

『広島平和科学』 41 (2019) pp. 33-49
Hiroshima Peace Science 41 (2019)

ISSN 0386-3565

Indigenous Self-determination based on Organised Distrust and Identity: Alternative Democracy in Cherán, Mexico

Erick COSME-GOMEZ

Doctoral Student, Graduate School for International Development and Cooperation,
Hiroshima University

Mari KATAYANAGI

Graduate School for International Development and Cooperation, Hiroshima University
Research Associate, The Center for Peace, Hiroshima University

Abstract

Cherán is an indigenous town in Mexico that followed a political system established by the Federal Constitution until 2011 when the negligence of the Mexican State to protect the town from organised crime led to a self-defence movement that expelled criminals and overthrew the local government structure. The movement achieved a milestone when the community achieved self-determination through a federal court ruling. The recognition of self-determination was just the beginning of the real challenge to implement a cultural and political project. Fieldwork was conducted in Cherán that utilised ethnographic research and interviews as methods to explore the function of the town's governance. The findings showed that two crucial elements support the Cherán's democracy and exercise of self-determination. First is organised distrust, in which any citizen could serve a watchdog function to exact accountability in the governance structure. This distrust prevents the concentration of power to a few elites and shares power to the citizens. Second is Cherán's identity as an indigenous community, which is not limited to self-identification as a group with a set of values and beliefs, but also a valuable device to keep self-determination alive. Through the combination of three key concepts, namely, self-determination, organised distrust, and identity, this paper offers new insights on an alternative way of sustaining democracy that goes beyond elections.

1. Introduction

On April 15, 2011, San Francisco Cherán, an indigenous town of the Purépecha group in the Mexican state of Michoacán, took up arms to defend their territory. The uprising was against organised criminal groups involved in illegal logging and extortion in the region. At least from 2008, mafia infiltrated the municipal government, including its police forces (Gasparello, 2018). Those who tried to resist faced the threat of extortions, homicides, and *levantones* (forced disappearance). The failure of the Mexican State to uphold the rule of law, either because of negligence or collusion, shows how pervasive the problem of security is in Mexico.

Some inhabitants demanded the intervention of the federal and state governments, but these demands fell on deaf ears. At the dawn of April 15, the Cherán uprising broke out. A group of women blocked the loggers' trucks route on a road that goes down from the forest to one of the main streets. Some of the workers were taken as hostages, while the trucks were set on fire. The bells of the local church, *El Calvario* tolled and a *coheton* (rocket fire used in festivities) exploded in the sky to alert the community that an uprising was ongoing (Nájar, 2012; Pressly, 2016). A self-defence movement started which eventually turned into a political and legal struggle against the state. On November 2, 2011, Cherán won a lawsuit before the Federal Electoral Court, and its right to self-determination was recognised.

The original purpose of this research was to examine the relationship between trust and distrust in the society of Cherán. The armed movement required a certain social cohesion and trust within the community before they faced the armed groups while the Mexican State remained uninvolved. The original premise was, on the one hand, that the in-group trust was rebuilt or enhanced after the movement. On the other hand, distrust towards the outside (Mexican State) increased, which could be dangerous due to tribalism, radicalism, or dogmatism. The idea was grounded in the fact that Cherán demanded its self-determination right as an indigenous community. Previous research already asserted that distrust was not harmful when it was used for achieving social, economic or political goals (Horsburgh, 1961; Wicks, et al. 1999; Clark & Lee, 2001; Larson, 2004; Molina-Morales, et al. 2011; Van de Walle & Six, 2014; Krishnamurthy, 2015). If distrust has a positive social function in specific contexts, there is the possibility to envisage trust and distrust as two independent means that interact and negotiate. In short, the possibility of a new cooperation between Cherán and the external authorities and groups was expected. In the case of Cherán, distrust could be conceptualised as a way of resistance towards the outside.

In order to study the current state of Cherán, one of the authors conducted fieldwork from January 24 to March 2, 2019. The methods applied were interviews and ethnographic research, to examine the narratives and everyday practices concerning governance and decision-making. As expected, social cohesion and trust within the community was confirmed. However, other elements

attracted attention. Cherán was cautious with outsiders such as the researcher himself. For our research permission, the researcher had to submit a work plan, professional background, university affiliation, home address, and make a brief presentation to the authorities. The reason, they said, was because they wanted to be sure that we had academic purposes only. Once the authorisation was granted, most people showed openness to the research and cooperated.

The fieldwork revealed three fundamental concepts which sustain the democracy of Cherán. First is distrust. Cherán, like any other municipality, keeps constant communication with authorities and institutions from municipal, state and federal levels. Therefore, there was cooperation between the community and outside institutions. However, by paying attention to the municipal assemblies, it became apparent that distrust within, rather than outside, was one of the main features of the community. This distrust did not divide the citizens but engaged them into a democracy different from the electoral one. We call this practice “organised distrust,” which is indebted to the concept of counter-democracy coined by Rosanvallon (2012). It is a distrust that suspects power within the community. The community conducts watchdog activities to ensure control by the people themselves. This concept will be elaborated extensively in Section 4.

The second is self-determination, which is closely linked to distrust. Cherán people assert their indigenous self-determination not only by choosing the economic, cultural, and political paths best suited for them through proposal formulation, but also by practising organised distrust.

