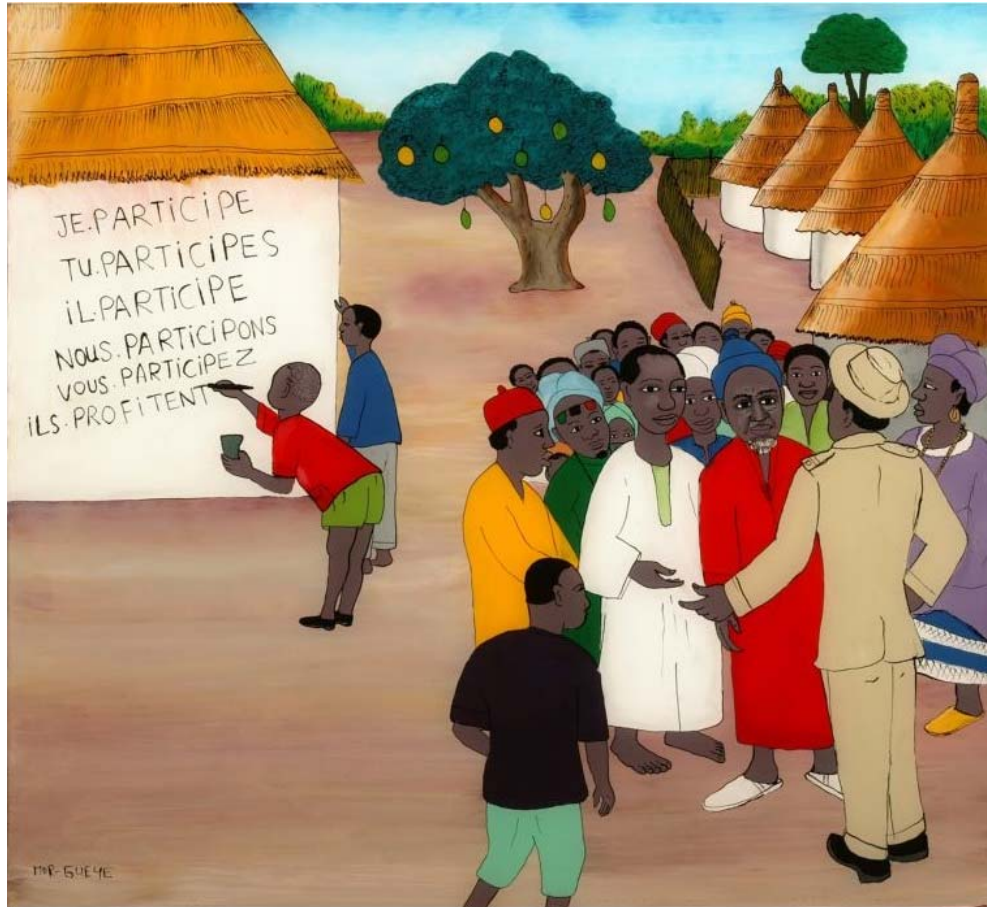# REPRESENTATION, EQUITY & ENVIRONMENT
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Working Paper 27

Indigenous Peoples, Representation and Citizenship in Guatemalan Forestry

by

Anne M. Larson

August 2007

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Cover Image Artist: Mor Gueye

Mor Gueye is an internationally renowned Senegalese artist. At over 80 years of age, Mor Gueye is considered the 'dean' of Senegal's reverse glass painters. This technique, where he paints on one side of a glass pane to be viewed from the other, is popular in urban Senegal. The reverse glass paintings on the cover were photographed by Franklin Pierre Khoury, the art photographer of the Museum of African Art at the Smithsonian Institute in Washington, DC.

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ABSTRACT

Forestry decision-making is still largely centralized in Guatemala. Nevertheless, elected municipal[1] governments can now play a key role in local forest management. These local governments, with some exceptions, are the principal local institutions empowered to participate in natural resource authority. Some theorists argue that such elected local authorities are the most likely to be representative and downwardly accountable. But, do these political institutions have the ability to represent the interests of minority and historically excluded or oppressed groups? Latin American indigenous movements are fighting for new conceptions of democracy and practices of representation that recognize collective rights and respect for customary law and authority. How does this approach compare with elected local government? This paper compares how elected municipal governments versus traditional indigenous authorities represent the interests of indigenous communities in forest management. It traces the historical context of relations between indigenous people and the state in the region, and then presents the findings from case studies in two Guatemalan municipalities. The paper finds that both authorities have some strengths as well as important weaknesses, thus supporting arguments for the conscious reinvention of both liberal democracy and tradition in the interest of inclusive citizenship.

ACKNOWLEDGMENTS

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[1] In Latin America, 'municipal' government does not refer only to urban government; rather, these authorities are also responsible for the surrounding rural area, which may be substantial. In US political terminology, their jurisdiction is more on the order of a county.

INTRODUCTION

Which local institutions are chosen and recognized in the process of decentralization (Ribot, 2005)? What are the implications for local democracy? Some scholars argue that new institutions being created and supported under decentralization are undermining representation and the emergence of democratic local government (Manor, 2004; Ribot, 2004; Ribot and Larson, 2005). At the same time, powerful arguments are challenging Western ideals of democracy and its ability, as currently conceived, to represent the interests of groups that have been historically marginalized or excluded, such as indigenous peoples in Latin America (Van Cott, 1994, 2000a and 2000b; Yashar, 1999).

This paper analyzes the dynamics of forestry decentralization in two Guatemalan municipalities, both with populations that are over ninety percent indigenous. Institutional choice in this context is among elected and 'other' non-elected local institutions. It is about the degree to which elected authorities fulfil their mandate to be representative and accountable and the degree to which non-elected bodies can serve these same functions. In the Guatemalan case, the National Institute of Forests (INAB) has chosen to work through municipal governments, helping establish municipal forestry offices in a third of the nation's municipalities. To some extent, however, the municipal forestry offices act as deconcentrated offices of INAB with little discretionary power. They carry out responsibilities delegated by INAB and serve as intermediaries among INAB, municipal governments and local residents. Nevertheless, in part because they are hired and supervised by the municipal government, some of the municipal forestry offices have also responded to local initiatives and demands in important ways.

One of the municipalities analyzed here is seen by INAB as having a particularly 'successful' forestry office. The other is a municipality in which INAB has been unable to establish a local forestry office due to the opposition of a local traditional authority, which somewhat forcibly took control over the forest sector and has refused to allow INAB to work there. These sharply contrasting cases are used to interrogate the implications of institutional choice and of municipal versus traditional authority specifically, in light of indigenous demands for representation, citizenship and the respect for collective and individual rights.

Questions, hypotheses and methods

What are local priorities with regard to forests among indigenous people, and to what extent do elected municipal versus traditional authorities represent or respond to their interests? Some scholars and practitioners assume municipal authorities to be more likely to be representative, because elections (and other oversight applied to local government) open greater potential space for downward accountability and active citizenship. Other scholars and practitioners expect indigenous authorities to better understand and speak for the demands of local people, and see them as an important interlocutor with the State. The research presented in this paper finds no simple answer; rather, both hypotheses are valid. Using two case studies, this paper analyzes current debates on institutional choice and recognition as they affect representation and citizenship.

The paper argues that, given the history of state-indigenous relations in Guatemala, it may not be possible for institutions (political parties and local governments) that form part of a state that has historically repressed the indigenous population to unproblematically become representative of and accountable to that same population. Nor is it necessarily possible for the indigenous population simply to trust that they will. Critiquing *which* institution the central government recognizes may be less important than examining the processes by which indigenous peoples seek representation and perform citizenship through *both* types of institutions. In the two cases discussed in this paper, indigenous peoples[2] engage actively with both institutions, but in different ways, under different circumstances, and with different results. At the same time, other actors are also using these institutions to advance their particular interests.

