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"We are the Owners": Autonomy and Natural Resources in Northeastern Nicaragua

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CHAPTER 10. "WE ARE THE OWNERS": AUTONOMY AND NATURAL RESOURCES IN NORTHEASTERN NICARAGUA

Mary Finley-Brook

In Latin America, ethnic political parties and (semi-)autonomous regions promote self-governance for multicultural populations. Nonetheless, the legal recognition of these institutions in eastern Nicaragua does not eliminate attempts to undermine indigenous peoples" political power and resource access. Although there are opportunities for improved representation as a result of new institutional openings, a constantly shifting and highly contested regional political space increases the likelihood and frequency of polarizing or debilitating challenges. The pressures indigenous peoples and their organizations experience in Latin America are intense and often contradictory. Struggles for economic, political, and cultural rights play out among governance and market instability which is intensified by ecological degradation.

Regardless of the formal recognition of political autonomy in 1987, national and international institutions continue to strongly influence the delineation of land rights and natural resource access in the North Atlantic Autonomous Region (RAAN) of Nicaragua (Vilas 1990; Hale 1994; Finley-Brook 2007a; Dana 2008; Finley-Brook and Offen 2009). In 2003, Demarcation Law 445 created a legal framework for the recognition of indigenous territories. However, the exact roles of different decision-making

authorities and the rules for them to employ are still under construction (Larson forthcoming). The autonomy statute and the Demarcation Law thus provide only partial legal victories because indigenous peoples' rights, including ownership of traditional lands, remain open to interpretation and challenge.

Boundary negotiations extend throughout the RAAN. In some cases, particularly in areas along the agrarian frontier, new land conflicts have developed as a result of Law 445 (Finley-Brook and Offen 2009). Meanwhile processes of decentralization, while breaking up some concentration of power, have created numerous sites of struggle (Larson forthcoming). With multiple land claims in most areas of the RAAN, demarcation activities are challenging and titling decisions are contested. Dana (2008) records significant social and spatial complexity in determining accurate and ethical boundaries in the RAAN and in Latin American indigenous territories more broadly.[1]

RAAN's regional government remains a weak and uneven platform from which to defend multi-ethnic territorial and resource rights. After the emergence of new regional political leaders in the 1970s and 1980s, a splintering of indigenous leadership at the end of the civil war continues to cause discord. Tensions in northeastern Nicaragua remain high due to ineffective networking across party and ethnic lines. Migration from the west and center of the country challenges RAAN political leaders to represent a growing number of mestizo inhabitants along with indigenous and Afro-Caribbean populations, in spite of competing demands from various groups.

Although focused predominately on Miskitu politics, this chapter identifies various constraints to multi-ethnic self-determination, while noting barriers exist even among aid programs targeting political empowerment and community development. Nevertheless, I also explore examples of progress toward decentralization at regional and local levels regardless of an overall national context of political containment and economic exploitation.

Events in northeastern Nicaragua influence the constant redefinition of indigenous and multi-ethnic rights across the Americas. Successful Inter-American Court of Human Rights (IACHR) cases involving RAAN indigenous groups, such as *Awas Tingni v. Nicaragua* and *YATAMA v. Nicaragua*, create international precedents (Carrión 2005; Campbell 2007). However, for

1 See also Sletto (2002, 2009).

the protagonists, these legal victories were only one step in a much larger process to defend indigenous rights.

The Miskitu political party YATAMA has led the RAAN government for fourteen of the years since it was established in 1990.[1] As a means to assess the potential for strengthening sub-national autonomy and ethnic self-determination, I analyze a series of case examples occurring during YATAMA's second round of administration from 2002 to the present.[2] In general, I focus my analysis at the level of the political party rather than discuss the actions of individual officials.

The first set of case studies covered in this chapter address foreign-sponsored community forestry projects in the Prinzapolka watershed. The stories are telling of the constraints regional institutions face as intermediaries between international donors and indigenous villages. Overall, decision-making at regional and local levels remained limited during the design of the aid programs. However, I refute a popular assumption of institutional inaction on the part of the regional government by demonstrating steps that were taken, although often down dead-end streets. The subsequent sections analyze demarcation processes and electoral politics at the scale of the regional government headquartered in Bilwi-Puerto Cabezas.[3] I demonstrate agency on the part regional officials and show their ability to change the trajectory of RAAN development in significant ways. Yet, events highlight how political fragmentation in regional institutions translates into missed opportunities for advancing the rights of multi-ethnic populations, whether through a regime of political autonomy or under the aegis of an indigenous political party.

Indigenous Institutions in Latin America

Experts suggest that regional autonomy can help protect indigenous governance and territorial or resource rights (Larson and Ribot 2004). Nevertheless, the mere legal existence of an autonomous region is not enough. Multi-scale governance is challenging in most contexts. It is important to

1 YATAMA's first round of regional leadership from 1990 to 1996 has been covered elsewhere (Butler 1997; González and Zapata 2003). See also chapter 5 of this volume.

2 Although there was a YATAMA governor during each term of this eight-year period, Sandinista allies shared top administrative roles, including the presidency of the regional council.

3 Bilwi, the indigenous place name, will be used throughout this chapter.

understand territorial "verticality" in addition to identifying horizontal spatial reach (Delaney 2005: 31-33). Within eastern Nicaragua there is a mosaic of levels and types of territories governed by conceptually distinct institutions with different power claims and access to resources. There can be cooperation between the various sectors and scales, but opportunities for conflict proliferate. Geographers have shown that in locations around the world people often develop identities nested at different scales (Herb and Kaplan 1999). Nevertheless, effective multi-scale governance generally requires clarity in the boundaries of each jurisdiction as well as communication and cooperation between layers of authority.

