

**SOCIOPOLITICAL DIMENSIONS OF INDIGENOUS COMMON PROPERTY TENURE IN SOUTHERN
BELIZE**

ABSTRACT

The livelihoods of over 60 million indigenous peoples are today predicated upon the continued use of and access to forest-based common property resources and management systems. Research into traditional ecological systems has clearly demonstrated that they have a great deal to offer in terms of knowledge, practice and ethics to the challenge of sustainable resource management. Nevertheless, the sustainability of indigenous common property systems can often appear as precarious as the resources upon which they subsist, as a consequence of the broader sociopolitical dimensions in which they are situated.

This paper considers how state tenurial systems, national societies and economies affect the long-term prospects of indigenous common property systems. Utilizing a case study drawn from southern Belize, where Mayan Indians have struggled for many years within an unaccommodating political and legal environment to have their rights to common property recognized, the process by which indigenous perspectives on common property resources can become modified by the experiences of advocacy and sociopolitical constraint will be explored

As the case study analysis will underline, common property systems do not exist in an ecological vacuum, but rather find their nature, integrity and long-term prospects greatly defined by the broader contexts in which they are situated. In particular, when state tenurial systems provide no space for recognition of indigenous common property systems, there are good prospects that these might become eroded as a result. In the interest of securing the longevity of indigenous common property systems, and safeguarding both their intellectual contributions to sustainable resource management, and the cultural and ecological institutions from which they stem, it is imperative that effective defense strategies built upon interdisciplinary experience and planning, as well as culture and opportunity, are devised. For indigenous peoples, this may entail forging new, non-indigenous partnerships, seeking mediated solutions, and appealing to multi-stakeholder interests through innovative, sustainable, economically viable, and culturally resonant land use planning and practice.

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Introduction

In the present day, the livelihoods of approximately 60 million indigenous peoples worldwide still depend upon the use of and access to common property forest resources, which enable the pursuit of a combination of hunting, gathering and shifting cultivation activities to meet their subsistence needs (Scherr et al 2004). Although often extremely poor in material terms, indigenous forest-dwelling peoples have nevertheless managed to survive because of their historical access to these forest ecosystems, which sustain them despite the frequent absence of even basic state services in the remote rural areas where they reside. However, the long-term prospects of forest-dependent indigenous communities are being increasingly undermined by the gradual erosion of tropical forest ecosystems, caused by factors including agricultural conversion, industrial logging, and land privatization. The extent to which such processes affect the integrity of indigenous common property systems is itself determined by the characteristics of the broader sociopolitical context in which they are situated, and the level of recognition, opportunities and constraints which this encompassing state framework affords them.

This paper explores the manner by which interactions with state tenurial systems, national societies and economies serve to influence the long-term sustainability prospects of indigenous common property systems. It moreover considers how in the effort to negotiate space within inflexible political systems, through often lengthy processes of analysis, negotiation and advocacy in mapping and claiming indigenous common property systems, indigenous peoples' perspectives on their common property resources and management systems can themselves become modified by the experience of advocacy, with further implications for their future longevity. Through examples drawn from the Maya communities of southern Belize's experience in attempting to secure their common property resources within an otherwise unaccommodating political and legal environment, often utilizing nontraditional representation strategies and technical resources in order to do so, it will be shown how these often necessary strategies of defense can nevertheless transform the management practices, articulation of land

claims and very perceptions of commons property systems of the indigenous peoples engaged in them. This analysis will underline the fact that the dimensions of common property systems extend far beyond their most visible ecological characteristics, and are indeed subject to change, opportunity and often extreme stress because of the broader legal and sociopolitical systems in which they are located. Implications for the longevity of indigenous common property systems in the twenty-first century as a result of the case study review will subsequently be considered.

Political Implications of Common Property Theory for Indigenous Systems

This paper does not pretend to provide a comprehensive evaluation of the inherent ecological, social or economic merits and demerits of indigenous commons property management systems, and the Mayan of southern Belize's in particular. The focus is rather upon the effects which efforts to enshrine and safeguard common property systems within the fabric of political systems predicated upon individual property management have upon the people and systems engaged in their defense. There is already a plethora of evidence provided by research into traditional ecological knowledge (TEK) and resource management to demonstrate the validity and relevance of such systems to addressing the major management issues of today, and even to "inject a measure of ethics into the science of ecology and resource management" (Berkes, 1999). Indigenous common property systems have been shown to maintain resilience and relevance not only because of the ecological knowledge and spatial references accumulated over time that scientific systems are hard pressed to replicate, but also due to the adaptability of indigenous cultures and institutional systems to continuous change around them. In recent years, research into traditional ecological knowledge (TEK) has therefore moved beyond the production of ethnobotanical data and species as manifestations of folk knowledge (Berkes 1999), towards recognition and analysis of the more sophisticated understanding of ecosystem balance and dynamics which indigenous management practices contain (Ross & Pickering 2002). At the same time, the communal systems and ethics which manage common property systems have also been acknowledged as providing valuable lessons for institutional management and development, given the pronounced ability of indigenous institutions to adapt to changing circumstances over time (E.E. Watson 2003).

While this effort to reassert the contributions which TEK can provide to the study of ecology has proven extremely effective in recent years, complimentary political analyses considering the broader contexts in which common property systems operate, and seek to survive in, have been relatively less visible. Nevertheless, TEK and the social systems which sustain them do not exist in a cocoon isolated and protected from political systems in which they are situated. As noted by Pritchard and Sanderson, “consideration of human management of and response to natural systems would be incomplete without a consideration of politics.” Indigenous common property management systems and the resilience of TEK living databases are indeed extremely influenced by the state frameworks in which they are situated, which can serve to either strengthen or undermine their long-term viability, and their potential to contribute to modern resource management initiatives. Given that indigenous common property systems are experiencing severe stress to their integrity not only in Central America, but throughout the world, with concomitant threats to the interrelated ecosystems, knowledge systems and cultures which sustain them, it is clearly vital that due attention is given to the broader conditions and constraints either enabling or precipitating their erosion. Through this analysis, we should be in the position to take a step closer towards developing innovative strategies in their defense.