The background research for this study is based upon the review of existing publications (including 'gray literature' on the municipalities, such as NGO studies and municipal development plans and forest policies) and recent historical documents on Guatemala, as well extensive interviews, primarily in the capital, over a period of three years. The field research, discussed in the empirical section, involved two visits to the departmental capital of Quiché and two week-long visits to the field sites with a research assistant, in January 2005; about thirty in-depth interviews were conducted in each, with municipal, indigenous, NGO and national government officials, as well as with a variety of rural community leaders.[3]

Outline of the paper

This paper is organized in five sections including this introduction. The next section addresses theoretical questions regarding democracy, with particular emphasis on Latin American indigenous history and movements. In particular, it addresses five important historical points that raise concerns regarding the possibility of liberal democracy, as currently conceived, to represent the interests of indigenous citizens, then discusses problematic aspects of traditional or customary authority. The third section examines forestry decentralization in Guatemala and presents the two case studies. This is followed by a discussion and analysis of representation and citizenship based on the findings, then a short conclusion.

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[2] It is important to mention, of course, that not all "indigenous people" are the same or have the same interests. Even the definition of "indigenous" can be problematic. Greater discussion of this, however, is beyond the scope and space limitations of this paper, and as such these terms should be seen as a convenient shorthand (for further elaboration on these themes, see, for example, Canessa 2006).

[3] Given the short duration of the field visits, as well as the difficulties of doing research in this war-torn and highly conflictive area, the case studies were aimed as much to identify key questions as to find answers. They were also chosen not to be representative but rather to highlight interesting exceptions.

THEORETICAL CONSIDERATIONS IN LATIN AMERICAN CONTEXT

'Institutional choice' refers to the entities chosen by governments to receive powers under decentralization or other policy initiatives and, most importantly, to the political, ideological and theoretical positions underlying that choice (Ribot, 2005). The 'recognition' of a particular local institution in turn confers power and legitimacy and 'has multiple effects that can shape democratic inclusion' and forms of belonging (Ribot, 2005: 15). Following this logic, the recognition of downwardly accountable institutions, usually locally elected governments, will deepen inclusive democracy and citizenship, whereas the recognition of other parallel institutions such as traditional authorities, NGOs or stakeholder committees may undermine elected authority (Manor, 2004) and create opportunities for elite capture (Ribot, 2004).

In contrast, other theorists celebrate pluralism, which could be described for the purposes of this discussion as the recognition of numerous local institutions, as a good in and of itself (Wollenberg et al., 2005), in that it acknowledges diversity and the importance of debate and negotiation. Many at least identify an important role for civil society organizations in the construction of democracy (Fox, 2004; Larson, 2004; Putnam 1993). The articles in this volume provide contradictory evidence on the role of social movements or community organizations and their relation to local government (see Chhatre, 2006; Lankina, 2006; Toni, 2006). Together with these findings and the ones presented here on traditional and elected authority, these studies suggest the importance of history and context to understanding the conditions under which the choice of certain institutions leads to more inclusive outcomes.

Local democracy in historical context

Any discussion of institutional choice in Latin America must be based on an analysis of the needs and demands of the region's indigenous movements and an understanding of the historical relations between these populations and the state. Since the 1990s in particular, these movements have made powerful and sometimes successful arguments for the transformation of the region's democracies in radical ways, based on an expanded conception of citizenship and the construction of pluricultural and multiethnic states (Van Cott, 2000a and 2000b). They argue for a pluralist democracy that includes not only respect for individuals and their ideas but also for collective identities based on sociocultural differences (Ticona Alejo, 1996). The discussion here touches on a series of five points of important historical and cultural significance for the region, including the role of decentralization, before going on to discuss debates regarding custom and customary authority specifically.

The first point of debate is the myth of the *mestizo* nation-state and the history of *indigenismo*[4] as the state-sanctioned policy to assimilate and destroy indigenous populations. Virtually all of the Constitutions of Latin American nations failed to recognize, until very recently, that their populations are not, in fact, *mestizo*, or uniformly

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[4] Though 'indigenismo' often refers to this policy specifically, it is sometimes used with different meanings. See, for example, Ramos (1998) for her use of the term 'indigenism' in Brazil.

of mixed race and culture: 'children of a mythical European father and Indian mother' (Van Cott, 1994: 3). Throughout Latin America, from countries with populations that are one percent indigenous to those that are over fifty percent, the myth that the original inhabitants have disappeared has been perpetuated by dominant, if not majority, non-indigenous leaders.

This policy of exclusion is rooted in the colonial period, which established 'a rigid race-based class hierarchy', and the construction of nation-states through the 'conquest, domination, and exploitation of indigenous peoples' (Van Cott, 2000a: 2). Indigenous policies under independence evolved from annihilation, to forced removal to reservations, and, finally, to *indigenismo*, or assimilation, which was broadly adopted by 1940 and is still predominant in laws enacted as recently as the 1980s aiming 'to transform Indians into undifferentiated citizens' (Van Cott, 1994: 260; Stavenhagen, 2002). Inclusion, citizenship, and class mobility, then, required assimilation, and those who chose to maintain their indigenous identity remain excluded (Eckstein and Wickham-Crowley, 2003).

Indigenismo is based on a racist ideology of guardianship or tutelage, the protection of Indian welfare and paternalism, with education as a tool for cultural assimilation and the defence of culture as folklore (Tresierra, 1994). Tresierra (1994) traces indigenist principles through the history of the Mexican state, identifying different configurations of accommodation and policy but always with the same fundamental philosophy, even with the rise of 'participatory *indigenismo*' in the 1980s and 1990s. He argues that the primary goal of the state is to gain access to Indians' lands and natural resources. When indigenist strategies fail, the state's recourse has regularly been to turn to violence and repression.

This violence was particularly brutal under Guatemala's military governments in the second half of the last century (Adams, 1994). Hundreds of indigenous communities were annihilated during the war that ended with peace accords in 1996, by an army that sought 'to reinvent the Maya … as a people bereft of history, of memory, and above all of agency in their own affairs' (Maybury-Lewis, 2002: xvi).

The growing recognition that the regions' democracies are not, in fact, consolidated, due to the failure of the liberal democratic model—based on notions of individual universal values—to protect the rights of indigenous individuals, has emerged as an important second point of debate. In the last two decades of the twentieth century, many Latin American countries returned to democratic rule after a period of authoritarian regimes, by instituting formal structures of democracy, such as elections and the right to organize. In parallel to this democratic opening, economic liberalization and structural adjustment policies (SAPs) were also implemented (Yashar, 1998). The resulting distribution of income and wealth in Latin America remains highly skewed. SAPs only deepened existing inequities (Eckstein and Wickham-Crowley, 2003).

Van Cott (2000a) argues that democratic consolidation thus faces two fundamental challenges: the legitimacy of a political system theoretically based on equality but with worsening economic conditions, and the gap between formal rights and the effective practice of citizenship, particularly for the poor. In Latin America, the configuration of new

democracies occurred in a context of weak rule of law, weakening states and strengthening rural elites, resulting in states that serve 'private interests rather than the public good' (Van Cott, 2000a: 5). Under these conditions, neither the political, civil or socioeconomic dimensions of citizenship (Marshall, 1963) are guaranteed, in practice, for groups that have traditionally suffered discrimination. Even in countries where civil rights have improved substantially, permitting safe spaces for the rise of indigenous movements today, political spaces are still substantially blocked while economic conditions worsen.