Within indigenous territories or states, the emergence of ethnic political parties is believed to reduce violent conflict, improve representation, and promote civic participation (Madrid 2005; Rice and Van Cott 2006). Rice and Van Cott (2006) define success of ethnic political parties as indigenous people being elected to state positions, although the events that follow must also be analyzed. Indigenous parties, it is often argued, are better able to represent historically marginalized groups and will be more responsive to the needs of ethnic populations than mainstream political parties (Madrid 2005). Ethnic parties can usually reach to the grassroots and encourage participation because they often emerge from existing social networks (Rice and Van Cott 2006). However, one may ask if the research findings of Madrid (2005) and Rice and Van Cott (2006), based on countries located in the Andes, are transferable to Nicaragua, where indigenous peoples make up a smaller percentage of the national population. The RAAN situation is complex because inhabitants are multi-ethnic and an ethnic hierarchy was created and reinforced across history (Hale 1994, 1998). Long-standing racism among the various RAAN ethnic groups weakens cooperation (Zapata Webb 2002). Cultural diversity in the RAAN, with Miskitu, Mayangna, and Afro-Caribbean populations, contrasts with other locations with strong indigenous autonomy, such as Nunavut in Canada or Kuna Yala in Panama (Howe 1998; Légaré 2001). According to YATAMA's statutes, the party supports "the integrity, harmony and unity of the pluriethnic and pluricultural diversity" of the Moskitia, which they define as the RAAN, the South Atlantic Autonomous Region (RAAS), and Jinotega (YATAMA 1999: 1). Once elected to the regional government, YATAMA had to represent mestizo populations, who make up a majority in large portions of the RAAN. YATAMA's base of support is weakest in the mestizo-dominated

Mining Triangle of Siuna, Rosita, and Bonanza, encouraging YATAMA's strategic alliance with the FSLN party in spite of historical conflicts. An anti-Sandinista faction of YATAMA continues to distance itself from the rest of party due to unwillingness to bury the hatchet with the FSLN.

The increase in the politicization of indigenous peoples across Latin America has often been linked to neoliberalism and globalization (Yashar 1999; Houghton and Bell 2004; Radcliffe 2007). However, YATAMA has a distinct history, since it formed as a result of indigenous military mobilization during Nicaragua's civil war (Solis 1989; Hale 1994). Whereas many indigenous populations in Latin America have criticized the exploitative nature of export trade, the Miskitu have been relatively receptive to commercial resource extraction. Indigenous elders remember affectionately the enclave economies of past decades, known colloquially as Company Time (Hale 1994). More recently, YATAMA has tied indigenous entrepreneurship to self-determination and party leaders remain open to participation in market-based initiatives of various types. Mercado et al. (2006) argue for additional YATAMA support for indigenous loan funds. Since 1990, the RAAN has had a positive experience with a micro-loan program called PANA-PANA, which YATAMA members helped start. PANA-PANA provides loans to indigenous populations who would not otherwise be eligible.

Community Forestry and Market Citizenship

Community forestry in Central America has often arisen as a market-based solution to the marginalization and exploitation of forest-based peoples that advanced following neoliberal reforms due to the promotion of export resource marketing and restricted state monitoring and oversight as a result of the streamlining of state agencies.[1] However, donors usually encourage indigenous communities to sell resources based on corporate structures that are vastly different from their traditional organizations (Brook 2005). Enhanced market integration is likely to influence cultural change as the fulfillment of demands becomes premised on economic criteria and incentives. Material or cultural change may be particularly strong for indigenous populations with collective or subsistence economies (Harvey 2001). Although many indigenous groups, including those in the RAAN, have been involved in external markets for decades or even centuries, the

1 See also McCarthy (2005).

expansion of trade linkages can still create social and cultural transitions and tensions. Furthermore, even in seemingly pluri-ethnic and inclusive national contexts, such as Canada, there is evidence of racial containment in forestry projects (Ross and Smith 2002; Baldwin 2009). Case studies of market-oriented development programs in indigenous territories of Mexico and Central America demonstrate the extension of deep and persistent inequalities in decision-making power and access to resources (Harvey 2001; Altamirano-Jiménez 2004; Bonta 2005; Brook 2005; Finley-Brook 2007a; Jordán 2008; Finley-Brook and Thomas forthcoming). Rapid and contained consultation processes and the pressure to quickly benchmark progress based on external guidelines can also lead to restrictions on local sovereignty. Examples of green imperialism, whereby agendas of industrialized nations are given precedence over local economies and value systems, are evident throughout many conservation and development initiatives of the Americas.[1]

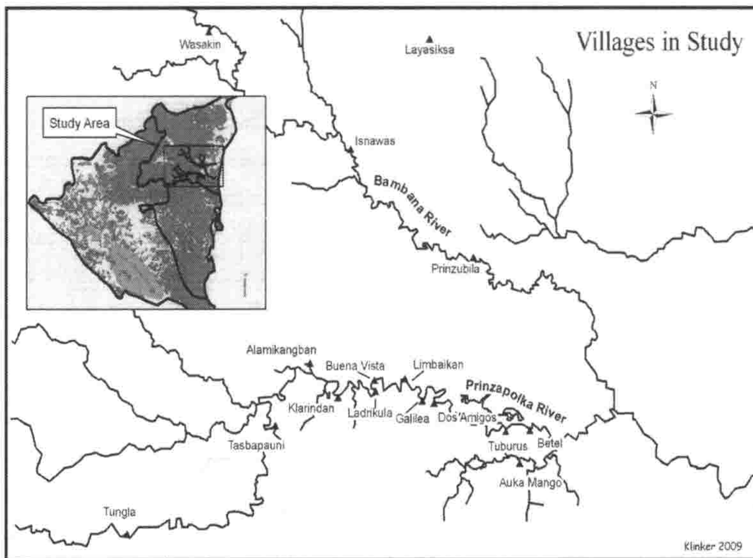
In spite of the increased attention to Latin American indigenous economies in the past decade, many development programs do not adequately seek to understand the institutions they propose to change. Indigenous participation in neoliberal economic programs creates the potential for the "marketization of indigenous citizenship" (Altamirano-Jiménez 2004: 350). Citizenship becomes based on "an economic logic that identifies participation in regimes of capitalist accumulation as the ultimate sign of equality" (Rossiter and Wood 2005: 364). Nevertheless, in most instances, both economic development and the maintenance of cultural identity remain partial and uncertain for indigenous peoples. Hale (2005) argues that cultural rights are often granted in Central America in such a limited way within a broader neoliberal economic context that indigenous groups do not gain sufficient control over resources to actualize their rights, a process evident in the following RAAN case studies.

