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## A Critical Discourse Analysis of the Evolution of Indigenous Education Policies in Colombia and Mexico and the Struggles for Decolonization and Pluriversality

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## Abstract

This research on Indigenous educational policies (IEPs) in the postcolonial histories of Colombia and Mexico focuses on: 1) identifying key normative concepts encoded in IEPs adopted in national policymaking, 2) analyzing how the evolution of normative concepts relates to political tensions between state, Indigenous, and international actors, and 3) discussing how the evolution of IEPs expose achievements and obstacles to decolonial struggles to advance Indigenous rights and pluriversal knowledges.

A critical discourse analysis of laws and regulations adopted between 1820 and 2020 in Mexico and Colombia shows a gradual and conflictive recognition of cultural and political rights, most recently through normative concepts like *bilingualism*, *biculturalism*, *interculturalism*, *autonomy*, and *self-determination*. These discursive shifts have operated, however, against the backdrop of ongoing political struggles of Indigenous peoples to demand that nation-states implement the agreements and principles enacted. This history of IEPs thus illuminates continuing tensions between the semiotic and material conditions of Indigenous communities as well as emerging practices of resistance and organization that may carry implications for further policy development.

## Keywords

critical discourse analysis, decolonial theory, Indigenous education, global pluriversality, Colombia and Mexico

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## A Critical Discourse Analysis of the Evolution of Indigenous Education Policies in Colombia and Mexico and the Struggles for Decolonization and Pluriversality

This research examines the development of Indigenous educational policies (IEPs) in Colombia and Mexico. We investigate the ways key normative concepts encoded in IEPs are adopted in national policymaking. Policy in South America, we argue, has been informed not only by the history of political tensions between state, Indigenous, and international actors, but also by the enduring Indigenous successes and struggles to advance a global pluriverse. Based on a critical discourse analysis of laws and regulations adopted between 1820 and 2020, the authors argue that the evolution of IEPs in both countries signals a gradual conflictive unfinished struggle for recognition of cultural and political rights. Over time, normative concepts rooted in colonial politics of assimilation were reformed by nationalist policies for the vertical integration of Indigenous Peoples through Spanish language instruction, and since the late twentieth century, by *bilingualism*<sup>1</sup>, *biculturalism*<sup>2</sup>, *interculturalism*<sup>3</sup>, *autonomy*<sup>4</sup>, and *self-determination*<sup>5</sup>. However, these discursive shifts have operated against the backdrop of ongoing coloniality and the struggles of Indigenous people to demand nation-states to implement enacted agreements and principles. This history of IEPs illuminates continuing tensions between semiotic practices and Indigenous communities' material conditions as well as new policies of resistance and organization that suggest avenues for further educational policy development.

We define normative concepts as linguistic terms that “ascribe a certain moral value to politics, directly signifying, or indirectly alluding prescriptive principles” (Abulof, 2015, p. 74). Through a theoretical lens of decoloniality, we approached normative concepts in IEPs as prescriptive principles that result from ideological struggles to structure Indigenous education in Mexico and Colombia. We approach IEPs as institutionalized discursive practices that can both reinforce coloniality and open a potential to decolonize education and put forth an ideal of social justice in a global pluriverse. The global pluriverse is a decolonial vision of a world where multiple ways of knowing, doing, and being can co-exist. It critiques a “self-proclaimed universality of Western cosmology” that has suppressed Indigenous ways of thinking and doing that are not grounded in Eurocentered epistemology (Mignolo, 2018, p. ix).

Mexico and Colombia were selected for a comparative analysis for they present noteworthy similarities and contrasts relevant to research goals. In terms of similarities, they are diverse multiethnic multiracial multicultural societies. Mexico is the second most populated country in Latin America, with 120 million inhabitants, of which 26 million (22%) are Indigenous and 1.3 million (1.2%) are Afro-descendant. Colombia has a population of 41 million, of which 1.9 million (4.4%) are Indigenous and 4.3 million (10.6%) are Afro-descendants (DANE, 2019; Mato, 2018, p. 39). Mexico is home to 68 Indigenous groups, each speaking a language of their own, which corresponds to 11 linguistic families with 364 dialectal variants (INALI, 2008). A total of 7.4 million people (6.5 % of the national population) are registered as speakers of Indigenous languages (IWGIA, 2020). The most spoken languages are Nahuatl,

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<sup>1</sup> The ability to use two languages: a native language and Spanish in our case study.

<sup>2</sup> Represents comfort and proficiency with both cultures: Indigenous culture and western culture.

<sup>3</sup> Interaction, collaboration, and exchange between Indigenous culture and the western culture.

<sup>4</sup> The right to self-governance.

<sup>5</sup> The right to freely determine the present and future in different dimensions: economic, social, political, and so on.

Maya, Mixtec, Zapotec, Tzeltal, and Tzotzil (INEGI, 2010). The largest Indigenous communities are the Nahuas, Maya, Zapotecos, Mixtecos, Tsotsil, Otomís, Tzeltales, Totonacas, Mazatecos, and Mazahuas (Milenio, 2017). 75 % of those who self-identified as Indigenous live in the states of Oaxaca, Chiapas, Veracruz, Estado de Mexico, Puebla, Yucatan, Guerrero, and Hidalgo (Senado de la República, 2017).

In Colombia, there are 32 multicultural provinces with 710 Indigenous reservations, 123 Afro-Colombian collective territories, 11 Kumpañy Rrom communities (known as Gypsy people). In addition to Spanish, 68 Indigenous languages and *palenquera*, *raizal* and *romaní* languages are spoken in Colombia (Minieducación, “Marco Normativo, Grupos Étnicos”). According to the 2018 census, there were 115 Indigenous communities. The four largest Indigenous groups are Wayuu, Zenú, Nasa, and Pastos, which comprise 58.1% of the Indigenous population. The regions with the most Indigenous presence are La Guajira, Cauca, Nariño, Córdoba, Sucre, and Chocó (DANE, 2019).

In addition, in both countries, modernity/coloniality imposed practices of cultural homogenization and genocide of Indigenous people as well as Indigenous resistance and international initiatives that have pressured national governments to recognize Indigenous peoples’ linguistic, educational, and identity rights in their constitutional frameworks<sup>6</sup>. For instance, both governments ratified in 1989 Convention 169 of the International Labour Organization concerning Indigenous and tribal people in independent countries (Mato, 2018, p. 40). This convention called for new international standards to remove “assimilationist orientation of earlier standards” and recognize these people’s aspirations “to exercise control over their own institutions, ways of life and economic development and to maintain and develop their identities, languages, and religions” (ILO Convention 169). Lastly, both governments have invoked Indigenous people’s principles of autonomy and self-determination in IEPs and adopted normative concepts like *bilingual*, *bicultural*, and *intercultural* in a discourse on Indigenous people’s education.

