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Cultural Rights and Political Authority in Maya Guatemala

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Cultural Rights and Political Authority in Maya Guatemala

Dylan DeWitt, Dr. Jason Levy

Abstract

The first thing to note is that Mayan identity and political institutions exist much more locally than one might expect. There are few generalizations that can be easily made about “Mayan” forms of political and economic order. Nevertheless, the details of how a few specific communities have been impacted by increased state presence underscores the need to reevaluate the nature of cultural rights.

In Santa Catarina Itzapaquín, the traditional form of political authority was essentially a community council that unanimously decided who would serve as mayor. The end of the civil war, however, brought the authority of the 1985 Constitution that requires democratic elections for all municipalities. This has increased the influence of the Ladino oligarchy in previously remote territories as political office has been opened to anyone with the financial ability to run for office. Election winners also win by plurality, meaning they usually lack a clear majority. As a result, resistance to this institution has increased and political legitimacy has been undermined.

In Nahualá, meanwhile, the community council had traditionally been the entity with ultimate authority over land use. An individual or family in this system would obtain use rights from the mayoral council. In accordance with 1996 Peace Accords, the state has begun to take steps to reduce the risk for violent conflict over land disputes. To do so, it has issued deeds of private ownership to more efficiently settle any disputes. This undermines the role of the community council in determining land access and creates an opportunity for the individuals to sell their land to outside buyers, which they often do. The affect has been to diminish the authority of the community council as individuals turn to the state for recognition.

Results/Discussion

Our research has shown that the notion of cultural rights has been interpreted in a way that excludes the continuation of traditional indigenous political institutions. The state has imposed its own systems under the guise of human rights and economic development. While political development and economic growth in these communities could be a wonderful thing, development is not embraced simply to make money. People seek development in so far as it allows them to control the conditions of their existence. The indigenous people in Guatemala do not benefit from the order being imposed by the state and the result has been further political exclusion and economic marginalization.

The solution is to recognize not only the cultural rights of the individual, but also the rights of collective entities to political authority with in their territories. Allowing these entities to engage with economic development and social change on their own terms would allow them to create their own, culturally-based solutions to the challenges of development. Enforcing a flawed system of democracy and an economic order that further marginalizes the indigenous people will only create more tension and conflict for a nation that has already seen far too much.

Conclusion

Works Cited

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