Forestry Case Studies

The Nicaraguan forestry sector decentralized significantly between 2000 and 2005. Approval of forest concessions transferred from the central office of the National Forestry Institute (INAFOR) in Managua to RAAN district offices. The regional government had very little oversight of forestry

1 See also Sletto (2002).

operations before 1998, but by 2003 drafted a regional sustainable forest management plan that incorporated multi-level state agencies, the private sector, and nongovernmental organizations (NGOs) (CRAAN 2003; Brook 2005). Many international consultants and NGOs advised policymakers during this transition: two particularly important groups were the World Wildlife Fund (WWF)[1] and the Tropical Agricultural Research and Higher Education Center (CATIE).[2] Meanwhile, a number of development banks and donors financed green projects in the RAAN. While there was attention to cultural rights (Gordon et al. 2003), a key focus was the search for business models that could reduce poverty, protect the environment, and assure profit.



Map 1: Middle and Upper Prinzapolka Watershed (Cartographer: K. Klinker)

My fieldwork on three internationally-sponsored forestry projects, the Atlantic Biological Corridor, the Alamikangban Seed Bank, and Limi-Nawâh, occurred between 1998 and 2008 in Alamikangban and surround-

1 WWF's Central American branch set up an office in Bilwi in 2002. WWF representatives helped the regional government draft forestry policy and advised community forestry projects in Layasiksa and Sipba.

2 CATIE channeled money to and advised two RAAN sustainable forestry networks (Brook 2005).

ing villages (Map One), Rosita, Bilwi, and Managua. The Prinzapolka watershed is isolated in the east, but the upper river in the west lies along the agrarian frontier. This area is one of the most poverty-stricken and vulnerable portions of the RAAN, a region clearly marginalized within Nicaragua. With the three projects under analysis, foreign donors and the multi-scale Nicaraguan state aimed to address poverty and isolation as well as reduce the rate of deforestation.

The first case study addresses Nicaragua's large Atlantic Biological Corridor (ABC). The World Bank-financed ABC covers the majority of Nicaragua's two autonomous regions and connects to corridors extending the length of Central America (GEF 1997). The ABC project was set up around the idea of "selling nature to save it" (McAfee 1999: 133) and aimed to link indigenous peoples to outside markets for new products as the state and donors worked to encourage transition away from slash-and-burn agriculture and unregulated forest extraction (Brook 2005; Finley-Brook 2007). The second case study involves a Seed Bank in Alamikangban with World Bank funding. The goal was to harvest, process, and export pine seeds. Regional and village institutions could not meet the expectations of officials in Managua and foreign donors and, as a result, the project never got off the ground. The third case study describes an international project uniting Miskitu and Mayangna villages with Canadian indigenous partners. YATAMA members signed agreements with Cree and Dene First Nations. Bilateral donors later pushed YATAMA out of the initiative before a participatory forestry firm called Limi-Nawâh temporarily emerged. In each case, there were serious constraints to indigenous self-determination amid pressure to adapt to market-based conservation programs. Despite millions of dollars of investment, none of the case studies brought significant economic or social development to the target population.

Atlantic Biological Corridor

In 1998, an Atlantic Biological Corridor (ABC) project was started with assistance from the Global Environmental Facility, a financial mechanism of UN agencies, the World Bank, and other international finance institutions. The seven million dollar ABC initiative aimed to improve conservation in habitat corridors between protected areas in eastern Nicaragua (GEF 1997). Thousands of indigenous people, most living in poverty or extreme pover-

ty, were identified as straining ecological limits in these corridors. Donors planned to support income production ventures they categorized as compatible with biodiversity protection (Brook 2005; Finley-Brook 2007).

The ABC project got off to a slow start due to political conflicts, institutional weaknesses, and Hurricane Mitch (Brook 2005). Decisions were made in Managua or abroad and donors seldom entered the Atlantic corridor zone. A regional NGO representative believed central government officials deterred visits: "they invent a million excuses — there are armed groups and it rains too much — and the donors return home with just the written report" (pers. comm., Bilwi, 2000).

An indigenous leader complained about the poor distribution of ABC resources to the RAAN, "Here there is no ABC truck or motorboat with the name painted on the side," noting that several such vehicles existed in Managua (pers. comm., Bilwi, 2000). The Atlantic Coast project appeared to have been co-opted by a central government eager for donor resources. A YATAMA representative criticized the ABC project in the following terms:

> People thought that the indigenous communities would be able to participate within the ABC, protect their resources, and look for new production options. But, after a period, it became obvious that the project had become politicized...All the funds are going to be gone and the people of the corridor project will never have visited Sandy Bay, the area around *Cayos Miskitos*, or Prinzapolka (pers. comm., Bilwi, 2000).

The project remained centralized until President Alemán (1997-2002) left office. The role of the regional officials in the ABC rapidly increased. Until 2002 there was only one ABC representative in Bilwi. By early 2003 nearly all representatives were located in Bilwi and Bluefields. Nevertheless, financial decisions were never decentralized. Communication with donors and the output of public information, such as the project website, also continued to be administered from Managua. Even after administrative transition to the regional offices, a RAAN ABC official asserted, "Decentralization is propaganda of the central government. In practice there has not been a lot of advance" (pers. comm., Bilwi, 2003).