In terms of differences, the political contexts and strategies to implement IEPs in Mexico and Colombia also make this comparison meaningful. On the one hand, Mexico has maintained greater IEP state-centered control. It has been considered “probably most-centralized, all-embracing and vertical case of nation-state building” in the Americas” (Hamel, 2008, p. 315). Colombia, on the other hand, has adopted more de-centralized models and in recent decades granted more relative autonomy to Indigenous communities in IEPs. For the purposes of this research, such similarities and differences allow reflection and critique alternative avenues and roadblocks to Indigenous educational rights and pluriversality.

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<sup>6</sup> It is important to point out that ethnic minorities show higher levels of multidimensional poverty in Latin America. According to The Multidimensional Poverty Index (MPI), Indigenous poverty is a prevalent issue that can be connected to racism. The MPI complements monetary-based measures of poverty, expressing deprivations that are manifested in people’s daily lives in ways that go beyond the ability to purchase goods and services. MPI dimensions are health, education, and standard of living. Health indicators are nutrition and child mortality, years in schooling and school attendance for education, as well as cooking, fuel, sanitation, drinking water, electricity, housing, and assets for Standard of living (UNDP, 2023). For further information on the issue of poverty among the indigenous population in Mexico, we recommend reading the Coneval report (2019).

The following sections present the theories and methodology that guided the research. Then, the analysis and discussion of IEPs evolution is organized into three historical periods to highlight normative concepts in the political contexts of policy making. The analysis is followed by a discussion of achievements, obstacles to decolonization, policy recommendations, and conclusions.

### Theoretical Framework

Decolonial theory is central to this analysis of IEPs for its focus on the critique of Eurocentered epistemologies and the de-Westernization of knowledge, which include processes of depatriarchalization, deracialization, and legitimization of Indigenous ways of knowing. It questions the presumptions of universality and neutrality of Eurocentered epistemologies that have legitimized modernity/coloniality, capitalism, nationalism, cultural assimilation, science, and globalization as matrices of power and colonization that endure long after formal European colonial rule ended (Escobar, 2017, 2018; Mignolo 2011). Three relevant theoretical-political foci of decoloniality are central to our perspective: (1) the decolonization and depatriarchalization of social life; (2) socio-environmental justice and the liberation of Mother Earth; and (3) the flourishing of a pluriverse—a world where many worlds fit, as defined by Zapatista leaders, such as *Ejército Zapatista de Liberación Nacional* (the Zapatista Army of National Liberation), a political movement led by Indigenous people in Mexico (Escobar, 2017).

According to Escobar (2018), a global pluriverse is a concept that comprises an ontology concerned with: “world making from the perspective of radical interdependence and a pluriversal imagination;” an “ethical praxis of world making;” and politics centered on a reconceptualization of autonomy as an expression of interdependence (p. 21). In the path to building a socio-environmental pluriverse, three practices have been proposed. First, the re-communalization of social life to counter the hyper-individualist tendency of globalization and to potentiate human action from the perspective of radical interdependence. Second, the relocalization and decentralization of activities (economy, food, shelter, transportation, health, and so forth) to strengthen local, convivial ways of living. Third, the creation of autonomous and collective decision-making to promote self-determination, counter the dependence on undemocratic states and institutions, and build networks with similar autonomous struggles—regionally, nationally, and internationally (Escobar, 2017). This conceptual framework informs the discussion of IEP in the context of Indigenous rights struggles.

### Methodology

This study explored three research questions: 1. What are the most salient normative concepts encoded in the IEPs adopted by national governments in the history of Colombia and Mexico (1820-2020)? 2. How do these concepts relate to political tensions driving Indigenous education policymaking in these two nations? And 3. What does IEP history reveal about achievements and enduring obstacles to decolonization and the construction of pluriversality?

We investigated the discursive nature of policy-making on the basis of a critical discourse analysis (CDA) of national laws and regulations and international regulations adopted in Colombia and Mexico. The data analyzed included 23 legal regulatory documents instrumental in IEP evolution (See Appendix

A and B). In addition, the organizational web pages of six influential Indigenous organizations, three from Mexico and three from Colombia were analyzed to identify reactions to IEPs and tensions among stakeholders (See Appendix C).

IEP contextualization was organized based on three historical periods: (1) from 1820 to the 1940s, which includes the time of independence from Spanish colonial rule and the era of nation-building through assimilation and integration; 2) from the 1950s to 1990, a period characterized by Indigenous resistance and state-centered IEP institutionalization; and (3) from 1991 to 2020, a time of increased mobilizations and initiatives on decentralization, Indigenous autonomy, and self-determination.

In this research, discourse is defined as language in use that reproduces unequal relations of power as well as dominant and contestatory ideologies, institutional practices, and social identities in historically specific contexts (Fairclough, 1989). From this perspective, social realities have a reflexive character, that is, they are material-semiotic (Jessop, 2004). We approach policy discourse as institutionalized ways of talking that regulate and reinforce action and exert power. We applied a three-dimensional model of analysis of interrelated texts, discursive practices, and sociocultural practices. Textual analysis focused on the identification of normative concepts, defined as terms and constructs that “ascribe a certain moral value to politics, directly signifying, or indirectly alluding to, prescriptive principles” (Abulof, 2015, p. 74). This analysis centered on how concepts related to particular “interests, values and normative assumptions—political and social” (Fischer et al., 2015, p. 5). Analysis of discursive practices gave attention to historical contexts and struggles in which IEPs are enacted and interpreted by state and Indigenous actors. Lastly, the analysis of sociocultural practice addressed how IEPs relate to broader social discourses and how normative concepts and policymaking may enact coloniality and decoloniality.

## Analysis and Discussion

In this analysis, sections 1-3 below address IEP development and the adoption of normative concepts within the historic-political tensions of each national context, and thus, answer the first and second research questions. Section 4 focuses on the analysis of how normative concepts and IEPs reflect achievements and obstacles to the construction of a global pluriverse, to answer the third research question.

The terms assimilation and integration are used here to refer to the ideological underpinnings of policies toward Indigenous Peoples in state policymaking. Following Arenas and Urzúa (2016), assimilation is defined as a process of cultural interaction and homogenization where aspects of the dominant society’s culture are imposed and adopted so that minority cultures are undermined or lost. Integration refers to an interest in maintaining aspects of minority cultures and promoting interaction between dominant and minority groups.