The third is the identity. The assemblies were spaces to discuss ideas, exercise organised distrust, and express the self-affirmation and self-enrollment as Purépecha and Cherán peoples. Since the principal argument used by the federal court to acknowledge Cherán’s self-determination was its indigenous identity, the community must maintain this identity.

The purpose of this paper is to clarify how Cherán operationalised its democracy based on the findings in the field. We will theoretically examine the integrated function of organised distrust, self-determination, and identity. In our view, Cherán provides a model of an alternative democracy that arguably goes beyond the scope of Rosanvallon’s counter-democracy, which fails to consider horizontal power relationships.

The structure of this paper is as follows. The next section will briefly review the legal history of self-determination in Mexico. The third section describes the process of Cherán’s struggle up to the recognition of its right to self-determination by the court. In Section 4, the relevant concepts on trust and democracy are analyzed. Section 5 presents the detailed findings from the fieldwork and analyses democracy in Cherán. Section 6 reflects on the practice of democracy in Cherán and concludes the article.

2. Constitutional Amendments and Rights of Indigenous Groups in Mexico

To understand the Federal Electoral Court's decision on the case of Cherán, we need to review the legal history of constitutional amendments in Mexico, specifically, amendments introduced in 1992, 2001 and 2011. Seventy-five years after the 1917 Constitution, 171 years after the independence of Mexico, and almost 500 years after the Spanish Conquista, the Mexican state acknowledged the existence of indigenous peoples through the constitutional amendments of 1992. Article 4 declared Mexico as a pluricultural nation based on indigenous peoples, and that the law would “protect and promote their languages, culture, customs, resources and specific forms of social organisation, and will guarantee their members the effective access to the jurisdiction of the State” (DOF, 1992). The state was obliged to consider the indigenous traditions regarding legal proceedings on land litigation. However, the provision of Article 4 did not define what indigenous peoples were. Furthermore, the state was careful in avoiding any recognition of indigenous jurisdiction, effectively allowing the state apparatus resolve any internal conflict.

In 2001, the state finally acknowledged the indigenous self-determination in Article 2 of the constitution. The Zapatista Army of National Liberation (in Spanish, Ejército Zapatista de Liberación Nacional, EZLN),¹ indigenous organisations, and some scholars criticised the amendments as false self-determination. First, there was no consultation with indigenous organisations for the amendment. Second, the federal states kept the power to decide whether to recognise the existence of indigenous groups or not. This setup weakened the autonomy and self-determination of indigenous organisations because external economic interests could influence their status. Third, the recognition of autonomy and self-determination provided for in Article 2 did not meet the procedure established by the Indigenous and Tribal Peoples Convention (C169), particularly concerning the right to prior consultation. Fourth, the indigenous groups were deemed as tenants rather than owners of their territory in areas where exploitable natural resources were present (Alcántara, 2002).

The constitutional amendments in 2011 were arguably the most significant in Mexican history. Under the previous constitutions, individual rights to protect property, personal safeguarding, and different kinds of freedom were the priority. The only social rights recognised

¹ Ejército Zapatista de Liberación Nacional (EZLN) raised arms on January 1, 1994, in the southern State of Chiapas, against the Mexican State. It is a militia and political movement composed of indigenous groups whose spokesman, Subcomandante Marcos became a symbol of resistance. The EZLN denounced the precarious conditions that indigenous peoples had suffered for centuries in Mexico. In the first twelve days, there was armed combat between the EZLN and the Mexican army. The world media coverage forced the government to stop the attack. However, in the following two decades, the EZLN and affiliate communities suffered the harassment of paramilitary groups and economic pressures. The movement demanded the recognition of indigenous peoples and their full self-determination. The EZLN urged the Mexican state to make constitutional amendments in 1994 and 2001. Currently, the EZLN keeps active in Chiapas and has inspired indigenous groups like Cherán.

were those inherited from the revolution, which only benefitted specific segments of society, such as *campesinos* (peasant farmers) and trade unions. Since June 2011, broader economic, social, and cultural rights appeared in the Mexican legal system for which the three government branches of all levels bore responsibility. It is essential to discuss the provision of Article 1 of the Federal Constitution for this paper. As García Castillo (2015) analysed, there were four main developments introduced in the article. First, the incorporation into domestic law of international human rights treaties signed and ratified by Mexico, which allowed individuals and groups to claim human rights under human rights instruments that were not yet explicitly included in the Mexican legal system. Second, the judiciary was obliged to harmonise constitutional dispositions with international treaties (conforming interpretation) and interpret the law for the benefit of a person (*pro personae* interpretation). Third, all authorities at federal, state, and municipal levels were obliged to act following human rights principles in any decision-making. Fourth, the introduction of the principle of full reparation in case of human rights violations. The state, therefore, recognises its responsibility for any action or omission that damages individual or collective human rights. These constitutional amendments had significant relevance to the recognition of self-determination of Cherán.

3. Cherán: the uprising and beginning of self-determination

Mexico is a federal republic composed of three government branches: the executive represented by the president, the legislative represented by the Chamber of Deputies as well as Senate of the Republic, and the judiciary embodied in the Supreme Court of Justice. The country has 32 sovereign states under the same three-branch principle. The federal states are divided into municipalities headed by a municipal president or mayor.

