Justicia de la Nación alienta la impunidad en el caso de la Masacre de Acteal. San Cristóbal de Las Casas, Chiapas a 22 de octubre de 2009. Boletín de prensa No. 35. <http://www.frayba.org.mx>

<sup>10</sup> Amnesty International (2009) Mexico: New investigation into Acteal massacre is essential, 13 August 2009. <http://www.amnesty.org>

<sup>11</sup> Dorsen, N., & Gifford, P. (2001). *Democracy and the rule of law*. Washington, D.C.: CQ Press. See also: Bellinghausen, H. (2008). *Acteal : crimen de Estado* (1a. ed.). México, D.F.: La Jornada Ediciones.

<sup>12</sup> Howard, B. R. (2003). *Indigenous peoples and the state: the struggle for native rights*. DeKalb: Northern Illinois University Press; See also: Maybury-Lewis, D. (2002). *The politics of ethnicity : indigenous peoples in Latin American states*. Cambridge, Mass.: Harvard University David Rockefeller Center for Latin American Studies : Distributed by Harvard University Press.

<sup>13</sup> Marcos, & Ponce de León, J. (2001). *Our word is our weapon : selected writings* (A Seven Stories Press 1st ed.). New York: Seven Stories Press.

“democracy, peace, justice and dignity.” These basic and indigenous-specific rights have been collected in the *Declaration on the Rights of Indigenous Peoples* adopted by the United Nations General Assembly during September 13, 2007.<sup>14</sup> In spite of this important achievement, indigenous rights continue to be an issues for countries and private interests that recognize self-determination and access to lands, territories and resources, the most contended and controversial issue on indigenous rights.<sup>15</sup>

Acteal is an open wound in the Latin American and worldwide indigenous quest for justice.<sup>16</sup> It represents the violent effect on poor indigenous communities struggling for their survival linked to the land and resources.<sup>17</sup> For the survivors of the massacre, represented by the *Civil Society Las Abejas*, the issues of justice and land rights are nothing new in their organizational history and collective memories as indigenous Mayan people.<sup>18</sup> Sebastian Perez himself, current president of *Las Abejas*, was one of the three people unjustly incarcerated in 1992 after they heroically helped wounded indigenous Maya-Tzotiles involved in a land conflict.<sup>19</sup> The reality of injustice and impunity in Chiapas, like other indigenous and impoverished states of Mexico, is not only a reflection of poor public systems, but also shows the ongoing intolerance,

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<sup>14</sup> Xanthaki, A. (2007). *Indigenous rights and United Nations standards : self-determination, culture and land*. Cambridge, UK ; New York: Cambridge University Press.

<sup>15</sup> Minde, H. (2008). *Indigenous peoples: self-determination, knowledge, indigeneity*. Delft, The Netherlands: Eburon Delft.

<sup>16</sup> Warren, K. B., & Jackson, J. E. (2002). *Indigenous movements, self-representation, and the state in Latin America* (1st ed.). Austin: University of Texas Press.

<sup>17</sup> Chase, J. (2002). *The spaces of neoliberalism: land, place and family in Latin America*. Bloomfield, CT: Kumarian Press.

<sup>18</sup> Tavanti, M. (2003). *Las Abejas : pacifist resistance and syncretic identities in a globalizing Chiapas*. New York London: Routledge, Ch. 5.

<sup>19</sup> Ibid, p. 4.

discrimination and racism toward indigenous people.<sup>20</sup> Despite the Chiapas government's various attempts to integrate indigenous normative systems, the reality is still far from a true recognition of indigenous rights for self-determination, cultural diversity and natural resources. The colorful reality of Chiapas, with its lands rich in cultures and resources, cannot be separated from the indigenous people (the people the color of the earth) and their basic demands for education, health, land, water, democracy, justice and dignity.<sup>21</sup> The indigenous people of Chiapas don't resist globalization or government authorities per se, but they want to be recognized as equal in their rights and dignity as people, citizens and human beings. They do not want be victims of political manipulations or servant exploitative economic plans that marginalize and exclude them. They want a true participatory development process that will give them and their environment a sustainable future.<sup>22</sup>