### 1. 1820 to 1940s: National Consolidation and Enduring Coloniality

In Latin America, nation-building processes after independence from Spanish colonial rule were characterized by the continuation of colonialist approaches in state regulation of Indigenous lives. The

most salient normative concepts in legal and policy decisions during this period in Colombia were *civilizing the savages* within the dichotomy of European *civilization* and *progress* against Indigenous *barbarism*, and Indigenous people's characterization as *wild savages* with the legal status of *minors*. Cultural assimilation processes operated primarily through models of Catholic missionary schools. In Mexico, invisibility and suppression of Indigenous identities from legality prevailed until the Mexican Revolution in 1910, when state actors shifted emphasis to the *integration* of selective aspects of Indigenous cultures into a national, Eurocentered culture through *indigenism* and linguistic homogenization in Spanish. Common to both nations is the fact that such normative concepts were adopted in a context of political violence, dispossession of Indigenous lands, Eurocentered notions of culture, and exclusion of Indigenous leadership in policymaking.

## Colombia

The declaration of independence in Colombia was inspired by the Declaration of the Rights of Man, a document from the French Revolution proclaiming recognition of citizenship for all. The founding of the Colombian nation-state in 1820 was led by a creole elite, modeled on Spanish colonial administration, and also influenced by Darwin's evolutionary theory to justify the supremacy of the European white race to organize and control non-white people (Serje, 2005). In this context, the ideology of *mestizaje*<sup>7</sup> or racial mixing became a process of whitening and a "civilizing" engine to control and modify the identities of Indians, Africans, and their descendants through the assimilation of European canons (Rojas, 2001). Rather than state-centered institutions, Indigenous people's missionary education became a central pillar of assimilation. According to Córdoba (2012), to fulfill a "civilizing" mission, a concordat was established between the Colombian state and the Holy See in 1887, and enforced until after the mid-20th century, to transform "wild emerging societies" according to the interests of the Colombian ruling elite (p. 227). Catholic missionaries retained "the European and the Christian model as the model to follow" (p. 227).

Colombia had two great waves of Catholic missions, one during colonial times, and the second from the late 19<sup>th</sup> century until the mid-twentieth century. Missionaries' practices justified the separation of Indigenous families and the placing of Indigenous children in orphanages in order to be instructed by missionaries. This represented "a guarantee of effective work among indigenous people" (Córdoba, 2012, p. 95). Missionaries created new forms of sociability, connecting "border regions, between centers and peripheries, between the so-called 'civilized' world and the world that needed works to civilize it, areas considered by the State as areas of 'barbarity,' according to the dichotomy accepted then" (Córdoba, 2012, p. 224).

Missions were located in what the national Constitution of 1863 called "national territories under a special system," as they were huge swathes of jungle land with great economic potential but "unable to govern themselves because they were populated by wild tribes (...) inhabited by nomadic aborigines in virgin jungles" (Serje, 2005, p. 16). Law 089 of November 25, 1890, stipulated "the way savages reduced to civilized life through Missions should be governed" (Cartilla de Legislación Indígena, 2005, p. 137).

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<sup>7</sup> *Mestizaje* and racial mixture has different characteristics in the consolidation and evolution of the national state in Colombia and Mexico.

Article 1 of Decree 74 of 1898, refers to Indigenous people as “wild.” Furthermore, these laws stipulated that Indigenous people were to be treated as minors, which justified the state and the Catholic Church’s management and expropriation of Indigenous lands on the presumption of Indigenous Peoples’ inability to govern themselves.

Reliance on this religious model and the inexistence of state policies regarding Indigenous people’s education lasted until mid-20<sup>th</sup> century, despite the fact that Indigenous resistance to colonization in Colombia arose with the very first acts of Spanish invasion in the 16th century (Castañeda, 2002). Through colonial times and after independence, Indigenous communities had to face two types of violence, structural violence characterized by the direct presence of the Spaniards in Indigenous territories, and direct violence from partisan political violence and an armed conflict in the national territory (Hernández, 2006).

## Mexico

Mexican independence from Spanish colonialism was a process that began in 1810 and ended in 1821. The First Federal Constitution was signed in 1824, the Second Federal Constitution was enacted in 1857<sup>8</sup>, and the Third Federal Constitution, amended but in force to date, was enacted in 1917. López (2010) noted that despite recognition of the universal principle of all individual’s equality in the national Constitution, in practice some provincial and regional authorities enacted laws that not only ignored the “existence of Indigenous people, but also did everything within their power to disappear them” and dispossessed them of their property (p. 44). An example of this is the reform of the *Constitution of 1824*, amended in 1935, which, following federalist principles made no reference to Indigenous people (p. 25). Indigenous and Afro-descendant people’s dominant perceptions were shaped by unequal power and cultural confrontation relations. For instance, their cultural expressions have been considered as morally objectionable, offensive, and dishonest (Aguirre, 1994). Overall, the period from Mexican independence to the Mexican Revolution in 1910 was characterized by the continuation of colonial practices and slavery-like practices as one of the strategies to stifle rebellions and resistance, which led to the destruction of Indigenous organization, land dispossession, and a reduction of Indigenous population (Hamel, 2008).

After the Mexican Revolution—where Indigenous and popular sectors of society emerged as relevant actors—the political bases of the nation were reestablished, and the state sought the Indigenous people’s integration through Indigenous education and *indigenism* as an element of nationalist ideology. In contrast to the Colombian state’s reliance on Catholic missionary schools, in Mexico, political leaders followed a secular process of integration that undermined the power of the Catholic Church. This was

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<sup>8</sup> The Reform Laws enacted on September 6, 1860, during Benito Juárez’s administration, represent the formal beginning of the secularization of public life in Mexico, and with it, religion in general can no longer directly and openly influence law, politics, education, and public life in general (Yturbe, 2010).

driven by a nationalist discourse that celebrated *indigenism*<sup>9</sup> or the incorporation of selective aspects of Indigenous cultures into the national imaginary. However, Indigenous customs were incorporated mainly as folkloric relics from the past, divorced from political organization and the conditions of poverty and racism against Indigenous people at the time. This cultural policy was developed by non-Indigenous actors, built upon a colonial racial hierarchization, and directed by the nation state's centralized authority. Further, IEPs under this regime pursued linguistic homogenization through education in the Spanish-language, nationalization, and dissolution of Indigenous cultures and their languages (Garza, 1997; Hamel, 2008). Between 1925 and 1932, 33 internées were created to implement a pedagogy according to Indigenous groups' worldview. This policy placed the incorporation of Indigenous students into public education as the integrating axis (Florescano, 1987; Reynoso, 2013). The first Inter-American Indian Congress held in Mexico in 1940 spurred the establishment of *Instituto Nacional Indigenista* or *INI* (National Indigenist Institute) in 1948. Supported by colonizing logics of pragmatism and rational thinking as universal values, the state sought to suppress what it described as religious fanaticism and promoted bodily domestic sanitation (Vaughan, 2000).

