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Statebuilding and indigenous rights implementation: Political incentives, social movement pressure, and autonomy policy in Central America

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ABSTRACT

What explains when states strengthen, maintain, or erode political-territorial Indigenous autonomy regimes? Indigenous activists around the world have fought for the right to govern their own lands and communities and have sometimes won major legal concessions from national governments. Yet initial breakthroughs often give way to lackluster state implementation or even erosion of Indigenous autonomy rights. We examine how statebuilding incentives structure governments’ implementation of autonomy, drawing on cases in Central America. Under some circumstances government officials may perceive Indigenous autonomy regimes as the best option to promote state influence over otherwise difficult-to-reach territories and populations. Autonomy regimes may improve governability, for example, in regions where criminal organizations or other armed actors operate. Autonomy regimes may also lead Indigenous peoples to increasingly identify themselves with the national state. Finally, autonomy regimes may further integrate Indigenous communities into markets by creating property relations and consultation mechanisms that defuse Indigenous opposition to extractive projects. When these statebuilding incentives to advance governability, identification, and extraction are absent, however, government officials are more likely to erode autonomy regimes. Through comparisons of the trajectories of Indigenous autonomy regimes in Honduras, Panama, and Nicaragua, we show how these statebuilding concerns shaped state policies towards Indigenous autonomy across governments’ ideologies and regime types. Our findings highlight the importance of examining social movements’ practical consequences, and how aligning movement demands with statebuilding interests may shape whether gains can be defended and sustained, an especially pressing concern for Indigenous movements facing extractive projects, land invasions, and climate change.

1. Introduction

Indigenous and Afro-descendant residents of Nicaragua’s Caribbean Coast have fought for autonomy rights since the 1980s. Their struggles yielded a landmark 1987 Autonomy Law granting communal land rights, and support for greater regional and municipal autonomy in the new 1987 constitution. This laid the groundwork for Indigenous autonomy regimes: political-legal arrangements recognizing Indigenous claims to territorial control and self-government (e.g. Díaz-Polanco, 1997; Van Cott, 2001, 2010, 388). In 2001, the Nicaraguan Mayangna community of Awas Tingni won an Inter-American Court for Human Rights (IACHR) case, gaining land rights in areas they had traditionally occupied and used. Demarcation and titling of Indigenous and Afro-descendant community lands accelerated in a burst after President Daniel Ortega’s 2006 election, with Nicaragua’s titled Indigenous territories becoming the most extensive in Central America (CEPAL/FILAC 2020; Rights and Resources, 2015). A decade later, however, the same Ortega government that had titled communal lands sparked protests with its plans to build an interoceanic canal without consulting affected Indigenous and Afro-descendant

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where the state does not see incentives to extend its reach in these areas, (Batz, 2020; Hale, 2002; Sieder, 2002a; Sieder, 2002b). Progress in Indigenous rights since, despite activists' communities during the country's civil war and has made limited progress in Indigenous rights since, despite activists' sustained efforts (Satz, 2020; Hale, 2002; Sieder, 2002a; Sieder, 2002b). 

This mixed picture resembles broader trends across the Americas. While many countries have legally adopted some form of Indigenous autonomy, it has not always been put into practice in meaningful ways benefiting Indigenous communities. For legal autonomy to be meaningful in practice, states must implement policies ensuring and protecting Indigenous communities’ rights to manage their internal affairs and natural resources in the territories they have historically inhabited and used. These issues lie at the core of most Indigenous movements’ demands for autonomy and are key to protecting their distinct cultures and identities (Chirif & García-Hierro, 2007; González, 2015; Northcott, 2012).

Table 1 compares de jure autonomy regimes with changes in their de facto implementation from 2010 to 2020 in the Americas. Political autonomy refers to rights to self-government, while economic autonomy refers to rights to manage resources in Indigenous territories. Implementation of autonomy entails the state respecting and enforcing the protection of delineated rights, and advancing procedures like communal land titling and ensuring free, prior, and informed consent for economic development in Indigenous territories. Some countries’ Indigenous autonomy regimes have expanded, with increases in rights recognition, territorial demarcation and titling, and respect for Indigenous self-government and resource control. Some have changed little, maintaining the status quo after initial recognition of autonomy. And in other cases, Indigenous autonomy has been eroded, with states failing to respect or protect previously-recognized autonomy rights.

What explains when Indigenous groups have achieved and sustained major policy gains and when practical implementation of such gains has been blocked or eroded? We theorize that states may accept and implement Indigenous autonomy when they see potential to improve state control over difficult-to-govern territories, peoples, and resources. Where the state does not see incentives to extend its reach in these areas, it may ignore and violate Indigenous rights or try to erode previous gains. Democracies may be more likely to respect Indigenous rights overall, but both authoritarian and democratic governments consider similar statebuilding incentives when electing to expand, maintain, or erode Indigenous autonomy regimes.

Table 1

<table>
<thead>
<tr>
<th>Country</th>
<th>Type of de jure autonomy rights (2020)</th>
<th>Trajectory of de facto implementation (2010–2020)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>Economic</td>
<td>Expansion</td>
</tr>
<tr>
<td>Bolivia</td>
<td>Political and economic&lt;sup&gt;i&lt;/sup&gt;</td>
<td>Expansion</td>
</tr>
<tr>
<td>Brazil</td>
<td>Economic</td>
<td>Erosion</td>
</tr>
<tr>
<td>Canada</td>
<td>Political</td>
<td>Expansion</td>
</tr>
<tr>
<td>Chile</td>
<td>Economic (very limited)</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Colombia</td>
<td>Political and economic</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>Political</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Ecuador</td>
<td>Political and economic&lt;sup&gt;iv&lt;/sup&gt;</td>
<td>Expansion</td>
</tr>
<tr>
<td>El Salvador</td>
<td>None</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Guatemala</td>
<td>Economic</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Honduras</td>
<td>Economic</td>
<td>Expansion</td>
</tr>
<tr>
<td>Mexico</td>
<td>Political and economic</td>
<td>Expansion</td>
</tr>
<tr>
<td>Nicaragua</td>
<td>Political and economic</td>
<td>Erosion</td>
</tr>
<tr>
<td>Panama</td>
<td>Political</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Paraguay</td>
<td>Economic</td>
<td>Expansion</td>
</tr>
<tr>
<td>Peru</td>
<td>Economic</td>
<td>Maintenance</td>
</tr>
<tr>
<td>United States</td>
<td>Political</td>
<td>Maintenance</td>
</tr>
<tr>
<td>Venezuela</td>
<td>Political</td>
<td>Erosion</td>
</tr>
</tbody>
</table>

1 See (Ales, 2018; Gonzalez, 2015; International Work Group for Indigenous Affairs, 2021; Merino, 2020).
2 From Carter (2020), with additions and modifications.
3 Bolivia’s constitution and laws contain loopholes allowing the state to overrides Indigenous disapproval of mining and hydrocarbon projects (Radhuber & Radcliffe, 2023).
4 Like in Bolivia, Ecuador’s laws and political practices provide the state with the final say over subsoil mineral and hydrocarbon resources, imposing limits on meaningful Indigenous territorial and economic autonomy (Radhuber & Radcliffe, 2023).

Our theory holds implications not only for Indigenous autonomy movements, but also for other social movements seeking to maintain or expand hard-fought past gains, as discussed throughout this special issue. This is especially important at a time when the expanded political participation and rights achieved by diverse movements in Latin America and worldwide have faced a reactionary backlash (Hooker, 2020; Mayka & Smith, 2021; Payne, Zulver, & Escoffier, 2023; Rich, Mayka, & Montero, 2019). The Bolsonaro administration in Brazil attacked Indigenous rights after gains in previous decades, prompting Indigenous protests in Brasilia “in numbers not seen since the constituent assembly of 1987–1988” (Latin News, 2021) when Brazil was democratizing. Women’s reproductive rights and bodily autonomy have been rolled back in countries including El Salvador, Nicaragua, Poland, and the United States (UN, 2020), alongside efforts to reverse sexual orientation and gender identity rights gains around the world (Adam, 2019; Correa, Paternotte, & Kubar, 2018). Latin America’s Afro-descendant populations are facing reactionary governments and movements attempting to ‘unmake’ Black rights (Cleland, 2022; Paschel, 2016). Environmental movements have made gains in recent decades amid global climate change, but state commitments to environmental protection and sustainability have frequently gone unimplemented (Howes et al., 2017). Understanding state actors’ incentives can help social movement organizations develop strategies to achieve not only immediate policy gains, but lasting change.

We first introduce our theory of how statebuilding incentives affect whether governments expand, maintain, or erode Indigenous autonomy. We then turn to the broader context of Indigenous autonomy movements in Latin America and beyond, and the particular development of Indigenous autonomy in Honduras, Panama, and Nicaragua. These three Central American countries offer an appropriate context for building theories of state policy towards Indigenous rights. Like many Latin American countries, they have relatively small, but significant Indigenous populations (approximately 10% of the total population) and their governing regimes and ideologies have varied over time—yet Indigenous communities. Since the 2010s, cattle, timber, and mining interests and migrant farmers have violently seized Indigenous and Afro-descendant communities’ lands. Awas Tingni community members had celebrated their international legal victory, but as one civil society leader lamented in 2016, “Little did they understand then that winning without implementation was not winning at all” (Koper, 2022, 613). In 2021, Global Witness (2021) named Nicaragua the world’s deadliest country per capita for land defenders shortly after migrants massacred at least 13 Mayangna and Miskitu community members (Expediente Público, 2021a). The promise of autonomy had disappeared in practice.

