

**POLITICAL SOLIDARITY, CULTURAL SURVIVAL, AND THE
INSTITUTIONAL DESIGN OF AUTONOMY IN NICARAGUA: FROM
HETEROGENOUS, MULTIETHNIC SPACES TO NATIONAL HOMELANDS**

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ABSTRACT

This paper analyzes autonomy regimes in Latin America, or rather the lack thereof. Autonomy is primarily conceived as a means of enabling minority groups that are spatially concentrated to gain control over their local affairs. Autonomy has been relative absent from the models of multiculturalism adopted in Latin America at the end of the twentieth century. Nicaragua is one of the few countries in the region (as well as one of the first) where territorial political autonomy for regions inhabited by Afro-descendant and indigenous groups were adopted by the national state and enshrined at the level of constitutional law. One of the most distinctive (and contested) elements of the model of regional autonomy adopted in Nicaragua is its multiethnic character. This paper explores the future of autonomy in Nicaragua, mainly in terms of the question of whether multiethnic regional models of autonomy can best accomplish the goals of promoting solidarity between groups, enabling the preservation of minority cultures, and making possible meaningful political self-government when multiple subordinated groups are present in the same geographic space. Alternatively, are these aims better achieved through the creation of separate national homelands for each ethnic/racial group? Is a model of overlapping, multiple autonomies a better option? These are key questions regarding the future of autonomy that indigenous and Afro-descendant groups are currently confronting in Nicaragua. The central focus of the paper is thus to consider how Nicaragua's experiences with autonomy complicate the assumptions and prescriptions about the institutional design of autonomy for minority cultural groups in theories of multiculturalism.

RESUMEN

Este artículo analiza los regímenes de autonomía en América Latina o, más bien, la falta de ellos. La autonomía se concibe más que todo como un medio que permite a los grupos minoritarios que están concentrados geográficamente obtener control sobre sus asuntos locales. La autonomía ha estado relativamente ausente de los modelos de multiculturalismo adoptados en América Latina hacia fines del siglo XX. Nicaragua es uno de los pocos países en la región (y uno de los primeros) en los que el Estado nacional adoptó y consagró en el derecho constitucional la autonomía política territorial para las regiones habitadas por afro-descendientes e indígenas. Uno de los elementos más distintivos (y polémicos) del modelo de autonomía regional adoptado en Nicaragua es su carácter multi-étnico. Este ensayo explora el futuro de la autonomía en Nicaragua, preguntándose fundamentalmente si los modelos multiétnicos regionales de autonomía son los óptimos para alcanzar las metas de promover la solidaridad entre los grupos étnicos, permitir la preservación de las culturas minoritarias y hacer posible un autogobierno político significativo cuando múltiples grupos subordinados están presentes en el mismo espacio geográfico. ¿O más bien, podrían alcanzarse mejor estos objetivos a través de la creación de comunidades nacionales separadas para cada grupo etno-racial? ¿Es una mejor opción un modelo de autonomías múltiples y/o superpuestas? Estas son las preguntas claves sobre el futuro de la autonomía que los grupos indígenas y afro-descendientes están confrontando actualmente en Nicaragua. El tema central de este

artículo es entonces analizar cómo la experiencia Nicaragüense de autonomía cuestiona los supuestos y las prescripciones en las teorías del multiculturalismo acerca del diseño institucional de espacios autonómicos para grupos culturales minoritarios.

The end of the twentieth century in Latin America saw the emergence in many countries in the region of multicultural citizenship regimes, which in certain cases included as one of their features the granting of autonomy to territories occupied by indigenous and/or Afro-descendant groups.¹ One of the more striking aspects of the models of multiculturalism adopted in Latin America, however, is the relative absence of autonomy as one of their central features, despite the fact that this has been a major demand of indigenous movements in the region in the past couple of decades.² As a result, in certain countries (such as Mexico) indigenous peoples have resorted to creating de facto autonomy in order to fulfill their desire for self-government, while—paradoxically—in other cases (such as Bolivia) the demand for autonomy has been embraced by non-indigenous groups.³ In fact, Nicaragua is one of the few countries in the region (as well as one of the first) where territorial political autonomy for regions inhabited by Afro-descendant and indigenous groups has been adopted by the national state and enshrined at the level of constitutional law.⁴ Autonomy is primarily conceived as a means of enabling minority groups that are spatially concentrated to gain control over their local affairs. One of the most distinctive (and contested) elements of the model of Regional Autonomy adopted in Nicaragua is its multiethnic character. This paper will thus explore the future of autonomy in Nicaragua, and the prospects for and problems with its consolidation, mainly in terms of the question of whether multiethnic regional models of autonomy, such as the one that was implemented in Nicaragua in the 1980s, can best accomplish the goals of promoting solidarity between groups, enabling the preservation of culture, and making possible meaningful political self-government when multiple subordinated groups are present in the same geographic space. Alternatively, are they better achieved through the creation of separate national homelands for each ethnic/racial group? Is a model of overlapping, multiple autonomies a better option? These are key questions regarding the future of autonomy that indigenous and Afro-descendant groups are currently confronting in Nicaragua. The central focus of this paper will thus be to consider how Nicaragua's experiences with autonomy complicate the assumptions and prescriptions about the institutional design of autonomy for minority cultural groups in theories of multiculturalism.

HISTORICAL CONTEXT OF AUTONOMY IN NICARAGUA

In order to understand how and why autonomy developed the way it did in Nicaragua, especially its multiethnic character, it is necessary to understand the historical context that led the country to adopt multicultural policies in the 1980s. During most of the twentieth century, Nicaragua was portrayed as a uniformly mestizo (racially and culturally mixed) nation, the product of a mixing process between Spaniards and Indians that had been fully realized by the end of the colonial period.⁵ Yet official discourses of mestizo nationalism in Nicaragua were deeply at odds with the historical ethno-racial reality of the country's Atlantic Coast. At the end of the twentieth century, Nicaragua finally adopted policies to recognize and accommodate the distinct cultural identities of the inhabitants of this region.

The indigenous and Afro-descendant inhabitants of the Atlantic Coast of Nicaragua possess languages, cultures, and collective identities that are quite different from the dominant Indo-Hispanic culture and national identity of the rest of the country. The Atlantic Coast, which encompasses approximately 50 percent of Nicaragua's territory and 12 percent of its population, did not officially become a part of the country until 1894; before that, it was a British protectorate. During the eighteenth and nineteenth centuries, the region was intermittently under British influence and protection but with a significant degree of autonomy, especially at the local level, where traditional indigenous authority structures continued to prevail. Even after its forcible incorporation into the Nicaraguan republic, the Atlantic Coast and its indigenous and Afro-descendant inhabitants were never fully integrated into Nicaraguan political, economic, or sociocultural life. Afro-descendant and indigenous *costeños* (as the region's inhabitants are known) were denied equal political rights well into the twentieth century, when the region continued to be governed as a semicolonial dependency of the Nicaraguan state, with local officials and political representatives appointed directly from Managua, the country's capital. Indeed, official mestizo nationalism that obscured the presence of indigenous and Afro-descendant *costeños* served to justify exclusive mestizo political power in Nicaragua.