In sum, in both nascent nations, the first constitutions reproduced Enlightenment thought and the racist ideologies and cultural hierarchies of the European liberal revolutions of the latter part of the 18th century. Thus, institutional practices and a sense of national identity were rooted in Eurocentered epistemology and its logics of binary opposition—in this case, civilization against barbarism. Creole elites built and legitimized a collective identity governed by ideals of modernity/coloniality: rationality, progress, equality, positivism, Eurocentered monolingual culture, science as authoritative truth, and whiteness—as markers of “civilization.” They reduced Indigenous people to invisible, peripheral, or folkloric relics whose identities represented threat, disorder, ugliness, savagery, backwardness, inefficiency, and incapacity of self-government (Serje, 2005). In this context, the desire to “civilize” Indigenous people other or to integrate them into a national identity through education was a top-down process of continuing colonization. These processes were often carried out “by means of civil wars, using force in labor relations and with certain brutal sexual racist practices” (Rojas, 2001, p. 36-37).

## 2. 1950s to 1990: Resistance and State-Centered Institutionalization of IEPs

During the second half of the 20<sup>th</sup> century, increasing mobilization and collective action by Indigenous Peoples and other sectors of society to demand recognition of their rights—along with international initiatives to protect Indigenous rights—led to national policies in response to popular demands while

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<sup>9</sup> *Indigenism* as state policy of Social Engineering failed to incorporate Indigenous participation standpoint. We agree that it “sought to readdress the racist caste system in the colonial by providing education, hygiene and social programs to Indigenous people” (Dawson, 2015, p. 1). In 1921, the *Secretaría de Educación Pública* was created, founded by José Vasconcelos, and at the same time the *Departamento de Educación y Cultura Indígena* was created (Reynoso, 2013). Vasconcelos' vision moves away from recognizing the cultural particularism of the Indian peoples and ascribes to a vision that seeks, from an evolutionist position, to integrate Indigenous Peoples to national life, mainly through education, the idea of integration is inserted in a policy and a political urgency to build a nation (Florescano, 1987). Although not all the consequences of the educational strategy of the time are negative, there are some that persist to this day, such as Indigenous folklorization, discrimination, marginalization, invisibility and violation of Indigenous peoples' rights.

retaining centralization of power over IEPs. In this context, in Colombia, the normative concepts of *Indigenous education*, *bilingual education*, and *bilingual intercultural education* were introduced, and in Mexican IEPs the concepts of *bilingual and bicultural education* were adopted. Despite the similarity of normative concepts, IEPs in each country showed different tendencies in educational program design. In Colombia, the tendency was toward centering Indigenous culture, cultural exchange, and autonomy rather than bilingual linguistic competencies. In Mexico, IEPs maintained a centralization of Indigenous education by the federal and state governments and reproduced a focus on language instruction in Spanish. In both countries, the political events and constitutional reforms of the early 1990s posed new challenges and opportunities to advance decolonizing educational policies.

## Colombia

This period featured the emergence of Indigenous movements that demanded more participation in the political process and the protection of their rights. This mobilization led to state-centered IEPs that, for the first time, addressed Indigenous education. In a political context of state-led agrarian reform, displacement, and land dispossession, Indigenous people joined the struggle of *mestizo* peasants to defend their lands against state privatization (Van Cott, 2000). Facing enduring colonial structures and continuing marginalization, economic exploitation, and displacement, the first Indigenous organizations to claim Indigenous people's rights were born in 1970.

In 1971, *Consejo Regional Indígena del Cauca* (Regional Indigenous Council of Cauca) was formed to demand from the Colombian state protection for ancestral territories, cultural entities, and human rights<sup>10</sup>. In the 1970's decade, coalitions were built between the Arhuaco, Kogui, Sikuani, Emberá, Cañamomo, Pijao, Pato, Amazónico, Nasa, Coconuco and Giuambiano people. Their purpose was to "bring to public light and denounce these outrages to the national and international community" (ONIC, Sf). In 1982, *Organización Nacional Indígena* (National Indigenous Organization of Colombia) united Indigenous organizations around the country. Other regional organizations founded included *Confederación Indígena Tairona* (Tairona Indigenous Confederation), *Organización de los Pueblos Indígenas de la Amazonia Colombiana* (Indigenous People's Organization of the Colombian Amazon), and the *Asociación de Autoridades Indígenas de Colombia* (Organization of Indigenous Authorities of Colombia) (Programa ONU-REDD, 2016).

Within this context of collective action, the Colombian state introduced the concept *Indigenous education* in 1971 to allow implementation of *bilingual education* programs (Sierra, 2004, p. 18). The first Legal Framework on Bilingual Intercultural Education was enacted through Decree 1142 of 1978. Article 1 stipulated that any educational initiatives developed in Indigenous communities would be led, supervised, and evaluated by the National Education Ministry "working" with the communities. In this state-centered model, IEPs subordinated Indigenous people to "collaborators" under non-Indigenous

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<sup>10</sup> *Consejo Regional del Cauca* (CRIC) played a central and leading role in pressuring the State to issue norms for Indigenous Education. In the Sixth Congress in 1981 they emphasized a school that strengthens their own cultures hand in hand with the elders. In the Seventh Congress in 1983, it was recommended that education should take into account agricultural production. In the Eighth Congress in 1988 the emphasis was on the oral and written use of Indigenous languages, giving a leading role to identity and community participation (Galeano Lozano, 2013, p. 40).

actors' authority. At the same time, Article 6 encoded a notion of *interculturalism* that recognized that *Indigenous education* should be linked to communities' environment, location, labor and production, social organization, language, artistic expression, religions, and cultural life. Curricular programs were expected to promote respect for Indigenous cultures and religions, and to provide individuals with skills in social development. While this article signaled a step toward decolonizing the curriculum, Article 9 reflected a nationalist agenda where *bilingualism* meant that Indigenous students would be taught in native tongues with the goal of facilitating a gradual learning of Spanish.

In the 1980s, Indigenous efforts to increase their participation in the political process continued. For instance, the first National Indigenous Encounter took place to strengthen the power of Indigenous communities for more self-determination: "the first step agreed on by Indigenous people, authorities, and organizations was to provide the national Indigenous movement with a political and organizational structure" (ONIC, Sf). In the 1980s, another influential factor in IEPs was the global trend seeking enforceability of Indigenous rights. For instance, in 1982 indigenous leaders joined the Working Group on Indigenous Populations, a subsidiary to the United Nations Sub-Commission on the Promotion and Protection of Human Rights.

## **Mexico**

Between 1950 and 1990, Mexican national authorities reformed the integrationist approach in IEPs to transcend the focus on *indigenism* and Spanish language homogenization to include normative concepts of *bilingual*, *bicultural*, and *intercultural education* through state policies and influenced by international initiatives. For instance, in 1957 Mexico signed the UN's International Labour Organization Convention 107. This was the first comprehensive international instrument that set forth the rights of Indigenous people and the obligations of states toward them. Yet, "While Convention No. 107 broke new ground, it used patronizing language, referring in its Article 1(1)(a) to these populations as 'less advanced' and promoting an assimilationist approach" (ILO Leaflet No. 8, n.d.).