Indigenous autonomy regimes elsewhere in Central America followed different trajectories. In Panama, a military government sought to politically incorporate Indigenous peoples in the 1970s, but democratic governments have been reluctant to further expand Indigenous autonomy (Velásquez Runk, 2012; 20). Honduran Miskitu communities made surprising advancements in autonomy under right-wing governments in the 2010s (Altamirano Rayo, 2021). Guatemala, with the region’s largest Indigenous population, committed mass violence against Indigenous communities during the country’s civil war and has made limited progress in Indigenous rights since, despite activists’ sustained efforts (Satz, 2020; Hale, 2002; Sieder, 2002a; Sieder, 2002b).

3 Though in the absence of state action, some Guatemalan Indigenous communities are working to forge local-level autonomy from the ground up (Grandia, 2020).
4 We wish to acknowledge that we are not Indigenous scholars, and we do not claim to speak for Indigenous communities in Central America and beyond. Here we analyze state incentives and how state leaders and institutions view and act towards Indigenous populations.
rights expansion and implementation have taken different paths.\(^5\)

We build our theory through comparative case studies of these three countries, examining how statebuilding incentives and domestic and international pressures shaped the adoption and implementation of Indigenous autonomy laws and commitments. The discussion and conclusion assess our theory’s applicability beyond Central America and implications for Indigenous and other social movements globally.

2. Statebuilding and Indigenous autonomy

Past research on Indigenous autonomy regimes has highlighted how activism by local and transnational Indigenous social movements compelled reluctant states to concede autonomy rights—at least on paper (Brysk, 2000; Jackson & Warren, 2005; Lightfoot, 2016; Martí & Puig, Salvador, 2010; Van Cott, 2010). These gains include recognition as distinct peoples, communal land titling, local governance, and rights to manage and exploit natural resources in Indigenous territories. Because Indigenous autonomy regimes constrain central state sovereignty and often clash with economic goals based on state-led development or neoliberal extractivism (Yashar, 1999, 89–97; Radhuber & Radcliffe, 2023), scholars have sometimes assumed national governments only grant these concessions under pressure (Cleary, 2000; Van Cott, 2010; Yashar, 2005).\(^6\) By this logic, bottom-up opportunities created by Indigenous movements’ activism and top-down pressure from international allies combine to explain when Indigenous autonomy regimes have been created and expanded (Keck & Sikkink, 1998; Van Cott, 2001; Yashar, 2005).

We see two issues with this perspective, however. First, while states may agree to recognize Indigenous autonomy claims during moments of domestic and international pressure, the actual implementation of autonomy regimes typically must take place after international pressures have weakened due to political and media attention shifting towards new issues.\(^7\) When and why do states continue upholding commitments made to social movements after international pressure has waned? Second, in many countries, national governments have promoted Indigenous autonomy regimes, sometimes even more vigorously than Indigenous movements themselves (Rueda-Saiz, 2017). Why would states, normally jealously protective of their sovereignty, maintain and even promote policies that limit it?

More recent studies in Latin America and beyond help answer these questions, showing that the division of sovereignty between national governments and local Indigenous governance is not necessarily zero-sum (Altamirano Rayo, 2021; Boone, 2014; McMurry, 2022; Rueda-Saiz, 2017; Carter, 2021). Some states devolve authority “as a strategic choice made by a constrained sovereign until its power has been fully consolidated” (Muchlinski, 2021, 1386). This is because, under certain conditions, Indigenous autonomy regimes can bolster state authority and economic development in territories where national governments had little influence.\(^8\) Therefore, governments tend to maintain and even expand upon autonomy concessions when they align with longer-term statebuilding goals. Absent those incentives, an ‘implementation gap’ persists between commitments to Indigenous rights and autonomy and their actual manifestation in practice (Bauer, 2021; Stocks, 2005; UN Commission on Human Rights, 2006). Indigenous activists then must rely on continued mobilization and sporadic political opportunities to maintain and prevent the erosion of Indigenous autonomy regimes, or to try to shift statebuilding incentives in their favor.\(^9\)

Specifically, we argue that states may turn to Indigenous autonomy regimes when seeking to strengthen state authority and reach by promoting governability, identification, and extraction in areas with limited state presence.\(^10\) Governability refers to the state’s ability to extend some control over and render manageable previously ungoverned or little-governed territories. Identification refers to Indigenous peoples’ self-identification as belonging to a national community overseen by a central government, alongside longstanding local and ethnic identities. Finally, by extraction we mean the state’s ability to generate revenues from the exploitation of natural, mineral, and agricultural resources in Indigenous lands, and by increasing Indigenous communities’ integration into the formal, taxable economy.

While states may sometimes accept trade-offs among these three priorities, we do not generally view them as competing or mutually exclusive aims. Policies promoting governability, i.e. extension of state institutions and infrastructure into areas with limited prior state presence, may also facilitate natural resource extraction and potentially increase local identification with the national state. Greater Indigenous identification with the nation-state and integration with state institutions may help channel Indigenous grievances, preventing contentious threats to governability, and can draw Indigenous communities into markets, enabling resource extraction or taxation. Governability, however, is states’ highest-order priority, since extracting resources or incorporating populations depends on an ability to control territory and influence people, while states’ next priority may be either identification or extraction depending on the political-economic context.

Where Indigenous movements have made demands for rights recognitions and territorial protections, states may adopt Indigenous autonomy policies if they see autonomy as potentially helping address state aims for governability, identification, or extraction. Once an Indigenous autonomy regime has been established, however, we expect that these same incentives will shape whether or not the state imple-
regardless of the specific composition of the ruling coalition. Because Central American governing elites have historically come from different groupings of rent-seeking White and mestizo economic elites (Rovira Kaltwasser, 2017, 261), we characterize their statebuilding incentives as structured and relatively stable over time.11

Structural factors are important in shaping opportunities and incentives for statebuilding, yet for policy implementation, agency can also matter (Yashar 2005, 218–20), and we therefore analyze how different governments’ political will and leaders’ aims shape whether Indigenous rights are expanded or not. When facing similar statebuilding incentives, two governments might respond differently based on their ideologies. Some politicians may be ideologically primed to more quickly consider Indigenous autonomy as an option for statebuilding, while others might turn first to less inclusive top-down statebuilding options.12 Yet, as we detail below, even left-wing politicians who promise to respect Indigenous autonomy while campaigning may, for instance, ignore it in favor of extractive development once in office, seeing other statebuilding paths as easier.

In the following sections, we describe how Indigenous autonomy regimes can further state goals of governability, identification, and extraction under certain conditions. We then assess these conditions’ presence or absence in the Honduran, Panamanian, and Nicaraguan cases.

2.1. Governability

Statebuilders generally seek to promote governability, variously defined as “the overall capacity for governance of any societal entity or system” (Kooiman, 2009, 73), the maintenance of “stability, order, and legitimacy” (Coppedge, 2001, 7), or “the degree to which relations among [social, political, and party] actors observe arrangements that are stable and mutually acceptable” (Coppedge, 1994, 40). Indigenous activists have won autonomy rights during moments when states face severe governability crises (Van Cott, 2001), or when Indigenous militancy itself threatens governability, as in Oaxaca, Mexico (Munoz, 2004) or Nicaragua (González, 2015). It is less clear, though, why states would abide by autonomy concessions made during crises after crisis conditions abate, or why states would proactively expand Indigenous autonomy regimes even without pressure by Indigenous activists. Governments might instead be expected to renege on autonomy concessions because of the policymaking constraints they impose. For example, regional autonomy regimes are sometimes described as curtailing state power in Europe and North America (Keating, 1992), while Bolivia’s officially plurinational state heavily circumscribed Indigenous autonomy when it conflicted with economic development goals (Tochman & Cameron, 2014).

In some cases, though, state leaders not only respect autonomy concessions, they expand them. Recent scholarship explains this through Indigenous autonomy regimes’ ability to improve governability in areas states have historically had difficulty governing (Altamirano Rayo, 2021; Mattiace & Alberti, 2023). In Mexico, where subnational-level officials encouraged or tolerated Indigenous autonomy institutions, communities more successfully resisted criminal organization influence, a task at which the central government struggled (Ley, Mattiace, & Trejo, 2019). Rueda-Saiz (2017) shows how Colombia’s government dramatically promoted Indigenous autonomy regimes in the 1980s to foster governance in over 30% of the national territory where the state had no presence.13 The state conceded vast tracts of land to Indigenous territories with little or no Indigenous population and which Indigenous activists had not claimed. One Colombian official explained the government’s reasoning:

“In those far-away regions where there is no presence of the government, subversive groups begin to replace it. However, if Indigenous groups in those areas started organizing themselves and creating formal organizations in the most isolated parts of the country, even FARCs (Fuerzas Armadas Revolucionarias de Colombia, or Revolutionary Armed Forces of Colombia) and the others would have to recognize that” (Rueda-Saiz, 2017, 286).

We therefore expect that states will expand Indigenous autonomy regimes primarily where they face security threats and lack alternatives to assert direct control over territory, including, but not limited to, moments and areas of Indigenous movement mobilization and militancy.14 Under these conditions, central governments will create Indigenous autonomy regimes when and where territory is contested and will otherwise stay vulnerable.

2.2. Identification

European statebuilders frequently sought to suppress local identities, homogenizing their populations around national identities (Anderson, 1983; Gellner, 1983). Similarly, Latin American governments historically promoted mestizo national identities (of mixed European-Indigenous descent, but primarily adopting European culture), while portraying Indigenous communities as atavistic holdouts destined to assimilate (Gould, 1998; Stavenhagen, 2002). Or states acknowledged Indigenous culture as part of national heritage, but still sought to draw Indigenous communities towards a mestizo-dominated national identity through education, military service, and other institutions (see e.g. Radcliffe & Westwood, 1996; Urban & Sherzer, 1991; de la Peña, 2005).

Yet following neoliberal reforms, transnational pressure, and domestic mobilizations from the 1970s-1990s, many Latin American elites came to embrace cultural difference, finding that “cultural rights, when carefully delimited, not only pose little challenge to the forward march of the neoliberal project but also induce the bearers of these rights to join in the march” (Hale, 2005, 13; see also de la Peña, 2005). By recasting the state as defender of cultural difference, some governments attempted to depoliticize Indigenous identities, demobilize Indigenous movements, and bolster state legitimacy.