Liberal democracies based on universal individual rights may claim to represent all people equally but in practice 'privilege certain dominant voices over others' (Yashar, 1999: fn. 32). In the context of state repression, violence and policies of assimilation, it is no surprise that indigenous people fail to believe that such discourse, or even its institutionalization in national law, will guarantee and protect *their* individual rights; on-going violations are common. Hence, indigenous movements are challenging the liberal notion that the individual be the only unit of representation, demanding instead that 'the state simultaneously protect members' individual civil and political rights *and* recognize indigenous communities as a political unit' (Yashar, 1999: 92, emphasis in original). In a sense, guaranteeing collective rights provides a legal basis for fighting assimilation, which in practice had been the only avenue for indigenous people to gain equal citizenship.

A third critical element of background is the powerful challenge to the liberal democratic model implicit in demands for indigenous self-determination, respect for indigenous territories, and greater indigenous political participation. Indigenous movements are challenging prevailing liberal democratic notions of citizenship and the nation-state. They are promoting multiple forms of citizenship and the formation of states based on diversity and pluralism, such as through 'autonomous domains of sovereignty that maximize the effective participation of diverse groups' (Van Cott, 2000a: 10; see also Jelin and Hershberg, 1998) and the guarantee of national representation (Yashar, 1998).[5] The demand for autonomy is a collective political demand for a new pact between indigenous groups and the rest of society and the state (Diaz Polanco, cited in Sanchez, 1999). That is, very few indigenous groups in Latin America are demanding political sovereignty but rather to be able to live according to their own sociocultural traditions in the context of the nation-state (Field, 1996; Perreault, 2001; Yashar, 1999). For most indigenous organizations, self-determination refers to 'a dramatic increase in their representation in the political system and their participation in decision-making processes that affect their own development' (Van Cott, 1994: 13), as well as proposing new forms of development such as 'development-with-identity' (Laurie et al., 2005). Autonomy and self-determination are conceived of as necessary for inclusive citizenship.

The fourth important element of history is the widespread lack of legitimacy and discrediting of political parties throughout Latin America and demands for alternative forms of representation. If the Latin American state protects the interests of elite, one of the key mechanisms through which this occurs is political parties. Seligson's (2004) study of

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[5] Several Latin American countries now have Constitutions recognizing the multiethnic pluricultural nature of their populations, and at least two countries, Colombia and Bolivia, have incorporated other important reforms promoting participatory democracy and collective ethnic rights (Van Cott, 2000).

democracy in ten Latin American countries found that political parties in all but one country were given the lowest score (35.5 on a scale of 100) on citizen confidence in comparison with seven other national institutions: Catholic church, police, armed forces, Supreme Court, election tribunal, municipal governments, Congress.

Numerous scholars speak of a generalized crisis of representation. Van Cott (2000a: 9) writes that 'Latin American politics is dominated by unrepresentative, oligarchic, personalistic parties with weak roots in society, which obstruct the access of popular groups and peripheral populations (in most countries, the majority of the population) to political decision-making spheres.' Social movements—not only indigenous—have thus aimed to strengthen citizen's rights and create alternative channels of access and representation to the state, though at the same time, the formation of indigenous political parties has been successful in some contexts (Sieder, 2002a).

Writing on Guatemala, Fonseca (2004: 139) argues that political parties are 'elitist, patrimonialist and majoritarian' and constitute a serious obstacle to democracy (for more on citizen perceptions of Guatemalan democracy, see Baviskar and Malone, 2004). Nor are they in any way representative of Guatemalan society. For them, he argues, 'representation' means adopting the right moral, cultural, and political language during election periods. A divided citizenry has been unable to challenge this and build alternatives. This is true in spite of the fact that Guatemalan law allows citizens to run for local office without being a member of a political party, if they are backed by a civic committee.

The challenges of entry into the political sphere, even at the municipal level in majority indigenous municipalities, provide a fifth important historical pattern. If political parties have rarely represented indigenous interests, neither have the local authorities that have been elected in competitions among those parties. Curiously, even in majority indigenous municipalities, indigenous people often fail to gain representation, or at least meaningful representation. Sanchez (1999) found that indigenous people in Mexico only held important municipal posts—elected or staff positions—when they constituted the vast majority of the population, failing to do so even in some municipalities that were over seventy percent indigenous (see also Pallares, 2003, on Ecuador). Most often, (rural) indigenous leaders must negotiate, frequently to no avail, with elected (urban) *mestizos* for staff posts that are relevant to their communities. Where indigenous people have been elected to minor offices, they are little more than messengers from the municipal government to their communities.

The Bolivian case best highlights the obstacles faced by indigenous peoples to participating in the political sphere. In 1994, important changes were incorporated into the new Constitution. It established collective as well as individual citizens; recognized collective rights to self-government, special representation and ethnic pluralism, along with individual rights; and made the uniform state more flexible to include a diversity of ethnic political structures (Van Cott, 2000a and b). At the same time, the Law of Popular Participation was passed promoting decentralization and structures for citizen participation in municipal decision making, in particular recognizing the role of traditional indigenous

leaders and organizations and thus acknowledging this expression of collective identity (Postero, 2004).

Nevertheless, the results were limited. Recognition, in this sense, was not enough, and democratic institutions still limited representation, though it may have been greater than before. Postero (2004: 203-4) argues that structural obstacles kept indigenous representatives out of local office while increasing the divisive role of political parties in community affairs. The law established a generic structure for municipal meetings based on western models, with president, vice president and so on, each with their clearly defined roles. This model did not match the different forms of authority or representation of either the lowland or highland indigenous groups (see also Beneria-Surkin, 2004). Even when indigenous people were able to participate, they were forced to work within prescribed agendas and processes, such that discussions centred on filling the requirements for access to funding, rather than promoting debates about 'what development should be', autonomy, or cultural rights. Postero (2004: 204) concludes that 'the basic institutions of power, racism, and traditional political parties had not been sufficiently challenged by the reforms'.[6]

Despite widespread distrust of political parties, municipal governments and the reform process, decentralization is largely seen as compatible with indigenous demands for autonomy and greater self-determination. There are cases in which it has clearly offered new points of entry into politics, new spaces for participation, and new kinds of accountability (Postero and Zamosc, 2004; Sieder, 2002a; Yashar, 1999). Some argue that it is a necessary but insufficient condition for indigenous representation (Van Cott, 2000a; Warren, 1998). Decentralization appears to be conceived of in at least two different ways. In majority indigenous countries, where there are fewer demands for territorial autonomy, the goal is to take government posts through the electoral process but not necessarily through political parties—as in Guatemala, local candidates in Bolivia no longer have to be members of political parties. In minority indigenous countries, there appears to be greater challenge to a homogenous decentralization in favour of establishing separate territorial rights that do not coincide with municipal boundaries, and within those territories to live by their own traditions (Yashar, 1999; see also Postero and Zamosc, 2004).

The risks of the customary

History clearly presents profound structural obstacles to the full political incorporation of indigenous peoples into the Latin American nation-state as it is currently conceived. It illustrates some of the demands and successes of a large and vibrant indigenous movement, and it demonstrates the 'power of indigenous rights—as a social movement and a critical discourse—to raise important issues for emerging democracies at this historical moment' (Warren, 1998: 206). The fundamental democratic issue here is the balance of autonomy and inclusion (Sieder, 2002b), of individual and collective rights, and the challenge of guaranteeing both 'in an ideologically meaningful, practically feasible, enduring way' (Yashar, 98: 39). This is not an unproblematic task. Numerous authors have raised

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[6] It will be interesting to see if and how Bolivian political institutions may change under the direction of its first indigenous president as of 2005.

concerns about the risks and limitations of the customary practices and traditional authorities of collective groups.