During the twentieth century, Afro-descendant and indigenous *costeños* continued to demand the self-government rights they had retained in the treaties governing the region's incorporation into Nicaragua. Their political activism was limited by the authoritarian regime of the Somoza family, however, which dominated Nicaraguan politics from the 1930s until 1979, when it was overthrown by the Frente Sandinista de Liberación Nacional (Sandinista National Liberation Front, or FSLN). It was in order to resolve the armed conflict that developed between the FSLN and indigenous groups that joined the *contras* (the counterrevolutionary guerrilla forces that were trying to overthrow the Sandinistas with the aid of the United States) in their armed struggle against the Sandinista state during the 1980s that the Sandinista government adopted a number of multicultural policies in 1986.⁶ The new constitution ratified that year recognized the "multiethnic character" of the Nicaraguan nation and enshrined the following collective rights for *costeños*: to preserve and develop their distinct cultures, languages, and religions; to establish their own forms of social organization and administer their local affairs according to their historical traditions; to have ownership of their communal lands; to use and benefit from the region's natural resources; and to enjoy regional autonomy.⁷

Today, the Atlantic Coast of Nicaragua is inhabited by six distinct ethno-racial groups: three indigenous groups (Miskitu, Mayangna, and Rama); two groups of African descent (Creole and Garifuna); and mestizos, who began migrating from the Pacific and central regions of the country to the Atlantic Coast after it was incorporated into Nicaragua in 1894. As a result of intensifying migration, mestizos now make up the majority of the population on the Atlantic Coast. The region continues to be identified with its original Afro-descendant and indigenous inhabitants, however, who exerted control over the region before the arrival of mestizos. The two largest and most politically powerful indigenous and Afro-descendant groups, respectively, are the Miskitus and the Creoles; they vied for dominance in the region during the nineteenth century and have been historical rivals for power on the Atlantic Coast ever since. As the two dominant groups on the Atlantic Coast before the region's incorporation into Nicaragua, (Afro-descendant) Creoles and (indigenous) Miskitus have traditionally seen each other as rivals for political power. Tensions between the two groups can be traced

back to the colonial period, when Creoles were the dominant political and social force in the region.

The design of autonomy and other multicultural legal categories in general that emerged in Nicaragua were thus in part a result of this historical context—the simultaneous presence of and rivalries between Afro-descendant and indigenous *costeños*—as well as of the interests of the national state and the political party in power during the 1980s, the FSLN. There was in fact significant disagreement about what the institutional design of autonomy should be during the 1980s. During the initial debates about autonomy, for example, there were significant disagreements between indigenous groups who favored a model that would create a national homeland for indigenous people on the Atlantic Coast and other *costeños* who favored the creation of heterogeneous regions along the lines of the model that was ultimately adopted. During the 1980s the main Miskitu organizations advocated “Indian self-government,” articulating a vision of regional autonomy under Miskitu hegemony. In a document from 1985, for example, the main Miskitu organization at that time, MISURASATA (“Miskitu, Sumo,⁸ Rama, Sandinista Asla Takanka, or United” in Miskitu), refers to autonomy as an “aboriginal right” of the three “Indian nations” who are “sovereign peoples” within the Nicaraguan state. The fundamental elements of autonomy, the document asserts, are: the aboriginal right to the lands of the Atlantic Coast, “Indian self-government,” “Indian resources,” “ethno-development,” “Indian self-defense” against domestic and foreign attempts at genocide, and Indian organizations, culture, religion, and institutions.⁹

This vision of indigenous autonomy under Miskitu control faced serious resistance, however, both from Creoles and the two smaller indigenous groups (Mayangna and Rama) on the Atlantic Coast and from the FSLN. Creoles feared that if autonomy was defined as “indigenous” this would exclude Afro-descendants, while the smaller indigenous groups feared being overshadowed by the Miskitu, as they had been during the colonial period and the nineteenth century. The FLSN also opposed a model of indigenous autonomy under Miskitu hegemony for strategic reasons of its own. Because they believed that the Miskitu were the group most strongly opposed to *Sandinismo*, and that a multiethnic model of autonomy would allow other ethno-racial groups more sympathetic to the party to have equal clout in the region, the FSLN supported a model of

regional autonomy in which the participation and equality of all groups would be guaranteed within ethno-racially heterogeneous regions. The FSLN hoped that in this way a new regional identity could be formulated, one that, at least to some extent, would supersede specific group identities and incorporate support for the party in recognition of its vanguard role in promoting autonomy at the national level.

Ultimately, the constitutional language adopted in Nicaragua enshrined a multiethnic, regional model of autonomy in which all *costeños* shared equally in self-government. The Nicaraguan Constitution approved in 1986 guarantees equal collective rights to all the “communities of the Atlantic Coast,” while the Autonomy Law approved the same year establishes an autonomy regime for the Atlantic Coast, within which “the members of the communities of the Atlantic Coast” are guaranteed “absolute equality of rights and responsibilities, regardless of population size and level of development.”¹⁰ As a result, the constitutional categories adopted in Nicaragua’s model of autonomy not only guarantee Afro-descendant and indigenous *costeños* the same collective rights to the protection of land and culture but does the same for mestizos living in the region.¹¹ The question of how to reconcile the creation of territorial spaces for political self-government or autonomy with the presence of multiple ethno-racial groups in the same geographic space was resolved in Nicaragua by essentially regionalizing multicultural rights and granting autonomy to a culturally distinct and historically marginalized region as a whole.