These so-called neoliberal multicultural policies appear successful at advancing state interests. Formalized autonomy regimes in Mexico pushed some Indigenous communities to change traditional gendered practices to align with a “homogenizing liberal state” (Cleary, 2020, 46). Similarly, Carter (2021) shows how traditional reciprocity institutions gradually eroded in many Peruvian Indigenous communities that were granted communal land titles, making them less likely to cooperate amongst themselves in gaining collective political representation. Diminished Indigenous cohesion and increased identification with the nation could thus lead people to turn to non-Indigenous parties and state

11 Even revolutionary upheavals, as in Nicaragua’s 1979 Sandinista Revolution, have not altered this dynamic for long.

12 For states, Indigenous autonomy offers potential to build infrastructural power, working with and through society, versus relying on despotic power, the imposition of state will by threat and force (see Mann, 1986).

13 See also Asher and Ojeda (2009) on the governability concerns behind the Colombian state’s promotion and implementation of autonomy, and Jaramillo (2014) on how new institutions have not always empowered Indigenous and Afro-descendant communities as they had hoped.

14 In cases of robust Indigenous militant movements threatening governability, states should prefer to grant autonomy while they retain greater control over the process, versus allowing the development of de facto autonomous zones carved out by rebels, as has occurred in Myanmar (e.g. Hong, 2017).
institutions to address their needs, as has occurred in Peru (Carter, 2021; Gillooly, 2020).15

We therefore expect that governments will seek to expand Indigenous autonomy regimes in regions where identification with the nation-state is weak. Once they have anchored Indigenous communities to the nation, governments lack incentives to change the status quo.

2.3. Extraction

Indigenous activists have often argued autonomy regimes are among the most powerful tools for communities seeking to protect their lands from state or market extractivism (Stahler-Sholk, 2007). In theory, under the United Nations Declaration on the Rights of Indigenous Peoples, governments and corporations alike must gain the “free, prior, and informed consent” of Indigenous stakeholders before initiating projects in territory demarcated as belonging to an autonomy regime (Costanza, 2015; Wright & Tomaselli, 2019). Autonomy can sometimes offer protection from smaller scale actors by opening political space for communities to develop self-defense organizations, but land invaders and illicit actors are kept out most sustainably when state recognition of autonomy leads to state resources and enforcement capacity being devoted to protecting Indigenous territories’ integrity (e.g. Bari, 2004; Hernández Navarro, 2020). Communal land titling and the eviction of unauthorized non-Indigenous settlers16 can prevent occupation and exploitation of Indigenous territories and natural resources by outside actors.

In practice, however, national governments often seek to limit autonomy regimes’ reach when they interfere with state economic development goals of extracting natural resource rents or higher tax revenues. For example, governments may manipulate or ignore internationally-mandated legal processes for local stakeholder consent, or retain state control over subsoil mineral wealth beneath Indigenous land (Radhuber & Radcliffe, 2023; Zaremberg & Torres Wong, 2018).17

Yet autonomy regimes and state development goals need not be at odds. In many cases, Indigenous autonomy regimes can actually further market integration and enable extractivist projects. Indigenous communities’ and territories’ integration into local and regional markets is multifaceted and often long-standing (Anthias, 2017; Anthias & Radcliffe, 2015). However, states may see increased integration with regional and national markets as opening greater opportunities to access Indigenous communities’ land, labor, and natural resources in order to increase economic production and extraction of wealth. Carter (2021, 2192) shows how “[c]ommunal land titles [in Peru] allow indigenous groups to shift their focus from defending their land to improving agricultural productivity and integrating into markets.”18 Even for small farmers, integration into markets usually privileges extractive, industrialized modes of agriculture and commodification of both agricultural inputs and outputs (McKay, Alonso-Tradejas, & Ezquerro-Cañete, 2021).

Government-led or privatized natural resource extraction projects can also still advance when autonomy is expanded or implemented. Indonesia’s regional autonomy regimes encouraged district-level governments to aggressively pursue revenue-generating natural resource extraction (Duncan, 2007).19 In Bolivia, Mexico, and Peru, Torres Wong (2018, 246) found that “prior consultation procedures...do not deter the advancement of extractive industries [but instead] generally result in indigenous acceptance of extractive projects.” In this way, prior consent processes allow development projects to move forward while defusing social mobilization from below and potentially deflecting international opposition by “rights-washing” projects (Thorpe, 2020). We therefore expect governments to erode Indigenous autonomy regimes where communal land rights conflict with state-led economic development goals, and to maintain autonomy regimes otherwise.20

Table 2 illustrates our theoretical expectations. Since state officials prioritize governability over other interests, they are likely to expand Indigenous autonomy regimes when facing a severe governability crisis. Absent a governability crisis, governments will typically favor maintaining existing arrangements where they promote Indigenous identification with the nation-state, and eroding them where they inhibit resource extraction or market integration. Where governing elites value both identification and economic outcomes, we see more contingency. Though government and industry interest in extraction typically carries more weight, other factors, like sustained Indigenous mobilizations, left-wing political parties in power, or continuing international pressure, can help prevent Indigenous autonomy rights’ erosion. And as discussed above, state officials may sometimes conclude that autonomy regimes enable rather than inhibit economic extraction.

3. Case selection and methods

We take a comparative historical institutionalist approach to studying policy change and effects (Mahoney, 2007; Rueschemeyer, 2003), examining changes over time and key moments in the areas of governability, identification, and extraction in Honduras, Panama, and Nicaragua. We focus on how incentives, pressure, or lack thereof affected policy changes and implementation.21

We selected Honduras, Panama, and Nicaragua as appropriate cases for comparison in Central America since they exhibit marked variation on statebuilding incentives and long-term trajectories of Indigenous autonomy rights, while holding many other factors constant. Indigenous peoples comprise around 10% of the population in each country, small but significant minorities capable of exercising power through institutional means or civil resistance.22 This contrasts with Guatemala, where Indigenous peoples comprise nearly half of the population, and Costa Rica and El Salvador, where Indigenous populations are very small.23

Table 2
Statebuilding Interests and Expected Indigenous Autonomy Regime Outcomes.

<table>
<thead>
<tr>
<th></th>
<th>Primary State Interest</th>
<th>Secondary State Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>None</td>
<td>Identification</td>
</tr>
<tr>
<td>Governability</td>
<td>Expand</td>
<td>Maintain</td>
</tr>
<tr>
<td>Identification</td>
<td>Expand</td>
<td>Maintain/Erode</td>
</tr>
<tr>
<td>Extraction</td>
<td>Erode</td>
<td>x</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

15 See McMurry’s (2022) study of the Philippines for an example outside Latin America of how autonomy increased identification with the state.

16 Known as saneamiento in Central America (Heriby and Tappan, 2019; Sylvander, 2021). Elsewhere, though, saneamiento may have a different meaning, referring in Bolivia to a mapping and titling procedure that “gives priority to all other claimants before indigenous people”, fragmenting Indigenous territories (Stocks, 2005, 95).

17 Bolivia’s self-described “plurinational” and broadly Indigenous government, for instance, ran roughshod over local autonomy regimes whenever they conflicted with the state’s extractivist development framework (Anthias, 2018; Tockman and Cameron, 2014).

18 The Filipino state similarly found autonomy useful for drawing Indigenous communities into markets (Hirz, 2003).

19 This benefitted Indigenous communities in districts where they were the majority, but often led to smaller Indigenous groups’ lands and resources being exploited without full consent (Duncan, 2007).

20 In Uganda, for example, greater Indigenous political inclusion has not forestalled state exploitation of land and resources without free, prior, and informed consent (Mitchell, 2022).

21 Given our research question, we do not employ Indigenous methodologies, which would entail a different focus and approach (see Kovach, 2009).

22 Large multiethnic coalitions have enabled Indigenous peoples in countries like Bolivia and Ecuador to make or break governments (e.g. Jameson, 2011; Postero, 2017; Rice, 2012), increasing their power to force concessions and protect their interests.

23 Belize has a similarly-sized Indigenous population, but its British colonial history and late independence make it a regional outlier.
Table 3

<table>
<thead>
<tr>
<th>Country</th>
<th>De jure</th>
<th>Land (km²)</th>
<th>Titled Land</th>
<th>Autonomy</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honduras</td>
<td>Economic</td>
<td>14,073</td>
<td>12.5</td>
<td>Weak maintenance &amp; erosion in west (since 1990s) ↓ Targeted expansion in east (since 2012)</td>
</tr>
<tr>
<td>Panama</td>
<td>Political</td>
<td>16,881</td>
<td>22.5</td>
<td>Maintenance (since 1980s)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Source</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>CEPAL (2020)</td>
<td></td>
</tr>
</tbody>
</table>


Our cases are also similar to most Latin American countries in having constitutional recognition of Indigenous collective territorial rights, which El Salvador and, until 2022, Costa Rica have lacked (CEPAL/FILAC 2020, 39-40; McPhaul, 2022).

Central America is characterized by relatively weak state institutions with high levels of corruption, political conflict, criminal activity, and strong elite political control (Blume, 2021; Schneider, 2012; Yashar, 2018), and governments are rarely responsive to Indigenous and other social movements. Even the region’s strongest, most stable state, Costa Rica, cannot fully control its periphery (Blume, 2021), while Panama’s recent democratic and economic stability overlay high levels of corruption (Loxton, 2022). Politically, Honduras, Panama, and Nicaragua have each shifted over time between dictatorship and democracy and left- and right-leaning regimes, allowing us to evaluate whether regime-level variables explain Indigenous autonomy policies and implementation in these cases. Table 3 summarizes Indigenous autonomy and land rights in our three cases.