Traditional leadership is also almost always exclusive, even when it is not hereditary —and it usually is not inherited in Latin America. In Zimbabwe, as in many other countries, 'traditional leadership is based on gender, seniority and caste [and is] conferred upon male elders of certain lineages' (Mapedza and Mandondo, 2002: 12). Kassibo (2001, cited in Ribot, 2004) found that traditional authorities were re-emerging as a reaction to the women's movement and to local democracy in Mali. Autonomous communities under traditional rule can lead to a detachment from national life and politics and limits to political pluralism within the community (Sanchez, 1999), as well as persistent discrimination against women, the formation of fiefdoms with no outside checks on power and the pressure to conform to tradition and hence limits to individual voice (Yashar, 1999).[7]

Mamdani (1996) argues that protecting 'the customary' protects people as a group but not individual rights. He argues that there is an opposition between the individual and the group, between civil society and community, between rights and tradition. The failure to enfranchise indigenous or ethnic groups, then, is a failure to protect their individual rights and to create the conditions necessary for the development of the citizen necessary for a robust civil society. Nevertheless, this is precisely the dichotomy that indigenous movements and scholars in Latin America are seeking to overcome.

Democratic or undemocratic, liked or not, traditional leaders often have a certain degree of local legitimacy (Ntsebeza, 2004). This legitimacy appears to be linked to two roles that they are likely to play. On the one hand, they may control the distribution of important resources for which access is necessary for local livelihoods. This is the case in many African countries where chiefs control land distribution or have been re-instated in such roles under recent 'decentralization' policies (see, for example, Ntsebeza, 2004). On the other hand, they may be seen as leaders who will protect communities or ethnic groups from outsiders. This role better reflects the Guatemalan indigenous authority presented in the following section. In light of this legitimacy, projects that simply exclude traditional authorities may fail (Oyono, 2004). Wollenburg and Uluk (2004) found that gaining the village head's approval for a project gave it legitimacy and acceptability to villagers; the elite were gatekeepers for relations with outsiders, though they were not necessarily representative or downwardly accountable. This was a lesson well learned during the colonial period in Africa where the system Indirect Rule was developed so as to use customary legitimacy to strengthen the colonial project (Mamdani, 1996).

Sierra (1997: 135) points out that indigenous institutions, even where they were originally imposed by colonial authorities, may still be important, legitimate institutions today: 'what is important is the relevance the system does or does not continue to have as an axis of political organization for communities and which effectively constitutes one of the central references in local identity and legal systems.' She cautions of the importance of

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[7] See Viqueira and Sonnleitner (2000) on the use of traditional systems, *usos y costumbres*, in elections in Chiapas, Mexico; see Vandergeest (2001) on the risks of racializing forest politics.

understanding what 'customary' means in practice, and of the dangers of being essentialist and exclusive. Customs—those practices ostensibly represented by customary authority—have survived precisely through change and adaptation in response to social realities and particularly in relation to the dominant society. They are not residuals of the past but a dynamic part of the present, albeit asymmetrical, order; nor should 'customary' be romanticized as 'harmonious' in contrast to 'imposed' state laws (Sieder, 1996). Similarly, identity should not be about returning to a mythical past but rather its reinvention in the present (Hall cited in Sierra, 1997). The same is true of traditional authority.

Sierra (1997) and Henríquez Arellano (2000) emphasize the need for internal debate within indigenous cultures and societies; 'reasonable appeals and dialogue should always be present, both within ethnic worlds and between ethnic peoples and national society' (de la Peña, 2002: 148). Benhabib (2002: ix) proposes a 'deliberative democratic model that permits maximum cultural contestation in the public sphere, in and through the institutions of civil society'. The goal is not to preserve cultures, she argues, but to expand inclusion.

FORESTRY DECENTRALIZATION IN GUATEMALA

Over the past fifty years, Guatemala's political culture has been shaped by the militarization of society, violence, terror and authoritarianism. There is no 'tradition of democratic culture or an active citizenry'; the 1985 Constitution and the 1988 Municipal Code included the concepts of municipal autonomy and decentralization, and the return to a civilian president in 1986 began the process of developing new local leadership, as well as experiences in public administration in municipalities and communities (Cardona Recinos, 2001: 43).

The country briefly returned to war in the early 1990s, with renewed guerrilla attacks as well as new state-sponsored assassinations, death threats and disappearances. Peace accords were officially signed in 1996, including the Accord on the Identity and Rights of Indigenous Peoples. Three important decentralization laws, discussed below, were passed in 2002, adopting important aspects of the accords. Some scholars argue, however, that they fail to address the problem that 'many rural Maya distrust their local government officials as much as the state bureaucracy' (Fischer, 2004: 97).[8] They also fail to address extreme inequalities in access to assets such as land.[9]

Like the state in general, forest management has also been highly centralized, and, by law, forestry decision making still is.[10] The formal decentralization process began in 1998 with

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[8] Municipal governments have often sought to appropriate the lands and natural resources of indigenous peoples (Sanchez, 1999). Thillet et al. (2003) found that Guatemala's *ejidos*, municipal lands intended for the use of local indigenous communities, have gradually but steadily been disappearing over time by passing into private hands, either through the appropriation by municipal authorities or due to arrangements with the municipality that were forgotten over time. Though indigenous lands were protected by the 1954 Constitution, the 1964 Constitution softened the wording to enable municipal governments to alienate such properties (Adams, 1994).

[9] The Gini coefficient for land distribution was .84 in 2003 (CNOC/CONGCOOP, 2004).

[10] For a much more complete discussion of forestry decentralization in Guatemala, see Larson and Barrios (2006).

the Forestry Institute's Project for the Strengthening of Municipal and Communal Forests (Boscom), as well as numerous related projects and programs often supported by NGOs.[11] Boscom works with local governments to set up municipal forest offices (OFMs), with 116 established as of mid-2005 out of a total of about 330 municipalities (Larson and Barrios, 2006). The Forestry Law (101-96) specifically states that municipal governments should support INAB in fulfilling its functions and be spokespersons for the policies and programs 'INAB designs for their municipality' (Article 8), but pressure for more substantive decentralization has increased over time.

As in most countries, there are many goals behind decentralization. Decentralization was promoted in the peace accords as an important process for building citizen participation. For INAB, however, the original priority in establishing municipal forestry offices was simply to facilitate its own work, as stated in the Forestry Law. Increasingly, however, another goal of forestry decentralization (for INAB and the private sector in particular) has been to promote support for forest management—the recognition that forests can be logged without deforestation—in light of conservationist and indigenous objections to logging.

All municipal governments have a right to fifty percent of the tax income from forest licenses and can log or participate in incentive programs on municipal lands. But beyond this, decentralization only occurs by agreement with the municipal government, which includes the establishment of an OFM.[12] The Decentralization Law (Art. 6) states that when 'each municipality deems it convenient, it will solicit its incorporation into the decentralization process.' Once OFMs are established, these usually take partial or full charge of domestic permits (mainly for firewood use), chainsaw registration, control of illegal activities and of forest fires, and technical studies for the national reforestation incentive program Pinfor (INAB-GTZ-DDM-SECONRAD, 2004). Since transfers of responsibility are done on a case by case basis, however, the OFMs' role varies among municipalities.

Though these responsibilities are limited, transferred gradually at the discretion of INAB, and do not include many substantial decisions, in practice Guatemala has one of the most thorough-going forestry decentralizations in Latin America. This is in part because few other countries have a program for training and developing municipal forest capacities. It is also because, over time, INAB has become one of the main central government institutions to interact on a regular basis—thus building state-society relations—with municipal governments and the rural (largely indigenous) population. Though the Forestry Law implies a deconcentrated, one-way relationship with municipal government offices, in practice a new set of demands has been brought into the national dialogue: the recognition of traditional rights and customary practices in natural resource management.

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[11] This research focused on highland Guatemala and areas attended by the National Institute of Forests (INAB). The National Council of Protected Areas (CONAP) oversees forest management in parks, including the community forestry concessions of the Mayan Biosphere Reserve; unfortunately, space limitations make it impossible to discuss that institutional framework as well.