Although common property theorists have largely embraced the important contribution that can be made by TEK and indigenous management regimes, this acceptance has not been universally paralleled in social and political systems worldwide. Indeed, the reverse is often true. Garrett Hardin’s 1968 “tragedy of the commons” theory, in which he argued that in the absence of private property systems, common property resources will necessarily be exhausted as a result of people’s innate tendencies to maximize individual gains, overuse resources, and precipitate ecosystem collapse has been effectively challenged and qualified by a slew of subsequent commons property theorists - including even Hardin himself.¹ Researchers in common property management have since emphatically demonstrated that it is rather open-access regimes, wherein no rules of management apply and costs of individual pursuit are offloaded to society, which results in disastrous consequences for the resource in the long-term (Bromley 1992, Berkes 1999). Many state tenure systems, especially in developing countries, nevertheless continue to

¹ In 1991 Hardin modified his argument to state that collapse of the commons will rather occur in the absence of management, and particularly when resources are in a fragile state. Managed, abundant common resource systems can however prove sustainable.

be fashioned on the assumption that individual ownership is the only possible and progressive strategy for land ownership to advocate. Communal ownership systems are regarded or actively portrayed from this political perspective as ineffective, antiquated means of land use and tenure, no longer viable in the present modernized day.

Indigenous common property systems can therefore clearly be threatened by the larger sociopolitical context. It may indeed be ineffective for common property theorists and resource managers to defend indigenous common property systems solely on the basis of their ecological values and viability. Examining common property regimes through a prism of sociopolitical analysis, to appreciate the social, political and legal systems from which they have developed is therefore a vital process to understand the challenge ahead. Indeed, there has also been growing recognition within the field that early efforts to reinstate the value of communal management systems verged on an often unfair idealization of their resilience and potential to make contributions to resource management irrespective of the influences around them. Faced by an array of incentives for meeting basic livelihood needs in neoliberal economies, which strongly promote unsustainable modes of resource appropriation, it is not surprising that indigenous peoples' resource management practices can often demonstrate as many limitations as those of others'. As research amongst the Masai pastoralists from Kenya has demonstrated, land-use strategies are determined as much by new opportunities for diversification and income available to them from by the dominant economy, as they are by cultural considerations (Thompson and Homewood, 2002). Such recognition has led to awareness of the need for a more balanced evaluation of indigenous management systems, which takes into account the different social, ecological and political conditions which affect them (de Castro & McGrath, 124, 2003). Ultimately, arguing that indigenous common property systems should be protected on the basis of their ecological and cultural uniqueness alone is a position that can, in many instances, be undermined by unsympathetic parties.

In the effort to preserve common property systems, practitioners and theorists alike also need to be aware of the damaging political arguments that can be developed on the basis of an inaccurate and time-limited portrayal of indigenous resource management systems. For example, in the effort to avoid recognition of communal management systems, certain nation states, including

Belize, have argued that their aboriginal peoples are not the traditional habitants of the area, but rather recent arrivals who have no traditional tie or claim to the lands they currently occupy. An interrelated argument is that whilst indigenous peoples might be the original occupants of an area of land, the culture of their present-day descendants has been so radically transformed that they no longer have a right to call themselves 'indigenous.' Those opposing the formal recognition of indigenous common property tenure systems might point to examples of indigenous communities utilizing resources in an ostensibly materialistic, individualistic way, such as involvement in logging practices, to argue that while traditional systems might have once had contributions to make, indigenous peoples today have long since lost whatever knowledge or ethics they once had to promote sustainable environmental management. They are now 'just the same' as everyone else; concerned with short-term gains not long-term development and stewardship.

Both these arguments are predicated on the erroneous and possibly politically-motivated assumption that to remain genuine, indigenous cultures must necessarily remain static over time; that change is not an authentic characteristic of indigenous systems. However, as research into TEK has emphatically shown, indigenous ecological resource management systems continuously evolve over time, modifying in response to the available opportunities that have arisen. Indeed, from this perspective, indigenous resource management systems have much in common with ecosystem functions, in that they are continuously dynamic in nature. Anthropological research has corroborated findings in the specific realm of TEK that indigenous cultures are in general fluid and adaptive, whilst norms of practice are simultaneously and constantly renewed and maintained through a shared sense of identity and affiliation to social grouping and place (Gordon, Gurdian and Hale, 2003). Clearly, research drawn from the fields of TEK, indigenous institutions, cultures and management systems can be synthesized to demonstrate that indigenous peoples and their common property systems have evolved and are predicated upon adaptive, communal practices, influences and ethics, so that change and mobility cannot viably used as an argument against recognition of common property systems. As the Belize case study will demonstrate, change and adaptation within indigenous cultures must nevertheless be seriously considered within any study of common property management systems, and appropriately recognized as factors both enabling and inhibiting their long-term viability and defense.

Drawing upon the theoretical premises provided by this accumulated body of research, the present essay will consider how the complexion and viability of an indigenous common property system in southern Belize is itself currently being shaped by the respective socio-political contexts and constraints in which they are situated. As will be demonstrated, the lack of safeguards for indigenous common property provided by the tenure systems and broader sociopolitical framework of this Central American country encouraged the Maya from southern Belize to seek to define and safeguard their eroding common property systems through legal and political avenues. However, the nature of the political and legal system in which they are situated, and the manner by which it has constrained or shaped their efforts to secure and protect these common lands has created new tensions and challenges within indigenous institutions, leadership structures and perceptions of common property resources alike. As a result, the future of these systems, the ecosystems which they contain, and cultures which depend on them are inevitably affected, and arguably, undermined. Possible strategies to mitigate such tensions, in the interest of protecting these critical interrelated resources will subsequently be considered.

Methodology

This paper is the result of several stages of involvement by the author in the respective study subject area since 1995. From 1995-8, through research conducted amongst the indigenous communities of northeastern Nicaragua as a Masters student in Resource Management and Environmental Studies, I was able to develop a personal engagement with community based management and representation systems and challenges in Central America. This information provided a strong theoretical base in the field of TEK and indigenous common property resources. I subsequently was involved in the land claims efforts of these same Nicaraguan communities through work for an indigenous human rights pro bono firm, which brought me to also become involved in a parallel land claims process being promoted by the Maya of Belize's southernmost Toledo District, where I have worked since 1999. From daily and continuous interactions and interviews with community leaders and members in villages and meetings alike, information on Mayan perspectives on common property lands was acquired. Since 2001, I have worked for a British conservation organization, in which capacity I have since worked closely alongside a local Mayan conservation and development NGO in its efforts to devise culturally

appropriate and sustainable resource management strategies for reconciling protected area and community use resources. During this time I have conducted socioeconomic analyses of the livelihood systems of Toledo's Mayan communities, and developed several projects on the basis of structured, unstructured and group interviews, community meetings and field information. In addition, this paper draws from a wide variety of theoretical resources in the field, and primary and secondary sources related to the Belizean indigenous movement and common property management systems. As such, this paper draws from a rich background of primary data and involvement in indigenous efforts to define and secure rights to common property systems.