Article 115 of the Federal Constitution establishes that the *municipio* must be governed by a municipal council known in Spanish as *ayuntamiento* and is composed of a mayor, *síndicos*, and *regidores* for three years. *Síndicos* legally represent the municipality in court proceedings and monitor public finances, while *regidores* are in charge of different commissions or public services. The number of *síndicos* and *regidores* varies according to local needs and budget. The Constitution gives autonomy to the municipality in administration and financial management. The municipality provides the following public services: 1) drinking water, sewage system, and wastewater treatment; 2) public lighting; 3) cleaning, collection, allocation, treatment and final disposal of waste; 4) supply centres and markets; 5) cemeteries; 6) slaughterhouses; 7) building and maintenance of streets, parks and gardens; and 8) public security forces.

Cherán is a rural *municipio* located in the Meseta (plateau) Purépecha in central Michoacán

that comprises the municipalities of Charapan, Chilchota, Nahuatzen, Nuevo Parangaricutiro, Paracho, Tancítaro, Taretan, Tingambato, Uruapan, and Ziracuaretiro. Today, these municipalities have mestizo and indigenous populations with a total population of 527,314 (CDI, 2015) within a geographic range of 8,370 km² (Villavicencio, 2006). The main indigenous group in the zone is the Purépecha, whose earliest vestiges date back to 500 B.C. (Pollard, 2012).

After the 2011 uprising, the community of Cherán rejected institutions such as political parties and the executive power represented by a mayor. On June 1, 2011, leaders and the people who joined the self-defence movement agreed to appoint their authorities under their *usos y costumbres*. The concept of *usos y costumbres* can be translated into customs and practices whose root can be found in the Latin American constitutional tradition. Juan Martínez (2013) defines it as a “collection of practices, structures, and norms [that] constitute differenced modes of socio-political organization” (136). In Mexico, the concept refers to the practice of indigenous self-government with a particular normative system. Besides well-known civilizations such as the Aztec or Maya, or the Purépecha, it is difficult to determine what are the indigenous customs and traditions, and what are those mixed with the Spanish institutions. In this light, *usos y costumbres* are considered as a set of indigenous practices of self-government that have evolved through centuries (Gómez Peralta 2005). The principle behind *usos y costumbres* is that the State does not interfere with a system where local leaders are selected through a method which is different from the one under the electoral democracy (Xanthaki 2015). The constitutions of Bolivia and Ecuador have expressly linked the concept of *usos y costumbres* with the indigenous worldview of “Buen vivir/ Sumak kawsay” (fullness of life). According to a basic definition, *sumak kawsay* is a set of indigenous philosophical and political proposals for the economic, social, political, and environmental transformation (Cardoso-Ruiz, et al. 2016).

Underpinned by *usos y costumbres*, the community of Cherán’s decision was not to participate in the Michoacán elections for governor, mayors, and deputies scheduled on the November 13 and not to allow the installation of polling stations (Urrutia, 2011). Instead of starting a violent movement, a group of local and external lawyers worked on a legal strategy to claim self-determination. On August 26, 2011, the community submitted a self-determination request to the Electoral Institute of Michoacán (Instituto Electoral de Michoacán, IEM) signed by 1,942 persons. On September 9, the IEM declared its incompetence to hear and resolve the case.

Instead of exhausting all the legal remedies, the legal team promoted an action *per saltum* of “protection of the citizens’ political-electoral rights” to the Federal Electoral Court on September 15. The action, this time signed by 2,312 people, was against the IEM’s refusal to hear and solve Cherán’s claim. Because of the significance of the trial which could have political and legal consequences for the state, the legal team probably expected that the federal court would intervene. Indeed, the Federal Electoral Court recognised the active legitimacy of the 2,312 plaintiffs

representing 18,141 inhabitants as indigenous peoples based on historical and anthropological records. On the November 2, the court delivered the decision in favour of Cherán (Durán Campos y otros vs. IEM 2011).

The obligation imposed by the Federal Constitution to apply international treaties (Article 1) enabled the court to analyse constitutional self-determination (Article 2) in light of the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Indigenous and Tribal Peoples Convention (C169), and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). The decision's core arguments are as follows:

1. Cherán, as an indigenous community, has the right to self-determination (Article 1, ICCPR; and Article 1, ICESCR). This right must be exercised through an autonomy arrangement that maintains national unity (Article 2, Federal Constitution) through their structures and traditions. This right must not be contrary to domestic order and human rights principles (Article 8.2, C169; and Article 3, UNDRIP).
2. Cherán's awareness of its indigenous identity is the fundamental basis to assert self-determination (Article 2, Federal Constitution). Rather than a quality, identity is a right to identify themselves as indigenous and to be recognised as such. Therefore, indigenous peoples have the right to decide the composition of their political structures (Article 33, Sections 1 and 2, UNDRIP; and Article 1, Section 2, C169). Thus, the existence and protection of their institutions and forms of self-governance are a crucial part of their indigenous identity.
3. Citing scholarly literature, the court explained that indigenous self-determination encompasses four elements: a) self-affirmation, the capacity of indigenous peoples to declare themselves as existent entities; b) self-definition or self-enrollment, the collective and individual right to determine their membership by themselves; c) self-limitation, which implies the right to mark their territory; and d) self-disposition, the option of organising themselves in the political, social, economic, and cultural ways that best suits them.
4. Self-determination operates through concrete means of autonomy, such as the autonomy to decide their organisation. It includes the freedom to apply their customary law mindful of human rights in general and women's rights specifically; and the freedom to choose or appoint their authorities or representatives according to their traditional mechanisms (Articles 2 and 5, Federal Constitution; Articles 7 and 8, C169; Articles 4, 20, and 33, UNDRIP).