[12] Where there is no OFM, these tasks are carried out by INAB delegations rather than the municipal government.

The formation of municipal forestry offices brought two particular pre-existing points of discord into the local arena. First, broad sectors of the indigenous population object to logging, both for cultural and economic reasons—the former referring to indigenous conceptions of nature, the latter to the lack of benefits for the communities logged. Second, many poor indigenous people strongly resent the legal requirement to obtain a permit for the domestic use of firewood.[13]

The research sites, Chichicastenango and San Juan Cotzal, are located in the cool highland pine forests of the department of Quiche, in the Altiplano, a region with poverty levels of seventy-five to ninety percent (World Bank, 2003). The population of Chichicastenango is K'ich'e and Cotzal, Ixil. Agriculture, and particularly subsistence agriculture, is the central economic activity, though Chichicastenango is also a popular tourist destination and has a thriving urban commercial centre and craft sector. Quiche is recognized as one of the central arenas of armed conflict up until the signing of the peace accords in 1996, and the horrors of that conflict have had severe economic and social consequences for the people who lived through it. In Cotzal, most of the population relocated during the war, many were killed, and according to residents, those who have 'returned' are often not prior residents but their children and grandchildren.

The political party associated with the massacres of this period is the right-wing populist Guatemalan Revolutionary Front (FRG), the party of dictator General Rios Montt. Though it is not possible in the limited space here to provide details, it is important to understand that the FRG drafted, often forcibly, numerous local indigenous people into local Civil Defence Patrols, training them in brutal methods of repression that were then used against their neighbours. In both municipalities the mayors at the time of this study were indigenous, and both were members of the FRG. To explain this apparent anomaly, many people with whom we spoke pointed out that the FRG is far better organized and funded than alternative political parties or civic committees and claimed that its candidates used highly questionable, if not illegal, tactics to gain support. In addition, indigenous voters have sometimes expressed the importance of 'voting for the winner' in order to avoid future conflict.[14]

The rest of this section discusses the politics of choice in decentralization before moving to the case studies. These are presented first with regard to mechanisms of participation in general and then with regard to the local forest management authority specifically.

Politics of choice

Guatemala's central government has not exclusively chosen municipal authorities as the official recipients of decentralized powers, but municipal governments are substantially 'recognized' in law and practice. Indeed, they receive ten percent of the national budget as

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[13] Though logging had been undertaken for years, the domestic permit requirement was instigated with the 1996 forestry law. INAB began to formally promote the creation of municipal forestry offices in 1998. These offices facilitated the implementation of domestic permits.

[14] A former UN peace commission (MINUGUA) official reported that community members sometimes asked who was likely to win the elections so that they could vote accordingly (Trish O'Kane, pers. comm. 7 Oct. 2004).

well as other taxes such as the peace tax and the recognition of municipal autonomy in the Constitution and the 2002 decentralization laws.

In addition to municipal governments, though, based on the peace accords, the Municipal Code (Decree 12-2002) also recognizes indigenous authorities, though in no case are they superior to municipal authority. These include 'Indigenous Mayors,' an entity originally set up by the colonial government to oversee indigenous populations. Though only about eighteen still exist in the country (Tavico, pers. comm. 15 Nov. 2004), Indigenous Mayors must be 'recognized, respected and promoted' where they still remain (Art. 55). In several articles the Municipal Code recognizes indigenous rights to traditional practices, including choosing their own leaders. It also orders the Municipal Council to consult with indigenous communities or their authorities regarding any affairs affecting their rights or interests (Art. 65).

The Decentralization Law (Decree 14-2002) does not specifically recognize indigenous authorities but defines decentralization as the transfer of decision-making power to municipal authorities *and* to 'legally organized communities, with the participation of municipal governments' (Art. 2). The Law of Urban and Rural Development Councils (Decree 11-2002) establishes the official mechanism for community participation in local and municipal-level decision making: the Community Development Councils (COCODES), formed according to the 'principals, values, norms and procedures' of the community, and Municipal Development Councils (COMUDES), comprised of the mayor and councillors, plus up to twenty representatives selected by the COCODES, as well as representatives of other public and civil society entities from the local arena.[15]

For its part, INAB stands out among central government institutions in Guatemala for its professionalism and independence. Importantly, its board of directors is constituted such that the political priorities of the central government are not automatically represented by a majority of the board. In fact, one administration's attempt to take control of the institute for political gain, recognizing its extensive reach into rural municipalities, failed in part because the board of directors voted against the government's position. INAB's success at maintaining professionalism over politics, in a highly politicized country, helps explain its reticence in permitting municipal authorities (seen as political and party-dominated) to participate in forestry decision-making. Nevertheless, INAB has specifically chosen to work with municipal governments in promoting the decentralization of forestry-related responsibilities. The 'choice' of the indigenous authority in Chichicastenango, then, does not represent INAB policy but rather the influence of the office known there as the

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[15] The Municipal Council is the elected authority, headed by the Mayor. (Indigenous 'mayors', where these exist, are parallel structures that are not elected by universal suffrage.) COCODES are citizen councils established at the village level; COMUDES are municipal level councils that include representatives from the COCODES. Among other things, the COMUDES should facilitate the operation of the COCODES, promote community participation, promote inter-institutional coordination and guarantee that municipal development plans and projects are based on the needs and priorities established by the COCODES (Article 12, Decree 11-2002). All decision-making authority remains with the Municipal Council. Both of these councils should fit into a hierarchy of councils from the community to the municipal, departmental, regional and national level, but this appears to have little meaning in practice.

Auxiliatura Indígena,[16] and this authority's insistent refusal to allow INAB to promote the establishment of a municipal forestry office.

Mechanisms of participation

Representation is discussed here through two sets of relations in each municipality: (1) the relationship between local citizens and elected municipal governments, and (2) the relationship between local citizens and the authority in charge of forestry. Neither in Chichicastenango nor in Cotzal do local leaders view municipal governments as representing their interests,[17] but they have been more successful in the former in pressing some citizens' demands; Cotzal's forestry office, however, has offered important points of engagement where the elected authorities do not. This section examines the former set of relations; the following section looks specifically at forestry.

In Chichicastenango, the formation of the COCODES after the 2002 law flowed easily from existing grassroots structures that had been developed with the support of local NGOs. Over a five year period, these organizations had helped communities organize their myriad local committees such that each community established a coordinating council. Then the eighty-two cantons were grouped into eight microregions, and each community sent council representatives to form second-level coordinating bodies. In 2000 both organizations were legally recognized by the municipal government, and in 2002, the presidents and vice presidents of the coordinating bodies of each microregion became community representatives to the Municipal Development Council. The local councils in each community officially became the COCODES.

The councils worked on a Municipal Development Plan as well as the 2004 Municipal Investment Plan, in coordination with the municipal planning office and other members of the Municipal Development Council (other NGOs and municipal officials). The mayor that participated in this process was an interim mayor that served for one year after the elected mayor had been forced to leave office, prior to the next national election. No organization had previously tried to influence the municipal budget in this way. The results were the published *Municipal Development Plan 2003-2013* and the municipal government's approval, more or less, of the 2004 investment budget proposed by the communities themselves. In particular, in an unprecedented event, each of the eighty-two communities received an equal portion of investment funds, $4,375, to spend on projects previously submitted and approved by the municipal government.

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[16] The Indigenous Mayor is the authority, selected for life by the other indigenous leaders, who organizes and presides over the many religious rituals celebrated in Chichicastenango. In addition to the Indigenous Mayor, the broader organization, which I refer to as a whole as the 'indigenous authority', includes a group of *principales*, or male authorities, selected over time by other male leaders to be leaders; a smaller group of these *principales*, who function as a kind of board of directors; and a hired secretary, who oversees the office of the Auxiliatura. Auxiliatura is, in a sense, the administrative arm of the indigenous authority as a whole and has an office housed in the municipal government buildings.