From 1970 to 1982, a significant development was Mexican state educational reform and investment in education. This was one, among others, political intervention to deal with a crisis of political legitimacy facing the state as the result of social movement mobilizations of the 1960s and their struggles for democratization and radical change (González Villareal, 2018). From 1976 to 1977, the highest percentage of government expenditures financed an "*Education for All*" program, and Universidad Pedagógica Nacional was created. Although the program aimed at reaching more communities did not close the gaps between Indigenous and non-Indigenous people's access to education (Creighton, et al., 2016).

In 1978, a *Dirección General de Educación Indígena* (General Directorate of Indigenous Education) was created under the Secretary of Public Education (Creighton et al., 2016). In the 1980 official program of Indigenous education, normative concepts like "*bilingual and bicultural*" are employed. However, the program has retained a strong emphasis on language instruction rather than cultural studies and culturally grounded knowledge. For example, in 1979 the focus of an agreement between the state and the Center for Research and Higher Studies in Social Anthropology launched a Ethnolinguistics Vocational Training program (De la Peña, 2002). It trained bilingual teachers to promote editing and

distribution of texts in Indigenous languages (Creighton, et al., 2016). IEPs also remained centralized and administrated by the federal government and, after 1992, by state governments. Since Mexican public education is based on a common curriculum for all schools in the country, Indigenous schools are supposed to cover the same curriculum as standard monolingual system. Compulsory textbooks are oriented towards monolingual Spanish-speaking children, mainly in urban cultural contexts. These, according to Hamel (2008) are not adequate for bilingual and bicultural education, or for the teaching of Spanish as a second language to Indigenous students (p. 315-318).

By 1989, Mexico adopted the International Labour Organization's Convention 169 on Indigenous and Tribal People in Independent Countries, whose Article 26 stipulated that the training of Indigenous and tribal people and their participation in formulation and implementation of education programs must be ensured, in order to progressively transfer to Indigenous people the responsibility for implementation (Creighton, et al., 2016). The implementation of this convention was put to the test in the 1990s by Indigenous people's political unrest in Mexico seeking autonomy and self-determination.

### 3. 1991 to 2020: Emerging Discourses of Autonomy and Self-Determination

During this time, increased participation and visibility of Indigenous rights movements in national and international policymaking made possible further inclusion of Indigenous demands and visions in IEPs. In Colombia, policies that promoted educational system decentralization and greater participation in governance were introduced with normative concepts emphasizing *ethnoeducation*, *autonomy*, and the creation of Indigenous people's *own* or *self*-controlled systems (*sistemas propios*). In Mexico, the concepts *intercultural bilingual education*, *self-determination*, and *autonomy* were encoded in IEPs. In both nations, these normative concepts were invoked against a backdrop of national government failure to advance commitments made and the continuing struggle of Indigenous movements to demand government implementation.

#### Colombia

A set of significant development for the purposes of this research came in 1991, when Colombian legislators passed Law 21 of 1991, which ordered that government institutions must ensure education in accordance with Indigenous people's cultural needs and characteristics. That same year, the Indigenous movement, through representative organizations, participated in the National Constituent Assembly and proposed nine articles that were embodied in the Political Constitution of 1991. These articles related to Indigenous rights regarding multiculturalism, autonomy, administration of justice, education, health, and participation (ONIC, 2013).

In addition, the International Convention on Indigenous and Tribal Peoples 169 of 1989, ratified by Law 21 of 1991, introduced a regulation that obligated the Colombian State to consult on legislative and administrative measures likely to affect Indigenous people (Programa ONU-REDD, 2016, p. 25). Although Colombia did not sign the United Nations Declaration of the Rights of Indigenous People, 85 rulings have been issued by the Colombian Constitutional Court relating to consulting Indigenous people and getting their consent in relevant matters for them (Programa ONU-REDD, 2016, p. 25).

In the mid-1990s, Law 115 of 1994 and Decree 804 of 1995 regulated ethnic groups' educational care in the national educational system in the framework of respect for their beliefs and traditions. Currently, the Policy Framework for the Care of Ethnic Groups in Colombia structures policymaking affecting Indigenous people. It is implemented by local, national, and international mechanisms including each ethnic group's organizational processes; the Political Constitution of Colombia of 1991; the General Education Law (115 of 1994); Law 21 of 1991: ILO Convention 169; Law 70 of 1993; Decree 804 of 1995 (compiled in Decree 075 of 2015); Decree 1953 of 2014; and the jurisprudence of the Constitutional Court (ORDER 004 and 005 OF 2009) (Minieducación, "Atención educativa grupos étnicos").

Decree 1953 of 2014 is of particular interest. It states that "in case that Indigenous territories can create educational institutions, their nature, organizational requirements, the form and requirements for their own educational projects must go through a transitional regime to have a legal status and recognition of their higher education processes." Discussions have also advanced through prior consultation for the consolidation of an Indigenous Self-Education System, which allow for the construction of differential approaches in indigenous higher education Institutions. In 2018, the state recognized the first Indigenous Public University (Minieducación "Marco Normativo, Grupos Étnicos").

Despite the stipulations of the Political Constitution of 1991, in the following 21 years (1992-2013), there was no significant application of policies. This led to the continuing political action of Indigenous movements. In 1996, five years of government failure to implement changes renewed Indigenous protests to demand "coherent respectful attention to cultural and ethnic diversity" (MPCI, 2016). The creation of *La Mesa Permanente de Concertación Nacional* or MPCI (Permanent Bureau for Consultation with Indigenous Peoples and Organizations) brought together delegates from Indigenous organizations, state representatives, and international delegates to denounce gaps and reversal in Indigenous struggles for autonomy (MPCI, 2016). According to MPCI, only two decrees in the 1991 constitution have been noted as introducing policymaking mechanisms (MPCI, 2016). Thus, Decree 1396 and Decree 1397 of 1996 created a *Comisión de los Derechos Humanos de los Pueblos Indígenas* (Commission on Indigenous Peoples' Human Rights), the *Programa Especial de los Pueblos Indígenas* (Special Program on Indigenous Peoples), the *Comisión Nacional de Territorios Indígenas* (National Commission on Indigenous Territories) and the *Mesa Permanente de Concertación con los Pueblos y Organizaciones Indígenas* or MPCI (Permanent Bureau for Consultation with Indigenous Peoples and Organizations). By 2010, 96 agreements in the National Development Plan 2010-2014 were in the framework of the MPCI. The MPCI suspended the dialogue with the national government in 2013, as a result of government agreement default (MPCI, 2016).