Case Study Area: Southern Belize

Belize's southernmost Toledo District contains approximately 14,000 Maya, from two ethnic groups, the Ke'kchi and Mopan Maya, who are themselves dispersed between 37 villages, ranging in population from 50 to around 1200². The Toledo District's long-standing isolation from the centres of state power and development concentrated to the north has facilitated the persistence of a strong Mayan cultural identity in this area, as demonstrated by the continuance of shared experiences and traits such as language, leadership, lifestyles and livelihood practices. A historically itinerant population, the precise location of Mayan communities has shifted over time in response to resource availability and land quality, amongst other factors not entirely defined. Nevertheless, as affirmed by Mayan anthropological experts, the Maya presence in the Toledo District clearly predates the establishment of the modern-day state, with small Mayan settlements clearly in evidence at the time of the Spanish in the 16th Century arrival³.

The persistent mobility of the Mayan people from one territorial location to another is mirrored in the daily livelihood practices they pursue in any given settlement location, with forest-based, shifting slash-and-burn agriculture continuing to represent the dominant form of subsistence activities. In addition to this land extensive agriculture system, also known as *milpa*, the Maya have traditionally conducted a range of other resource use activities within broad swathes of communal and often inter-communal forest lands, providing additional resilience to their livelihood systems. These include hunting of various forms of game, and gathering of an

² *Maya Atlas: The Struggle to Preserve Maya Land in Southern Belize*

³ *Maya Occupation & Continuity in Toledo*. Richard M. Leventhal, February 1997.

extensive array of fruits and plants from the forest for consumption, building and medicinal purposes, such as palm hearts, tree vines, greens and at least 125 different medicinal plants⁴. In addition, Maya communities generally maintain a common forest reserve of cohune and bay leaf palm trees to provide thatching for house roofs⁵, and will also cultivate permanent tree crops such as fruits, cocoa and coffee for both household consumption and marketing purposes. This diversified livelihood system has enabled the Mayans to retain a marked level of self-sufficiency and independence from state support and resources, despite being the most materially disadvantaged ethnic group in the country.

Over time, in common with many indigenous peoples, the Maya's livelihood strategies have undergone internal modification in response to the options available to them. In recent decades in particular, the increasing shortage of available land for cultivation, the impoverishment of forest ecosystems and concomitant resources as a result of logging, land conversion and encroachment, and the introduction of new wage-labour opportunities, however fleeting, have served to gradually decrease the dominant role played by subsistence agriculture in the Maya livelihood system. Mayans have moreover shown themselves open to change, and interested in identifying means of modifying their land use practices to better accommodate present realities, whilst retaining a strong sense of cultural identity and communal spirit in the process.

One of the more obvious example of innovation in indigenous resource management practices to meet present realities and opportunities is provided by the increasing number of Mayan farmers in southern Belize becoming engaged in the commercial cultivation of a traditional Mayan crop, cacao. A decade ago, a local producer organization, the Toledo Cacao Growers' Association (TCGA), signed a commercial agreement with a UK-based organic chocolate company called Green & Black's to export Mayan-grown cacao to Europe, under the auspices of a Fair Trade label. Since this time, and particularly in the past year with increased funding from the British Government, the TCGA has sent agricultural outreach officers out to work amongst the different communities of Toledo to encourage them to either enter or expand upon the production of organic, Soil Association-certified cacao. Since the successful cultivation of cacao depends upon

⁴ *K'ekchi' Maya Curing Practices in British Honduras*. BA Thesis, Anthropology Dept, Harvard University. James Boster, 1973.

⁵ *Maya People of Toledo: Recent & Historical Land Use*. Dr.R.Wilk, 1997.

the shade provided by the existing forest canopy, Mayans are as a consequence voluntarily reducing the amount of forest clearing for *milpa* cultivation they practice. Their incentive for doing so is compounded by the problems of land scarcity and increased population, which means that *milpa* rotations have been gradually reduced, leading to decreased soil fertility, yields, and economic returns. The result of a culturally compatible, economically viable livelihood engagement has been a reduction in ecological impacts by the local communities, and a modern example of the Mayans modifying their land use practices in response to available opportunities, in a manner designed to strengthen their system's overall sustainability. In the search for locally-meaningful, economically viable livelihood options by which to utilize common resources and sustain their cultures, Mayan communities are also becoming involved in adventure or cultural eco-tourism development, community-based timber cooperatives, and alternative non-timber forest product industries. At the same time, Mayans are being employed in less 'eco-friendly industries', such as medium and large-scale timber companies, roadwork projects and intensive agricultural plantations. Throughout the effort to identify new livelihood strategies, generally with the mediated intervention of commercial enterprises or NGOs, the Maya of Toledo have nevertheless demonstrated a strong interest in pursuing diversified, flexible livelihood strategies, according to a combination of cultural, ecological and economic considerations.

Indigenous Leadership and Institutions

When considering the management of communal lands and resources, it is important to recognize the important role which Mayan village leaders play in regulating how village land is used, and who owns it. The term *common* property can often lead to false assumptions of equal or no individual ownership within the resource spectrum held by the community. In actual fact, indigenous common property systems are governed by institutions and sets of rules and behaviour, which have been determined over time by the communities themselves, and are implemented and upheld by elected village leaders (E.E.Watson 2003). These institutions will demonstrate a variety of individual rights of access, preference and seniority in the distribution of communal land access rights.

For example, within the Mayan tenure system, village leaders or *alcaldes* uphold the right of farmers to own their personal *matahambre* plots near the riverbank; cultivation lands used for

permanent farming whose boundaries are marked carefully on the ground. These plots are inherited and can be rented or sold within the village, but not outside it. *Milpa* or slash and burn lands are however less tightly controlled, and village leaders will readily oversee change of use owner if the previous user is no longer occupying the area. Since fruit trees denote further ownership of an area, village leaders will use their presence to resolve disputes between contesting farmers should these arise. Within the residential village zone, village leaders also play an instrumental role in allocating house lots, determining lot boundaries, and arbitrating the resolution of inter and intra-household disputes⁶. Finally, village leaders from neighbouring communities will be responsible for adjudicating over any inter-communal dispute that should arise between their respective village members.

Although traditional village leaders or *alcaldes* continue to play a primary role in determining the distribution and management of Mayan common property systems, the introduction of new authority figures within Mayan villages in the 1970s by the Government of Belize created a new level of complexity within village leadership structures. In the attempt to streamline village-level management nationwide, the institution of village councils was introduced uniformly throughout the country, regardless of the prior existence in indigenous communities of parallel leadership figures. The resulting division of authority between contesting authority figures has in general terms, translated into *alcaldes* being considered in charge of adjudicating internal village matters and implementing customary law, while village councils and chairmen are responsible for liaising with external government authorities to represent village needs. In reality, the internal process of accommodation within indigenous communities has resulted in the roles and responsibilities of the *alcalde* and village chairmen becoming quite blurred and overlapping, with internal dynamics and individual personalities currently determining whether the *alcalde* or chairman wields more control in a given village. Indeed, the adaptability of indigenous management systems has meant that Mayan communities have been able to absorb these institutional changes and develop their own internal rationale for their coexistence.