[17] It is of course not possible to define a single set of 'indigenous interests'. With regard to forests specifically, this study identified several points largely in common to poor, rural indigenous people—the rejection of INAB's domestic permit requirement and the rejection of logging as a business—and/or to their leaders—promotion or 'rescue' of the Mayan cosmovision.

The process, however, met opposition from municipal government, traditional political parties, some associations that preferred to work individually and former leaders of the Civil Defence Patrols (RUTA, 2002). Though a few municipal officials were supportive, others accused 'civil society' of interfering with municipal autonomy. Ironically, some were clearly proud of having a Municipal Development Plan but still highly suspicious of the participatory process. By early 2005, civil society organizations and municipal council members clearly had different agendas regarding meetings. There was no evidence, for example, that the council understood that civil society or COCODES representatives should participate in Municipal Development Council meetings. Several people told us that the current mayor had been trying to sideline the efforts of the COCODES, and they were not optimistic about the future. 'People are still afraid to speak out' and will only do it in groups like the development council meetings, 'where they have the support of others' (interviews, January 2005).

The COCODES in Cotzal appear to be less developed, though Cotzal also has a Municipal Development Plan, and during certain periods that this was being generated, there appeared to be several important and possibly even regular meetings between the local government and communities and NGOs. Nevertheless, this was organized by outside donors that are no longer present. The formation of COCODES had been instigated by the local government with, according to accusations, apparent favouritism to supporters of the mayor's political party. The finalization and publication of the Development Plan was delayed for one to two years[18], and few meetings between the government and civil society appear to have taken place during that interval.

According to the municipal government's planning office, the same kind of structures exist as in Chichicastenango. That is, there are COCODES at the community level, and the municipality is divided into eight microregions, whose representatives attend Municipal Development Council meetings. Nevertheless, interviews with the municipal commission heads suggested a fairly random structure in practice. Several stated that meetings were held 'when there was a reason to do so,' such as a problem or crisis that needed to be addressed. Individuals named by the mayor's office as members of the Environment Commission, for example, stated they had not been aware of any meeting in months.

In general it appeared that COCODES existed only in a few communities, and in some, though they existed in name, committee members were unclear what exactly they were supposed to do. There were also no regular meetings between the municipal government and auxiliary mayors—community representatives to local government. Auxiliary mayors were only occasionally called to meetings, or simply approached government officials as needed regarding problems in their communities, as did other local leaders. In Chichicastenango, however, there were *weekly* meetings between the mayor, the indigenous authority, and local leaders such as the auxiliary mayors.

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[18] The printed version was expected to arrive in February 2005.

Table 1. Comparison of Key Characteristics of Cotzal and Chichicastenango

	Cotzal	Chichicastenango
Indigenous population	Ixil, 90-95% of population	K'ich'e, 90-95% of population
Poverty levels	High	High
Population	Small and rural	Larger and more urban
	Approx. 21,000*	Approx. 107,000 (2000 census)
Economy	Subsistence agriculture	Subsistence agriculture/ tourism (crafts, religious traditions)
Civil society	Relatively weak organization	Relatively strong organization
Nature of elected municipal authority	'Closed', no regular meetings with population	'Closed', though open at particular moment, and regular meetings with population
Forestry authority	Municipal government has acclaimed forestry office that works closely with INAB	Traditional authority parallels municipal government and has rejected central government forest policy

* Data from Cotzal health center, 2003, cited in Municipalidad de San Juan Cotzal (2004).

Forest management authority

The municipal government of Cotzal formed a municipal forestry office (OFM) at the initiative of the mayor (and by agreement with INAB), because of what he perceived as problems of uncontrolled logging, forest fires and the need for environmental education in the municipality (Toma, pers. comm. 22 Jan. 2005). Though formally accountable to the municipal government, the OFM has a close relationship with INAB, which has its regional office a short ways away in Nebaj. In the specific context of the Ixil region, where there was very little logging prior to the entrance of INAB, INAB is seen as bringing in two 'evils'—logging and the enforcement of burdensome rules for the poor.

In both municipalities, these objections are exacerbated by several other factors. Though INAB promotes sustainable logging in principle, there is a serious problem with its ability to enforce the law—either to guarantee sustainability, or to stop illegal logging, which accounts for up to half of all logging (Abdiel, pers. comm. 16 Nov. 2004; Arjona, 2003). It has also made mistakes, such as issuing logging permits (in Chichicastenango) based on titles that were later found to be contested. INAB personnel are sometimes seen as 'arrogant', and they often have a tendency to see enforcing the law, even if unjust, as an unquestionable given. Finally, there is little demonstrated desire on the part of INAB's foresters to understand indigenous traditions or recognize the validity of the Mayan cosmovision (explained below).

Cotzal's OFM was established in 2000 with support from INAB's Boscom project, though it was fully funded by the municipal budget after two years. The OFM's primary objectives were to prevent forest fires and promote reforestation. It had established a municipal tree nursery in town with some 25,000 seedlings, as well as smaller ones in a few communities. Ten hectares were under management for reforestation through INAB's Pinfor incentive project; fourteen more were in the approval process. Fire brigades had been trained in several communities, and educational campaigns had been done on the radio, mobile

loudspeakers and in rural communities. The office had also fundraised for fire fighting equipment, training sessions, nurseries and so on.

The OFM is in charge of authorizing domestic use permits, though few people actually solicit them.[19] But rather than threatening people with fines for not getting a permit, the emphasis is on reforestation. The permits require that five seedlings be planted for each tree felled, unless there is effective natural regeneration, and people purchase these seedlings from the municipal nursery. Of the thirty-five permits requested in 2004, a site inspection was only done in about fifteen cases.

The OFM also organized the participatory development of a Municipal Forestry Plan. Over 180 people participated from the eight microregions. In that plan, the principle forestry problems were collectively identified and solutions proposed. One of the most important of these solutions was the promotion of the Mayan cosmovision. The specific meanings of this term vary, but with regard to the relation between humans and nature, 'Mayan cosmovision teaches that humans do not exist alone on this planet, but coexist and cohabitate, complementing other forms of life; in other words, no species is superior to another and balance is fundamental' (Arriaga, 2005).[20]

The OFM, in some ways, serves as mediator between INAB and the communities. Community residents see INAB as 'the cop' who is trying to control them. The OFM officer facilitates, or softens, INAB's entry into the municipality and talks to communities about logging, on the one hand, and the importance of reforesting, as well as the legal requirement to get a permit for firewood and tree felling, on the other. For the mayor, the OFM has been important in diminishing conflict by demonstrating to communities that the logging taking place in the municipality is both legal and responsible (Toma, pers. comm. 22 Jan. 2005).

To INAB, the OFM's primary role is to facilitate INAB's ability to control both legal and illegal logging and decentralize services through someone who knows local customs (García, pers. comm. 19 Jan. 2005). There is little recognition that the learning process could go both ways (see also Resosudarmo, 2004). In spite of the explicit discussion of the importance of recovering the Mayan cosmovision in the Municipal Forestry Plan, for example, the municipal forester stated that Mayan traditions were not part of his job.

The situation is very different in Chichicastenango. INAB has not been able to establish a municipal forestry office in spite of months of negotiation and the tentative agreement of some municipal authorities. At one point, INAB even proposed establishing the OFM in the Auxiliatura rather than in the municipal government offices, but the offer was refused. In this case, the rejection of INAB appears to go one step beyond the conflicts discussed

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[19] Legally, all permits outside the urban area must be signed by INAB. INAB gives them to the OFM for appropriate distribution.
[20] Translated into specific actions, to the community participants in Cotzal, this means cutting down a tree in accord with the phase of the moon, asking nature for permission to cut trees, demonstrating 'spiritual respect for nature in thanks for the benefits it offers', among other things (Alcaldía Cotzal/Boscom, n.d.).

earlier—rather, in addition to those, there are also fundamental contradictions regarding jurisdiction and power over natural resource management.