With a year remaining in the project funding cycle, consultants quickly performed village assessments in fifty-three RAAN villages, including nine from the study area, and thirty-seven in the RAAS. Between two and fifteen subprojects were proposed per village. These development plans were put

together by a team of multi-ethnic professionals originally from the RAAN and trained in Managua or abroad. The community development plans they created were sent in a draft form to Managua to be approved before public circulation.

In February of 2003, nine Prinzapolka villages were included in ABC diagnoses.[1] In spite of the fact that this was the fifth year of the ABC project, villagers were not informed about the corridors prior to their invitation to a rapid participatory appraisal. In Alamikangban, approximately twenty-five individuals attended the consultation: all were selected by one person associated with a local NGO, the Prinzapolka Project. When this person made the verbal invitations, community members assumed there was a connection between the ABC and this NGO. As his announcement went over the village loudspeaker inviting participants, an uninvited community member begrudgingly commented to me, "It's all politics." The announcement only stated the names of the people who were invited to the workshop without mentioning any specific objective, so people had no idea what they were invited to attend.

At the Alamikangban consultation, many participants strongly advocated for forest extraction. In spite of the fact that the consultant announced that the ABC wanted proposals for conservation and natural resource management, participants initially asked for a large outside logging firm to come harvest trees and bring employment. They complained about state forestry laws that limited local extraction through restrictive permitting processes. Later, some participants who had previously attended similar workshops or had greater knowledge of conservation rhetoric, suggested initiatives that would fit better with ABC objectives. In the end, the twelve proposed ABC sub-projects the consultant drafted for Alamikangban involved sustainable forestry, land demarcation, communal ecotourism, organic fertilizer with traditional agriculture, grain storage, livestock, transportation infrastructure, a high school, a sewing and craft school, potable water, electrification, and a communal bakery.

The consultation process shed light on the reproduction of development discourse. In an interview with the Alimakangban consultant, he admitted he was not a firm believer in international development projects after twen-

1 The villages of Alamikangban, Buena Vista, Dos Amigos, Galilea, Klarindan, Ladrikula, Limbaikan, and Tuburus border the Prinzapolka River (Map 1). La Palmera is located on the entrance road to Alamikangban.

ty years working in the field (pers. comm., Alamikangban, 2003). With the ABC, he was not convinced that participatory consultations were working, he stated: "People will turn into what they perceive that you want them to be...If you come talking about ranching, they are all ranchers."

Proposed ABC sub-projects from the ninety RAAN and RAAS villages were expected to provide a road map to orient future state programs and donor projects. These initiatives were biased toward market-based development, and somewhat ironically included activities that have been demonstrated to increase deforestation in Nicaragua and other Latin American locations. Intensification of cattle ranching was recommended in more than half of the village plans (Finley-Brook 2007). Thirty percent of projects focused on expanding economic production or infrastructure, such as bridges, roads, and docks. Agricultural modernization and intensification was a key element: in sixty percent of villages this involved improved seeds, likely imported from abroad, and production for export markets.

Upon completion of the consultations, regional ABC representatives began thirteen pilot projects in conjunction with regional and local NGOs (Brook 2005). The projects had varying success. No pilots began in any of the nine villages consulted in Prinzapolka. The ABC's National Technical Advisor suggested Prinzapolka watershed would face problems attracting additional funding because donors decided to avoid the area until the state resolved territorial conflicts (pers. comm., Managua, 2003).

As Global Environmental Facility funding ended, regional officials felt like the ABC was just getting started. One noted that they were able to achieve more in one year under regional institutions than central government project officials had been able to achieve since 1998 (Finley-Brook 2007). RAAN's ABC coordinator argued for an extension of financial support to the regional office, but it closed in 2004. Although a couple of foreign donors already working in the region financed a small number of proposed sub-projects, few ABC project recommendations were implemented.

RAAN habitat connectivity remains at risk. Rapid deforestation continues even within the Bosawas Reserve (Potosme 2010). Nicaraguan ABC efforts now focus on the Corazón Biosphere Reserve, which joins Nicaragua's large Bosawas Biosphere Reserve with several protected areas located in the Honduran Mosquitia. Even in this smaller transboundary conservation project, communication between international donor agencies, multi-level state offices, and villages remains inadequate.

Alamikangban Seed Bank

From 2001 to 2003 there were attempts to reopen a Seed Bank in Alamikangban formerly operated in the 1990s with support from the Danish International Development Agency (DANIDA). The high genetic quality of Alamikangban's Caribbean pine is known worldwide (Urbina 1994; Brook 2005). The regional government sought donor funding and attempted to create a community firm for the collection, processing, and sale of pine seeds. The proposal was to rehabilitate buildings and take advantage of existing infrastructure, but the project would have had a very different structure from when the central government managed it. Although pine has been extracted from the RAAN for centuries, most operations were managed by outsiders. The Seed Bank provided an opportunity to strengthen the resource management role of villagers in addition to the regional government and RAAN academic institutions.

A RAAN Regional Councilor initiated the idea for a new Seed Bank. The RAAN's new Secretary of Natural Resources, Production, and Territorial Demarcation (SERENA) wrote a proposal in 2001. Regional foresters from the Bilwi Campus of the Bluefields Indian Caribbean University (BICU) were recruited to provide administrative and technical support to the project. SERENA and BICU presented the project to a new Nicaraguan Forestry Promotion Project (PROFOR), financed by the World Bank from 1998 to 2003, and received approval. Then, with regional elections in March of 2002, and a chaotic transition of power from a Constitutionalist Liberal Party (PLC) governor to a YATAMA governor in May, the project was delayed for several months.