Students from the DePaul Chiapas programs on *Sustainable Development* (School of Public Service) and *Human Rights* (Law School) travel yearly to Acteal to learn about the convergence of indigenous rights and land rights.<sup>23</sup> They meet with representatives from Las Abejas and

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<sup>20</sup> Branche, J. (2008). *Race, colonialism, and social transformation in Latin America and the Caribbean*. Gainesville: University Press of Florida. See also: Sieder, R. (2002). *Multiculturalism in Latin America: indigenous rights, diversity and democracy*. Basingstoke: Palgrave Macmillan. And also: Lutz, E. L., & Human Rights Watch (Organization). (1990). *Human rights in Mexico : a policy of impunity*. New York, N.Y.: Human Rights Watch.

<sup>21</sup> Pitarch, P., Speed, S., & Leyva Solano, X. (2008). *Human rights in the Maya region : global politics, cultural contentions, and moral engagements*. Durham: Duke University Press.

<sup>22</sup> Fischer, E. F. (2009). *Indigenous peoples, civil society, and the neo-liberal state in Latin America*. New York: Berghahn Books. See also: Guest, G. (2005). *Globalization, health, and the environment: an integrated perspective*. Lanham, MD: AltaMira Press. And also: Eversole, R., McNeish, J.-A., Cimadamore, A. D., & International Social Science Council. (2005). *Indigenous peoples and poverty : an international perspective*. London; New York: Zed; Distributed in USA by Palgrave Macmillan.

<sup>23</sup> Tavanti, M. and H. Evans (2008). What would Vincent Study Abroad? Option for the Poor and Systemic Change for the Development of Socially Responsible Leaders. Special Issue of the *Vincentian Heritage Journal*, Vol. 28, No. 2.

survivors of the massacre, learning firsthand about their quest for human rights and their struggle for justice and collective actions toward better living conditions. They discover how Acteal and the Chiapas indigenous movement of resistance represent many conflicts, issues and struggles worldwide.<sup>24</sup> Through the experience, students revisit their assumptions about indigenous resistance and understand how communities like those of Acteal want development for them and future generation, but without renouncing their land rights and cultural values. DePaul University has a long history of presence and collaboration in Chiapas. In 1998, just a few months after the Acteal massacre faculty and students began travelling to Chiapas to assist indigenous and nongovernmental organizations with human rights trainings, organizational development, fundraising plans and other collaborative initiatives. Chiapas indigenous people know that our most important service to them is to speak about their struggle and demands back in our schools and countries. That is why alumni of the DePaul Chiapas Programs have held and presented in conferences, founded organizations, lead important fundraising events and coordinated speaking tours for indigenous representatives in the United States. This year the DePaul Chiapas programs alumni reached another level of international service. A group went back to Chiapas and, in collaboration with the program coordinator and *Frayba*, were able to promote and mediate a dialogue between two divided sides of *Las Abejas*. The alumni presented their activities and methodologies in Chiapas at the 62nd United Nations Conference for Nongovernmental Organizations in Mexico City on September 9-11, 2009.

DePaul, the largest Catholic American University, has another layer of responsibility in its relations with Chiapas – its religious values and identity. Both the 1997 Acteal massacre and the

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<sup>24</sup> Tavanti, M. (2003). *Las Abejas: pacifist resistance and syncretic identities in a globalizing Chiapas*. New York London: Routledge

2009 release decisions have numerous connections with churches and religions. The Civil Society *Las Abejas* itself emerged from more than 40 years of pastoral work inspired by the liberation theology of the Catholic Diocese of San Cristobal de Las Casas. While some of the *Abejas* are Presbyterians, the large majority identify themselves with the progressive side of the Catholic Church and the indigenous demands formulated after the 1974 Indigenous Congress coordinated by Bishop Ruiz. Although the Acteal Massacre is far from being a religious conflict, it is true that religious worldviews and the Church's political positions have influenced – and in some cases legitimized – these events.<sup>25</sup> The legal decision of the Mexican Supreme Court also resulted from strong pressure and campaigning from the American-backed Mexican Evangelical Churches. Most evangelical organizations describe the decision to free the men convicted in relation to the Acteal case as “a positive response to their prayers” in support of their fellow converted Christians. Their pastors and churches have claimed the imprisoned people to be “Christian martyrs” and “innocent people” unjustly and improperly accused to have taken part in the massacre.<sup>26</sup> Indeed, the root of the Chiapas conflict is more economic and political than religious or communitarian. Yet, the fact that most of the victims of the massacre were associated with the progressive Catholic Church of the Diocese of San Cristobal de Las Casas while most of the perpetrators were associated with the Presbyterian conservative Church