The same year, the *Minga Social, Indígena y Popular* (Social, Indigenous and Popular Groups) organized protests to defend "life, territory, autonomy, and sovereignty" (MPCI, 2016). Within the framework of this new dialogue, the national government was asked to resolve legal omissions. This effort resulted in 29 agreements, and Indigenous organizations participated actively in state commissions to consolidate Decree 1953 of 2014 to regulate the *Sistema Educativo Indígena Propio* (Indigenous Own Educational System). This decree established a framework while implementing Article 329 of the Constitution. This decree recognizes Indigenous groups as political administrative

organizations that can assume powers and resources that the Constitution has reserved for territorial entities. Principles stressed in Decree 1953 of 2014 include autonomy, free self-determination, recognition of ethnic and cultural diversity, territoriality, unity, integrality, universality, coordination, and cultural interpretation.

## Mexico

As a result of Mexico's adoption of International Labour Organization Convention 169, Article 26, in 1989, Mexican lawmakers amended Article 4 of the Mexican Constitution in 1992 to recognize the multicultural and multi-ethnic nature of the nation and guarantee the Indigenous people's rights to cultural diversity (De la Peña, 2007). During this time, a shift in normative focus from "*bilingual and bicultural*" to "*bilingual and intercultural*" education was encoded in policy statements that *invoked self-determination and autonomy*.

However, more recent structural changes in how the state relates to Indigenous people today were spurred by the guerrilla uprising of the National Zapatista Liberation Army (EZLN) in 1994. Led by Maya Indigenous communities, the Zapatistas demanded work, land, roof, food, health, education, independence, freedom, democracy, justice, and peace (EZLN, 1994). Negotiations and peace talks between the Federal Government, the Zapatistas, and the National Indigenous Congress (CNI) led to the San Andrés Agreements of 1996, in which, the state agreed to ensure that Indigenous people had to be educated respecting their knowledge, traditions, and forms of organization.

Nonetheless, the federal government broke the agreements. This led to a mass protest called the *Marcha del Color de la Tierra* (March of the Color of the Earth) in 2001 when the EZLN, CNI, and thousands of supporters denounced agreement infringement (*La Jornada*, 2011). Under popular pressure, in 2001 all political parties endorsed a Constitutional Reform on Indigenous Rights that highlighted the nation's multicultural nature. Article 4, in particular, referenced people who lived before Spanish colonization and before the imposition of the national borders to recognize their right to retain their own social, economic, cultural, and political institutions. It also established people's right to *self-determination* to preserve and enrich their languages, knowledge, and all elements shaping their culture and identity, and thus, promote equitable and sustainable development, and *bilingual and intercultural education*; and in consultation with Indigenous people, it allowed the development of educational programs with regional content to recognize cultural heritages. Within this framework of *intercultural education*, policy recommendations included greater access to culture, science, and technology, professional education training, technical assistance for productive processes and the quality of their goods, and enhancement of community management capacity (LCU LVIII, 2001).

In 2003, the *Comisión Nacional para el Desarrollo de los Pueblos Indígenas* (National Commission for the Development of Indigenous Peoples) was established to foster self-determination and autonomy, and established the *Coordinación General de Educación Intercultural Bilingüe* (General Coordination of Bilingual Intercultural Education)<sup>11</sup>. In 2005, a new *Dirección General de Educación Indígena* (Directorate General for Indigenous Education) proposed pedagogical standards, contents, plans, and

<sup>11</sup> This coordination was created by presidential decree on January 16, 2001 during Vicente Fox Quesada's administration.

curricula, in consultation with Indigenous communities and. In 2018, the *Ley del Instituto Nacional de los Pueblos Indígenas* (Law of the National Institute of Indigenous Peoples) was enacted to replace 2003 regulations and signal an intercultural approach to guaranteeing Afro-Mexican people's rights, as well as their comprehensible sustainable development and the strengthening of their cultures and identities. However, Article 4, Section XLI, maintains the state power centralization stating that the institute must coordinate with appropriate bodies for the recognition and implementation of all levels of Indigenous education (INPI, 2018). Finally, on September 30, 2019, the new General Education Law is issued, preserving the spirit of the aforementioned laws, however, articles "56, 57 and 58, contained in Chapter VI on Indigenous Education and articles 61 to 68 contained in Chapter VIII on Inclusive Education are invalidated for a lack of Prior Consultation" (Supreme Court of Justice, No.189/2021).

In brief, education has been one of the central issues in the Indigenous peoples' political demands and one of the main axes of educational public policy in recent decades. Nonetheless, significant gaps remain. For instance, the average school level of 15-year-olds and most Indigenous-speaking population in Chiapas is 3.2 grades; the national average is 7.5 (Baronnet, 2015). Although popular struggles have led to the creation of higher education institutions for Indigenous and Afro-descendants, such as the *Universidad Veracruzana Intercultural*, the challenge of visibility and power persists as a result of the diversity, political differences, and geographic dispersion of indigenous communities (Mato, 2018).

Government critics have argued that this period of expanded IEPs has been characterized by neoliberal economic policies that undermine the possibilities of structural social change. According to Sub Comandante Marcos, neoliberal modes of production, circulation, and consumption of goods, which go beyond the borders of the nation states, are one element guiding policies that have devastating effects on the most vulnerable sectors of society, notably on Indigenous people. Destruction and depopulation processes, and their subsequent phase of reconstructing and reordering, have their most violent expressions in indigenous communities and people (SCI Marcos, 2001).

#### **4. Achievements and Enduring Obstacles to Indigenous People's Decolonial Struggles**

IEPs' evolution reveals enduring forms of coloniality as well as the as decolonial practices for a global pluriverse mentioned earlier, re-communalization of social and radical interdependence, strengthening local, convivial ways of living; building autonomous decision-making to counter undemocratic states' policies and networking with other social struggles—regionally, nationally, and internationally (Escobar, 2017).

In Colombia, IEPs have contributed to policies of state decentralization that enable more local self-determination processes. Some of the material political achievements observed are the ability to provide all levels of education (including basic, middle, and high school) in their own territory. This has allowed young people to stay in their communities and appreciate their sense of place. Likewise, the creation of an Indigenous university builds a process of Indigenous autonomy, where each community develops its own differentiated policies in alliance with public, private, and political party sectors. This relocation of education to local communities solidifies social life and makes schools the center of a social world where holistic learning happens, connected to economic, cultural, health, housing, and other issues. IEPs have also enabled autonomous decision-making to design, administrate, and orient their own educational

goals in the context of local and regional Indigenous priorities. Finally, these processes are strengthening the organizational and political structures that allow for greater indigenous people visibility and the ability to network with national and international actors. These achievements still face significant difficulties. However, among them, there is a dire humanitarian crisis caused by armed conflicts that generate displacement, extreme marginalization, and environmental degradation. There is a lack of government guarantees to implement peace agreements and other policies, which is evident in the alarming number of murdered Indigenous leaders, and bureaucratic roadblocks to indigenous peoples to state resources (IWGIA, 2020).