An initial community meeting with regional officials was poorly organized (Brook 2005). Officials from the regional institutions showed up in Alamikangban on a Sunday morning in October of 2002 without previous notice. Twenty minutes later, the meeting started. After a brief description of the project, a village representative was selected by a vote following a short discussion among the approximately two dozen community members in attendance. In spite of this haphazard process, a strong female candidate with experience working in the initial Seed Bank was elected.[1] She

1 This individual was affiliated with YATAMA, but decision-makers suggested other factors influenced their selection. Community members expressed a desire to limit corrupt behavior by promoting someone with a reputation for honesty and by not choosing prominent male leaders with a history of misusing funds.

helped organize community training about the project soon afterward. Participants identified a change among regional administrators, as one noted: "This regional government wants to be different from those in the past... When people think of a company, they think that it is going to come from outside, but they explained that this is our company. We are the owners" (pers. comm., Alamikangban, 2003).

However, as intermediaries between donors and village representatives, regional officials were challenged to define and establish a fiscally-accountable village-run firm in an area with a weak institutional base. A project administrator explained, "If a project wants to do community management well, then there are a thousand steps to initiate. Private companies can work much faster — within six months they are already harvesting" (pers. comm., Bilwi, 2003).

The Seed Bank's administrative board began to meet regularly in Bilwi along with members of a community forestry project in Layasiksa. Alamikangban's representative attended a percentage of meetings. One time, due to the poor condition of the roads, she arrived in Bilwi after the meeting had ended. On another occasion she was not issued an invitation because she would have traveled for days to attend what was expected to be a short meeting. Other times she missed meetings because she was not advanced travel funds and could not afford to get to the RAAN capital. At one point in 2003 she waited for two weeks in Bilwi for a transportation reimbursement needed to travel back to Alamikangban due to the slow dispersal of funds from Managua and lack of fiscal liquidity in RAAN offices. These delays were linked to donor requirements. A regional project administrator noted:

> The World Bank is so demanding in its technical specification that it has made things nearly impossible for a project learning as we go. They want us to define the size of the screw if we are asking for screws. They want us to define the thread that we will be using in making pants, when people here are only certain that they need pants (pers. comm., Bilwi, 2003).

PROFOR would not release project funds. Regional participants felt they did not comprehend the region: "They are being very rigid and they want everything by the book. People in the RAAN are trying to follow their requirements, but we need a little bit of flexibility here and there due to the situation in the region" (pers. comm., Bilwi, 2003). Product prices were high due to the abominable conditions of the roads, and many technical materials were difficult to purchase in the region, especially within a strict timeframe.

When regional officials explained this to PROFOR, they felt they were not treated seriously. A RAAN project representative said, "When people from here tell them the local reality and the costs of transportation, they think that we are lying and only trying to get more money out of them" (pers. comm., Bilwi, 2003).

There was increasing urgency to initiate the Seed Bank due to the pending termination of the five-year PROFOR program in 2003 and the retraction of any funds not distributed at that point. Unable to complete planning requirements before the deadline, regional representatives requested an extension. At the time, central government officials suggested that the project could transfer under another two-year program for indigenous forest management. Support for the project later disintegrated.

The Seed Bank project proposal demonstrated pressure to market communal resources (Taylor 2003). If it had moved forward, seed production may have become controversial due to multiple claims on the same forest and the unclear rights and responsibilities of different actors. The forest management plan, located within a state-recognized forest reserve but also within Alamikangban's communal claim (Dana et al. 1998), specifically targeted seed markets and not the fulfillment of other ecological and social roles. According to the draft management plan, all trees would be cut in a rotation of forty years so that seed production levels remained high (Taylor 2003). Approximately ninety-five percent of the trees would be harvested immediately, with the exception of four seed procurement areas of superior parent trees with the straight, thick trunk that makes Caribbean pine a valuable construction material. The project was clearly oriented toward seed markets designed to supply plantations for lumber production.

A major project justification was local employment, but lessons from the earlier functioning of the original Alamikangban Seed Bank (Malefant 1993; Urbina 1994) as well as the design of the project suggests there would have been trade-offs. Since 1991 the state has recognized this same forest as a protected area, but it was not demarcated at a local level and people extracted from it without knowledge of the state claim. With the Seed Bank project there could not have been the same public access to this pine area located adjacent to the village. The area was heavily utilized as a lumber reserve and hunting ground. To protect marketable seeds, there could not be unplanned logging or annual burns of savanna grasslands, a persistent village practice used to encourage the growth of palatable grass for livestock and wild game

and to reduce pests such as ticks. State institutions have tried to discourage burning around Alamikangban for years with only partial success.[1]

There were numerous barriers to the Seed Bank project, but one of the largest challenges was the lack of a legal community oversight organization. Donors were looking for an institution that would be financially responsible for equipment. This type of mandate was completely unfamiliar to communal institutions in Alamikangban. Donors expected villagers to become project administrators nearly immediately. This is an important objective, but one that is unlikely to occur rapidly when previous management experience is limited. There was also an impractical expectation on the part of donors and regional officials that the community project could be supported long-distance from Bilwi, in spite of poor road networks, and without investing heavily in administrative training (e.g. leadership development, accounting, bookkeeping, seed production and processing) for participants in Alamikangban.

Limi-Nawâh

From 2002 to 2006, the Meadow Lake Tribal Council (MLTC) and the Canadian International Development Agency (CIDA) sponsored a three million dollar indigenous forestry corporation in sixteen villages in eastern Nicaragua (Map 1). This project grew out of YATAMA's efforts in the 1990s to promote inter-indigenous economic partnerships. *Limi-Nawâh* (meaning jaguar in the Miskitu and Mayangna languages) was legally instituted in July of 2003 as Nicaragua's first official indigenous corporation. With MLTC's tutelage, the firm was expected to advance economic development and self-governance, as occurred in Canadian First Nations (Newhouse 2000; Brook 2005).