It must be stressed that the case before the federal court was not for self-determination, but the rejection by the IEM to hear and decide on the issue of the right to self-determination. However, by applying the *pro personae* interpretation (Article 1, Federal Constitution), the court solved the underlying claim by declaring the self-determination of Cherán. Furthermore, the court

went beyond the original case when it ordered the Congress of Michoacán to harmonise the local constitution with the federal one as well as the international treaties. At that time, there was no legislation regarding the indigenous peoples in Michoacán State. The court ordered the IEM to consult with the rest of Cherán inhabitants so that they would express their agreement to choose their leader or representatives according to their *usos y costumbres*. The consultation had to follow the guidelines of the C169 and the UNDRIP. The court deemed that the resolution could be considered fulfilled only in that way.

Cherán chose not to elect but appoint their representatives. When the community substituted the word “elect” for “appoint,” it marked a distance from an electoral democracy based on political parties and secret ballots. By appointing a local citizen for a public office, there is no competition between candidates. At least, in theory, electoral democracy is distinct because of the competition of political candidates. As Mandujano Estrada (2014) explained, according to the Purépecha worldview, when community members are appointed to perform a public function, they must provide a community service. In indigenous customary law, leadership roles must be accepted, and service must be provided for the benefit of the group. Hence, there is no competition between candidates because the citizens cannot refuse the appointment.

4. Counter-democracy vs Organised Distrust

This section elaborates on the concepts counter-democracy and organised distrust. The concept of counter-democracy was coined by Rosanvallon (2012) as “a form of democracy that reinforces the usual electoral democracy as a buttress, a democracy of indirect powers disseminated throughout society, in other words, a durable democracy of distrust” (8). For him, democracy cannot be conceived without “organisation of distrust” while he denies the discourse of passive society. Instead of trust and democracy crisis, Rosanvallon suggests an evolution in the role of the citizenry based on surveillance. This oversight is expressed in three forms: vigilance, denunciation, and evaluation. Vigilance is the continuous monitoring of government action, an active social attentiveness scrutiny (Rosanvallon, 2012, 40). Denunciation is not only the identification of problems and failures of a specific system but also the additional veto power of citizens. Evaluation entails treating the people as judges that expect results from elected officials. The three modalities are linked to what Rosanvallon refers to as the “sovereignty of prevention” (21). Unlike the classic concept of sovereignty understood as the people’s will, the sovereignty of prevention involves negative sovereignty and consists of attempts to reverse a governmental decision considered harmful to the community. Therefore, the sovereignty of prevention is the right to resist power.

Rosanvallon’s work has inspired different insights. Counter-democracy has the potential to

expand beyond national boundaries. There is a possibility of a transnational counter-democracy exerted by people around the world who use the internet as a public space to oversee local and national leaders worldwide. What makes such transnational convergence possible is the negative democracy that does not require complete consensus over a specific issue but an elementary agreement (Sagnières, 2012). Counter-democracy has an essential role in social movements and civil society because it is critical and dissident. While liberal democracy sees citizens as mere electors because of limited deliberative mechanisms, counter-democracy smoothens social engagement through a variant of critical trust (della Porta, 2012). Counter-democracy also means the subversion against the standardisation of democracy packages by enhancing a constructive distrust. The practice of negative democracy recognises that every political community is fragile and conflictive since its foundation (Straehle, 2013).

In regions such as Latin America where democracy has not grown solid roots, the concept of counter-democracy refers to a democracy in continued state of tension. Poverty, social inequality, and fragmented group agendas have weakened social cohesion. Exercising counter-democracy can develop a new social covenant through citizen monitoring (Woldenberg, 2013). Counter-democracy becomes resistance when collaboration and debate between citizens and government are not possible due to tensions and exclusions between different actors. Traditional political participation means interactions within limited channels, but counter-democracy offers a deconstruction of deliberative democracies and the creation of counter-governance (Dean, 2018). Global governance can benefit from counter-democratic practices carried out by civil society organisations that may influence but cannot intervene directly in the design of policies. This governance can be possible when local society organisations work with their international counterparts to act as watchdogs. Ensuring actual bottom-up surveillance which may give more legitimisation to transnational stakeholders is, therefore, essential (Kalm, et al., 2019).