In contrast, the Mexican state in practice has not granted Indigenous communities autonomy and self-determination to implement de-centralized educational systems to meet their cultural needs and models, with the exception of the Zapatista movement<sup>12</sup>. The nation-state retains the authority to validate Indigenous education models, and external funding (e.g. non-governmental and international organizations) is not allowed. Many Indigenous students lack access to all levels of schooling (primary, middle and high school) in their own communities. Therefore, the only people who can afford an education are those people with more economic resources for transportation to other towns, tuition, housing, and food. Despite the discursive IEPs shifts, the Mexican government has maintained policies of unequal Indigenous people's integration into the nation through a centralized system that undermines people's wealth and diversity. This promotes Indigenous identity invisibility in national life and poses the enduring problem of how to guarantee respect for ethnic and human rights.

In spite of enduring coloniality, the emergence and consolidation of Indigenous struggles have brought about new forms of social organization as described herein. In this context, new social movements emerge as a political response to struggles for decolonization of social life and environmental practices. Struggles that initially emerged under the banner of ethnic identity have been transformed into struggles for life, where a much broader inclusive movement for social transformation is claimed, from below and to the left, against multiple forms of violence. These struggles have called not only the Indigenous people of Latin America, but also women, lesbians, gays, bisexuals, transgender, transvestites, transsexual, intersex, queer etc., which represents the recognition of a much broader interculturality in a pluriverse perspective that transcends the frontier of the conquered and the imposition of colonial life (EZLN, 2021).

### **Implications for Indigenous Educational Policymaking**

This analysis identified the historical evolution of normative concepts in IEPs in Mexico and Colombia against the backdrop of decolonizing struggles of Indigenous people to ensure the recognition of cultural and educational rights and demand implementation of policies adopted by state governments. This overview also opens a space for reflection on how the history of policymaking in these countries can illuminate avenues for the development of IEPs in contemporary times.

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<sup>12</sup> The Zapatistas understand education as a powerful political tool denouncing the government's disciplinary and integrative approach. In this regard, they created their own education system apart from the control of the Mexican state. Since Zapatista uprising, the government has made public statements "of changing policies in favor of indigenous self-determination, yet has consistently failed to meet these claims" (Harazduk, 2014, p. 6).

In Colombia, IEPs' history illuminates the need to: 1) develop a centralized, institutional mechanism inclusive of Indigenous and government actors to monitor the IEP implementation and evaluation, 2) increase public and private university the collaboration in efforts to implement IEPs by promoting case study research that facilitates implementation of diverse pedagogical and didactic methods being developed by different Indigenous communities, and 3) create public policy mandates directed toward Indigenous leaders' qualification to monitor and manage state funding allocated for Indigenous education.

The Mexican experience shows that there is a need to recognize that Indigenous education is not merely a social benefit granted by a nation-state to Indigenous people. Indigenous education enriches the lives of non-Indigenous communities and the national educational landscape. In this context, the history of IEPs reviewed in this article suggests various policy recommendations. First, to develop flexible adaptable education policies to create schools in remote communities and enable Indigenous students to complete their education in their own communities and life spaces to guarantee the right to education and equality. Some examples of this kind of initiative are the programs offered at *Universidad Intercultural de Veracruz* and the *Universidad Autónoma Comunitaria de Oaxaca*. Second, drawing on recent experience with learning modalities imposed by the COVID 19 pandemic hybrid learning modalities are promoted to ensure greater access to education. Third, in curricular development, the opening of spaces where Indigenous people can design content they consider relevant to their culture and identity, ways of life, and worldview. This is a way to operationalize self-determination and pluriversity principles and ensure that the state government undertakes its duty to support the design and teaching of that curriculum.

### Conclusions

The history of normative concepts in Colombia and Mexico's IEP discourses indicates a conflictive unfinished process of recognition of Indigenous cultural and political rights. Normative concepts rooted in policies of colonialist assimilation (European *civilization* and *progress* against Indigenous *barbarism*, Catholic missionary education); or nationalist, vertical integration of Indigenous subjects through Spanish language (*Castilianization*); and notions of *bilingualism* and *biculturalism* in the 1970s have shifted to emphasize *interculturalism*, *autonomy*, and *self-determination*, particularly since the 1990s. However, these discursive shifts have operated against the backdrop of the ongoing political struggle of Indigenous people to demand the implementation of agreements and principles adopted to materialize the principles of autonomy and self-determination. This struggle illuminates continuing tensions between Indigenous communities' semiotic and material conditions in IEP policy-making as well as new practices of resistance and organization that bring forth the construction of a global pluriverse.