The institutional design of autonomy adopted in Nicaragua’s model of multiculturalism thus recognized self-government for *costeños* within heterogeneous regional territorial units. In Nicaragua, heterogeneous multiracial and multiethnic regions were created within which all *costeños* enjoy equal collective rights. Instead of following the formula of national federalism, whereby a group gains exclusive control over a national homeland or territory, in Nicaragua the Autonomy Law divides the Atlantic Coast into two administrative units: the Northern Autonomous Region of the Atlantic Coast (RAAN) and the Southern Autonomous Region of the Atlantic Coast (RAAS). Both autonomous regions are ethno-racially heterogeneous. Two indigenous groups (Miskitu and Mayangna), one Afro-descendant group (Creole), and mestizos inhabit the northern autonomous region, or RAAN. Three indigenous groups (Miskitu, Mayangna,

and Rama), two Afro-descendant groups (Creole and Garifuna), and mestizos inhabit the southern autonomous region, or RAAS. The Autonomy Law mandates that all ethno-racial groups who inhabit an autonomous region must be represented in its respective regional government. Currently, mestizos are estimated to constitute a demographic majority in both regions. The Miskitus are the second-largest group in the RAAN, where they are concentrated, followed by the Mayangnas and small numbers of Creoles. In the RAAS, where Creoles have historically settled, they are the second-largest group, followed by small numbers of Miskitus, Mayangnas, Ramas, and Garifunas.¹² As a result of the decision to create heterogeneous regions for the exercise of autonomy rather than spatially segregated units controlled by each group, indigenous and Afro-descendant *costeños* have not gained national homelands over which they can exercise exclusive control.

The question of how to configure territorial spaces for the exercise of autonomy or self-government on the Atlantic Coast was also complicated by the geographical dispersal of some of the region's indigenous and Afro-descendant groups, which makes the creation of separate national homelands for each group difficult, although not impossible. Creoles, for instance, are concentrated in the larger urban areas of the southern Atlantic Coast. In such cases territories under the control of one group would inevitably contain members of other groups. This would be especially problematic with regards to mestizos, as the continued influx of poor mestizo peasants displaced from the Pacific and central regions of the country has dramatically changed the region's demography, making them the majority in both autonomous regions today. There are also important questions about how the boundaries of national homelands for each group would be drawn even in the case of groups that live in self-contained geographical areas, such as the Ramas, the majority of whom live in an island off the coast of Bluefields, the RAAS capital. Because they would like to regain communal lands that have been illegally occupied by mestizo subsistence farmers, the Ramas would likely object to the creation of a national homeland that confined them to the island they now inhabit.

As this brief discussion of the historical context that shaped the institutional design of regional autonomy on the Atlantic Coast illustrates, since its inception the question of how to configure autonomous spaces—either in multiethnic regions or

separate national homelands—has been one of the most important and controversial aspects of the debate about autonomy in Nicaragua.

THE CURRENT DESIGN OF AUTONOMY

What, then, is the current context on the Atlantic Coast and in Nicaragua generally regarding the most appropriate institutional design for autonomous spaces? Since the approval of autonomy in 1986, the political-administrative infrastructure created by the Autonomy Law has developed substantially, despite the fact that autonomy did not begin to be implemented until the 1990s, under the center-right neoliberal administrations of Violeta Chamorro (1990–1996), Arnoldo Alemán (1997–2001), and Enrique Bolaños (2002–2007), which sought to undermine regional governments and render them ineffective by allotting them symbolic budgets and co-opting them politically. Since the regional governments' inception, their functioning has in fact been less than optimal due to a variety of factors, including the lack of articulation and clear division of power between the different levels of government on the Atlantic Coast (regional, municipal, communal) and between regional and national authorities. This situation has improved somewhat since 2002 (when the Autonomy Law was finally regulated), but nevertheless, a recent study concluded that: “the modality agreed upon for the process of reengineering and transference of functions (from the central state to the regional authorities), established by the Regulation of the Autonomy Statute, has been fairly fragile, especially when it comes to concretizing general agreements and advancing towards implementation.”¹³

While there have been important gains towards the consolidation of autonomy on the Atlantic Coast in Nicaragua in recent years, therefore, important challenges remain. In this section I will focus on two key issues that are fundamental to the future shape of autonomy in Nicaragua and which are both the subject of debate and contestation on the Atlantic Coast and Nicaragua today: specifically the geographical scope of autonomous territorial spaces and how they should be governed. Both of these questions have emerged as a result of two developments—mestizo preponderance in regional autonomous governments and the recognition of communal land rights—that have

thrown into sharp relief the issue of the administrative level and territorial configuration at which autonomy should take place and would be most effective. In other words, what should the autonomous spaces look like?

The Autonomy Law of 1986 created a regional government for each autonomous region. Each regional government is made up of a legislative body, the Regional Council, and a Regional Coordinator, or governor, elected from the ranks of the council, who is the region's top executive as well as the representative of the central government in the region. The Autonomy Law stated that regional governments have the power to participate in the planning and implementation of development programs for their regions, to administer (in coordination with the proper ministries) programs related to health, education, culture, the distribution of basic goods and communal services, and to develop social, economic, and cultural projects for the regions. They also have the power to levy regional taxes (with the approval of the National Assembly), and regulate the extraction of the natural resources of the regions and distribute the profits derived from these activities.¹⁴

The members of the regional council are elected in regional elections in which only inhabitants of the Atlantic Coast or their descendants are allowed to vote and run for office; Nicaraguans from other regions of the country are able to participate in regional elections only if they fulfill certain residency requirements.¹⁵ Regional elections are contested in fifteen electoral districts, each of which elects three representatives under a proportional representation system. In order to meet the requirement of the Autonomy Law that all ethno-racial groups in a given region be represented in their respective regional council, electoral districts were created in which the first candidate of each party must be a member of one of each of the different ethno-racial groups that inhabit a region. In the RAAS, for example, out of a total of fifteen electoral districts, there are specific districts (one for each ethno-racial group) in which the first candidate of every political party must be Miskitu, Creole, Mayangna, Garifuna, Rama, or mestizo, respectively. This means that of the total forty-five regional council seats, only six are group-designated, and each ethno-racial group is assured of a minimum of only one seat: only five seats are guaranteed to be either Afro-descendant or indigenous *costeños*. The same is true in the RAAN, where specific districts (one for each ethno-racial group) must

have as its first candidate a Miskitu, Creole, Mayangna, or mestizo. Thus, out of a total of forty-five seats in the regional council, only three seats are set aside for Afro-descendant and indigenous *costeños*.¹⁶

As a result of these weak mechanisms for group representation of Afro-descendant and indigenous *costeños*, mestizos have dominated regional governments to date. The limited guarantees of group representation of Afro-descendant and indigenous *costeños* (a minimum of one seat on each regional council per group), combined with the growing size of the mestizo population in the region, has resulted in much higher levels of mestizo representation in both regional councils, especially in the RAAS. Between 1990 and 2006, for example, 50 percent of regional council members in the RAAS have been mestizos, while only 26 percent have been Creole; meanwhile, in the RAAN, 45 percent of regional council members during the same period have been mestizos, while 45 percent have been Miskitus.¹⁷ While such high levels of mestizo representation on the regional councils may well be in line with their growing demographic strength as a result of their increasing rates of migration to the region from other areas of the country—they are the dominant group at the national level—when mestizos also dominate regional governments on the Atlantic Coast, it directly contradicts the stated goal of autonomy, which was to enable Afro-descendant and indigenous *costeños* to exercise self-government in the region. In part this is because mestizos (especially recent migrants to the region) tend to vote overwhelmingly for national parties in regional elections, and in general, are less concerned with the preservation of autonomy and other multicultural rights. As a result, the idea of *costeño* autonomy is undermined, and this has led to contentious debates recently about how and whether this flaw in the institutional design of autonomy can or should be remedied; mestizos (particularly recent migrants who do not identify with autonomy) on the Atlantic Coast tend to strongly oppose changes to the current system of group representation, while Afro-descendant and indigenous *costeños* tend to view such changes as essential to preserving and consolidating autonomy.