Cooperation between Miskitu leaders and the MLTC solidified in 1995 in Canada at an international meeting organized around the theme of indigenous partnerships for trade and development. Participants from Nicaragua would later form a joint venture with MLTC called Makwa International (Anaya 1996). A Nicaraguan-Canadian of Miskitu origin was instrumental

1 Household surveys suggested that the majority of the village population understood state arguments against burning and a large number of community members had curtailed their burning practices (Brook 2005). It only takes a few individuals to set large fires, like the ones that continue to occur on Alamikangban's communal lands.

in bringing the partners together. He had previously co-founded the Indigenous Economic Development Corporation (CIDESA) with other Miskitu Nicaraguans active in YATAMA. At the 1995 Canadian meeting, a YATAMA delegate told participants:

> We are tired of companies coming in and using our resources and people...We fought a war to hang on to our communities and our way of life. Now we face another challenge — Economic Colonization. Now if we don't organize and train ourselves and create our own business structures we will be wiped out. We are looking for other indigenous partners to work with, so we can share our opportunities, capacities and resources (Apikan Indigenous Network 1995: 7).

Makwa International, the firm that developed between Canadian and Nicaraguan partners, was a joint venture. MLTC owned fifty-one percent and the rest belonged to the Prinzapolka Regional Development Corporation (CDRPSA), a reshuffling of CIDESA (Anaya 1996). Nicaraguan positions in Makwa's administrative structure were filled with YATAMA members. The firm proposed to work with twenty-one indigenous communities, many in the study area, on an 82,000 hectare pine concession.

Makwa's concession was not approved due to a national politics of exclusion that consistently limits indigenous peoples' benefit from natural resource extraction. President Chamorro (1990–1996) cited a ban on new concessions to justify rejecting Makwa's proposal (Contigo International 2002), even though other forest concessions advanced within the same time period. The subsequent Alemán Administration (1997–2002) also rejected the concession. Makwa's plan granted control of project resources directly to indigenous populations at a time when the state required all proceeds to pass through the central government, with the expectation that a significant portion of donor funds would stay in Managua. Makwa's plan was also not well received in Managua because officials in high government positions had personal investments in RAAN logging operations. Vast amounts of legal and illegal timber were extracted from the Prinzapolka area before Limi-Nawâh emerged during the Bolaños Administration (2002–2007).

Miskitu-MLTC discussions continued in spite of Makwa's problems. MLTC started Contigo International, a First Nation development NGO. After consultation with MLTC and Contigo, the Canadian government agreed to fund Contigo to oversee a community-based firm and train local partners in eastern Nicaragua for five years. Contigo promised CIDA that

they would remain distant from regional political organizations (Contigo International 2002). This required a break in relations with YATAMA that left the project's status ambiguous for people aware of the political party's earlier involvement (Brook 2005).

Contigo International and Canadian advisors picked sixteen Miskitu and Mayangna member villages for Limi-Nawâh (Map 1) based on the location of pine and broadleaf forests. The majority of the territory was untitled: several areas had competing claimants, including private firms, ex-combatants, mestizo colonists, and foreigners (Brook 2005).

From the start, Limi-Nawâh struggled to get off the ground. The marketing of communal property created institutional and value shifts and contributed to inter- and intra-community tension over land and resources. Some problems emerged from the project's large-scale design. It attempted to "scale up" forest governance and extraction from the level of the village to a multi-village bloc with sixteen members. Since extraction in any one year would only occur in parts of the larger project area, there were concerns over how to distribute earnings. There was disagreement if income from extraction should mainly be given to the village from where the harvest occurred, or if it should be distributed to all members of Limi-Nawâh equally (Brook 2005). Other governance struggles pre-dated Limi-Nawâh. For example, at least initially, tensions emerged between Mayangna and Miskitu villages about the election of firm leaders due to the disproportionately high number of Miskitu participants.

When extraction began, other challenges became apparent. Poor transportation infrastructure drove production costs up in comparison to lumber originating from more accessible areas. The nascent firm fought for buyers on national lumber markets, where prices for wood from legitimate businesses are undermined by competition with illegal timber. Illegal lumber is less expensive to produce because it does not require the preparation of long-term management plans and operators avoid taxes and state fees.

Limi-Nawâh was carrying out small-scale intermittent timber extraction, but donor funds were rapidly becoming depleted. Project leaders felt a sense of urgency to generate income and find additional sponsors. In 2004 the Inter-American Development Bank (IADB) promised aid that would be channeled to the project through Nicaragua's Institute of Rural Development (Brook 2005). The bank later withheld the funds when a former Limi-Nawâh employee denounced unsustainable logging practices, and regional and municipal officials, including a Miskitu governor and mayor, distanced themselves from the firm. Limi-Nawâh disputed these charges, but public support waned. A Canadian project manager had provided a personal loan

for Limi-Nawâh to buy equipment after IADB funds were promised, but this loan remained unpaid when the IADB later withheld support.

A major constraint for Limi-Nawâh emerged in 2005 in the form of a national environmental policy. After decades of overextraction, the central government suddenly imposed a forestry moratorium on select lumber species, including a few of central importance to Limi-Nawâh. The state's ban impeded extraction by indigenous entrepreneurs with legal logging permits. Ninety villagers with Limi-Nawâh placed a court indictment against the state claiming that the moratorium violated their economic and cultural rights. They argued that foreign companies exploited their forests for more than a century and so it was particularly unfair to restrict harvest for local benefit. The moratorium stood.

The company underwent "privatization," as local people referred to it, at the end of 2006. The firm's board members signed their rights over to the Canadian to whom they owed the debt: indigenous decision-making authority was dissolved. At the time, the Canadian argued that he intended to pass administration back to local villagers when financial solvency was achieved. With limited production in the subsequent period as a result of the moratorium, land tenure disputes, and funding limitations, the Canadian investor sold Limi-Nawâh's project machinery and materials to a Costa Rican businessman in 2008. The Costa Rican investor financed legal forest management plans in Prinzapolka, but the downturn of the global economy caused contraction in his other international construction businesses and he was forced to exit Nicaragua before harvesting. Today, former Limi-Nawâh board members seek partners with access to financial capital with the hope to activate these management plans and reinitiate logging.