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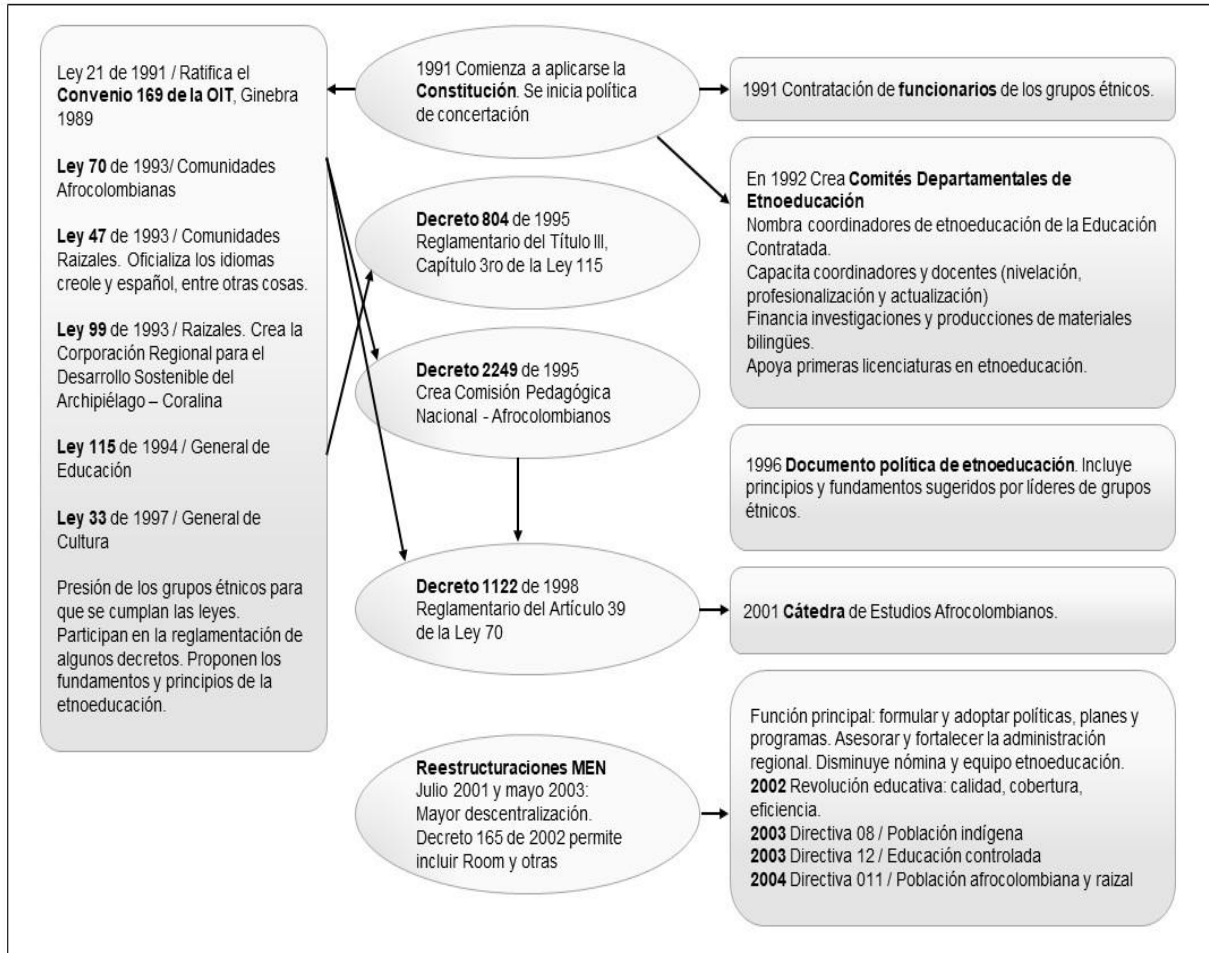
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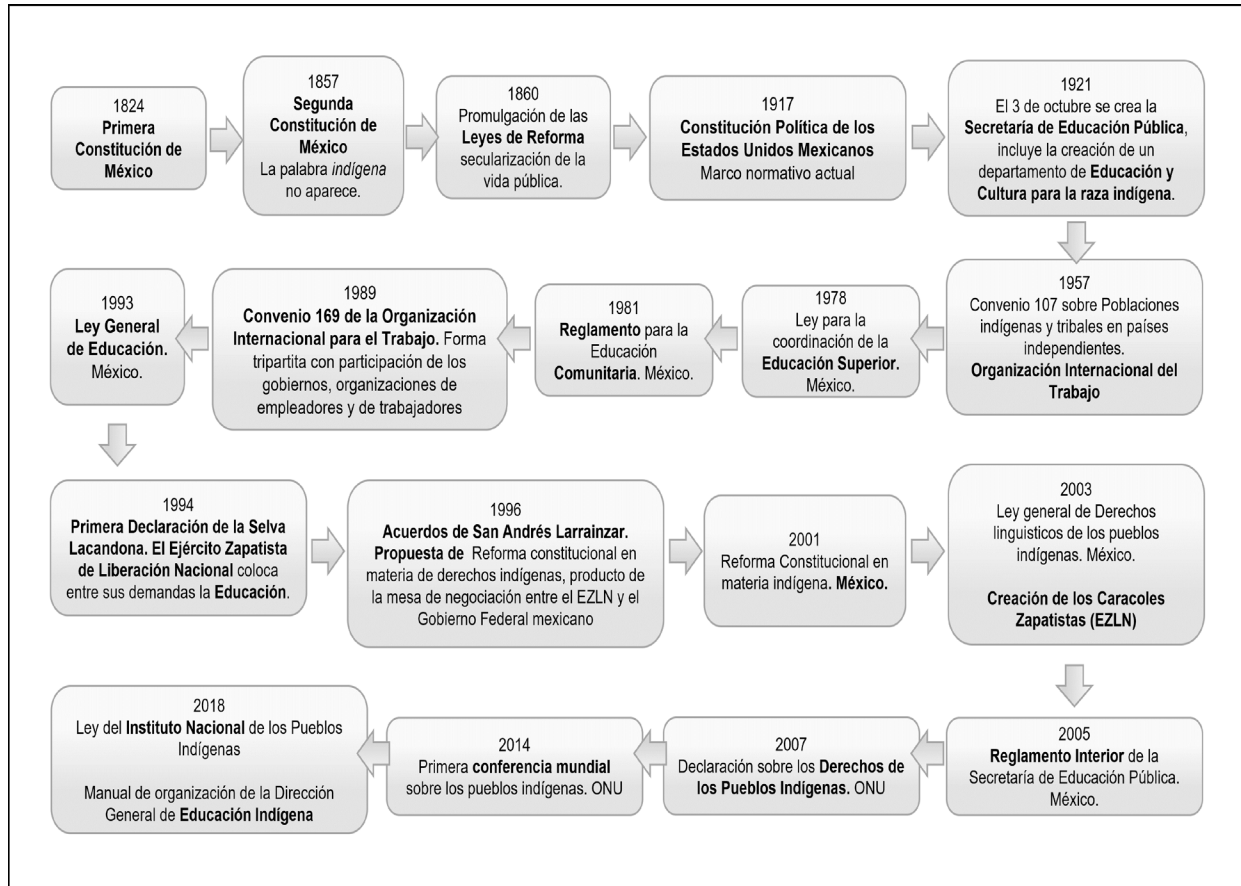
## Appendix A

**The context of Indigenous education policy in Colombia.** Historical tour of the political and legal organization of education for ethnic groups in Colombia (MEN, 2004, p. 8).



## Appendix B

**The context of Indigenous education policy in Mexico.** Timeline of public policies on Indigenous education in Mexico and its context (Own elaboration).



### Appendix C

Electronical pages of Indigenous organizations consulted for this paper.

Colombia	México
<p>Consejo Regional Indígena del Cauca (CRIC)</p> <p><a href="https://www.cric-colombia.org/portal/">https://www.cric-colombia.org/portal/</a></p>	<p>Ejército Zapatista de Liberación Nacional (EZLN)</p> <p><a href="http://enlacezapatista.ezln.org.mx/">http://enlacezapatista.ezln.org.mx/</a></p>
<p>Organización Nacional Indígena de Colombia (ONIC)</p> <p><a href="https://www.onic.org.co/">https://www.onic.org.co/</a></p>	<p>Congreso Nacional Indígena (CNI)</p> <p><a href="https://www.congresonacionalindigena.org/">https://www.congresonacionalindigena.org/</a></p>
<p>Organización de los pueblos indígenas de la Amazonia Colombiana (OPIAC)</p> <p><a href="https://opiac.org.co/">https://opiac.org.co/</a></p>	<p>Frente Indígena Oaxaqueño Binacional (FIOB)</p> <p><a href="https://www.facebook.com/frenteindigena/">https://www.facebook.com/frenteindigena/</a></p>