In addition to the question of how and whether to reconfigure the political institutions of autonomy in order to achieve greater representation for Afro-descendant and indigenous *costeños*, another important recent development that has raised the question of what the territorial configuration of autonomous spaces should be has been

the movement towards recognizing communal land rights on the Atlantic Coast, which has the potential to reshape the institutional design of autonomy in Nicaragua. Both the 1987 Nicaraguan Constitution and the Autonomy Law of the same year recognized the right of the “communities of the Atlantic Coast” to establish their own forms of social organization and administer their local affairs according to their historical traditions and to have ownership of their communal lands, but did not specify the practical mechanisms through which these two principles were to be implemented. Likewise, the Constitution and Autonomy Law failed to specify how these groups were to be defined beyond the phrase—“communities of the Atlantic Coast”—used in both legal documents. What, however, is a community? And, which communities are entitled to communal land rights? These questions remained unanswered in the 1980s and throughout much of the 1990s.

Despite being guaranteed in the 1987 Constitution and Autonomy Law, the communal land rights of Afro-descendant and indigenous *costeños* were systematically ignored by central governments in Nicaragua during the 1990s, when no mechanisms were established to demarcate or title the communal lands of Afro-descendant and indigenous communities on the Atlantic Coast and the national state continued to grant concessions to national and multinational corporations for the exploitation of natural resources on such communal lands without consulting or gaining the approval of affected communities. This situation finally changed with the landmark 2001 ruling of the Inter-American Court of Human Rights (IACHR) in the case brought by the indigenous Mayangna community of Awas Tingni against the Nicaraguan Republic, which upheld *costeños*' rights to the communal ownership of land. Awas Tingni brought its case before the IACHR after repeated attempts to obtain judicial remedy domestically failed.¹⁸ The court issued a decision requiring the Nicaraguan state to establish the legal mechanisms necessary to demarcate and title the communal lands of Afro-descendant and indigenous *costeños*.

The Awas Tingni ruling resulted in the adoption of a new Communal Property Law in 2002 that established the mechanisms for the demarcation and titling of *costeño* communal lands. The Communal Property Law or Law 445, as it is known, explicitly defined the concept of “community of the Atlantic Coast” utilized in the Constitution. For

the first time it provides definitions of the terms “ethnic community,” “indigenous community,” and “indigenous people [*pueblo indígena*].” Law 445 defines an ethnic community as: “a group of families of Afro-Caribbean ancestry that share the same ethnic identity [*conciencia étnica*], because of their culture, values, and traditions linked to their cultural roots, forms of land tenure, and natural resource [use].” Meanwhile, an indigenous community is defined as: “a group of families of Amerindian ancestry settled in a territorial space, that share a feeling of identification linked to the aboriginal past of their indigenous people, and who maintain a distinct identity and values inherent to a traditional culture, such as forms of land tenure and communal land use, as well as their own form of social organization.” Additionally, the law defines an indigenous people as: “a human collectivity that maintains a historic continuity with the societies that predated the colonial era, whose social, cultural, and economic conditions distinguish them from other sectors of the national society, and that are governed completely or in part by their own customs and traditions.”¹⁹

In addition to defining ethnic and indigenous communities and indigenous peoples for the first time, Law 445 also spells out the relationship between different forms of social organization within these communities and the state. It establishes that the maximum authority in a community is the Communal Assembly, consisting of all the members of a community. According to its own customs and traditions, the communal assembly in turn elects communal boards that serve as the main administrative and governing units in the communities. In cases where communities have grouped themselves together to make collective land claims in *bloques* [blocs] (i.e. they have formed “territories”), the decision-making body is a Territorial Assembly composed of the communal boards elected by each community, which in turn elects a Territorial Board to govern the territory.²⁰ The communal and territorial boards serve as the interlocutors between the communities and the state in the process of demarcation and titling of communal lands. As a result, Law 445 provides a legal framework for the official recognition of communal and territorial boards as key units of governance on the Atlantic Coast.

Despite the passage of Law 445, the process of demarcation and titling has proceeded very slowly; to date only a few communities have received title to their

communal lands. This is in large part a result of continuing disagreements between Afro-descendant and indigenous *costeños* and the central state in Nicaragua over the meaning of communal land rights. Afro-descendant and indigenous *costeños* claim that all lands on the Atlantic Coast are communal lands (not national lands), and as such they have the right to govern them collectively and to administer land tenure and natural resource use communally. But to date the central government has pushed for a much more restrictive interpretation of the right to communal ownership of land, based on an individual land tenure model and the concept of “*uso actual*” [actual use], rather than the historic dimensions of Afro-descendant and indigenous *costeño* communal lands. In the Awas Tingni case, for example, one of the principal arguments of the Nicaraguan state rejected by the IACHR was that because the boundaries of the community had shifted over time and there were overlapping land claims with other communities, it could not be said to have “ancestral occupation” of all the lands it was claiming. As Jennifer Goett observes, the result of this is that for Afro-descendant and indigenous *costeños*: “any rupture, discontinuity, or mobility in the history of community settlement and any evidence of cultural change or transformation... provides an opening for the delegitimation of their territorial claims by the state.”²¹

Nevertheless, the fact that the communal lands of Afro-descendant and indigenous *costeños*, with their corresponding governance structures, could be officially titled by the state raises the possibility of an enormous shift in the institutional design of autonomy in Nicaragua, namely a move away from the model of multiethnic, heterogeneous regions currently in existence towards a model in which each ethno-racial group would gain control over one or more territories at the communal level. As was the case during the 1980s, however, *costeños* continue to be divided on the question of how to configure autonomous spaces on the Atlantic Coast. Today, significant disagreements remain among *costeños* about whether it would be best to create separate territories under the control of each group or preserve the current multiethnic model of regional autonomy.