In addition to village-level authority figures, the Maya developed a new tier of representation by which to advocate for their rights. In April 1978, the Toledo Maya Cultural Council was created

⁶ *System of Customary Practices of the Maya in Southern Belize*. Dr. Bernard Nietschmann, 1997:7-10.

to safeguard the economic, social, cultural and educational interests of the Mayas. The TMCC was subsequently registered under the Companies Ordinance Chapter 206 of the Laws of Belize in 1986, with its 12-member, 6 Ke'kchi and 6 Mopan, Executive Council elected on a biannual basis. As will be discussed in greater length, the TMCC provided the Maya of Toledo with a new means of advocacy through which to advocate on a national political level. The strength of advocacy and representation of the TMCC would later be enhanced with the formation of the Toledo Alcaldes' Association (TAA) in 1992, a general assembly in which each of the Toledo District's community *alcaldes* automatically became a member, and from which chairman and vice-chairman would be elected on a biannual basis. With the objectives of the TAA being to promote the importance of the traditional *alcalde* indigenous leadership system, and interests of their communities in general, their objectives meshed in many ways with the TMCC's, while providing an added level of authority given their role as elected village leaders. Together, the TMCC and TAA would take the concerns of the Mayan communities to protect cultural interests that had increasingly formulated between the late 70s and early 90s, to a next level of advocacy to the mid to late 1990s.

Political-Legal Dimensions of the Mayan Struggle in Belize

In order to fully appreciate the dynamics of the Mayan struggle to secure their common property resources, it is important to briefly consider the political-legal dimensions of their effort. It might seem surprising that having discussed the continuance and management of indigenous common property systems to the present day, that these have managed to exist despite lacking any formal recognition from the Government of Belize. According to recent research, 25% of forests in the most forested countries of the world, including Brazil, Bolivia, Columbia, Guyana and Argentina in Latin America, are either owned by indigenous or rural communities (White and Martin 2002). Belize's northern neighbour Mexico provides an interesting case in point, as noted by Alcorn and Toledo. Despite NAFTA-influenced land tenure reforms by the 1992 Salinas Government, which enabled privatization of communal *ejido* lands, the community-based corporate structure of *comunidades* lands was left untouched⁷. In place since the Mexican revolution, the legally-recognized tenurial system of *comunidades* enables households within the

⁷ In theory, *ejido* lands are Mestizo-owned and *comunidades* indigenous; in reality both mestizo and indigenous peoples are to be found in each (Alcorn & Toledo).

respective villages to use lands and resources recognized as communal, and prevents respective households from selling off the lands they use outside of the community membership. If land is no longer utilized, it reverts back to collective ownership and is redistributed according to need and position. As Alcorn and Toledo's research shows, whilst legal recognition of communal tenurial systems does not in itself guarantee that villages will themselves pursue ecologically sustainable development, the protection state recognition of these systems provides to otherwise resilient community-based management systems can be an important necessary prerequisite of long-term management systems. As the example of southern Belize will moreover demonstrate, when community-based management systems – and the indigenous organizations, leaders and communities which govern them – are not in the position to make long-term choices, and are susceptible to the influences which lack of state recognition implies, there can be direct repercussions for the longevity of their common property systems.

Recognition of community-based ownership and devolution of forest ownership in both pre and post-colonial countries to local people is therefore clearly an established, accepted practice in many countries of the world, which has moreover yielded notable conservation and development benefits. Belize cannot however be counted amongst this group. The forest lands and reserves which the Mayan of southern Belize use and depend upon for their livelihood systems discussed previously are either national lands or reserves, or private property. The Belizean legal system provides no mechanism to recognize, demarcate or entitle Mayan communal lands; nor as we shall see, has the Government of Belize proven particularly eager to amend this state of affairs. During the colonial period, in an effort to placate the Mayas, the British did establish 10 Indian Reservations within the Toledo District, amounting to a total of 77,000 hectares. However, these reservations existed only on a map, were never physically demarcated, nor officially enshrined in the Belizean constitution as Mayan lands (Maya Atlas, 1997). Moreover, this area did not reflect the true extension of Mayan communal land use. Since the Maya did not have legal rights to this land, with the colonial and later independent governments still retaining the right to bestow private property within its confines, the physically limited reservations did not provide a tangible safeguard for the Mayan's future. Nevertheless, the isolation and underdevelopment of the Toledo District facilitated the persistence of Mayan common property systems in southern Belize, despite their lack of legal recognition.

Over time, however, the Mayan communal systems' existence on the periphery of legal land tenure has appeared increasingly vulnerable to the pressures of land privatization, encroachment and logging concessions which the Mayan's parallel marginal socioeconomic status has only served to aggravate. Although Belize enjoys a relative level of prosperity compared to its Central American neighbours Guatemala and Honduras, and is enjoying a growing international profile due its booming tourism sector, the Mayans living in the south exist on the fringes of this system. 2002 poverty estimates for Belize indicated that while the average national percentage of poor was 33.5%, in Toledo where the majority of the population is Maya, this figure was at a staggering 79%. A factor contributing to and compounding the Maya's marginal socioeconomic status is their parallel subsidiary political status in Belize. Until 1998, no Maya had ever become an elected member of Belize's parliament, while the Belize Senate has never seen a Mayan occupied seat. The invisibility of Maya issues in the political discourse of the dominant Belizean society has clearly not facilitated resolution of the insecure land tenure situation which affects all Maya communities in Toledo, and the forest commons upon which they depend.

Defense Strategies and Progress in the Struggle to Legalize Mayan Communal Lands

It was indeed largely in response to an increased threat to communally-operated forests from a Government-granted Malaysian logging concession in the late 1990s that the modern Mayan political movement became galvanized. Through an alliance between the TAA and TMCC, the Mayans began to mount an organized protest against the granting of these concessions on what they considered to be their communal forest lands. The stark reality of the large-scale logging concession in their midst moreover helped crystallized indigenous grassroots awareness about the general threat which all their communal lands were facing, due to the government's readiness to bestow land titles and resource concessions in the so-called "empty" national lands of Toledo. This process was further facilitated by the election of a new chairman of the TMCC in 1995; Julian Cho, a Mopan Maya with post-graduate education in the United States, whose unusual intelligence, education and dedication to the land struggle provided a critical factor enabling the strengths of both young and old Mayan leaders to become mobilized in the effort. With the combination of effective leadership and unprecedented, palpable threats to common property forest resources, Mayan consciousness metamorphosed into a more concerted effort to gain

security over all Mayan communal lands. This process clearly necessitated a precise and defensible definition of what exactly these communal areas being claimed actually were.