The Indigenous Mayor is primarily a religious and cultural authority with the goal of protecting local Mayan traditions. He has no legal role in relation to government but maintains important local power and legitimacy. He is fundamentally a Catholic religious leader in the context of the highly syncretic religious traditions of Chichicastenango, overseeing the coordination of the people and rituals of the *cofradías*. This Mayor is selected by a group of male leaders known as *principales*. The election is for life, and the current leader, only recently selected at the time of this study, told us that 'you cannot say no'. It is a voluntary position that involves no remuneration. The office of the Auxiliatura, however, receives funding from the municipal budget to staff a full-time person, and objections regarding the indigenous authority were directed there, not at the Indigenous Mayor himself. This office, backed by a number of high-level *principales*, is the authority that has argued for local control over forestry.

In addition to the real fear that logging will increase if INAB is permitted to operate more fully in the municipality, indigenous leaders in Chichicastenango are challenging INAB's conception of the forest, as a source of income rather than appreciating its spiritual and cultural value, and its right to impose that conception in their municipality. These indigenous authorities believe in conservation and in supporting and rebuilding the Mayan cosmovision. According to several local authorities, the population objected to INAB's bureaucratic requirements for acquiring a permit to fell a tree, and since 2001, in agreement with the municipal government, the Auxiliatura has assumed the issuance of domestic permits, on its own terms. INAB has continued to issue logging licenses in the municipality, though social pressure, as well as sometimes violent protests, has led people to reconsider making such requests.[21]

The Auxiliatura limits domestic extraction to three loads of firewood and three standing trees per season (every six months) and requires the planting of two to five trees for every one felled.[22] The permit costs about $0.40. Permits are usually issued by the *principales* under the Auxiliatura's supervision. There appears to be no site inspection, either before or after the permit is issued. As in Cotzal, the primary message is that people should reforest. But in this case, there is no funding, legal authority, municipal forest policy or even a tree nursery behind the messenger.[23]

It is also important to recognize that there are indigenous people who see logging as a legitimate enterprise and who have been involved in logging for income. This includes

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[21] By law, INAB is the central authority charged with the administration of all of the country's forests outside of protected areas (which are under the jurisdiction of the National Council of Protected Areas, CONAP). At the time of this study, only three logging operations were licensed, and it was not clear if any of them were actually operating.

[22] Different sources (*principales*, the Secretary of the Auxiliatura and CALAS, 2003) report slight differences in details on this. Part of the reason is that natural regeneration is also considered acceptable, but in any case the rules are not strict and there is no inspection.

[23] Though it was not possible to gather data, anecdotal evidence suggests that those who receive permits are not often reforesting.

important indigenous authorities. Perhaps most ironically, the new Indigenous Mayor himself has been one of INAB's most important, and most responsible, clients in Chichicastenango.[24] This fact suggests the need for a closer look at the indigenous authority (see footnote 16) as a whole and the way in which certain individuals have been able to gain and maintain control within it.

Table 2. Characteristics of Forestry Authorities, Cotzal and Chichicastenango

	Municipal forestry office Cotzal	**Traditional authority Chichicastenango**
Nature of authority	• office of the municipal government • represents INAB's interests	• historic organization of male, Catholic-Mayan leaders representing "all indigenous" • hired staff has important powers
Accountability	• formally to municipal government • informally to population and INAB	• to the principales (leaders) • to all members (all adult men)
Citizen participation	• in specific projects • in development of municipal forest strategy • Environmental Commission ineffective	• weekly meetings with community representatives • no formal relationship with broader local civil society organization
Actions	• enforcing firewood permits • promoting environmental education, nurseries, reforestation, fire protection, etc. • participatory development of municipal forest strategy but NOT responsive to specific indigenous vision	• enforcing firewood permits • slowing logging in municipality • keeping out INAB • promoting Mayan cosmovision and demanding local control of resources, but without any concrete plan or strategy for what this would mean
INAB's Opinion	• one of best forestry offices	• intransigent and unclear motives
Civil Society's Opinion	• unaware of what it does, strategy not implemented • excellent opinion of those directly affected by its projects	• 'if it weren't there, forests would be devastated' • autocratic and unaccountable

Nevertheless, many people argue that deforestation would be rampant without the role played by the Indigenous authority. Though there are numerous objections to the way in which it has managed its powers, including intransigence about working with INAB or NGOs, 'manipulating people', 'lack of transparency' and 'failing to design an environmental or forest management policy', residents did not trust handing over forestry authority to INAB or the municipal government. Rather, in interviews with researchers, they advocated for a solution that fully included the traditional authority, as well as for the

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[24] As mentioned earlier, it is not this authority that has expressed objections to logging, but rather other indigenous leaders. His recent choice as the new Indigenous Mayor even led to speculation as to whether this was done strategically to discourage him from further logging.

greater transparency and accountability of that authority (table 2 above provides a summary of the forestry authority in the two municipalities).

REPRESENTATION AND CITIZENSHIP

Elected municipal authorities in both Cotzal and Chichicastenango demonstrate important weaknesses with regard to representation. In both cases there were convincing accusations of doubtful practices to win voters, and in neither case are the resulting governments particularly open to communication or the participation of broad sectors of constituents in local decision making. The apparent difference between the two municipalities is that Chichicastenango has relatively stronger civil society organizations that have constructed participatory structures over a period of several years, making it possible to make more effective demands, at least at this particular historical moment.

As mentioned earlier, other researchers have pointed out the weakness of national political parties in Guatemala (Fonseca, 2004), with the exception of the former dictator Rios Montt's FRG, which holds the highest municipal offices in both of the case study communities. The possibility of running non-party candidates should increase options for entry into the political sphere and thus improve local representation, but such a candidate ran in Cotzal and lost. It is beyond the scope of this paper to discuss the FRG further, but those who supported the civic committee candidate pointed out the difficulties of competing with a well-organized and well-funded party with national backing in a poor rural setting.

The comparison of the two municipalities also highlights the importance of civil society organization for representative democracy to work, at least in settings such as these where trust is low and elected governments are not accountable. Without organized demands the Chichicastenango government would not have allocated the annual budget to community projects in the way that it did. This experience also supports previous studies highlighting the importance of both civil society organization *and* openness of municipal government for the construction of local democracy, ideally leading to virtuous circles (Fox, 2004). Here, one particular leader in office for one year provided that opening.

In Cotzal the difference between the municipal government as a whole and the forestry office is quite striking. Though the government is basically seen as autocratic and having little communication with the population, the OFM is viewed quite favourably in the communities where it operates. This appears to be largely due to the personality of the head of the OFM office.

To what extent does OFM represent local demands? OFM personnel have excellent relations with at least some rural communities and have played an important role in bridging the gap between local desires and INAB's legal obligations. Being able to speak Ixil is particularly important for promoting real participation. Clearly the domestic permit requirement is not imposed in an authoritarian manner, some community members have benefited from projects such as tree nurseries, and a few community members now have access to income from forestry incentives. Most importantly, the municipal forest policy

was developed with important local participation and represents the interests of broad sectors of the rural indigenous population.

Nevertheless, it is notable that the OFM failed to recognize any role in supporting a priority solution offered in the municipal forest policy document: promoting the Mayan cosmovision. Also, outside of a few communities, local leaders in general, including those who work on environmental issues, have little knowledge regarding what the OFM does. The head of the forestry office saw his job as fulfilling INAB's orders and making them more palatable locally, but not as representing the interests of local people to INAB. The participatory process that resulted in the municipal forest policy was not promoted by representative elected authorities but rather by mandate from Boscom. Nevertheless, in comparison with *centralized* forestry authority, local people now at least have the *potential* to influence local forest policies.