Indigenous groups on the Atlantic Coast, for example, who have historically been the most ardent supporters of a model of autonomy that creates separate spaces under indigenous control (especially the Miskitu), today appear to be somewhat divided on the question of the future political-administrative organization of autonomy on the Atlantic

Coast. This is not due to any objections to Law 445, as the governance structures recognized in it generally correspond with already existing forms of social organization in most indigenous communities in the region. Instead, it appears to be a result of recent tensions that have emerged over the leadership of YATAMA (Yapti Tasba Masraka Nani, or Descendants of Mother Earth in Miskitu), the main indigenous political organization in Nicaragua. Since the inception of autonomy YATAMA has been the most successful regional party in regional elections, and it is very strong electorally in the RAAN, where most Miskitus live. Historically, YATAMA has been an almost exclusively Miskitu party in its leadership, membership, and voting base; yet as a result of a political alliance it entered into with the FSLN prior to the 2006 presidential election that brought the party back to national power for the first time since the 1980s, YATAMA has become the state's main interlocutor on issues related to the Atlantic Coast.

Originally, YATAMA seemed to favor the vision of regional autonomy as “Indian self-government”—the idea that the Atlantic Coast should be under the control of the region's indigenous groups, and Miskitus in particular, as the largest of the three—that had been articulated in the 1980s by the main Miskitu political organizations that preceded it. More recently, YATAMA appeared to have become more supportive of the multiethnic model of autonomy, and even went so far as to form an electoral alliance with a predominantly Creole political organization during the 2006 regional elections.²² The recent provisions of the Communal Property Law and YATAMA's desire to preserve its electoral success seem to have spurred the party to again support a model of autonomy that creates separate territories under the control of each group, governed either by the elected territorial boards or by new authorities elected by them. Yet some in YATAMA's voting base, indigenous people at the communal level, appear to have become suspicious about the organization's motives for pushing this alternative model of autonomy. In an extraordinary development for an organization that has received almost unanimous support from Miskitus, a number of indigenous community leaders have argued that the party does not represent the interests of indigenous communities, and that it is local authorities, such as the communal boards, that really speak for the interests of Miskitus and other indigenous *costeños*. The question of who truly represents the views of

indigenous *costeños* in negotiations with the national state about the future political-administrative structures of autonomy has thus become especially contentious since YATAMA's alliance with the FSLN.

Afro-descendant *costeños* also appear to be divided on the question of how and whether to redesign the territorial autonomous spaces. Afro-descendant *costeños* have traditionally supported the multiethnic model of autonomy, because they have viewed it as more inclusive of their interests than a model of "indigenous" autonomy where their status and rights would be more tenuous.²³ At the same time, however, there has been a shift in Afro-descendant politics in recent years towards the emergence—among Creoles who are involved in communal land demarcation processes and others who now find themselves to be small minorities in indigenous-dominated areas—of a strong discourse of black racial group identity conceived in terms of transnational links to others areas of the African diaspora.²⁴ For urban Afro-descendant Creole communities, for example, the adoption of Law 445 was a galvanizing moment that led them to organize and elect communal boards to carry out land claims and to assert Black diasporic identities. The requirements of the law call for detailed ethno-historical mapping, including: 1) an account of the community's historical antecedents, 2) its demographic, social, economic, and cultural characteristics, 3) the traditional forms of land and resource use practiced in the community, 4) an account of overlapping claims and conflicts over boundaries with other communities or *terceros* [third parties] and of communities, entities, or persons occupying adjacent lands to those being claimed.²⁵ Creole mobilization in Bluefields to fulfill these requirements and to constitute communal authorities recognized by Law 445 seemed to have spurred political organizing in terms explicitly linked to a black racial group identity and to the idea of regaining Creole communal lands.²⁶ Some Afro-descendants on the Atlantic Coast appear to support the move towards a model that creates separate spaces or territories under the control of each group, therefore, but there is still substantial support for the multiethnic model of autonomy among other Afro-descendants.

In 2009 the situation is quite fluid, with a number of different proposals for the territorial and political reform of autonomy on the Atlantic Coast being floated by various political parties and organizations.²⁷ The issues of how to achieve greater political

representation for Afro-descendant and indigenous *costeños* and title communal land rights have brought to the fore a debate about the future of autonomy in Nicaragua that revolves around two main questions that are closely related: how *costeños* can best exercise political self-government and in what kinds of spaces, i.e., in a multiethnic regional model like the one that is currently in place or in one that establishes separate national homelands or territories under the control of each group.

THE THEORETICAL DEBATE

Given that it now appears possible that Nicaragua might move away from the multiethnic model of autonomy adopted on the Atlantic Coast in the 1980s, it is important to consider how Nicaragua's experiences with autonomy complicate the assumptions and prescriptions in theories of multiculturalism about the institutional design of autonomy for minority cultural groups. As noted earlier, autonomy has been relatively absent from the models of multiculturalism adopted by Latin American states thus far. Yet theorists of multiculturalism have devoted some attention to the question of whether, when multiple groups are present in the same geographic space, shared heterogeneous designs of autonomy, such as the multiethnic regional model of autonomy that was implemented in Nicaragua, can best accomplish the goals of promoting solidarity, enabling the preservation of culture, and making possible meaningful political self-government for minority cultural groups, such as indigenous peoples. Alternatively, are these goals better achieved through the creation of separate national homelands for each ethnic/racial group? Is a model of overlapping, multiple autonomies a better option? In this final section of the paper, I will briefly describe some of those theoretical debates and point to some of the important normative questions they raise with regards to the future shape of autonomous spaces in Nicaragua.

By political solidarity I mean the relations of trust and obligation between citizens that are essential for democracy to function. While the promotion of political solidarity between minority groups has received less attention in theories of multiculturalism, preserving the cultures of minority cultural groups has been at the center of debates about multiculturalism in political theory.²⁸ Theories of multiculturalism concerned with the

fair accommodation of cultural difference, for example, have grappled to a certain extent with the question of what models of autonomy are more likely to achieve the aim of enabling minority cultural groups to preserve their cultures and promote solidarity between groups in situations where different groups are present within the same geographical space. There is thus an important debate among theorists of multiculturalism about whether the goal of preserving the cultures of national minorities such as indigenous groups can be met only by means of the creation of separate, autonomous spaces where these groups can exercise self-government (which is often one of their principal demands). The branch of the multiculturalism literature concerned with the fair accommodation of cultural difference tends to hold the view that indigenous people and other national minorities are entitled to, and indeed require, the creation of separate, autonomous spaces for the exercise of self-government in order to ensure the preservation of their cultures. Theorists of multiculturalism who are more concerned with the question of how to preserve the cultures of minority groups, such as Charles Taylor, tend to argue that separate spaces over which each group can exercise full control are necessary in order to make that possible. Taylor, for example, argues that because the goal of minority nations is “cultural survival,” theories of multiculturalism must “justify measures designed to ensure survival through indefinite future generations.”²⁹