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<sup>25</sup> Rivera Farfán, C., Universidad Nacional Autónoma de México., Centro de Investigaciones y Estudios Superiores en Antropología Social (Mexico), Consejo de Ciencia y Tecnología del Estado de Chiapas., Chiapas (Mexico). Secretaría de Gobierno., & Secretaría de Gobernación. (2005). *Diversidad religiosa y conflicto en Chiapas : intereses, utopías y realidades* (1a ed.). México, D.F.: Universidad Nacional Autónoma de México ; Centro de Investigaciones y Estudios Superiores en Antropología Social ; Consejo de Ciencia y Tecnología del Estado de Chiapas ; Secretaría de Gobierno del Estado de Chiapas ; Secretaría de Gobernación.

<sup>26</sup> For a good overview of the role of evangelical churches in Mexico and Latin American see Freston, P. (2008). *Evangelical Christianity and democracy in Latin America*. Oxford ; New York: Oxford University Press.

carries important responsibilities for religious based institutions.<sup>27</sup> Aware of this fact, the DePaul alumni of the Chiapas programs are currently working in preparation of a speaking tour for Chiapas indigenous representatives to meet with Catholic and Presbyterian universities and colleges.

As the U.S. mainstream media has limitedly portrayed news on the case of Acteal in Chiapas and Mexico, they have largely missed the symbolic significance Acteal has for indigenous human rights struggles in Chiapas and around the world. When I visited Acteal a few months after the massacre, the *Mesa Directiva* (board of director) of *Las Abejas* had begun putting pins on a world map to represent the country of origin of the many people visiting the site.<sup>28</sup> Besides interpreting Acteal at the center of the world – a phenomenon observed in most world populations – they consciously recognized how the blood of the martyrs of Acteal could serve the indigenous quest for rights, recognition, respect and dignity. They finally felt that the world was watching their marginalization and suffering. They said “the world finally can see through the eyes of Zenaida,” one of the surviving children of the Acteal massacre who had a bullet pass through her skull. Zenaida became blind as a result, but through her sacrifice and the suffering of the victims, the survivors and the internally displaced people, the world was finally able to pay attention to the reality of paramilitarization, systemic violence and repression. Participants in the DePaul Chiapas programs have learned from their experience in Chiapas and are now voices for an important message to the world. They recognize that Acteal is here and now in its symbolic

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<sup>27</sup> Duffey, M. K., & Nash, D. S. (2008). *Justice and mercy will kiss: the vocation of peacemaking in a world of many faiths*. Milwaukee, Wis.: Marquette University Press. See also: Tavanti, M. (2003). *Las Abejas: pacifist resistance and syncretic identities in a globalizing Chiapas*. New York London: Routledge.

<sup>28</sup> Tavanti, M. (2003). *Las Abejas: pacifist resistance and syncretic identities in a globalizing Chiapas*. New York London: Routledge, p. 100-102.

meanings and how the Chiapas indigenous and land struggle is also linked to the Chicago and international struggles for immigrant rights. The Pillar of Shame – a sculpture of Danish artist Jens Galschiot Christophersen – has been placed at the entrance of Acteal not only in remembrance of the atrocity of the massacre, but also as a symbol linking Acteal to other Pillars of Shame placed at other sites including Auschwitz, Tiananmen Square, Rwanda, and Chechnya, among others. Just like these others sad chapters of our human history, Acteal is a reminder that the survival of indigenous people depends on our awareness, recognition and respect for indigenous rights. The preservation of our fragile planet itself is intricately connected to the preservation and sustainability of indigenous diversities in our global societies.