The three case studies supported neoliberal development models that did not significantly improve the economic conditions of participants. Local power remained difficult to actualize in spite of the autonomy regime and the involvement of communal authorities. The institutional structures and tenure claims in the Prinzapolka watershed continue to be highly dynamic.

While these community forestry cases demonstrate constraints to regional and local power, they also show windows of opportunity for decentered decision-making. Significant political control was transferred to RAAN leaders with the passage of the Demarcation Law. As discussed below, the law encouraged positive gains in self-determination, but also created opportunities for the misuse of power. If regional officials are able to actualize Law 445 they can achieve one of the most important privileges and responsibilities of a state - the power to form land boundaries and de-

termine ownership. Nonetheless, this role also creates the ability to enfranchise or disenfranchise particular groups.

The RAAN Government and the National Demarcation Committee

Boundary making is important to the formation of regional and local identities as well as to define and protect access to natural resources (Sletto 2002, 2009). With the creation of CONADETI in 2003, Nicaragua's General Assembly decentralized titling responsibilities for eastern indigenous territories to the regional government, although the central government continues to determine CONADETI's annual budget. CONADETI also includes representatives of relevant state agencies, such as environmental and economic ministries. CONADETI's mandate was immediately complicated by conflict among political parties and between the autonomous regions and with areas located outside the RAAN and RAAS (Finley-Brook and Offen 2009). Article 41 of the Demarcation Law, annotated in Figure 1, shows the commission's multi-scale, multi-sector structure.

In spite of a seemingly elaborate scheme for representation, CONADETI's president and a small number of regional officials have been central to demarcation decisions. Oversight of CONADETI rotates between the RAAN and RAAS. The two regions have different proportions of ethnic groups and unique histories. Opposing political parties often lead the two regions.[1]

There have been examples of CONADETI acting impartially, yet, more commonly, the unequal power wielded in the regional government influences demarcation processes. The majority of elected leaders are Miskitu.[2] Historical tension between the Miskitu and Sumu-Mayangna came to a head after the ruling of the Inter-American Court of Human Rights (IACHR). The 2001 IACHR sentence in support of Awas Tingni, the Mayangna village that charged the Nicaraguan state with violating their land rights by granting a foreign logging concession in their territory, was interpreted internationally as a major advance for indigenous rights (Hale 2006; Campbell 2007). Years after the IACHR's recommendation to formally demarcate boundaries, the RAAN territory remained undefined and untitled (Acosta 2007). Two blocs of Miskitu communities known as Tasba Raya and Diez Comu-

1 Although a handful of different regional and national parties run candidates, the PLC and FSLN are the main power blocks in the RAAS and these same parties and YATAMA vie to govern the RAAN.

2 The 2005 national census registered the RAAN's population as 57 percent Miskitu and 4 percent Mayangna.

nidades contested Awas Tingni's land claim. Tasba Raya's land claims were marginal to the initial IACHR case and treated in a series of addendums after the initial court hearings (Finley-Brook and Offen 2009). In spite of long standing territorial overlaps and shared land use, the IACHR ruling and Law 445 sought a singular owner for each land unit. Conflict-ridden negotiations dragged over two years contributing to an increase in tension between ethnic groups. Mayangna leaders criticized YATAMA officials for their slow action and bias during demarcation decisions as well as for their promotion of or involvement in unsustainable timber extraction from indigenous territories (pers. comm., Bilwi, 2007; Potosme 2010).

FIGURE 1: KEY ARTICLES OF DEMARCATION LAW 445

Article	*Purpose*	*Implications*
3	Creates a formal legal definition for traditional communal authority, territorial authority, communal property, and indigenous peoples	Freezes and universalizes fluid and locally differentiated institutions
35-38	Eliminates land claims of third parties without legal titles or that arrived after 1987; they must leave or pay rent. Invalid claimants must be indemnified to leave	Requires indemnification and sales of homesteads and farms to indigenous communities, but does not provide funding Violates the Autonomy Statute (i.e., communal land cannot be rented or transferred)
41	CONADETI members include: Presidents of the RAAN and RAAS Council The Director of the Rural Titling Office A Ministry of Agriculture, Livestock and Forestry delegate The Nicaraguan Institute of Territorial Studies director A representative of each regional ethnic group Two representatives of the Bocay watershed A Commission on Ethnic Affairs and Atlantic Coast Communities representative The mayors of municipalities in areas of demarcation	Creates the potential for scale conflict between national, regional, municipal and local representatives Creates the potential for regional conflict because the RAAN and RAAS share leadership and the Bocay watershed barely overlaps the Autonomous Region It is expensive to get all actors together and thus it happens infrequently

45	Defines *saneamiento* (the removal of third parties), a process that can be interpreted as ethnic cleansing	Threat of removal feeds conflict Territories must contain a single ethnic group

Conflict was magnified by the lack of indigenous land titles, now nearly a century overdue.[1] Tenure conflicts weaken cooperation toward multi-ethnic autonomy. In some instances RAAN demarcation has intensified long-standing racial and economic disputes (Finley-Brook and Offen 2009). There is a spectrum of justifications for ownership with differing legal validity and cultural authenticity based on evidence and interpretation. Multiple groups, including indigenous peoples, colonists, and resource concessionaires, declare ownership of overlapping areas creating a remarkable diversity of multifaceted territorial and resource claims (Gordon et al. 2003; Dana 2008).

Collective land ownership is a cultural foundation in eastern Nicaragua. Land demarcation is essential to strengthening autonomy and local self-governance. The lack of tenure security also represents a significant obstacle to sustainable and participatory forestry in the RAAN.[2] With titles recognizing land ownership, RAAN populations would have greater power to decide when and on what terms they chose to participate in external markets. This is particularly important because market-based conservation continues to be integrated into many internationally-financed RAAN forestry and tourism projects.