In contrast, other theorists of multiculturalism more concerned with questions of how to promote political solidarity between groups tend to argue that heterogeneous spaces in which groups coexist are more conducive to this goal. Iris Young, for example, argues that: “space itself matters.” She suggests that self-determination should be understood as non-domination rather than noninterference, and that this would enable the creation of spaces where national minorities could exercise self-government that were “spatially overlapping or shared, or even lack spatial reference entirely.”³⁰ She does not discuss in detail what such spaces might look like, except to suggest that in situations where multiple groups are present, such as where indigenous and non-indigenous people live together, the result might be sites that are heterogeneous or multicultural, with group-representation rights allotted to all groups; or in other cases certain groups might be granted specific rights to land and resources without gaining exclusive control over a

territory; or autonomy could be territorially based but in the form of interlocking federal arrangements that would preserve the rights and freedoms of internal minorities.

The question is whether the goal of cultural preservation requires the creation of distinct, separate spheres of non-interference for each group or if it can be met by the creation of heterogeneous spaces that foster political communication between groups but that do not give each group complete control over a national homeland. Young's suggestion is that in cases where multiplicity and overlap are the norm, political solidarity between groups might best be served by the creation of heterogeneous rather than closed, separate spheres of non-interference for each group.

One of the most unusual features of the model of autonomy adopted in Nicaragua, heterogeneous regions rather than spatially segregated units controlled by each group, thus stands in contrast to the expectations of theories of multiculturalism whose primary concern is the goal of cultural survival. In Nicaragua indigenous and Afro-descendant *costeños* do not have national homelands over which they can exercise full control; they have not gained exclusive control over separate portions of the Atlantic Coast. Instead, they are obligated to share in self-government. The Nicaraguan model of autonomy, therefore, is closer to the kinds of heterogeneous spaces that Young argues are most likely to foster political communication between groups than the closed, separate spheres of non-interference preferred by liberal multiculturalists in order to ensure cultural survival. Yet the fluid situation in Nicaragua with respect to this question suggests that the issue has not been fully resolved.

What, then, can we conclude from the Nicaraguan experience with autonomy? What are the pros and cons of each model of autonomy? It is important to consider whether heterogeneous regions are as likely to meet the goal of cultural preservation as separate, autonomous spaces over which each group could exercise exclusive control. In Nicaragua it appears as if the multiethnic model of autonomy has promoted political solidarity between Afro-descendant and indigenous groups and mestizo *costeños*, but it is also possible that the reason some *costeños* currently favor moving to a different model in which each group would gain its own territory is that they view the multiethnic model of autonomy as having been less successful in ensuring the preservation of their cultures, which they see as under attack by increasing mestizo migration to the region. It is

certainly possible, for example, that in Nicaragua a model of autonomy that combined the creation of a national homeland for each group of Afro-descendant and indigenous *costeños* combined with larger regional political institutions for the exercise of self-government similar to those that exist today (but with greater group-representation rights for Afro-descendant and indigenous *costeños*) might better balance the goals of cultural preservation and the promotion of political solidarity.

Another important issue to consider is the impact of different conceptions of autonomy on issues such as gender equality, for example. This question has been raised by feminist critics of multiculturalism, who argue that it is problematic to view the goal of multicultural policies as the preservation of minority cultures when those cultures are often patriarchal.³¹ On the Atlantic Coast this question has been made more salient by the potential shift to a model of autonomy at the communal level. The 2005 United Nations Human Development Report for the Atlantic Coast observed, for example, that while constitutional recognition of the communal land rights of indigenous and Afro-descendant communities on the Atlantic Coast represents an important substantive advance in the historical relations between these groups and the state, it also poses certain challenges, such as: “the existence of traditional practices that do not always promote the rights and democratic participation of certain social sectors, such as women and young people.”³² One of the important questions that need to be asked about the communal and territorial boards recognized by Law 445, therefore, is to what extent are they representative with regards to gender, i.e., are they more or less inclusive of women than existing institutions? The record here is mixed. On the one hand, women have historically been involved in struggles for communal land rights, and since the enactment of Law 445, Afro-descendant and indigenous women on the Atlantic Coast have been actively involved in demarcation and mapping projects in their communities. Indeed, in some communities, the moral authority wielded by women has allowed them to emerge as the main leaders of communal and territorial boards.³³ Overall, however, this is the exception rather than the norm, and many women have felt marginalized on the communal boards. In a recent study, “women expressed concern that they had previously been excluded from participation in the struggle for land rights...[they described] how they were marginalized in the communal boards and how male leaders tended to exploit women’s

labor in the administration of these institutions while limiting their influence in decision-making spaces.”³⁴

In conclusion, Nicaragua’s experience with autonomy suggests that there are important debates about the configuration of autonomous spaces—territorially and politically—that remain unresolved in Latin America. In many ways the Nicaraguan case is most interesting to consider in light of similar challenges facing other countries in the region with regards to the institutional design of autonomy. Questions include: What kinds of autonomous spaces are required or most effective when multiple groups (either Afro-descendant and indigenous) share the same geographic space? Should these historically disadvantaged groups’ demand for autonomy be balanced with the interests of third parties such as mestizos either in the same region or in other regions that are posing competing demands for self-government also grounded in the discourse of autonomy? This debate about the institutional design of autonomy is important for many Latin American countries, including Mexico, Ecuador, and Bolivia. In cases such as these, the question of whether to adopt a model of heterogeneous regional autonomy rather than the creation of separate national homelands for each group is an important one, as is the question of how to design political institutions in cases where heterogeneous autonomies are created that do not reproduce the power of mestizos at the national level, thus making it more difficult for historically excluded Afro-descendant and indigenous groups to truly exercise self-government. In any case, the demand for autonomy seems likely to grow more salient as indigenous and Afro-descendant movements throughout the region gain in strength and visibility, which would in turn mean that Latin American states would be forced to increasingly incorporate autonomy into their models of multiculturalism. It is for this reason that it is so crucial to understand what the consequences of different institutional designs and models of autonomy really are and to learn from countries such as Nicaragua, which has one of the most long-standing experiences with autonomy in the region.

ENDNOTES

¹ On the features of Latin American models of multiculturalism, see Donna Lee Van Cott, “Latin America: Constitutional Reform and Ethnic Right,” *Parliamentary Affairs* 53, no. 1 (2000).