We developed our theory inductively, drawing on our prior fieldwork in Honduras and Nicaragua, combined with qualitative evidence from non-governmental and international organization reports, media reporting, government documents, and secondary literature, and rely on existing case literature and reporting for the Panama case study. We analyzed documents from the United Nations and other international organizations; national and subnational governments in the three countries; and international and local non-governmental organizations like Global Witness and the Centro de Asistencia Legal a Pueblos Indígenas in Nicaragua. We primarily cite published and publicly available sources in our case studies and analysis, with data from fieldwork cited in footnotes.

4. Honduras: targeted expansion of indigenous autonomy

By many measures, Honduras in the mid-2010s was a least likely case for Indigenous rights expansion. After a 2009 military coup overthrew President Manuel Zelaya, who expressed sympathy on Indigenous issues, a series of hardline, corrupt right-wing leaders followed (Sosa & Almeida, 2019). The Honduran government has repressed Indigenous activists in the country’s predominantly mestizo areas, and government-linked figures have assassinated hundreds of Indigenous land defenders since 2009 (Global Witness, 2017). Economic elites covet natural resources in the heavily Indigenous western third of Honduras, known as La Mosquitia (Kerssen, 2013). Yet surprisingly, Honduras has also dramatically expanded its Indigenous autonomy regime in La Mosquitia in recent years, granting Indigenous groups communal titles to vast expanses of land (Altamirano Rayo, 2021).

Unlike in Panama and Nicaragua where Indigenous communities’ autonomy demands are mainly concentrated in discrete regions, Indigenous communities in Honduras demand these rights throughout the national territory. The Honduran state officially recognizes nine Indigenous peoples. Indigenous peoples and other minority ethnic groups represent about 9% of the population and live in every department (Instituto Nacional de Estadística de Honduras, 2013). The three largest groups, the Lenca, Miskitu, and the Afro-Indigenous Garífuna have been mobilizing and demanding autonomy since the 1980s in the west, north, and east (Barré 1989, 25-26), as have less populous groups: the Maya-Chortí, Nahua, Pech, Tolupán, Tawahka, and other African-descendant groups (M. Barahona, 2009). In most of the country, the Honduran government has ignored, restricted, or oppressed Indigenous and Afro-descendant peoples. Although the state has communally titled populated areas inhabited by Indigenous and Afro-descendant communities outside of La Mosquitia since the 1990s, only in La Mosquitia has it titled extensive territories as International Labour Organization Convention 169 (ILO 169) envisions.27

What explains Honduras’ contradictory policy? Governability was the most powerful motivation behind the sudden expansion of Indigenous rights in La Mosquitia. While the Honduran state retains interests in Indigenous identification with the nation and resource extraction inside Indigenous lands, the top priority has been centralizing territorial control through new institutions of indirect rule, with the state using favored Indigenous leaders to govern in La Mosquitia. This has created limited political autonomy alongside the greater economic autonomy provided by land titling. Indigenous autonomy rights have expanded in the east where criminal organizations usurped the Honduran state’s authority, while Indigenous demands have been ignored in central and western Honduras where the state enjoys greater control. We find little evidence that identification or extraction incentives explain state support of expansive Indigenous autonomy in La Mosquitia.

24 Costa Rica has had constitutional protection for Indigenous languages (Art. 76), and in 2015 amended the constitution to characterize the nation as “multiethnic and pluricultural” (Art. 1). The constitution lacks explicit protection for Indigenous lands, but in 2022 the Constitutional Court upheld the constitutionality of the previously little-implemented 1977 Indigenous Law, which obligates the state to return and protect Indigenous lands (Cafí Tray, 2021; McPhaul, 2022).

25 Costa Rica, meanwhile, has been a stably democratic and peaceful outlier in Latin America since its 1948 civil war.

26 Altamirano Rayo has conducted interviews, spatial analyses, and survey research on state interests and titling of Indigenous and Afro-descendant communities’ lands in Honduras and Nicaragua, and in South America. Mosinger and Thaler have each conducted interview, archival, and quantitative research on statebuilding, conflict, and political development in Nicaragua, and researched these topics elsewhere in Latin America and other world regions.

27 According to Article 13.2 of ILO 169, “the concept of territories…covers the total environment of the areas which the [Indigenous] peoples concerned occupy or otherwise use.” In titling Indigenous lands, the Honduran state transferred the land title to Indigenous communities. Whereas the Indigenous communities of La Mosquitia in the east can manage internal affairs and the natural resources within the large territories titled to them, those in western Honduras can only manage internal affairs within the borders of the village or town, lacking the authority to manage the natural resources of the areas surrounding their titled lands.
4.1. Governability

Following the 2009 coup, the Honduran state receded sharply from La Mosquitia, suffering a legitimacy crisis on multiple fronts (Galeana, 2020). State absence allowed La Mosquitia to become a key link for drugs transiting from South to North America. Violent competition between drug trafficking organizations spilled into Honduras’ western, urbanized core, leading to skyrocketing national homicide rates (Yup de León, 2021). In the east, where state authority collapsed completely, criminal organizations seized hundreds of thousands of hectares of land and many Indigenous communities began collaborating with drug trafficking organizations (Altamirano Rayo, 2021; Tellman et al., 2021).

The Honduran state could not enter, let alone manage, the territories and communities drug trafficking organizations controlled.

The right-wing governments of Porfírio Lobo and Juan Orlando Hernández responded by granting communal titles for expansive territories to Indigenous communities in La Mosquitia, comprising approximately 12% of Honduras’ total territory. State-building incentives were foremost among government calculations (Altamirano Rayo, 2021, 57). Significantly, the Honduran leadership referenced the Nicaraguan example (Altamirano Rayo, 2021, 58), where the Indigenous autonomy regime helped extend state presence throughout the 1990s and late-2000s by pacifying Indigenous dissent, and facilitated top-down state management of Nicaragua’s eastern periphery. Indigenous autonomy regimes helped the Honduran state build relationships with particular Miskitu organizations, though these relationships retained a mix of cooperation and contention, rather than promoting greater identification with the state (Galeana, 2020).

In sum, the Honduran case indicates how governability imperatives triggered by serious security threats may lead otherwise unsympathetic governments to expand Indigenous autonomy regimes. Immediate governability goals trumped other potential statebuilding concerns too, particularly economic extraction. If governability improves on the east coast, however, future Honduran governments are unlikely to respect autonomy, absent continued Indigenous mobilization coupled with domestic and international pressures.

4.2. Identification

Identification has not been a high state priority in La Mosquitia, although it was the main motivation behind Indigenous land titling in the 1990s and 2000s, as Honduran governments sought to draw Indigenous communities under state authority (M. Barahona, 2009; Instituto Nacional Agrario, 2014; Rivas, 1993). Honduras practiced a style of titling that fragmented communities’ territory and political power until the early 2010s, increasing state influence in Indigenous affairs, but simultaneously establishing the institutional apparatus for Indigenous people to identify with the Honduran state.

The 1982 Constitution legitimized Indigenous territorial rights and established state obligations to protect Indigenous communities’ rights and interests (Article 346). After the transition from military to civilian rule in the mid-1980s, Indigenous and Afro-descendant grassroots organizations began demanding the recovery and titling of ancestral territories, the right to manage and exploit natural resources in those lands, and greater political inclusion (Herranz, 1996, 252).

During the 1990s, the governments of Rafael Callejas (1990–1994) and Carlos Roberto Reina (1994–1998) began titling communal lands to the Garifuna, while, following massive Lenca marches to the capital in 1994 and 1996, the National Agrarian Institute began titling in the Lenca strongholds of Intibucá, Lempira, and La Paz (Rivas, 1993, 95; M. Barahona 2009, 246–56). The communal land titling model, though, was implemented only in state-recognized ethnic communities. Community members first needed to form a local organization and then obtain state recognition as a native community. The National Agrarian Institute would only then issue a communal land title to the approved organization and, consequently, grant state-authorized leaders the authority to manage internal village affairs (CEPAL/FILAC 2020; Instituto Nacional Agrario, 2014). The state titled as part of the community’s land only directly-inhabited areas, not the total land community members used or otherwise considered part of their ancestral homeland.

Rather than encouraging genuine autonomy, this strategy of titling micro-territories managed by local organizations with state oversight led some Indigenous people to view the government as a benefactor and to increasingly identify themselves as Honduran (i.e., “Lenca catrachos”). Titling “served as a point of entry into the state for rural organizations and social activists” in Indigenous regions, according to anthropologist Fernando Rodriguez, extending state authority (Chayes, 2017, 56).

Without anticipating significant governability challenges, the Honduran state had few additional incentives to expand Indigenous autonomy by titling larger areas. Yet in the early 2010s, faced with ungovernable territory in the east, the government eschewed piecemeal titling programs aimed at incorporating Indigenous communities into the nation-state, and instead titled large blocks of land to state-authorized Territorial Councils in La Mosquitia (Comisión Intersectorial 2009, 40–42; UNHCR 2017, 32–35), granting more extensive authority for self-government and resource management than the previous micro-territorial approach had allowed. This demonstrates how severe governability threats can outweigh states’ incentives to promote identification.

4.3. Extraction

Outside of La Mosquitia, the Honduran state has consistently prioritized extraction, with little regard for Indigenous rights. It has considered Indigenous autonomy anathema to large-scale development projects in the mostly agricultural country. At the 2011 investor conference “Honduras is Open for Business,” the government touted lowlands’ and forests’ “productive potential” and waters being “suitable for aquaculture development,” with little thought to Indigenous and Afro-descendant communities residing in targeted regions (Secretaría de Relaciones Exteriores, 2011). To accelerate economic growth, the state has focused on foreign investment in energy, tourism, agribusiness, and mining, while disregarding Indigenous and environmental rights, such that “investment appears to have outpaced protection of people and the environment” (OHCHR, 2019). These observations increase our confidence that governability concerns, rather than extraction, explain Indigenous autonomy expansion in La Mosquitia.