Other scholars have conceptualised counter-democracy as a watchdog activity or an inquisitive democracy. Rancière (2006) developed the idea of a negative democracy that questions the elites and power continually. Real democracy should not be monopolised through institutions, but it must run throughout the marginalised groups. Keane (2009) conceptualises “monitory democracy” as extra-institutional mechanisms of supervision of government that operates at different levels, scales, and means. Like Rosanvallon, Keane sees monitory democracy as a negative democracy in which citizens suspect power. Crouch (2004) introduces the concept of “post-democracy” in which elites manipulate the public debate through media. The televised debates between candidates have become showbusiness, while politicians hire marketing experts to discover the needs and desires of the electorate to such an extent that voters become consumers. In other words, elites have more power through a traditional representative democracy. The paradox is that there is an increasing suspicion on politicians and the demand for more regulation. The originality of Rosanvallon (2012)

lies in his historical analysis of political distrust demonstrating that it is not a modern phenomenon and it has contributed to forging democracy. In addition, he makes a clear distinction between political legitimacy that is declared by a juridical system or legal procedure and trust as an “invisible institution” (Rosanvallon, 2012, 107) Trust improves legitimacy with a “moral” attribute that makes the relationship between government and citizens smoother (della Porte, 2010).

However, Rosanvallon seems to fail when he confines counter-democracy as a tool to complement electoral democracy. In his view, power comes mainly from those who are elected to public office, neglecting the role of other stakeholders. Thus, his concept of counter-democracy is somehow conservative in that representative democracy is the only one that can be challenged. Power does not necessarily come from top-down but also from horizontal relationships that negotiate privileges and suppressions. Thus, this paper prefers the term “organised distrust” to give greater flexibility, subversion, and action range than the original concept of counter-democracy. Although this distrust still is a part of negative democracy, it becomes dissident and therefore proactive when it is an essential element for the self-determination of a community.

Using the concepts elaborated in this section, we now proceed to discuss how democracy operates in Cherán, an example of democracy sustained by the organised distrust.

5. Democracy in Cherán

Once self-determination was recognised for Cherán, leaders had to rethink their identity narratives to keep the movement alive. Nevertheless, part of the community realised that narratives are not enough to strengthen the social cohesion and trust towards the new government based on collective decisions. Self-determination appears as an ongoing process. Cherán exercises its self-determination through an organised distrust or counter-democracy understood as a demand for continuous accountability of its governance structure.

Cherán is territorially comprised of four barrios. In Purépecha language, a *barrio* is called *irénarhikua*. The neighbourhood assembly or *irénarhikueri tángurikua* is the highest authority of each *barrio* whose residents are referred to as *comuneros*. Every *comunera* and *comunero* is attached to one of the four barrios as a political affiliation based on their place of residence. Each barrio has two representatives called *coordinador de barrio* (neighbourhood coordinator). The four *barrios* are further subdivided into sections called *fogatas* (bonfires). The *fogatas* started as checkpoints and trenches across the town in the following days after the armed movement. Initially, the bonfires had the purpose of keeping people warm and cooking meals during the entrenchment. The *fogatas* transformed into a socialising space between neighbours of the same street or block. People continued with the bonfires in the street for around one year until they were converted

into a territorial subdivision. In theory, the *fogatas* have a coordinator who represents one of these subdivisions. The other authority is the *Consejo Mayor* or Council of Elders constituted by twelve persons known as *K'eri* (plural, *K'eris*). Three *K'eris* come from one of the four *barrios* that they represent.

Each *barrio* holds a neighbourhood assembly once a week, except *barrio tercero* that meets twice a week. The main goal of the neighbourhood assemblies is to create open spaces for the proposal of ideas and actions regarding needs and the town's affairs in general and the appointment of the *comuneros*.

Through the observation of neighbourhood assemblies, there were two themes which appeared as the basis of Cherán's democracy: identity discourse and organised distrust.

5.1 Identity discourse

Neighbourhood assemblies work as a forum for the discussion of public affairs and are the space for enhancing the group identification. Coordinators of *Fogatas* and any citizen interested in participation make up the bulk of the audience. Questions and answers usually followed the appearance of local authorities before the people in the assemblies. In many cases, the citizens criticised the performance of their authorities while giving speeches that invoke Purépecha values and autonomy. Active participants in the assemblies, either consciously or unconsciously, assumed the role of leaders. These leaders had skills to articulate ideas, proposals, criticism, and collective identity discourses. They were aware of the court's arguments in which indigenous identity played the central role to achieve self-determination. In general, these narratives came after questionings and criticisms against authorities.

In one of the assemblies of *barrio segundo*, active participation of the people was evident as they questioned the content of a work plan presented by their authorities. Seven individuals asked questions and made comments. One man commented that they were expecting a work plan, but was instead presented with an inventory of goods that should have been done four or five months earlier. Another man who spoke four times in different instances questioned the capacity of the council to understand the meaning of the work plan because it was apparent that only an inventory was presented. The third man took the floor and said: "Fellows, remember that we are an autonomous town since 2011; it was hard to reach this point, and we cannot expect that someone from the outside will solve our problems. The best way to defend our self-determination is through the construction of a good governance structure. We must demonstrate why we gained autonomy to choose our authorities according to our traditions." Two other men also referenced the autonomy of Cherán as a consequence of their assertion of indigenous identity.

