



Centerpiece

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FROM THE DIRECTOR

I have enjoyed my year as acting director of the Weatherhead Center for International Affairs. The WCFIA has continued to progress, and the Center's intellectual community has continued to make major contributions to the study of international affairs.

In the past year, the Center increased spending appreciably on its most important responsibilities: faculty research and student programs. These include the new Weatherhead Initiative, which funds large-scale interdisciplinary research projects; travel, research, and leave grants to faculty, graduate students, and undergraduates; and conferences, seminars, and other scholarly interaction. The Center now spends something on the order of \$1 million a year on these activities.

A simple look at the past year's increase in Center spending on its core purposes tells only a small part of the story, for the WCFIA is in the midst of a fundamental transformation. Three years ago, annual Center funding of faculty research and student programs was about \$300,000. It is now almost one million dollars. The Center's spending on information technologies has also tripled.

The Center has kept up with these changes admirably. Members of the Center's staff have continued to perform extremely well. The tripling of core faculty and student funding has been accompanied by an increase in administrative costs by less than 50 percent. The staff shows evident pride in the Center's reputation, and in the quality of services offered to faculty, students, and visitors.

Expansion of Center funding for faculty and student research is emblematic of an ongoing process by which the WCFIA is growing into a new, much larger, role. This institution now has the academic, financial, and administrative resources to be the country's leading scholarly center for the study of international affairs. It has over one hundred faculty affiliates who include some of the world's



Acting Director of the Center Jeffrey Frieden (left), converses with Professors Pratap Mehta and Roderick MacFarquhar during a break at the February 2001 conference, "Public Institutions in India: Performance and Design."

leading scholars on a wide range of global topics. Many of the seminar series and conferences held under the Center's auspices present research conducted at the forefront of a variety of disciplines. The dynamic WCFIA program for Graduate Student Associates brings together exciting young researchers across many scholarly communities. And Harvard's new president, Lawrence Summers, whose academic and political background is in international economics and politics, is likely to be particularly sympathetic to attempts to strengthen the University's international research.

All of this means that the Center is poised to take a central position in the scholarly investigation and discussion of international issues. The Center's new Web site <<http://www.wcfia.harvard.edu>>, launched on June 18, will help showcase the array of WCFIA activities. The two Weatherhead Initiative projects underway, one on the consequences of military conflict, the other on the concept of identity in world politics, will demonstrate the innovative and inter-disciplinary nature of research here at Harvard. As the network of WCFIA-affiliated

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Internationalizing Community Land Rights:

Nicaraguan Indians and the Inter-American Court of Human Rights

Theodore Macdonald

A witness for the plaintiff and an anthropological researcher for Awas Tingni, Theodore Macdonald is associate director of the Program on Nonviolent Sanctions and Cultural Survival at the Weatherhead Center for International Affairs.

In mid-November 2000, three Mayagna (Sumo) Indians from the small community of Awas Tingni, alongside Nicaragua's Wawa River, stood before seven justices at the highest international legal body in the Americas—the Inter-American Court of Human Rights in San José, Costa Rica. The Nicaraguan government, they said, had denied them their land rights. Their presence, like their presentation, was history-making. It was the first time that the Court had heard an indigenous land-rights case and did so in an equally unprecedented three-day session. Since 1992, Awas Tingni had been attempting to attain formal recognition of broad territorial rights in the face of encroaching international lumber companies. The community thus became the test case to challenge vague or non-existent rules that have stalled efforts to establish clear land rights for the community and people's of Nicaragua's Atlantic Coast region in general. If the justices find in favor of the Nicaraguan Indians' claims, their decision will reverberate throughout Latin America, where numerous and similar territorial claims have brought little, if any, government response.

Denial of indigenous land claims is hardly new. It has been endemic in Latin America since the 16th century. Until quite recently, however, whenever Latin American Indians "did" anything with regard to land, they largely stood alone.

This is no longer the case. An indigenous movement—with numerous local, national, and international organizations—now sweeps down from Mexico to Chile. These Indians' actions—most dramatically illustrated by recent strikes and attempted coups in Ecuador and Bolivia—now capture the attention of a wide range of journalists, scholars, policy makers, and politicians. The treatment of the Awas Tingni case, in turn, illustrates how indigenous concerns—previously ignored as simple "claims" by marginal people—have been elevated to a consideration of internationally recognized legal "rights"

that must be honored. Indians now have powerful national and international legal mechanisms to press their claims. Since 1995, the Weatherhead Center's Program on Nonviolent Sanctions and Cultural Survival (PONSACS) has worked to identify and document the local understanding of, and justification for, land and resource rights in this landmark case.