In the 1990s, the government established consultative assemblies in open townhall meetings to, theoretically, discuss and achieve informed consent for proposed economic projects (Ministerial Decree 134–90). However, municipal governments disregarded the consultative process and held meetings only to publicize projects, with local stakeholders an afterthought (OHCHR, 2019). The government has spread one-sided information after environmental licenses were granted, without seriously considering social and environmental impacts. Using this strategy, the central government has pushed through hydroelectric dam projects, mines, tourism projects, large-scale agribusiness and logging, and promoted “model cities” inside Indigenous and Afro-descendant territories, all without meaningful dialogue, consultation, and participation (Gégla, 2016; Loperena, 2017; Amnesty International, 2016; Gégla & Nuila, 2021; OHCHR, 2019).

Indigenous land and environmental defenders outside of La

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20 It is even conceivable that, as they met in early 2012, Nicaraguan President Daniel Ortega advised Honduran president Porfírio Lobo on how Indigenous institutions had proven “prone to political manipulation and co-optation” by the Nicaraguan state (Altamirano Rayo, 2021, 59).

21 Fieldwork by Author-1. Catrachos is a colloquial term for Hondurans.
Mosquitoia are left with few options and protections against harassment, criminalization, disappearances, and assassinations (Frontline Defenders, 2020; OHCHR 2021). Domestic laws have been ineffective and international protective mechanisms not much better: at least 13 out of 49 people with IACHR-issued protective measures were murdered in the decade after 2006 (Santiago, 2017). In 2019, 14 land and environmental defenders were reported killed in Honduras, making it the deadliest country per capita (Global Witness, 2020). More recently, Pedro Isabel Hernández, a local Lenca leader, was assassinated in January 2022 (AP, 2022). Elusive accountability and rampant impunity in Honduras may have a chilling effect of silencing activists pushing for meaningful autonomy in communal lands under extractive pressure (OHCHR 2021, 7). Absent other statebuilding incentives leading Honduran governments to implement and expand Indigenous autonomy, activist pressure may be needed to maintain what gains have been made, as the Panamanian case illustrates.

5. Panama: maintenance of indigenous autonomy

Panama represents a middle-ground case, where Indigenous autonomy regimes have neither expanded nor eroded markedly since advances in the 1970s. What explains this relative stability? In our analysis, Panama’s favorable security environment creates few governability incentives to expand Indigenous autonomy regimes, while extractive pressures have been balanced by contentious Indigenous mobilization.

Panama’s eight Indigenous groups comprise about 12 % of the country’s population, primarily living in rural, peripheral areas away from urban centers and the economically crucial Panama Canal. The Ngäbe and Guna are the largest groups, followed by the Emberá, Buglè, Wounaan, Naso, Bri bri, and Bokota (Velásquez Runk, 2012, 26). While the Panamanian state has always maintained its right to govern Indigenous lands and control access to subsurface resources, since 1930 it has recognized some regions as comarcas, reserves for Indigenous communities, after the Guna carved out control on a section of the eastern coast (Herlihy, 1989; Horton, 2006; Velásquez Runk, 2012).30 Subsequently, state desire for Indigenous identification with the nation-state drove political and economic autonomy advancements in the 1970s (Herlihy 1989, 19–20; Horton 2006, 837–38), to such an extent that Herlihy (1989, 23) argued Panama’s comarcas “offer the greatest potential for the autonomismo of [Indigenous] cultures in their traditional territories in all of Central America.” Progress and implementation since have been mixed, though, sometimes advancing or maintained when Indigenous contention threatens governability, or maintained with favorable judicial or presidential decisions. Most Panamanian governments, however, have not seen Indigenous autonomy (let alone consent) as necessary for pursuing extractive development goals, threatening to erode prior gains.

5.1. Governability

Because of its relatively stable security situation and far-reaching state presence, recent Panamanian governments have had few governability incentives to expand Indigenous autonomy, only doing so when compelled by Indigenous pressure. Indigenous resistance has sometimes troubled Panamanian governments, but other security threats have been limited. Drug trafficking through Panama, while present and sometimes forcibly using Indigenous lands (Velásquez Runk, 2012, 35–36), has been relatively nonviolent. A 1989 US invasion removed General Manuel Noriega’s regime but did not weaken the state’s territorial control.

30 The largest and most populous comarca, Guna Yala, extends along a long, narrow stretch of the Caribbean Coast, equivalent to a district (Panama’s second-largest subnational unit, below provinces), while the two smaller comarcas of Madungandi and Wargandi are corregimientos, Panama’s smallest municipal-level units.

The associated Ngäbe and Buglè peoples in the west and the Guna in the east, however, have successfully used both institutional and contentious advocacy to press the state to expand and maintain their rights and lands, with “confrontational tactics…most effective” (Wickstrom, 2003, 61).

Guna communities have on occasion used force and threats against land invaders and mining companies (Horton, 2006; Wickstrom, 2003). In the early 1990s, Guna activists blocked the Pan-American highway, Panama’s main land route, detained government officials, and fought police to protest land colonization and slow government progress in granting comarca status to the Madungandi reserve (Horton 2006, 842–43). Madungandi comarca was approved in 1996, but Guna have continued using arms to confront colonists in their territories (Horton 2006, 843–44).

The Ngäbe and Buglè, too, have combined institutional advocacy with more contentious tactics (Fisher, 2014; Velásquez Runk, 2012; Wickstrom, 2003). In the early 2010s, Ngäbe and Buglè activists fought police and staged protests to combat state plans for mining and construction of a major hydroelectric dam (Cansari & Gausset, 2013; Hofbauer, 2017; Velásquez Runk, 2012). In 2012, when mining legislation failed to protect Indigenous lands, activists cut off the Pan-American Highway in several places, demonstrating their collective “power to disrupt the country” (Velásquez Runk, 2012, 30), and “stopp[ing] both Panama City and the countryside in their tracks” (Fisher, 2014, 66). After protesters withstood repression and built support among other civil society groups (Cansari & Gausset, 2013), the government passed new legislation preventing mining concessions in Ngäbe-Buglè comarca, at least for now. Indigenous communities may still be able to threaten governability, but this has largely been defensive, to block erosion of autonomy, rather than compelling its expansion. If governments grant autonomy on paper, but do not meaningfully enforce it in practice, continued mobilization may be necessary to protect Panama’s Indigenous communities and their territories.

5.2. Identification

A desire to increase Indigenous identification with the Panamanian nation-state has, at times, led the state to proactively recognize Indigenous rights in law and sometimes in practice. This has increased opportunities for Indigenous groups to channel demands through state institutions, but has not necessarily translated into greater Indigenous influence in national-level decision making. During the 1970s, Omar Torrijos’ military regime sought to incorporate the working class and previously marginalized groups into the political system.31 This “corporatist multiculturalism” created some meaningful new Indigenous political participation, with the 1972 constitution giving Indigenous peoples special mention and reserving lands for them; Torrijos aimed to bring Indigenous peoples “volutarily into the nation’ in physical and cultural terms through state recognition and the expansion of state services into rural areas with indigenous populations” (Horton 2006, 837–38). Torrijos’ government, for instance, recognized Ngäbe political authority at the regional and local level and created national legislative seats to channel Ngäbe demands through the state (Wickstrom, 2003, 56).32

Later governments, however, have reversed Torrijos’ more inclusive engagement with Indigenous communities. In contrast to earlier moves

31 Before taking power, when he was an army major in 1965, Torrijos had engaged in dialogue with Ngäbe from the ‘Mama Tata’ movement who had sought to declare an independent Ngäbe republic, using persuasion, rather than military force to get them to acquiesce to Panamanian state authority (Jordan 2008, 474–75).

32 However, state-led development projects often counteracted Indigenous interests by encouraging migration into areas surrounding Indigenous territories (Horton, 2006, 839).
towards political autonomy, the Panamanian government in 2010 redefined Ngäbe and Buglé leadership and assemblies to force state participation in them, and repeatedly broke promises to title lands (Velásquez Runk, 2012, 29–31). The highly-organized Guna have been able to maintain relatively productive, influential institutional relationships with the state, but Guna success may come at other Indigenous communities’ expense: following Guna rejection of a proposed electrical transmission line in 2014, the government planned to reroute it through the Emberá-Wounaan comarca instead (Heimelt 2015, 477–78). More recently, Guna communities in the Guna Yala comarca have been feeling ignored by the government in the face of rising sea levels. Government commitments to relocate island communities and build resilience against climate change have been constantly delayed and unfulfilled, missing an opportunity to build Guna identification with the state. Instead, one Guna elder noted in early 2023 that “the government is taking a cut” of foreign climate change adaptation funding, saying government officials are “taking advantage of indigenous people, and this money is not getting to us” (Human Rights Watch, 2023).

Identification remains a possible incentive for the Panamanian state to protect, implement, and expand Indigenous autonomy, with Indigenous support “a potential source of power for political elites in a hyper-competitive electoral context” (Horton, 2006, 855). Indigenous interests, though, often are ignored in favor of economic gain, which may explain the slow progress in communal land titling outside officially-recognized comarcas (CEPAL/FILAC 2020, 66).

5.3. Extraction

The Panamanian state has generally seen Indigenous autonomy regimes as obstacles to economic development plans, rather than offering opportunities. Under Torrijos, there were some efforts to extend rights recognition in exchange for Indigenous support of extractive projects, but this was an exception. Most governments have ignored Indigenous rights, only altering or canceling state and private development projects when facing forceful Indigenous resistance. Indigenous lands and waters have been targeted as key frontiers for mining, logging, energy, tourism, and carbon offsets, with benefits for Indigenous communities generally unfulfilled but this was an exception. Most governments have ignored Indigenous rights when pursuing economic development. After years of activism and seeing their lands invaded and also used for a hydroelectric dam, the Naso people thought they had a breakthrough in 2018, when legislation passed to create the Naso Tjër Di Comarca. The president at the time vetoed the law, however, and it took a court case and a new president to make the comarca official in late 2020 (Dorman & García Zendejas 2021). Implementation and enforcement are still needed to see if this is truly a positive turning point for Panama’s Indigenous groups.