Even though the essence of such identity was never articulated, people used to talk about their traditions and values as something shared and understood by everyone. We found one

example during an assembly of *barrio tercero*. The discussion was about the increasing addiction to drugs and alcohol among the youth. One of the participants suggested using the history of Cherán and other Purépecha towns along with their traditions to solve the most urgent problems of the community. The same participant was identified as one of the persons who adopted a role as a leader in his *barrio* due to his active interventions. The point is not if everyone understands the same when talking about identity, history, or traditions, but the repetition of self-identification as a group.

The leaders' discourse affects the perception of community members as expressed by one interviewee:

Of course, we are Mexicans—look at us! But also, we are Purépechas, and we are Cherani. Cherán is my land where all my family has lived; my roots are there. In the weekdays I work in my studio in Morelia, but as soon as the weekend comes, my wife and I immediately go back to Cherán. Well, my wife is from Sevina (a neighbouring town).

The identity is thus reproduced and reinforced.

Since the federal court recognised Cherán's self-determination based on their indigenous identity, the leaders—those who hold public office as well as active participants in the assemblies—must keep the discourse of *we*, especially during the assemblies by demonstrating a level of passion and commitment. Therefore, their indigenous identity is frequently asserted as the bastion of self-determination. As Callero (2010) discusses in a different context, identity might become a social capital.

5.2 Organised Distrust

The institution of neighbourhood assemblies contradicts with the trust within the town. During the assembly, representatives of the government structure must respond to any question, claim, or request from the audience. Each *barrio* agrees to call a representative from the department or section in charge of public services (i.e. sewage, police, garbage collection). Then, the representatives must propose a solution or provide information regarding any problem identified by the citizens. The *Keri*'s, twelve leaders who form the highest collegial body, are not the exception. They must respond to hard questions and criticisms about public administration issues.

The demand for accountability extends beyond the authorities and even includes the self-criticism of Cherán as a community. Self-criticism is possible because of the backgrounds of the citizens who attend the *asambleas*. They are diverse: from *comuneros*, to different professionals such as lawyers, teachers, university professors, biologists, engineers, and the like. The discussions are usually rich, thanks to the different perspectives of the participants. Nonetheless, the active discussion does not equate to problem-solving. Due to the variety of perspectives and number of participants, in the end, it was difficult to grasp what the final solution was.

The *asambleas de barrio* was a vital resource to discover the importance of organised distrust. More precisely, there is an active watchdog practice among Cherán inhabitants that demands accountability from those who compose the local government and monitors the behaviour of other citizens. Distrust here is close to what Rosanvallon (2012) refers to as counter-democracy—an indirect distribution of power running across society through vigilance, accusation, and evaluation. The main feature of this political form is a manageable distrust wherein citizens watch, demand, and evaluate the elected public officials. The *asambleas de barrios* work not only as a forum to discuss the public affairs but also as a space to suspect the power within the *municipio*.

The *asambleas de barrio* is an example of a living democracy where the perception of efficacy is prioritised over the formality of institutions. Ideally, the *asambleas* should be the place to make proposals. Its principal feature is to resist power. Cherán inhabitants could be likened to a panopticon that enables the vigilance and monitoring of any local person with public duties. Hence, the *asambleas* is a valuable channel for residents because they have the perception of shared control, if not through proposals, at least by questioning power. Thus, sharing an identity does not necessarily translate into automatic social cohesion.

6. Conclusion

Cherán's democracy, through its *usos y costumbres*, is far from perfect. The main advantage derived from Cherán's self-determination is the perception of horizontal control, even though the efficacy of the public administration is difficult to measure. Therefore, rather than trust, organised distrust becomes the mechanism to cope with risks because it enhances the perception of shared power. Conventional wisdom dictates that when two parties trust each other, their future exchanges will be smooth because there is no need to verify their mutual intentions and capacities. The rationale behind it is the maximisation of benefits at lower costs and the reduction of risks (Lewis & Weigert, 1985; Ho & Weigelt, 2005; Lewicki & Polin, 2013; Uslaner, 2013; Luhmann, 2017).

When citizens trust in their institutions and politicians, it is supposed to be a sign of healthy democracy (Hetherington, 1998). Nevertheless, if political leaders enjoy a high percentage of trust from their fellow citizens, there is little need to be transparent about their decisions. For this reason, check and balance mechanisms are crucial to prevent tyrannies and populist regimes based on extreme nationalist narratives (Krishnamurthy, 2015). The problem is that check and balance procedures require experts, usually lawyers or a person with a deep understanding of their political system. Here, organised distrust does not need elites to get the system's gears moving, because any person embedded in the sociocultural context can do it.

Organised distrust can take on a political form to prevent excessive power by government structures. Unlike the constitutional check and balance mechanisms, organised distrust seems more valuable and pragmatic as seen in Cherán. The results of pointing out corrupt activities or omissions in the exercise of authority are faster than the proposition of thoughtful solutions and long-term projects.

Organised distrust also means that identity narratives are not enough to maintain social cohesion. Contrary to liberal democracy's deliberative mechanisms, organised distrust does not require a great social pact with high social cohesion. The citizens need to feel that they are heard by their government rather than listening to the leaders' identity discourses. While the efficiency of the public administration is not always evident, the perception of shared control through an organised distrust proves to be a valuable device.