² This is a relative assessment, as it does appear as if autonomy has been more central to multiculturalism elsewhere, as in Europe (Spain) or North America (Canada).

³ The creation of autonomy regimes is highly contested because it entails the loss of certain policy-making powers by national and local (non-indigenous) elites. Many countries in Latin America have pursued decentralization initiatives that devolve administrative and political power to the local level, and in some cases decentralization has resulted in greater indigenous political participation. Autonomy and decentralization are not interchangeable, however. See Ruth Lapidot, *Autonomy: Flexible Solutions to Ethnic Conflicts* (Washington, DC: United States Institute of Peace Press, 1996).

⁴ For a survey of autonomy across Latin America, see Leo Gabriel and Gilberto Lopez y Rivas, eds., *Autonomías Indígenas en América Latina: Nuevas Formas de Convivencia Política* (México: Plaza y Valdés, 2005).

⁵ Nicaragua is hardly anomalous in this regard. During the twentieth century, elites in various Latin American countries concerned with resisting US imperialism and its justification on the basis of scientific racism formulated new national ideologies, in many cases of *mestizaje*. National ideologies of *mestizaje* advocated the fusion of different ‘races’ because it produced a new and superior racial type, the mestizo. They thus challenged European and North American scientific theories that unequivocally advocated the superiority of Anglo-Saxon peoples, and inverted the view that racial mixing led to degeneration. At the same time, however, national ideologies that advocated *mestizaje* as a form of “whitening” left intact the basic racist evaluations of non-whites as inferior. Most significantly, these myths of *mestizaje* or ‘racial democracy’ also obscured or actively denied the existence of racism. They not only portrayed countries in the region as racially mixed to such a degree that it was impossible to distinguish between different racial and cultural groups, they also encouraged identification with an overarching national identity rather than specific racial or cultural group identities. See Richard Graham et al., *The Idea of Race in Latin America, 1870–1940* (Austin, TX: University of Texas Press, 1990), Thomas Skidmore, *Black into White: Race and Nationality in Brazilian Thought*, 2nd ed. (Durham, NC: Duke University Press, 1993), Winthrop Wright, *Café Con Leche: Race, Class, and National Image in Venezuela* (Austin, TX: University of Texas Press, 1990).

⁶ The conflict stemmed from the Sandinista government's initial hostility to demands for self-government by Afro-descendant and indigenous *costeños*, who had generally not participated in the revolutionary armed struggle. Afro-descendant and indigenous *costeños* initially welcomed the triumph of the FSLN because they believed it would allow them to realize their demands for self-government, but these goals were not easily reconciled with the FSLN's brand of mestizo nationalism. As a result, the initial support of Afro-descendant and indigenous *costeños* for the revolution turned into active resistance by 1981. By 1984 the Atlantic Coast was a war zone and the FSLN's international image had been damaged by accusations that it had committed human rights violations against indigenous groups. For detailed accounts of the conflict between Afro-descendant and indigenous *costeños* and the FSLN in the 1980s, see Edmund T. Gordon, *Disparate Diasporas: Identity and Politics in an African Nicaraguan Community*, 1st ed. (Austin, TX: University of Texas Press, 1998), Charles R. Hale, *Resistance and Contradiction: Miskitu Indians and the Nicaraguan State, 1894–1987* (Stanford, CA: Stanford University Press, 1994).

⁷ Asamblea Nacional de Nicaragua, *Constitución Política de Nicaragua* (Managua, Nicaragua: Editorial el Amanecer, 1987).

⁸ The Mayangna people were commonly known as Sumu or Sumo (a Miskitu word with a demeaning meaning) in Nicaragua; they have reclaimed the use of their ancestral name.

⁹ MISURASATA-ASLA, Comunicado de Prensa, 12 de Septiembre de 1985, San José, Costa Rica, documento no. 00331, archivos de CIDCA (Centro de Investigación y Documentación de la Costa Atlántica) en Bluefields, Nicaragua.

¹⁰ Asamblea Nacional de Nicaragua, *Estatuto de Autonomía de las Regiones de la Costa Atlántica de Nicaragua* (Managua, Nicaragua: Editorial Jurídica, 1987).

¹¹ The inclusion of mestizos in multicultural legal categories for the Atlantic Coast is one that I discuss at length later in the paper. It is important to note that this issue is complicated by a number of factors, including the distinction that needs to be made between long-standing mestizo residents of the region (this group now tends to be identified as mestizos *costeños*), many of whom were involved in the struggle for and continue to support autonomy, and newer mestizo migrants who identify with an overarching national identity and tend not to do so. There is also the problem that mestizos have not only *not* suffered the same historical disadvantages as the Atlantic Coast's indigenous and Afro-descendant inhabitants, but they are also the dominant group at the national level.

¹² Reliable data on the actual size of the different ethno-racial groups on the Atlantic Coast is currently lacking, as it will not be until after the results of the 2005 national census are published

that exact figures will become available. During most of the twentieth century census data in Nicaragua was not broken down by race/ethnicity, and in any case the Ministry of Statistics had been relying on demographic projections based on the last comprehensive census carried out on the Atlantic Coast in the 1970s in order to generate the population data it was reporting for the region. The total population of the Atlantic Coast is estimated to be between 600,000+ to 700,000+ inhabitants. See PNUD, *Informe de Desarrollo Humano 2005. Las Regiones Autónomas de la Costa Caribe: Nicaragua Asume su Diversidad?* (Managua, Nicaragua: Programa de Naciones Unidas para el Desarrollo, 2005).

¹³ Pierre Frühling, Miguel González, and Hans Petter Bulloven, *Etnicidad y Nación: El Desarrollo de la Autonomía de la Costa Atlántica de Nicaragua (1987–2007)* (Guatemala, Guatemala: F y G Editores, 2007). This is the most comprehensive study of the functioning of autonomy in Nicaragua to date.

¹⁴ Nicaragua, *Estatuto de Autonomía de las Regiones de la Costa Atlántica de Nicaragua*.

¹⁵ Only persons born on the Atlantic Coast or children of persons born in the region who have resided in the region for at least one year immediately before the elections in question can be elected to the regional councils. Nicaraguans from other regions of the country can be elected to the regional councils if they have resided in an autonomous region for at least five consecutive years immediately before the relevant regional election. The requirements for voting in regional elections are somewhat looser: a person born on the Atlantic Coast, or the descendant of one, is eligible to vote if he or she has resided in one of the autonomous regions during the three months before the regional election in question. In order to be eligible to vote in a regional election, Nicaraguans from other regions of the country must have resided in an autonomous region for a minimum of one year immediately before the relevant election.