6. Nicaragua: erosion of autonomy rights

Nicaragua initially granted Indigenous autonomy rights in 1987 in response to a severe governability threat, but successive governments have resisted initiatives that would promote meaningful political and economic autonomy, despite extensive Indigenous land titling in the late 2000s. We argue that variation (or stability) in statebuilding incentives helps explain these policies. The state has faced few recent governability threats in the eastern Caribbean Coast region, limiting incentives to meaningfully devolve authority to newly-created territorial governments. Constant mestizo migration to the Caribbean Coast reduced the perceived benefits of Indigenous political support; this limited state incentives for Indigenous identification with the nation and political loyalty to the central state, since Indigenous and Afro-descendant communities were increasingly outnumbered in their own historical areas. Finally, increased state coercive control and shifting demographics have enabled the state to pursue extractive goals without free and comprehensive Indigenous consent.

Indigenous populations in Nicaragua’s western half have sought autonomy (Mittal & Mayer 2020, 52–53; Wani, 2012), but they have been heavily outnumbered and had limited political influence. Ethnic minorities have maintained greater concentrated numbers and power on the Caribbean Coast. The Miskitu are by far the largest Indigenous group on the Coast, followed by Afro-Indigenous Kriols, the Mayangna, the Rama, and the Garifuna. Nicaragua’s larger Afro-descendant populations are concentrated along the Caribbean Coast littoral and in the country’s major cities (see Hooker, 2005; Mayer, 2021 on race and ethnicity in Nicaragua).

The state had little influence over the Caribbean Coast until the 1890s, and some limited titling of Indigenous lands occurred from 1910 to 1916, but few subsequent government initiatives recognized Indigenous rights, and private corporations exploited Indigenous lands, resources, and labor (Baracco, 2011a; Gordon, Gurdían, & Hafe, 2003; Meringer, 2019). Greater Indigenous mobilization began during the 1960s-1970s under the Somoto dictatorship (e.g., Meringer, 2014), but mobilization peaked after the 1979 revolutionary victory of the Frente Sandinista de Liberación Nacional (FSLN).

The FSLN government attempted to implement a program of socialist economic development, politically incorporating Nicaragua’s poor majority, and building state influence on the Caribbean Coast. While some Indigenous and Afro-descendant costeros (Caribbean Coast natives) participated in the revolutionary struggle and joined FSLN efforts in the 1980s, many were wary. Disenchantment quickly grew

33 In May 2022, the government led by the Torrijos-founded Partido Revolucionario Democrático passed the “Comprehensive Development Plan for the Indigenous Peoples of Panama” (Law 301), which aims to improve Indigenous communities’ quality of life, while also increasing interaction of Indigenous communities and authorities with state institutions.

34 The Ngäbe, for example, were promised a comarca if they allowed copper mining (Horton, 2006; Jordán, 2010; Wickstrom, 2003).

35 Despite Indigenous neighborhoods like Monimbó in Masaya being critical in Nicaragua’s 1978–79 popular insurrection and 2018 mass protests.

36 The FSLN initially worked with Indigenous activists to create the collective association MISURASATA (Miskitu, Sumu, Rama, and Sandinistas Working Together). Sumu is an archaic, offensive term for the Mayangna people.
with the FSLN state’s heavy-handed governing of the Caribbean Coast, which marginalized Indigenous land tenure systems, culture, and languages (e.g. Baracco, 2011a; Hale, 1994). Amid a crackdown on dissent, Indigenous activists fled to more remote areas and Hondurans and began an insurgency, with US support (e.g. Baracco 2011b; Hale, 1994). Two primarily mestizo ‘Contra’ rebel organizations developed based in Honduras and Costa Rica, but only Indigenous forces consistently held bases within Nicaragua.

State negotiations with Indigenous leaders led to a 1987 peace agreement and the “Autonomy Law of the Atlantic Coast” (Law No. 28),7 which established regional councils to decentralize Caribbean Coast governance and formally recognized Indigenous and Afro-descendant territorial and cultural rights. Indigenous populations laid down their weapons against the state, but after the FSLN lost power in 1990, implementing legislation to put the Autonomy Law into action and title Indigenous and Afro-descendant lands took nearly two decades to finally pass. In 2007, after FSLN leader Daniel Ortega regained power, his government undertook an ambitious communal land titling program in the Caribbean Coast, but the Ortega-led state has since reversed course.

6.1. Governability

The Nicaraguan state only agreed to Caribbean Coast autonomy and greater recognition of Indigenous and Afro-descendant rights at a moment of severe threat. The prospects of continued armed resistance on multiple fronts and of the Caribbean Coast as a potential beachhead for an intervention by the United States represented existential threats to the FSLN regime. Since Indigenous groups were not interested in toppling the central government, autonomy reduced the threat and rendered the Coast governable again. Reduced control was seen as a small price for protecting the central state, and also reflected some FSLN officials’ acknowledgement of their missteps engaging with Indigenous and Afro-descendant communities (Ortiz, 1987; Hale, 1994).

After 1990, however, Caribbean Coast governability concerns diminished, and with them incentives to devolve power to Indigenous communities and meaningfully accept political autonomy. The new democratic governments concentrated on re-securing Nicaragua’s Pacific core and defanging rearmed demobilized Sandinista and Contra veterans (Rueda-Estrada, 2015), while also facing Ortega’s threat to use strikes and popular mobilizations to ‘make Nicaragua virtually ungovernable’ (Leogrande, 1992, 198).38

When the FSLN regained power in the late 2000s, the government proactively titled Indigenous and Afro-descendant lands accounting for one-third of national territory (CEPAL/FILAC 2020, 61–63). Yet contrary to many Indigenous communities’ hopes, titling was used to create governing institutions led by Indigenous leaders sympathetic to or coopted by the central state, thereby ignoring preexisting communal governance structures and helping manage any potential threat posed by Indigenous mobilizations on the Caribbean Coast. These new institutional links between government-backed Indigenous leaders and the FSLN regime have made it difficult for grassroots Indigenous movements to shake political power-holders in Nicaragua and make the state respect and protect their rights (Koper, 2022).

Nicaragua’s post-autonomy governments have also avoided the entrenchment of major transnational gangs and criminal organizations. Criminal threats have led governments in Colombia, Honduras, and Mexico to embrace or tolerate Indigenous autonomy to fill ‘brown areas’ (O’Donnell, 1993) of limited state authority (Altamirano Rayo, 2021; Ley, Mattiace, & Trejo, 2019; Rueda-Saiz, 2017). Gangs in Nicaragua, however, have remained smaller, more localized, and heavily policed (Rodgers, 2017; Weegels, 2018). Nicaragua’s security forces, in cooperation with United States’ anti-narcotics trafficking efforts, kept trafficking mostly isolated and offshore on the Caribbean Coast, while violently policing Afro-descendant and Indigenous populations (Goett, 2011; Sierakowski, 2019).39

Governability at the national level was challenged by anti-government protests that erupted in April 2018, though the brief governability threat was most severe in Nicaragua’s heavily-populated Pacific core (Caballeros Dominguez, 2020; Mosinger et al., 2022). Some protesters in western Nicaragua voiced concerns for Indigenous and Afro-descendant rights, and non-violent mobilizations on the Caribbean Coast sought democracy for the country, but also the fulfillment of the promises of autonomy (Goett, 2018; Morris, 2023; Simmons, 2018). Caribbean Coast activists saw this as a potential opening for a new government that would fully implement autonomy laws (Miller-Bacon & Guillet Zeledón, 2020), yet the government’s militarized mid-2018 crackdown, killing hundreds, crushed hopes for change and reestablished coercive, despotic governability nationwide. There are today few prospects for the decentralization of governing authority that autonomy implementation would entail.

6.2. Identification

Increasing Indigenous identification with the Nicaraguan nation-state has rarely been a state priority. When governments have prioritized identification, they have not necessarily pursued it through autonomy regimes, preferring top-down measures. State attention to Indigenous interests has recently diminished further, as increased migration has created a mestizo majority on the Caribbean Coast.

During the early revolutionary period, the FSLN sought to integrate costenos into their nation-building project (Baracco, 2011a; Hale, 1994), aiming to increase identification with the state through education and service delivery, but seeing political and economic autonomy as antithetical to state-led development plans. Governability was the FSLN’s primary reason for agreeing to autonomy in 1987, but there was a surprising effect on identification, as “Miskitos who fought for autonomy...[began] to see themselves as Nicaraguans and to demand greater integration and economic assistance from Managua” (Cleary, 2000, 1140).

Subsequent governments after Nicaragua’s 1990 democratic elections, however, cared little about Indigenous inclusion or rights. The IACHR’s 2001 Awas Tingni ruling increased external pressure on President Enrique Bolanos’ government (Anaya & Grossman, 2002), and it finally passed Law 445 to implement the 1987 Caribbean Coast autonomy agreement. But there was limited government will to fulfill the law’s promises. New authorities and barriers to implementation were set up at the regional level, where the central state could exercise more influence than within Indigenous and Afro-descendant territorial governments, alienating communities (González 2016, 310–11). The titling system Bolanos introduced also forced Indigenous communities to first register lands as state property and apply to have them ceded to communities, presuming that state ownership of collective lands superseded Indigenous claims predating Nicaraguan independence; Indigenous leaders rejected these titles (Larson et al., 2016, 326–27). In 2005, the IACHR decided a case in favor of YATAMA—the main (primarily

38 Some former Miskitu rebels rearmed (Kaimowitz and Fauné 2003), but this never expanded to larger mobilizations or threats to the central state.
39 Honduran criminal organizations have made some in-roads in border areas (Finley-Brook 2016, 345–46; Montero, 2020), and the state tolerates armed gangs of mestizo migrants who attack Indigenous communities (e.g. Expediente Público, 2021a). Militarization of the Coast keeps criminal threats contained, however, and migrant gangs align with state aims by increasing settler influence and undermining Indigenous territorial control, with Miskito and Mayangna activists denouncing that armed settlers “are supported, encouraged and protected by the National Police and the Army” (Marley Cunningham & Dixon, 2021).
Miskitu Indigenous political party—over YATAMA candidates’ exclusion from the 2000 municipal elections, yet Bolónos remained unswayed.