In times of distrust towards traditional societal institutions, the concept of elites carries a negative connotation. Elites are viewed with suspicion because there is a perception of group interests over the common ones. Moreover, the feeling of exclusion and populist discourses generates and exacerbates mass resentment. In the case of Cherán, it seems that the elites develop naturally, simply because there are people with capacities that others do not have. The replacement of one system does not imply the disappearance of elites. It means a substitution for others or its adaptation to the winds of change.

Although further studies are necessary particularly on the role of identity and self-determination, our findings suggest that identity is a crucial device to sustain self-determination in Cherán. Identity is not only a process of self-categorisation and comparison between in-groups and out-groups but also a political and group survival device in the context of self-determination. The ways by which identity is built, developed, and reproduced might determine the success of the entire self-determination project.

Several elements lead us to conclude that organised distrust is more suitable for societies or groups with a history of conflicts among its members like Cherán. Contrary to liberal democracy and its deliberative mechanisms, organised distrust does not require a great social pact. The problem is not the formation of elites but their greed for power and resources and their inability to listen to those in the periphery of power. The organised distrust acknowledges conflict, tension, and resistance within an imagined community. Rather than figuring out how to avoid tension, organised distrust tends to use tension as a resource.

References Cited

Alcántara, C.H.D. 2002. "Del Indigenismo al Neoliberalismo" [From Indigenisms to Neoliberalism]. *Alegatos* 16 (50), 47-64.

- Callero, Peter L. 2016. "Identity and Social Capital: How to Advance Democracy at the Level of Interaction." In *New Directions in Identity Theory and Research*, by Jan E. Stets and Richard T. Serpe, 75-106. New York: Oxford University Press.
- Cardoso-Ruiz, René Patricio, Luz del Carmen Gives-Fernández, Ma. Enriqueta Lecuona-Miranda, and Rubén Nicolás-Gómez. 2016. "Elementos para el Debate e Interpretación del Buen Vivir/Sumak kawsay." [Elements for the Discussion and Interpretation of "Buen vivir"/Sumak kawsay] *Contribuciones desde Coatepec* (31): 1-24.
- CDI. 2015. "Pueblos Indígenas de México en el Siglo XXI." Report of Comisión Nacional para el Desarrollo de los Pueblos Indígenas, México. Accessed February 16, 2020. <https://www.gob.mx/cms/uploads/attachment/file/189198/cdi-monografia-purhepecha.pdf>.
- Clark, Jeff R., and Dwight R. Lee. 2001. "The Optimal Trust in Government." *Eastern Economic Journal* 27 (1): 19-34.
- Crouch, Colin. 2004. *Posdemocracia*. Translated by Francisco Beltrán. Madrid: Taurus.
- Dean, Rikki John. 2018. "Counter-Governance: Citizen Participation beyond Collaboration." *Politics and Governance* 6 (1): 180-188. doi:10.17645/pag.v6i1.1221.
- della Porta, Donatella. 2010. "Democracy and Distrust: A Discussion of Counter-Democracy: Politics in an Age of Distrust." *Perspectives on Politics* 8 (3): 890-892.
- della Porta, Donatella. 2012. "Critical Trust: Social Movements and Democracy in Times of Crisis." *Cambio* (4): 33-43. doi:10.1400/205655.
- DOF, 1992. *Decreto que Adiciona Primer Párrafo al Artículo 4o Constitucional*. [Decree that Adds the First Paragraph to the Article 4 of Constitution] Decree DOF: 28/01/1992, Mexico: Diario Oficial de la Federación.
- Durán Campos y otros vs. IEM*. 2011. SUP-JDC-9167/2011 (Supreme Chamber of the Federal Electoral Court, 2 November). <https://www.te.gob.mx/colecciones/sentencias/html/sup/2011/jdc/sup-jdc-09167-2011.htm>.
- García Castillo, Tonatiuh. 2015. "The 2011 Mexican Constitutional Reform on Human Rights from the International Law Perspective." *Boletín Mexicano de Derecho Comparado* 48 (113): 645-696.
- Gasparello, Giovanna. 2018. "Análisis del Conflicto y de la Violencia en Cherán, Michoacán." [Conflict and Violence Analysis in Cherán, Michoacán] *Relaciones Estudios de Historia y Sociedad* (155): 77-112. doi:http://dx.doi.org/10.24901/rehs.v39i155.289.
- Gómez Peralta, Héctor. 2005. «Los Usos y Costumbres en las Comunidades Indígenas de los Altos de Chiapas como una Estructura Conservadora.» [Uses and Customs in the Indigenous Communities from the Highlands of Chiapas as a Conservative Structure] *Estudios Políticos* 8 (5): 121-144.
- Hetherington, Marc J. 1998. "The Political Relevance of Political Trust." *The American Political Science Review* 92 (4): 791-808.