The TMCC and TAA were subsequently able to elicit the joint support the renowned Barney Nietschmann and his graduate geography students from the University of California – Berkeley, as well a pro bono indigenous legal rights firm from Washington D.C., the Indian Law Resource Centre, to assist them in this process. In 1996 and 1997, through a monumental logistical effort, these groups coordinated the mapping of every one of Toledo's 37 Mayan communities, training individuals from each village to lead the data collection and mapping process in their respective areas. As a result, a set of hand drawn but nevertheless detailed maps depicting the lands used by the respective Maya communities were produced and collectively published as the Maya Atlas in 1997. These lands later represented the basis of a petition submitted to the Inter-American Commission on Human Rights by TMCC, on behalf of Toledo's 37 Mayan communities, in which the TMCC sought redress against the Government of Belize for violation of the Toledo Maya's rights by not recognizing their ownership of their communal lands and resources. This petition, which was developed for the Mayan by a pro-bono D.C-based legal indigenous support non-profit, the Indian Law Resource Centre (ILRC), cited logging, oil and development concessions as representing major threats to the integrity of Mayan communal lands, and called on the IACHR to evaluate the merits of the Mayan claims for human rights violations by the Belizean state. The TAA would subsequently join the TMCC in petitioners of this claim.

As well as utilizing mapping and legal strategies to secure their common land resources, the Mayans, with the assistance of the ILRC, also engaged in direct lobbying efforts of multinational corporations with whom Belize was engaged in designing national development projects, most notably with the Inter-American Development Bank who had signed a multi-million loan with the Government to construct a highway connecting southern Belize with the rest of the country. Arguing that the highway would lead to unprecedented land speculation and migration to the District, a process which was anticipated to further marginalize the Mayan communities, the TMCC attempted to block the project altogether. As a mediatory measure, the IDB offered to fund and help establish the Environmental and Social Technical Assistance Project (ESTAP), which was made responsible for developing District, zone, and community-level management

plans to facilitate socially equitable, economically viable and sustainable development of the area, and resolving the issue of Maya land rights. The Prime Minister of Belize at the time, Manuel Esquivel, recognized this commitment in a letter dated December 8th 1997 to the President of the IDB, Enrique Iglesias, in which he said that the

“Government is fully appreciative of the concerns, which have been expressed by the Mayans in connection with land tenure. Allow me to reiterate the Government’s commitment to addressing Maya land tenure issues within the context of ESTAP.”

Whilst awaiting the results of the IACHR report, the Esquivel administration was however replaced by Said Musa’s PUP party in the 1998 general election. The new Belize Government appeared in fact to be far more willing than its predecessor to engage in direct dialogue with the Mayan representative bodies, the TMCC and TAA, over the question of Mayan communal land rights. The parties subsequently embarked upon a lengthy but sporadic negotiation process, which eventually yielded a document known as the 10 Points of Agreement. This was signed on the 12th of October 2000 between the Government of Belize and an association of indigenous representative organizations, namely the TMCC, TAA, Toledo Maya Women’s Council, Ke’kchi Council of Belize and the Village Council’s Association-Toledo (known collectively as the Maya Leaders). The 10 Points of Agreement was intended to form the basis of the resolution of the Mayan’s land claims and the Belize government’s development interests in Toledo.

The agreement was significant in that it provided the first ever formal recognition by the GOB that Mayan communities have rights to lands and resources in southern Belize, based on their long-standing use and occupancy of these areas⁸. In the document, the GOB and Maya Leaders agreed to set up a Task Force to establish legislative and administrative measures to identify, recognize and protect Maya traditional land tenure and resource use, including the demarcation of lands, and recognition and protection of communal lands and resources⁹. How this process would be financed was left unaddressed. Nevertheless, the Maya Leaders were able to secure significant resources to meet these needs independently, having recently launched an ambitious

⁸ 10 Points of Agreement: Point 6.

⁹ 10 Points of Agreement: Point 7.

CIDA-funded project, called the Maya Co-Management Mapping Project (MCMMP), in conjunction with a northern indigenous NGO, the Indigenous Circumpolar Conference (ICC). The objectives of the project were to train local Mayans in GIS and data collection methods to upgrade the hand-drawn Maya Atlas maps, and to develop co-management plans and alternative livelihood strategies for the many inter-communal lands in existence, drawing upon the parallel indigenous experience provided by ICC, and resources provided by CIDA. Therefore as a result of the combination of legal and political pressure, and external fundraising and technical support, several negotiation and planning spaces had been created by 2001, suggesting that legal recognition of Mayan communal lands and resources would imminently be secured.

Unraveling of the Mayan Political Struggle

On October 24th, 2003, the IAHCR eventually determined that Belize had violated the Mayas' human rights, by not recognizing their rights to communal lands and resources. This decision, which was made public in early 2004, should have represented the victorious culmination of several decades of struggle, and perhaps even been preceded by national legal recognition of Mayan communal lands and resources through the advocacy and technical avenues already being pursued. Unfortunately, the IAHCR's pronouncement represented a muted achievement, occurring as it did against a backdrop of dislocation within the Mayan political movement and organizations, a concomitant loss of momentum in the alternative strategies being pursued, and a resulting concerted and strategic reduction of previously forged political spaces by state interests for the advancement of indigenous common property legalization in Belize. This combination of events has made it extremely difficult for the Maya communities and leaders to capitalize on this otherwise significant accomplishment. The primary factors which had colluded to result in the current nadir of expectations that Maya common property rights would be imminently recognized will be briefly reviewed, providing insights into the conditions which are needed – or serve to undermine – state recognition of indigenous common property systems.

Leadership & Organizational Capacity

Clearly, although the IAHCR found in favour of the Belize Maya case, international legal victories in and of themselves are not sufficient to ensure the protection of indigenous common property systems. Other key factors determining success are the effectiveness of indigenous

leadership and institutions. In a globalized era of communication, human rights and environmental consciousness, new political and moral space is available externally for indigenous peoples to harness and utilize in the advancement of their domestic agendas. Indigenous peoples' organizations are today more than ever likely to be represented by relatively younger, educated individuals familiar with modern values and customs, who possess the types of skills such as bilingualism and literacy necessary to function in external political and economic circles (Baland & Platteau, 1996: 341:2). These younger generation indigenous leaders are usually most effective when they take pains to work in tandem with older or community-based leaders, who might not possess their same skills of political representation and negotiation in non-indigenous circles, but nevertheless hold moral authority at the community-level by which they effectively influence community-based action and common property management systems.