Incentives for identification, however, then helped spur Law 445’s implementation. Before the especially competitive 2006 national elections, Ortega and the FSLN allied with YATAMA, and Ortega committed to reversing Bolónos’ previous titling procedure (González, 2016; Larson et al., 2016, 326). With only 35% of presidential votes needed to avoid a runoff, YATAMA’s support was seen as critical to Ortega winning—he ultimately beat the threshold by only 3%. The FSLN sought to use the alliance and autonomy pledges to draw Indigenous costeños closer to their party and an FSLN-led national government, with YATAMA positioned as the privileged intermediary (González 2016, 312–13) to help manage Indigenous demands and forestall potential governability threats.

Ortega returning to power was viewed as a major opportunity for Indigenous autonomy advances (Larson, 2016, 1150), and titling advanced in state-recognized Indigenous and Afro-descendant territories, accounting for one-third of national territory and over half the Caribbean Coast (CEPAL/FILAC 2020, 62). Yet the FSLN sidelined YATAMA and used new institutions to put loyalists in positions of power on the Caribbean Coast who would allow extractive projects and would not evict outsiders occupying Indigenous and Afro-descendant communities’ lands (González, 2016; Koper, 2022; Mittal & Mayer, 2020; Morris, 2023). In 2022, the Council of Elders of Moskitia, a Miskito hereditary authority, declared that the central government’s imposition of plant communal and territorial officials constituted “the greatest threat to communal autonomy, our ways of life, and the forests that exist in our territory” (Redacción Confidencial, 2022). Land titling has at times also sparked conflict between Indigenous groups where territorial claims overlap (Finley-Brook & Offer, 2009, 355–56), undermining possibilities for inter-Indigenous alliances and creating openings if the government wanted to try to increase Indigenous identification with the state.

Instead, however, Indigenous communities and votes became less important in government eyes over time. Ortega eroded democratic institutions, quickening after 2011 (Jarquín, 2016; K. M. Thaler, 2017; Martí & Puig & Serra 2020). Increasing migration to the Caribbean Coast also meant Ortega and other politicians had more to gain by seeking mestizo migrants’ support, rather than Indigenous votes, sidestepping demands for political and economic autonomy implementation that might challenge statebuilding aims. While mestizos made up approximately 65% of the Coast’s estimated 282,000 people in the 1982 census, Nicaragua’s last census in 2005 found that of the now 620,100 people on the Coast, 76% were mestizo (González, 2013, 5). The Coast’s population has primarily grown “because of a net increase in mestizo families systematically settling in the agricultural frontier areas” (Grigsby, 2003). Demographic trends have likely only accelerated since 2005 (Mittal & Mayer, 2020). Indigenous and Afro-descendant costeños participate in national parties, but mestizos now dominate Caribbean Coast politics, especially in the southern region (González 2016, 307–10). Human rights activist Carlos Guadamuz decried that under Ortega, Indigenous communities have “suffered the results of the government policy called ‘cohabitation’, used to continue implementing [the FSLN’s] system of political patronage” by letting settlers exploit “lands, forests, resources that belong to someone else, to the indigenous communities” (Olivares, 2022).

The FSLN no longer needed YATAMA support and Indigenous votes to win elections and control Caribbean Coast political institutions, and a frustrated YATAMA abandoned the FSLN alliance in 2014 (Bryan, 2019; González, 2016, 313; Koper 2022, 619–20). This all means even fewer incentives for the state to advance autonomy implementation and evict the tens or hundreds of thousands of mestizo settlers who arrived after the 1987 autonomy law.

6.3. Extraction

 Nicaraguan governments have long sought to exploit the resources of the Caribbean Coast and Indigenous and Afro-descendant communities there. Indigenous autonomy adoption and expansion was aimed primarily at addressing governability and, to an extent, identification incentives, but the governing institutions created by the autonomy regime have facilitated extraction without fully implementing communal control of resources. Meaningful autonomy would give Indigenous communities greater influence over what development projects proceed (or when migrant farmers are allowed to occupy and exploit Indigenous lands). The Nicaraguan state therefore sees autonomy implementation as a barrier to plans for continued macroeconomic growth and enrichment of cronies, ignoring and eroding Indigenous rights after agreeing to them.

The right-leaning Chamorro, Alemán, and Bolanos governments’ of the 1990s and early 2000s prioritized post-civil war recovery and reorganizing the Nicaraguan state and economy along neoliberal principles (e.g. Enríquez, 2010; Spalding, 2014). These governments had little interest in Indigenous communities’ well-being, focusing instead on privatization and foreign investment and viewing Indigenous autonomy as a potential hurdle for extractive projects on the Caribbean Coast (Baracco & González, 2012, 370; Finley-Brook, 2007; Finley-Brook & Offer, 2009; Gordon, Gurdían, & Hale, 2003).

As the World Bank and other international financial institutions (IFIs) developed interests in Indigenous rights and land titling, external pressures on the Nicaraguan state emerged to implement Indigenous autonomy lest it lose precious loans and investments, prompting some gains for Indigenous communities (e.g. Gordon, Gurdían, & Hale, 2003). Indigenous peoples’ collaborations with IFIs, though, also led to contradictions (Gordon, Gurdían, & Hale, 2003; Hale, 2006; Sylvander, 2021), drawing them deeper into markets, without always having greater meaningful political and economic autonomy due to state resistance. Additionally, whenever international organizations have “retreated” from direct pressure on the Nicaraguan government, implementation of Indigenous autonomy has suffered in favor of extraction (Koper 2022, 620–21).

Failures to implement political and economic autonomy and title land facilitate illegal extraction of resources from Indigenous lands (Finley-Brook, 2007), yet in Nicaragua, titling has not necessarily reduced extraction without consent (Bryan, 2019). Communal titling also enables actors purporting to represent communities or hold land rights to illegally sell titles or grant resource concessions to outside actors and migrants, with illicit land sales rampant on the Caribbean Coast (Bonilla Toruño, 2012; Mairena et al., 2014; Sylvander, 2018). The

40 Ortega saw his and the FSLN’s interests as state interests, planning early on to centralize power to recreate an FSLN party-state (K. M. Thaler and Mosinger 2022, 134–35).
41 Birth rates are also rising (Finley-Brook and Offer, 2009, 359).
42 In October 2023, the FSLN-controlled electoral authority canceled YATAMA’s legal status for allegedly “betraying the nation” and police arrested two YATAMA leaders, apparently seeking to kill off the party (Redacción Confidencial, 2023b).
43 The Caribbean Coast constitutes a resource frontier for the Nicaraguan state, an area seen as rich with ‘underdeveloped’ potential for economic extraction; the autonomy regime, though, means it has also been a governance frontier (see G. M. Thaler, Viana, & Toni, 2019)), where new political arrangements have shaped extractivist projects.
44 Even as titling programs were proceeding with international partners, however, the state continued granting logging and mining concessions in Indigenous lands (Sylvander, 2018, 171).
The multilevel nature of Caribbean Coast governance has left regional governments—where the state and national political parties exercise greater control—with the most control over resource concessions, and Indigenous and Afro-descendant territorial governments with more limited influence (Larson & Lewis-Mendoza, 2012). Unscrupulous regional or local leaders may use newfound institutional power and land marketization for their own benefit (Finley-Brook, 2016; Larson & Lewis-Mendoza, 2012). Either way, the state can meet its extractive goals without meaningfully working with communities themselves to protect Indigenous autonomy: without implementation, illegal projects can proceed easily, and without state enforcement, titled lands can still be exploited.

The return of the FSLN to power did not change the Nicaraguan state’s extractive orientation (Sequeira Rankin et al., 2017). Environmental activist Amaru Ruiz argues that “There has been institutional support within the regime of President Daniel Ortega and Vice President Rosario Murillo to promote capital investment in mining and livestock” and foreign investment in palm oil projects on the Caribbean Coast, but “little political will to protect Nicaragua’s forests” (Jones, 2021). After Ortega’s 2011 re-election, he focused on increasing economic growth and foreign investment, as well as securing FSLN officials’ and cronies’ interests (Sánz, 2016). Ortega announced plans to build an interoceanic canal in southern Nicaragua with Chinese support, beginning planning and land surveying in violation of Indigenous rights and Caribbean Coast autonomy. The government repressed or ignored protests and advocacy by Indigenous and Afro-descendant communities and mestizo peasant farmers (McCall & Taylor, 2018; Morris, 2023; Ramirez, 2016). Canal construction would have involved seizure and exploitation of Indigenous and Afro-descendant lands without local consent, and the canal, as a crucial revenue source, would have given the state even more reasons not to implement and protect Indigenous autonomy and land rights. Ortega retained power through illegitimate elections in 2016 and 2021, and has continued pursuing agro-industrial development and mining on the Caribbean Coast—often without Indigenous communities’ consent, or facilitated through corrupt deals with local Indigenous elites officially leading territorial governments created through the land titling process. Miskito leader Juan Carlos Ocampo estimated that 90 percent of official Indigenous communal leaders on the northern Caribbean Coast were either coopted or directly appointed by the central government; this is so they approve timber and mining projects without consultation, “a policy of the state [that] promotes extractive projects” (Chavkin, Mendoza, & Moskowitz 2021). Miskito activist Limbort Bucardo noted that regional and local governments illegally rent out Indigenous lands to mestizo companies and settlers, with municipal officials “turning their back on their own communities” and admitting that they aid and abet colonization because “settlers provide more revenue than Indigenous residents” ( Expediente Público, 2021b).