- Ho, Teck-Hua, and Keith Weigelt. 2005. "Trust among Strangers." *Management Science* 51 (4): 519-530.
- Horsburgh, H. J. 1961. "Trust and Social Objectives." *Ethics* 72 (1): 28-40.
- Jiménez Badillo, Margarita . 2003. "Crisis de Identidad y Nuevos Roles Institucionales de los Partidos Políticos en México." [Identity Crisis and New Institutional Roles in the Mexican Political Parties] *European Review of Latin American and Caribbean Studies* (74): 3-21.
- Juan Martínez, Víctor Leonel. 2013. "What We Need is New Customs: Multiculturalism, Autonomy, and Citizenship in Mexico and the Lessons from Oaxaca." In *Latin America's Multicultural Movements: The Struggle Between Communitarianism, Autonomy, and Human Rights*, by Michael S. Danielson, Moises Jaime Bailon Corres, and Carlos Sorroza Polo dd A. Eisenstadt, translated by Michael S. Danielson, 135-168. New York: Oxford University Press.
- Kalm, Sara, Lisa Strömbom, and Anders Uhlin. 2019. "Civil Society Democratizing Global Governance? Potentials and Limitations of "Counter-Democracy"." *Global Society* 33 (4): 499-519. doi:10.1080/13600826.2019.1640189.
- Keane, John. 2009. *The Life and Death of Democracy*. London: Simon & Schuster.
- Krishnamurthy, Meena. 2015. "(White) Tyranny and the Democratic Value of Distrust." *The Monist* 98: 391-406.
- Larson, Deborah Welch. 2004. "Distrust: Prudent, If Not Always Wise." In *Distrust*, by Hardin Russell, 34-59. New York: Russell Sage Foundation.
- Lewicki, Roy J, and Beth Polin. 2013. "Trust and Negotiation." In *Handbook of Research on Negotiation*, by Mara Olekalns and Wendi L. Adair, 161-190. Northampton: Edward Elgar Publishing.
- Lewis, David J, and Andrew Weigert. 1985. "Trust as a Social Reality." *Social Forces* 63 (4): 967-985.
- Luhmann, Niklas. 2017. *Trust and Power*. Cambridge: Polity Press.
- Mandujano Estrada, Miguel . 2014. "The Spring P'urhépecha: Resistance and Good Government." *Bajo Palabra* (9): 103-112.
- Molina-Morales , F. Xavier, M.Teresa Martínez-Fernández, and Vanina Jasmine Torlòa. 2011. "The Dark Side of Trust: The Benefits, Costs and Optimal Levels of Trust for Innovation Performance." *Long Range Planning* (44) 2: 118-133.
- Nájjar, Alberto. 2012. "Cherán, el pueblo mexicano que se gobierna a sí mismo." [Cherán, the Mexican Town that Governs Itself] *BBC News Mundo*. January 25. Accessed November 27, 2018. https://www.bbc.com/mundo/noticias/2012/01/120125_cheran_michoacan_indigenas_an.
- Pollard, Helen Perlstein. 2012. "The Tarascan Empire: Postclassic Social Complexity in Western Mexico." In *The Oxford Handbook of Mesoamerican Archaeology*, by Deborah H. Nichols and Christopher A. Pool, 434-448. New York: Oxford University Press.

- Pressly, Linda. 2016. “Cherán, el pueblo de México que expulsó a delincuentes, políticos y policías.” [Cherán, the Mexican Town that Expelled Criminals, Politicians, and Police Force] *BBC News Mundo*. 17 October. Accessed November 27, 2018. <https://www.bbc.com/mundo/noticias-america-latina-37644226>.
- Rancière, Jacques. 2006. *Hatred of Democracy*. Translated by Emiliano Battista. London: Verso.
- Rosanvallon, Pierre. 2012. *Counter-Democracy: Politics in an Age of Distrust*. 2nd edition. Translated by Arthur Goldhammer. New York: Cambridge University Press.
- Sagnières, Louis. 2012. “The Internet and the Rise of Transnational Counter-democracy.” *Ritsumeikan Studies in Language and Culture* 23 (4): 1-13.
- Straehle, Edgar. 2013. “Comunidad y Contrademocracia.” [Community and Counter-Democracy] *Astrolabio* (14): 24-37.
- Urrutia, Alonso. 2011. «Cherán libra su propia guerra contra injusticia y talamontes.» [Cherán Fights its Own Battle Against Injustice and Illegal Logging] *La Jornada*, 27 de June: 10.
- Uslaner, Eric M. 2013. “Trust as an Alternative to Risks.” *Public Choice* 157 (4): 629–639. doi:10.1007/s11127-013-0082-x.
- Van de Walle, Steven, and Frédérique Six. 2014. “Trust and Distrust as Distinct Concepts: Why Studying Distrust in Institutions is Important.” *Journal of Comparative Policy Analysis: Research and Practice* 14 (2): 158-174.
- Villavicencio Zarza, Frida. 2006. *P’orhepecha kaso sirátahenkwa: Desarrollo de Sistema de Casos del Purépecha*. [System Cases Development of Purépecha] México: El Colegio de México.
- Wicks, Andrew C., Shawn L. Berman, and Thomas M. Jones. 1999. “The Structure of Optimal Trust: Moral and Strategic Implications.” *Academy of Management Review* 24 (1): 99-116.
- Woldenberg, José. 2013. “Approaches and Refunds: A Tensioned Democracy.” *Revista Mexicana de Ciencias Políticas y Sociales* LVIII (217): 99-114.
- Xanthaki, Alexandra. 2015. “Indigenous Autonomy in the Americas.” In *Minority Accommodation Through Territorial and Non-territorial Autonomy*, by Tove H. Malloy and Francesco Palermo, 197-216. New York: Oxford University Press.