¹⁶ A number of features of this system of group representation for Afro-descendant and indigenous *costeños* have worked to further dilute its effectiveness: the self-identification requirement in the electoral law, and the continued role of national political parties in regional politics. The first issue is an unintended consequence of the Autonomy Law's guarantee that *costeños* have the right to define and choose their own ethno-racial group identity. As a result, political candidates must declare their ethno-racial group identity before each regional election in order to meet the requirements of the electoral law in all of the ethnically designated districts. A frequent complaint of Afro-descendant and indigenous *costeños*, however, is that national political parties routinely exploit this provision by having candidates adopt ethno-racial group identifications at will in order to maximize their chances of being elected or in order to present

the appearance of having complied with the requirements of the law that they field candidates who are representative of the region's various ethno-racial groups in the designated districts. Another important factor has been the continued role of national parties in regional politics. While *costeños* are allowed to form regional parties under the law, the reality is that the barriers to doing so are so steep that in practice, national political parties continue to dominate regional politics, although it must be noted that the ethnically designated districts have at least forced national political parties to put forward a slightly more diverse slate of candidates (but subject to the problems noted above).

¹⁷ See Frühling, González, and Bulloven, *Etnicidad y Nación: El Desarrollo de la Autonomía de la Costa Atlántica de Nicaragua (1987–2007)*.

¹⁸ The IACHR based its ruling that the Nicaraguan state had violated the right to private property of Awas Tingni on the grounds of the special relationship that indigenous peoples have to land. The court stated: “The close ties of indigenous peoples with the land must be recognized and understood as the fundamental basis of their cultures, their spiritual life, their integrity, and their economic survival. For indigenous communities, relations to the land are not merely a matter of possession and production but a material and spiritual element which they must fully enjoy, even to preserve their cultural legacy and transmit it to future generations.” Inter-American Court of Human Rights, ‘The Case of the Mayangna (Sumo) Community of Awas Tingni v. Nicaragua,’ Judgment of August 31, 2001, p. 75.

¹⁹ Asamblea Nacional de Nicaragua, *Ley del Régimen de Propiedad Comunal de los Pueblos Indígenas y Comunidades Étnicas de las Regiones Autónomas de la Costa Atlántica de Nicaragua y de los Ríos Bocay, Coco, Indio y Maíz* (Managua, Nicaragua: Editorial Jurídica, 2003), Capítulo I, Artículo 3.

²⁰ Many communities are pursuing claims in blocs or territories, some containing a mix of Afro-descendant and indigenous communities, others only single Afro-descendant or indigenous communities, and others groups of Afro-descendant or indigenous communities.

²¹ Jennifer Goett, “Diasporic Identities, Autochthonous Rights: Race, Gender, and the Cultural Politics of Creole Land Rights in Nicaragua” (Ph.D. diss., University of Texas at Austin, 2007), p. 291.

²² YATAMA did enter into a successful electoral alliance in 2006 with Coast Power (the Coast People Political Movement, which was founded in 2005 by prominent Creole political leaders) for the RAAS regional elections. That year 40% of YATAMA/Coast Power candidates to the RAAS Regional Council were Creole, the largest percentage ever put forward by a regional or

national political party. As a result, YATAMA/Coast Power either won or came in second in the three districts in the RAAS with significant Creole presence, including the designated Creole district (the district where the first candidate on all party lists must be Creole).

²³ As I have argued elsewhere, Latin American models of multiculturalism have tended to privilege conceptions of the basis for collective rights, especially to land, that place indigenous people in a better position to claim such rights than Afro-descendants. See Juliet Hooker, “Indigenous Inclusion/Black Exclusion: Race, Ethnicity and Multicultural Citizenship in Latin America,” *Journal of Latin American Studies* 37, no. 2 (2005). In Nicaragua, this dynamic has led communities with mixed ancestry engaged in struggles for communal lands to the privileging of indigenous rather than Afro-descendant identifications. See Charles R. Hale, Galio C. Gurdian, and Edmund T. Gordon, “Rights, Resources and the Social Memory of Struggle: Reflections on a Study of Indigenous and Black Community Land Rights on Nicaragua’s Atlantic Coast,” *Human Organization* 62, no. 4 (2003).

²⁴ According to Edmund T. Gordon, there are multiple strands of what he calls “Creole common sense” that Creoles have used at different times to describe their collective identity, including: an incipient Mosquitian nationalism associated with the Mosquito Kingdom and the Reserve which resulted in a rejection of the Nicaraguan state in the period immediately following the annexation of the region to Nicaragua in 1894, a black racial group identity conceived as linked to trans-national African Diaspora communities elsewhere in the Americas, as well as an “ethnic” identity defined in terms of its cultural difference from Indo-Hispanic Nicaragua as a result of its links to Anglo-Saxon cultures and societies. See Gordon, *Disparate Diasporas*, p. 51–85.

²⁵ Nicaragua, *Ley del Régimen de Propiedad Comunal*, artículo 46.

²⁶ For a detailed ethnographic account of this process, see Goett, “Diasporic Identities.”

²⁷ See Ary Pantoja, “Feudos for Decreto,” *El Nuevo Diario*, June 10, 2008.

<<http://www.elnuevodiario.com.ni/nacionales/18117>>. Last accessed July 18, 2008.

²⁸ For a more detailed account of how political solidarity and cultural survival are conceived in theories of multiculturalism, and of how Latin American experiences with minority group rights meet or defy such expectations, see Juliet Hooker, *Race and the Politics of Solidarity* (New York: Oxford University Press, 2009).

²⁹ Charles Taylor, *Multiculturalism: Examining the Politics of Recognition*, ed. Amy Gutmann (Princeton, NJ: Princeton University Press, 1994). See also Will Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford, UK: Oxford University Press, 1995).

³⁰ Iris Marion Young, *Inclusion and Democracy* (Oxford, UK: Oxford University Press, 2000).

³¹ See Susan Moller Okin et al., *Is Multiculturalism Bad for Women?* (Princeton, NJ: Princeton University Press, 1999).

³² PNUD, *Informe de Desarrollo Humano 2005: Las Regiones Autónomas de la Costa Caribe*, p. 245.

³³ In the Afro-descendant Creole community of Monkey Point in the RAAS, for example, the main leaders are women, and as the community is making a joint territorial claim with the Rama (known as the “Rama-Creole Territory”), they have been elected to be the presidents of both the communal and territorial boards.

³⁴ Socorro Woods and Courtney D. Morris, “‘Land is Power’: Examining Race, Gender and the Struggle for Land Rights on the Caribbean Coast of Nicaragua,” Project of the Caribbean and Central American Research Council, sponsored by the Ford Foundation Office for Mexico and Central America, June 2007.

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