Belize's Mayan political movement in the mid-1990s fit well into this model of dual leadership, with the TMCC led by Julian Cho representing the younger, innovative generation of leaders, comfortable moving in community and international circles alike, and the TAA representing the traditional moral authority of customary village leadership. However, this effective indigenous political partnership had become substantially weakened by 2004. One of the first blows suffered was the loss of the charismatic leader Julian Cho, who died under mysterious circumstances in December 1998. The untimely death of Julian demonstrated the fragility of the Mayan indigenous organizational structure, given its dependence on a charismatic, educated leader, and dearth of effective successors. This tragedy moreover frightened Mayans at all levels, who perceived a direct connection between Julian's death and his fervent opposition to the alienation of Mayan community lands through land privatization and logging. As a result, enthusiasm for indigenous advocacy was replaced by an underlying sense of unease and fear.

Julian's Vice-Chairman automatically succeeded him as TMCC chairman. However, this individual not surprisingly lacked Julian's unusual worldliness, education and capacity to effectively verbalize and represent the Mayan strategy before an external audience. Like Julian, the new Chairman did not live in a Mayan village but the District capital of Punta Gorda; unlike Julian, he did not fully appreciate the importance of maintaining regular communication with the

community-based leaders integral to the movement. As the practice of Julian's weekly informal visits to the communities, the result of his applying personal time and resources to do so, was discontinued, a dislocation of communication and purpose between the TMCC, the TAA and the communities began to emerge. As a result, the ILRC, which had become deeply involved in the Mayan land struggle at Julian's encouragement, and through its involvement in the Maya Atlas and development of the TMCC petition before the IAHR, found itself taking a more hands-on role in sustaining the indigenous institution of the TMCC than it had ever intended to, or was comfortable in doing. The ILRC had clearly anticipated that after providing initial support to the TMCC to fundraise and strengthen institutionally, it would eventually become independent of their help. However, a grassroots indigenous movement which had emerged with minimal resources but an incredible groundswell of enthusiasm had since become reliant on the institutional support provided by office space, staff and meeting per diems, though it still lacked the capacity to meet these needs independently. Without strong leadership, these administrative concerns started to consume the members' energies, with land rights strategies taking a relative back seat in their focus. The ILRC therefore struggled in determining the level of appropriate support to provide their clients, ultimately opting to step back considerably from the institutional strengthening process. Nevertheless, the involvement of an international advocacy movement had opened TMCC and the indigenous land rights claims process in general to accusations of being an internationally orchestrated initiative, undermining its local legitimacy to an extent. In its increasingly weakened state, the TMCC lacked the capacity to effectively counter this charge.

Meanwhile, tensions that had bubbled beneath the surface during Julian's tenure between the TMCC and the Ke'kchi Council of Belize, which had formed in the later 1990s out of a belief that the TMCC was a Mopan Maya dominated entity, emerged to the surface. KCB, the Toledo Maya Women's Council, and even the Toledo Alcaldes' Association felt aggrieved that the TMCC had taken so much of the spotlight as the Mayan representative organization over the past decade, and demanded equal recognition and say in the negotiations at the OAS and Government levels. Initially, the outcome of these inter-institutional indigenous tensions was the positive creation of a broader coalition of Mayan organizations to lead the lands rights struggle, namely the Maya Leaders. However, over time, the difficulties of sustaining and coordinating both the broad coalition and the individual 5 indigenous organizations that formed a part of it, rather than

the TMCC alone, proved a critical factor in dissipating the strength and direction of the Mayan political movement.

Role of International Funding in Shaping Indigenous Strategy

While the indigenous representative bodies struggled to maintain focus and means to sustain their advocacy work, the increasing opportunities provided by the unprecedented levels of funding for environmental and development activities in southern Belize, led many of the new guard of educated or experienced Mayan leaders to subtly refocus their energies in different areas. With Mayan communal rights a low to invisible priority for these new agencies, no doubt due to its politically contentious nature, land tenure resolution inevitably began to take a back seat to conservation projects which provided means of income to these leaders, as well as direct benefits to local communities jaded by the elusive promise of land rights. Land tenure political advocacy came to represent more than ever, a marginal, extra-curricular, volunteer activity. Meanwhile, as communication increasingly began to lag, the Mayans dispersed between the 37 different communities felt increasingly distanced from their leaders and the land advocacy movement. This resulted in a weakening of engagement in the issue on behalf of the villagers, particularly as tangible changes in their tenure situation had yet to materialize.

At the same time as funding for conservation for southern Belize grew in abundance, resources to promote indigenous land rights issues were noticeably dissipating. Support from the Government of Luxembourg which had been provided for several years to sustain the TMCC's institutional management was not renewed in 2000. Funding secured from the IDB to sustain the Maya Leaders' outreach advocacy in TMCC's place was reneged half-way through the process in 2001. Both funds were facilitated by the ILRC; without its support, the organizations were incapable of finding replacement support. Meanwhile, the CIDA MCMMP project hit insuperable management problems related to ICC's commitment to the process; a factor which the Maya Leaders lacked the political clout or capacity to negotiate an alternative arrangement directly with CIDA. The project was therefore suspended after only a year of operation in 2002, with a fully-equipped GIS lab left empty in Punta Gorda, only one Maya Atlas community remapped, and the Mayans trained in GIS and research skills by outside consultants forced to return back to employment in village school positions.

In the midst of all the difficulties experienced in maintaining the collective focus of indigenous leadership, and indigenous institutional capacity, threats to Mayan common property resources continued to present themselves at an ever greater pace of intensity. The paving of the southern highway was virtually completed by 2002, and as expected, interest in Toledo's economic potential increased. The IDB-ESTAP project had however closed down by 2001, having failed to produce more than a handful of pilot community plans, no zone level plans, and only a regional plan which by 2004, has yet to move beyond the theoretical stage. New logging concessions have been granted, and land privatization has continued unabated. In the absence of a strong Maya leadership, institutional strengthening support, or resources to sustain their institutional growth and community outreach activities, the Mayan Leaders began to function on greatly reduced level of effectiveness, resulting in the negotiations with the Government of Belize to define Maya lands to become sporadic and unproductive. By 2002, the TMCC offices in Punta Gorda had closed down; the organization that had galvanized indigenous advocacy in previous decades had effectively ceased to exist.

The Struggle to Define Maya Communal Lands

In addition to weaknesses in the areas of leadership and capacity, communication and resources, another reason for the rapid decline in the strength of the Mayan political movement over the past five years was the difficulty experienced by the Maya in defining a clear and constant articulation of their demands for legal recognition of common property resources. During the Maya Atlas mapping period, the land rights demand was represented in the form of a "Maya Homeland", which would represent the sum total of all individual community land maps and claims. By presenting communal land rights demands jointly, and requesting one comprehensive block of land, it was believed that the potential difficulties of reconciling the overlaps of inter-communal land areas, generally forested lands where respective villages hunted, fished and gathered with equal rights, would be avoided. However, the impossibility of securing any political support or legitimacy amongst the broader Belizean public and legal system for the "Maya Homeland" concept, which was reinterpreted as the unacceptable creation of a state within a state, made this position increasingly untenable. As a result, in the post-Julian era, the Maya Leaders openly eschewed references to the "Maya Homeland", and instead called for

demarcation on the basis of community to community ownership, considered a more palatable representation of indigenous lands claims given Belizean political realities.