YATAMA and RAAN Political Representation

RAAN electoral politics are divisive, contentious, and messy. Politicization and polarization obscure YATAMA's indigenous rights and economic development platform. Conflict spills over from national contests and a main source of tension is the political pact between ex-President Arnoldo Alemán and FSLN leader Daniel Ortega.[3] Aimed at concentrating political power, the pact created an "80-percent rule." Subsequently, RAAN parties had to present candidates in 4/5 of RAAN municipalities. The seven municipalities in the RAAN, each with a different ethnic make-up, are large ter-

1 A Moskitia land titling commission was first created in 1915.
2 See Roper (2003) and Finley-Brook (2007b).
3 YATAMA's electoral bedfellows over the years include members of the UNO (National Opposition Union; *Unión Nacional Opositora*) coalition, the PLC, and the FSLN.

ritories with a principle town or small city surrounded by dozens of smaller villages. Small and ethnic parties seldom have the spatial reach required in the pact and, as a result, they can be left off ballots.[1]

YATAMA was predicted to win several seats in the 2000 municipal elections, but was excluded from running candidates when it could not meet the pact's stipulations. YATAMA appealed and got its ballot position restored (Mercado et al. 2006). After reversal of this decision in the Supreme Court, violence erupted in Bilwi as YATAMA members staged boisterous demonstrations and even exchanged gunshots with riot police. People on both sides were wounded and an affiliate of YATAMA later died as a result of his wounds. When YATAMA supporters boycotted the 2000 municipal election, RAAN abstention rates reached sixty percent.

Following the election, YATAMA took the Nicaraguan government to the IACHR to defend its right to run candidates. YATAMA won the case in 2005 (Campbell 2006). Nonetheless, the Alemán-Ortega pact continues to place pressure on small, local, and regional parties.

Regional politicians learned to use different messages with various audiences. Miskitu leaders would lose support if they used the same words with villagers on the Wangki River as with FSLN allies in regional government offices. Horton (2010) notes a similar practice in Kuna *comarcas* (semi-autonomous indigenous territories) of Panama of framing arguments for different audiences. Experienced politicians understand the value of this type of strategic "double speak," but it can alienate base supporters.

Central government institutions and national leaders clearly influence the RAAN through the political party structure. YATAMA signed a pact in 2006 with President Ortega prior to his reelection. The FSLN leader agreed to strengthen regional autonomy. Critics now suggest Ortega has not delivered, even though a significant number of autonomous region politicians did received high posts in the central government. By signing the pact, YATAMA alienated some formerly supportive constituents and antagonized Ortega's opponents.

The Miskitu Council of Elders, a group of older leaders selected at region-wide assemblies to represent the self-designated Communitarian Miskitu Nation, views political parties as non-indigenous forms of organization. They criticize YATAMA leaders for conformation with state rules that warp indigenous interactions and relationships. An elder explains:

1 See also chapter 5 of this volume.

"The traditional institutions of the Miskitu are the family and the community. At a larger scale, we work with assemblies and conventions. Political parties are not part of our history" (pers. comm., Bilwi, 2002). The Council of Elders does not recognize the authority of the Nicaraguan central government in the RAAN. They contend that the state created the regional government as its accomplice and define cooperation with state institutions as condoning illegitimate control over an indigenous nation.

YATAMA's (1999) statutes promote community-based democracy (*democracía comunitaria*) in the context of a unified Nicaraguan nation-state. Various assemblies and grassroots structures are built into the internal structure of YATAMA (YATAMA 1999; Mercado et al. 2006), yet these receive little media attention. More frequently, critics highlight how party officials make important decisions with little or no consultation, demonstrating a fundamental change from customary Miskitu political practices. So, while there may be national and regional political gains as a result of indigenous politicians gaining entry into positions of power, there are also costs, including the potential loss of base support. One indication of this are the abstention rates in the RAAN which have been greater than fifty percent in regional and municipal elections over the past decade.

There has been multi-ethnic and multi-party representation within the RAAN government since its creation. Yet, simultaneously, there has been disproportionate control by Miskitu officials and national political parties (e.g., FSLN and PLC). To support more equitable and participatory multi-ethnic governance, RAAN leaders need to better defend the rights of Mayangna, Rama, and Afro-Caribbean populations. However, mestizos are, or shortly will become, the majority population in the RAAN. What this means for YATAMA, or even for the future of the autonomous region, remains unclear.

Conclusions

While autonomy has the potential to help reverse Nicaragua's uneven east-west development, contemporary inequality is rooted in a long history of marginalization. Throughout this chapter I have documented structural constraints to RAAN autonomy, but I have also showed decision-making agency, although often without broad participation or equal representation. Positive shifts can be overshadowed by political, social, and economic

tensions. The tendency in the region for sporadic eruptions of politically and racially-charged violence suggests conflict resolution efforts deserve prioritization.

RAAN officials from all parties and ethnic groups must continue to prioritize land titling as a means to achieve long-term political stability in the region, while recognizing the potential for conflict may increase during boundary negotiation processes. CONADETI has defined fifteen territories impacting over two hundred Miskitu, Mayangna, Creole and Garífuna village claims, but much of this progress did not occur until the end of 2009. In 2010 CONADETI initiated steps to define boundaries in a number of highly conflictive areas, including the Prinzapolka watershed.

Although defining large, highly-contested territories is a daunting task, it is an urgent one that is long overdue. Setbacks and flare ups are likely as demarcation and titling processes move forward. The economic costs to conduct boundary negotiations in a truly participatory, inclusive manner are higher. Financial support for titling efforts must remain a priority for state agencies, non-governmental organizations, and donors as a means to address numerous inter-ethnic and inter-village conflicts.

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