In Chichicastenango the dispersion of authority was clearly recognized as a problem for the municipalities' forests. The lack of action on environmental concerns, though broadly expressed as a high priority, contrasts with the grassroots process for the use of municipal funds for development projects. In addition, the failure to identify a forestry authority that is legitimate both locally and for INAB, or to find a compromise solution, has made it far more difficult to develop or implement any forest policy.[25] In this vacuum, violent protests in response to isolated actions are common.[26]

The leaders of the civil society process that had effectively engaged with the municipal government did not use their organizational capacity to encourage the Auxiliatura to play a more responsible role in forestry. This suggests the need for formal accountability mechanisms to encourage or facilitate citizen engagement and indicates problems with the 'closed' nature of this traditional authority. Interestingly, however, no one interviewed suggested that excluding the indigenous authority was an optimal solution. This is in part because, in spite of its weaknesses, this authority comes much closer to articulating the interests of many indigenous people: openly defending the cultural value of forests and the Mayan cosmovision and opposing logging. On the other hand, the Auxiliatura did not eliminate the domestic permit requirement but sought to enforce it without any clear policy, leading some detractors to believe, at least on that point, that it was 'just as bad as INAB.'

The cultural sphere, with a particular emphasis on bilingual education, has been the centre of debate and struggle for Guatemalan indigenous organizations since the 1980s (Fischer, 2004). This is in part because overt political struggle was seen as too dangerous—the war not only ended recently but also kidnappings, threats and killings were still commonplace ten years after the signing of the peace accords. The overlap between the realm of culture and natural resources is becoming an increasingly tense arena of conflict, as a place that

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[25] Current forestry law does not permit handing over authority to any local entity, though a former INAB Director proposed making an exception in Chichicastenango. His proposal has not been pursued, however. This is probably in part because INAB officials fear setting a precedent and 'losing control' of the country's forests.

[26] The author's sources requested that we not provide details on these events.

combines cultural, economic and political issues (see Plant, 2002). Forests in particular have important symbolic value.[27]

The process to formulate the municipal development plan and 2005 budget was an important example of democracy and citizenship at work, but the residents of Chichicastenango are still very far from feeling like citizens. The local municipal offices serve a formal purpose for required interactions with official authorities. In interactions with the state on sensitive issues, Guatemala's indigenous people feel highly vulnerable. The public domain has always been a place where the more powerful get their way. The state does not reaffirm their identity, the indigenous authority does. This is true even when elected mayors, or forestry office officials, are indigenous, because they are often more urban, with a higher level of education, wealthier and look down on indigenous traditions.

CONCLUSIONS

Guatemala's central government has largely chosen and recognized municipal governments as recipients of decentralized responsibilities. But in neither case study is the elected municipal authority representative or downwardly accountable, with the exception of one particular conjuncture in Chichicastenango when organized citizens were able to pressure an interim (and more open) mayor to respond to their demands. Political parties and the state in Guatemala have not represented the poor majority. Indeed, they have actively engaged in policies to annihilate and, in less violent moments, assimilate the indigenous population. Today, a complex and painful history impedes the elected authorities from becoming trusted, representative and accountable entities.

Municipal governments have also received some new responsibilities—though limited decision-making powers—with the implementation of forestry decentralization policies. In the case study municipalities of Cotzal and Chichicastenango, decentralization resulted in greater enforcement of a domestic timber permitting requirement. In Cotzal, enforcement occurred through the formation of the forestry office, and in general there was greater imposition and acceptance of the National Institute of Forests' (INAB's) rules and forestry agenda than in Chichicastenango. There was also substantial grassroots participation in the formulation of a municipal forest policy, though it is unclear if and how that will be used. The municipal forester defended the interests of local communities in some minor ways that helped reduce conflict with INAB.

In Chichicastenango, compliance with the domestic permitting requirement was established through negotiation with the Auxiliatura (an indigenous authority appointed by other indigenous leaders). Here, INAB's agenda and right to intervene in the municipality, either directly or through the municipal government, met opposition by this traditional authority. In contrast to the OFM in Cotzal, the Auxiliatura spoke out in defence of indigenous rights, opposing logging and promoting the Mayan cosmovision as a model for resource

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[27] Forests are Nature. They are the sites of indigenous sacred areas and rituals. They offered refuge during the war and were burned and cleared mercilessly by the army. Forests, like land, have been stolen by outsiders historically, leaving nothing behind. They offer subsistence resources like firewood and fertilizer and protect increasingly scarce water sources.

management. At the same time, however, the Auxiliatura failed to promote any kind of concrete strategy for resource conservation or management and, like the elected authorities in both municipalities, was not downwardly accountable.

Given the historical context, how can decentralization best promote democratic local governance that takes the excluded sectors of the population into account? This study suggests that *which* institution is chosen and recognized may be less important than *how* each one is, or can be, used to support *processes* of representation, accountability and citizenship. With regard to forests and forestry, elected municipal officials, municipal forestry staff and the indigenous authority are all relevant to indigenous representation in the local sphere. Each demonstrates elements of success and failure in representation and accountability, and, in the historical context of Guatemala, none is sufficient on its own for building these. What role did each of these institutions play in supporting processes to increase indigenous citizenship?

Only municipal officials are elected by universal suffrage, and hence have some aspect of institutionalized broad-based downward accountability—but their accountability is within the limited context of the history of political parties. Organized local citizens were essential to making this institution work on their behalf, albeit temporarily: they were able to take advantage of a particular opportunity to get their demands taken into account. Though this was not enough to change the nature of the local municipal government institution more permanently, grassroots NGOs went on to share their experience with residents in other municipalities and at the time of this study were preparing to exert greater pressure on the newly elected government. Further research would be needed to ascertain the extent to which these actions resulted in further processes to build citizenship.

The municipal forester plays the role of intermediary among residents, INAB and an otherwise largely unaccountable municipal government. Though his powers are limited, he was able to carve out a small space for negotiation that had not previously existed. Nevertheless, he did not see his role as representing or promoting local interests, nor did active citizens in Cotzal see this particular actor—in part because he has limited powers—as important in building processes of representation or accountability.

In contrast to the two former institutions, the Auxiliatura avidly defends indigenous rights. It does not depend on the pressure of grassroots actors to do this but rather sees itself as a spokesperson for indigenous interests. Its relationship to its members is 'top down', however, and not accountable. Its actions could result in greater respect for indigenous rights and autonomous spaces, which may be a necessary—but insufficient—condition for building citizenship. It is notable that the grassroots organizations that lobbied the municipal government in Chichicastenango successfully did not even consider approaching the Auxiliatura with the demands (regarding the environment and natural resources) that they believe this authority should be addressing.

To be heard, poor and excluded or marginalized groups, such as Latin America's indigenous peoples, need organizations and collective action, allies, interlocutors and sympathetic, or at least open, government officials. Through these actors and institutions,

their individual and collective concerns—whether organized around their sense of community and identity or around individual interests—can be translated into policy. They should not have to give up their identity—such as through assimilation—to be included. Rather, customs, traditional authorities and autonomy can help defend their right to inclusion.

Inclusion is not the necessary outcome, however, whether municipal or traditional authorities, or a combination of both, are recognized. Like the elected municipal authorities, the indigenous traditional authority studied here also has serious problems with transparency, representation and accountability. The struggle for democratic and responsive leadership is clearly necessary at all levels and in all spheres and will take time. The policy question then becomes how to support processes that make it possible to challenge structures of subordination wherever these exist: in political parties, elected governments and traditional authorities. This would include making it possible for citizens to organize without fear; assuring effective and accessible recourse mechanisms for those who are faced with threats or retribution; and promoting a climate of dialogue, reconciliation and respect for difference.

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