This modification in the representation of Mayan common property tenure however resulted in the creation of new tensions from within the indigenous communities. The researchers working during the one year of the Maya Co-Management Mapping Project realized when geometrically transposing the Maya Atlas maps to a single comprehensive District map, which showed the location of the respective community maps, that reconciliation of the systemic overlaps would represent an extremely thorny issue to resolve. Although the U. of California geographers were reportedly well aware that the respective community maps presented individually in the Maya Atlas likely had several boundary overlaps with one another, this had not been fully appreciated by the communities themselves, who had since taken ownership of the maps depicting ‘their’ respective communal areas. As revealed from research into indigenous mapping processes in Nicaragua, the very process of data collection and map creation can indeed transform the participants’ perceptions of their common resource, strengthening their sense of ownership as a result of the tangible, physical map it produces (Hale et. al, Offen 2003). Claiming indigenous lands on the basis of community per community title therefore threatened to result in considerable conflicts amongst the villages themselves, from which the authorities would only benefit. For example, in the case of the village of Mabil Ha, a staggering 95% of the community lands used by the village overlapped with lands claimed by others. That being said, the MCMMP’s holistic experience in not only remapping one community during its short time in existence, Indian Creek, but mediating discussion of their overlaps with its neighbours of Golden Stream and Silver Creek yielded a surprisingly rapid resolution of their respective boundaries. The Indian Creek experience therefore suggested that despite expectations, the issue of inter-communal boundaries might not prove as problematic as anticipated. Nevertheless, the premature termination of the MCMMP project meant that it eventually became impossible to determine with any degree of confidence, from a more representative cross-section of communities, the level of protracted conflicts which inter-communal boundaries might pose in the legalization of communal lands.

The challenge of articulating Mayan demands in a manner which could not be undermined by inter communal conflicts over village boundaries was not the only obstacle faced. The proliferation of individual lease and property applications and permits within communal land areas by both outsiders and Mayans themselves represented an additional challenge to both the formulation of a cohesive land claims position, and the physical demarcation process on the ground. The Mayans were continuously faced by the encroachment of private land tenure into their communal land areas. At the same time, many Mayans, particularly the younger generations, were finding themselves increasingly at ease with the Belizean land system, in which the right of every national to lease national lands at very modest rent fees was recognized. They were therefore taking advantage of this opportunity to stabilize their respective tenure concerns. Indeed, the parceling of national lands into lease was during these years being promoted heavily by the only Mayan ever elected to parliament (in 1998); particularly around election time of 2003. Political pressure for support and votes therefore resulted in an exponential increase in new private land parcels being demarcated for Mayan villagers.

For all these reasons combined, and seeing no resolution of the land claims process in sight, Mayans have in increasing numbers sought the security which formal leases or titles provide them. Land titles have been secured primarily for household plots, but are also being claimed for agricultural lands, entailing an inevitable reduction in the traditional mobility of the Maya people. This does not mean the Mayans of southern Belize consciously decided to renege on their rights to secure their broader communal rights. Securing land leases and titles rather represented a necessary survival strategy in the face of the furious pace of land privatization witnessed in Toledo over the past decade. It nevertheless led to a clear if muted accusation in non-indigenous Belizean circles which the Government status quo clearly benefited from: that the Mayans wanted the both of best worlds, communal land titles, and private titles or lease.

Informal surveys by the Mayan Leaders conducted in 2000-2001 moreover revealed that the process of land demarcation and entitlement was not uniform amongst Mayan communities. It was rather concentrated mostly in the larger communities, those located near the southern highway or in the District capital of Punta Gorda. Village in the further reaches of Toledo towards the border with Guatemala had noticeably less leased land properties. This led to a

suggestion aired between the Maya Leaders and ILRC that communal land titles should continue to be claimed for these more isolated villages alone, with the increasingly individually demarcated communities claiming usufruct rights for buffer forest-based lands for hunting, gathering and other purposes alone. However, the difficulty of developing legal distinctions between the communities, compounded by the very real prospect that there might not be any communal areas devoid of lease lands by the time the Belizean state eventually recognized indigenous communal land tenure, made it hard for this proposal to gain credence amongst the Maya Leaders. It was also clear that the Mayan Leaders themselves experienced a difficulty and even moral struggle with the issue of lease and communal lands, with many of them having themselves secured individual titles to land; was it an either or question? Were they betraying their claims to common property resources by so doing?

An additional strategy was therefore developed by the Maya Leaders and their technical supporters in 2001, which sought to acknowledge both the process of individual lease and title occurring at the village level, and recognize the Mayan peoples' desire to present a politically palatable solution within the context of the nation-state in which they resided. Unlike for example the Miskito Indians of northeastern Nicaragua, whose historical conflicts with the nation-state have bred a propensity for direct challenges to the government in their respective land claims process, the Mayans of southern Belize have no experience in living, recent or historical memory of conflicts with the national government to draw upon in radicalizing or mobilizing their position. Indeed, in a country with only 266,000 people, the level of familiarity and accessibility between government and people results in the development of personal relationships between politicians and indigenous leaders which create both opportunities and constraints upon the land claims process. The strategy devised in 2001 therefore aimed to appeal to the Mayan's desire for political compromise, by speaking to the existing Government's own legislative record; namely the Village Council Act of 2000, which gave communities a broad mandate to demarcate and manage, though not own, lands that they utilized. The VCA effectively made villages an official tier below municipalities in the governmental administrative system of land management, presenting an intriguing mechanism by which community-based management interests could be formally recognized and applied at the grassroots.

Nevertheless, after being enacted, the framework for community-level management provided by the VCA was generally not acted upon, not only by villages in Toledo, but throughout the length of Belize. This was mostly the result of a pervasive lack of awareness about the opportunities for community empowerment provided by the VCA, coupled with a similar lack of capacity at village levels to capitalize upon the opportunities presented by it. As a result, the VCA had represented a largely ignored piece of legislation, which the Maya Leaders however thought might have the potential to be modified and represent a more strategic vehicle by which the government and general public of Belize might more readily accept the concept of indigenous community-based land management. Suggested reforms to the VCA framework included provisions to recognize the role played by the *alcaldes* alongside the village chairmen in the context of Mayan villages, and to legalize the authority of both village leaders to oversee and enforce governance rules for communal lands within the legislative framework, such as non-transferal of titles outside the village membership. It was also suggested that the widest possible extension of village boundaries should be sought through the auto-demarcation process enabled by the VCA, to encapsulate not only residential but forest-based communal lands.