The FSLN denies opportunities for communities to elect new leaders who might push back against plans to exploit Indigenous lands (Redacción Confidencial, 2023a). With government officials and their companies freely exploiting Indigenous resources and allowing mestizo migrants to occupy lands for agricultural production, the Nicaraguan state has few extractive incentives to uphold the Indigenous autonomy regime on the Caribbean Coast, along with the limited governability and identification concerns.

7. Discussion and conclusion

In this article we have argued that governments will implement, maintain, or expand Indigenous autonomy regimes when state officials perceive opportunities to improve governability in hard-to-reach regions, increase Indigenous identification with the nation-state, or advance economic development. Indigenous activists can sometimes produce these incentives in the short term through mass mobilization that threatens local governance or economic projects, but preserving state concessions requires autonomy regimes to align with at least some statebuilding goals valued by governing elites.

Our analysis also shows that regime type and political ideology may be less important for understanding governments’ approaches to Indigenous rights than might otherwise be assumed. Democratic and left-wing governments are not necessarily better. Instead, state-building incentives and Indigenous movements’ pressure led to Indigenous autonomy advances under left-wing authoritarian regimes in Nicaragua and Panama; under dubiously democratic right-wing post-coup governments in Honduras; and briefly after Nicaragua’s 2006 election under Daniel Ortega’s comeback government.

The Honduran case in particular demonstrates why Indigenous movements should not rely solely on cultivating allies among left-wing governing elites. After over a decade of right-wing rule, hopes were high with the 2021 election of President Xioma Castro. Her campaign promised to comply with ILO Convention 169 by implementing autonomy agreements and forming a Congress of Indigenous and Afro-descendant Communities empowered to create and manage autonomous zones ( Libre, 2021, 61–63), and Castro held a traditional Indigenous wooden staff at her inauguration that had been gifted by Lenca organizers (Rovelo, 2022). Shortly after taking office, Castro halted the eviction of a Lenca community in the face of traditional political elites’ resistance (S. Barahona, 2022). Yet Castro’s left-leaning ideology and campaign promises did not produce policies aimed towards autonomy expansion and implementation. Indigenous and Afro-descendant activists launched protests in 2022 calling for Castro to fulfill her pledges to protect their territories and human rights (Aguilar, 2022). Activist Rony Castillo declared that “We’re not going to continue in this dynamic of words and promises. We’re going to demand that [Castro’s government] show this political will through actions” (Brígida, 2022). Castro instead sent soldiers to evict Garífunas residents in Punta Gorda—violating Honduran and international law—to pave the way for a foreign-backed cryptocurrency ‘special economic zone’ (Gressier, 2022).

Left-wing governments outside Central America have produced a similarly mixed record on Indigenous autonomy rights. For example, Evo Morales’s government in Bolivia and Rafael Correa’s government in Ecuador were both elected with strong Indigenous support and were pro-Indigenous on paper, yet in practice they prioritized economic extraction over Indigenous rights and spurred conflicts between Indigenous groups (Canessa, 2018; Martínez Novo, 2021; Postero, 2017; Riofrancos, 2020). When Indigenous populations’ political support is no longer deemed necessary or if they no longer present either challenges or opportunities for statebuilding plans, then governing elites may regard Indigenous autonomy as ‘unimportant.’

In the future, we are likely to see Indigenous autonomy movements continue winning concessions when making claims on states dealing

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47 The government has also been willing to ignore international legal and financial pressure to cease human rights violations, so there is little hope for IACHR orders protecting Indigenous territories and activists to have significant effects (Koper, 2022; K. M. Thaler and Mosinger, 2022).

48 Though democracies may in some cases be more susceptible to international pressure on Indigenous rights and other issues (Brysk, 2005; Levitsky and Way, 2010).
with major governability crises, but face retrenchment when crisis conditions recede. Latin America’s ever-shifting geography of crisis, recently driven by changing narcotrafficking routes, democratic breakdowns and renewals, and commodity booms and busts (Mainwaring & Pérez-Liñán, 2023; Whitehead, 2021), will continue providing movements with opportunities to win concessions from beleaguered states. Maintaining those concessions, however, may require forging policy linkages to longer-term statebuilding goals, like increasing administrative presence or market integration within Indigenous territories. This implies that Indigenous autonomy activists might be forced to weigh trade-offs in prioritizing their political, cultural, and economic rights, since mobilization-based strategies only go so far, unless governments themselves can advance their core goals by maintaining concessions after protests fade.

What avenues are there for Indigenous movements to leverage statebuilding incentives to expand and maintain autonomy? Except where Indigenous populations constitute a major voting bloc, we see state incentives for governability and extraction as the most promising for Indigenous movements to target. As the Honduran case suggests, where states are facing threats to governability, Indigenous autonomy expansion and state enforcement or assistance in protecting it can improve governability in regions of state weakness. Today in Latin America, criminal organizations and illicit extractive actors pose the most significant challenges to governability (see e.g. Albarracín & Barnes, 2020; Villalta, 2020). Criminal organizations often seek to operate in or seize Indigenous communities’ lands and exploit their resources, engaging in activities such as narcotics smuggling, mining, ranching, poaching, and timber harvesting. Indigenous communities both engage in self-defense and appeal for state action to remove and keep out criminal invaders. Where autonomy expansion or maintenance is framed as providing a bulwark against illicit actors, Indigenous movements may gain greater state support, as the Colombian, Honduran, and Mexican experiences have revealed (Altamirano Rayo, 2021; Ley, Mattiace, & Trejo, 2019; Mattiace & Alberti, 2023).

Brazil today offers a clear example of how Indigenous interests in autonomy and protection of lands from illicit actors can align with state governability aims. Indigenous communities have called for expansion and enforcement of autonomy in the face of land invasions and environmental destruction, which Yanomami leader Dário Kopenawa denounced as “a genocide which kills people, spills blood and ends lives” (Phillips, 2023a). The new Lula government responded by launching major security operations against illicit actors (Moro, 2023; Phillips, 2023a; Watts, 2023b). Brazilian state security agents charged with carrying out the crackdown on illicit actors described it as “a de facto war” (Phillips, 2023a), in which a successful operation “demonstrates our ability to fight crime in the Amazon, which is increasingly organised” (Moro, 2023).

Beyond emphasizing Indigenous solutions to state governability concerns, Indigenous activists may find success in linking autonomy rights to environmental and pro-democracy movements’ demands. Latin American governments have increasingly come to see climate change and deforestation as long-term threats to regional stability, while Indigenous activists managed to place autonomy demands on the agenda at international environmental fora such as the 2023 Amazon Summit (Maisonave & Biller, 2023). Researchers have found throughout Latin America that deforestation drops when Indigenous communities have secure property rights (Baragwanath & Bayi, 2020; Blackman et al., 2022; Nelson, Harris, & Stone, 2001; Turcios & Ratzke, 2022), and reforestation and restoration of degraded lands may advance (Baragwanath, Bayi, & Shinde, 2023; Brandão, Artezio, & Nobre, 2023, 130).

Activists and scientists in the Amazon Basin argue that protecting Indigenous territories and emulating Indigenous communities’ management of natural resources could preserve the rainforest while still achieving economic growth (Qin et al., 2023; WRI Brasil, 2023), aligning Indigenous autonomy with states’ long-term extractive interests. Brazil’s inaugural Minister for Indigenous Peoples, Sonia Guajajara, suggests that “there is no need to invest so much in new technologies” to fight climate change, when “It is proven that where there is Indigenous presence, there is standing forest, clean water and poison-free food” (Netto, 2023). If environmentalist movements and governments are willing to listen and let Indigenous groups take the lead, Indigenous movements offer strong, credible voices providing actionable solutions to the existential threat of our time (FAO, Alliance of Bioversity International, & CIAT 2021; Hansen & Antsanen, 2018; Watts, 2023a).

By supporting pro-democracy movements, Indigenous rights activists can also help strengthen institutions that restrain the state’s autonomy to pursue extractive goals at Indigenous peoples’ expense. Ecuador and Brazil offer two recent examples of institutional checks on extraction in Indigenous territory. In an August 2023 national referendum, Ecuadorians voted overwhelmingly to ban oil drilling in the Yasuní National Park and mining in Choco Andino forest. In doing so, they rejected state lobbying in favor of continued economic extraction (Juhász, 2023). One month later Brazil’s Supreme Court ruled 9–2 in favor of Indigenous land rights, despite fierce efforts by the powerful agribusiness lobby to dispossess Indigenous communities of land they did not physically occupy since the 1980s (Phillips, 2023b). Activists have linked Indigenous rights and broader democratic rights in Guatemala, where in September 2023 Indigenous activists marched against a prosecutorial “coup” by anti-democratic opponents of president-elect Bernardo Árèvalo (Associated Press, 2023). Democratic governments may be no more likely to promote Indigenous rights than autocratic ones, but they do provide more institutional mechanisms to check the erosion of Indigenous rights and maintain autonomy.

Not all demands made by Indigenous groups and other social movements can or should be linked to state goals, and some, like those of pro-democracy movements, may directly threaten state elites’ survival. However, our analysis suggests that, where appropriate, activists should consider long-term statebuilding incentives when formulating their demands. Concessions granted under duress usually erode over time, while those in some way addressing state officials’ concerns over governability, identification, or extraction are more likely to endure. Even short-term gains in rights and policy improvements can be consequential, but if they cannot be sustained, social movements’ transformative power is severely blunted.

Declaration of Competing Interest

The authors declare that they have no known competing financial interests or personal relationships that could have appeared to influence the work reported in this paper.

Data availability

No data was used for the research described in the article.

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