The proposal to advocate for an amendment the VCA as a means of addressing the Mayan land tenure concerns was however never concretized for several reasons. The legal alternative was never wholeheartedly embraced by the Maya Leaders' legal advisers, who were more enthusiastic about the international legal avenues available. They also expressed concern that since the VCA would not result in actual ownership of lands, it would represent a fragile basis for Mayan common property rights. At the same time, the community-based Maya leadership experienced considerable difficulties in fully grasping the intricacies and implications of the VCA proposal, particularly given the sporadic nature of the Maya Leaders meetings held to discuss this and the other options before them. This was in itself, a consequence of weakened leadership, resources and capacity discussed in previous sections. The task of conveying these options to the communities therefore represented a heavy burden for them to assume and sustain, particularly in the absence of resources to mobilize District communication, and given the dearth of institutional capacity to leverage such funds. In reality, the same obstacle was encountered at every strategic crossroads, with the implications of the IAHRC land rights case, the ESTAP planning project, the homeland proposal and the VCA option sometimes captured, but never

fully mastered at all levels of the leadership structure. As a result, doubts emerged over whether the VCA option really was a viable alternative or not. Ultimately, the difficulty of formulating a clear and constant articulation of Mayan communal land claims by the leaders and communities of southern Belize, that can be sustained, advocated and prove appropriate at all relevant political and social levels, has represented a major challenge in their advocacy movement.

Conclusions

The prospects of securing legal recognition of Mayan common property resources in southern Belize remain unclear. Twenty-five years after the Mayan political representation movement was first launched, and ten years after attaining particularly impressive and optimistic levels of visibility and momentum, the organized mobilization of Mayan people in defense of their common property interests appears today to be surprisingly tenuous. In the absence of a unified voice and leadership structure amongst the Maya, the Government of Belize has found an implicit strategy of delay, inactivity and business-as-usual to be an extremely effective means of sidelining indigenous land and resource rights claims. Several years after the granting of a large logging concession to a Malaysian company helped galvanize the Mayan people in defense of the common property lands, another concession was recently been granted to a US company on some of the same and additional lands as given before, without more than a murmur from the Mayan representative groups. It would appear that faced by the difficulties of formulating and sustaining an effective strategy to secure recognition of Mayan communal land ownership within a state tenurial system that provides no safeguard for common property resources, and indeed promotes an open access situation of untenable resource exploitation, the Mayan's clarity of convictions with respect to the political defense of their communal lands has become somewhat clouded by the experience. As a result, the prospects of securing the integrity of these common property systems, and developing sustainable management systems on the basis of them from which to counterbalance or even replace the dominant processes of land conversion, deforestation and privatization, seem unfortunately far bleaker than they appeared a decade ago.

At the same time as communal land rights have taken a back seat in the agendas of Mayan leadership and communities, as was noted previously, new initiatives have emerged at both levels to promote more sustainable management of these same threatened resources. This has

primarily occurred through conservation and development funded initiatives, such as the cultivation of organic cacao for export to the international market example cited earlier. These efforts are moreover sustained by active conservation and development agencies, for which the issue of insecure indigenous land tenure has not represented a major feature of their work or agendas. The irony is that without secure land tenure for rural communities, indigenous or otherwise, the protected areas and natural resources that these organizations seek to conserve or develop through sustainable means are likely to become threatened over time, as the deficiency of available lands on which to eke out livelihoods forces indigenous peoples to invade them for survival. With much of the organic cacao being exported to the UK grown on national lands not owned by their growers, what will the fate of these and other promising sustainable resource management initiatives, if indigenous land tenure or management systems are not recognized?

The Mayan leaders engaged in these projects have however proven reticent to force their international conservation and development partners to recognize and act upon these concerns. Nevertheless, it would appear that there is far more scope for mediation and resolution of indigenous land tenure issues, when presented in the context of conservation and long-term development projects and funding support, than is currently being attempted. This is particularly true given that the Belizean national economy has so many interests in the growing tourism sector, which depends upon a healthy environment for its sustainability. There might therefore be considerable scope for a new advocacy movement to secure legal recognition of Mayan common property resources in Belize, which does not rest solely on political and legal opposition of the state, but rather seeks new, interdisciplinary partners in the search for a mediated resolution which appears to address multi-stakeholder and sector interests, as opposed to indigenous interests alone.

The preceding analysis of the political effort to secure communal land tenure in southern Belize has yielded a variety of lessons and prospects for this and other contexts of struggle to protect parallel traditional management systems. It is clear that the effort to secure legal recognition of common property systems in Belize has suffered from difficulties in maintaining both a coherent message, and unified mobilization of the different tiers of indigenous leadership by which to advocate its adoption. As such, it is important to recognize that securing the objectives of

common property protection, like any other advocacy initiative, requires adequate resources; a strategic, consensual, continuous and accessible planning process; education and capacity-building support across the requisite disciplines of law, politics and resource management. In addition, an astute analysis of the given political context, to determine the opportunities provided for advancement of community-based interests by the broader context around them – even in the case when these not intentionally created, such as in the case of the VCA, or by multilateral funded development projects like ESTAP and the IDB – is an imperative part of forging a feasible defense of common property systems in a given place and time. The willingness to develop new partners, from perhaps unforeseen quarters, and identify common interests and grounds for collaboration between different sectors such as conservation, development, and human rights organizations, as well as the national government, can also represent a fruitful approach to consider. Ensuring that these and other factors are in place clearly represents a formidable task, but to assume that indigenous peoples will be able to protect their common property systems on the basis of ecological merit alone, in the face of often sophisticated and committed political opposition is to plan for failure. Indigenous peoples will ultimately need to remain true to their core values of flexibility and adaptation to succeed in developing effective strategies to protect their common property resources and livelihood systems.

The objective of this paper has been to demonstrate the relevance, or perhaps the imperative, of analyzing sociopolitical contexts and conditions in addition to ecological dimensions, when considering indigenous common property systems. As has been evidenced by the case study discussed above, common property systems do not exist in an ecological vacuum, but rather find their nature, integrity and long-term prospects greatly defined by the broader sociopolitical contexts in which they are situated. In particular, when state tenurial systems provide no space for recognition of indigenous common property systems, there are good prospects that these might become eroded as a result. In the interest of securing the longevity of indigenous common property systems, to safeguard both their contributions to sustainable resource management and the very cultural and ecological institutions upon which they are predicated, it is imperative that strategies built upon interdisciplinary experience, planning, adequate resources, local capacity-building and opportunity are devised.

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