Recognizing indigenous land rights

Nicaragua's 1985 Constitution affirms indigenous rights to communal land and natural resources. That guarantee was restated in 1987 when the Nicaraguan National Assembly granted regional autonomy to Nicaragua's Atlantic Coast region. Likewise, the American Convention on Human Rights, legally binding throughout the Americas, states that each person has the right to use and enjoy property, and interprets that right to include traditional land tenure of indigenous peoples and communities. It is the International Labor Organization's Convention # 169, however, which Nicaragua has supported but not formally ratified at the United Nations, that most clearly specifies that "rights" shall be recognized and respected for those lands, or "territories," that indigenous people have "traditionally used and occupied." The broad, plural term "rights" is significantly different from a specific "right" such as a clear title or exclusive use. Indigenous land rights, quite simply, emanate from long-term use and occupancy. Once these rights are recognized, the question of how the rights are subsequently exercised is determined through negotiation and consultation between the occupants and the state. It is Awas Tingni's general territorial rights that Nicaragua has refused to recognize and subsequently negotiate.

Consequently, the role of PONSACS was to document, through ethnographic research, the community's current and historical use and occupancy of its territory. Then it was to illustrate these

patterns through computer-generated maps (geographic information systems, or GIS). The preliminary research for these maps was one of the interesting (and surprising, to the Nicaraguan defense attorneys) anthropological “techniques” of the research in this case. After a short period of training by the ethnographer, members of the community (most of whom had a formal education only through primary school) plotted, flawlessly, most of the critical geographic data—houses, garden plots, hunting and fishing areas, and sacred sites—through the use of simple, but sophisticated, electronic global positioning systems [GPS] instruments. The research, therefore, was not designed to “win” a court case but rather to draw on community members’ existing knowledge and to define parameters that could help them to level, to the greatest extent possible, a previously unbalanced field for negotiation. This is consistent with PONSACS’ general research focus. (See the PONSACS Web site <<http://wcfia.harvard.edu/ponsacs>>

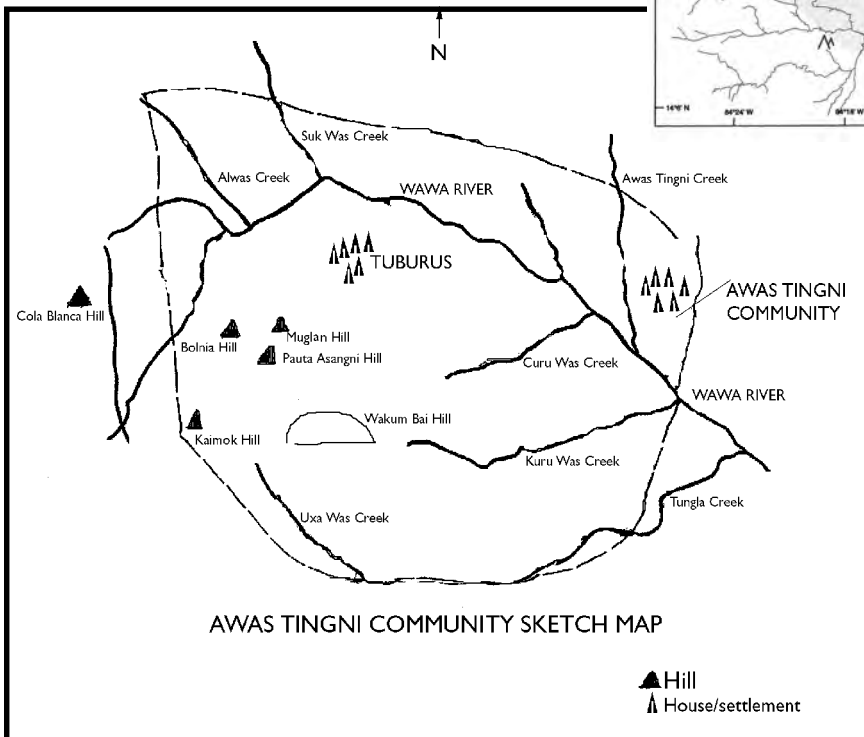
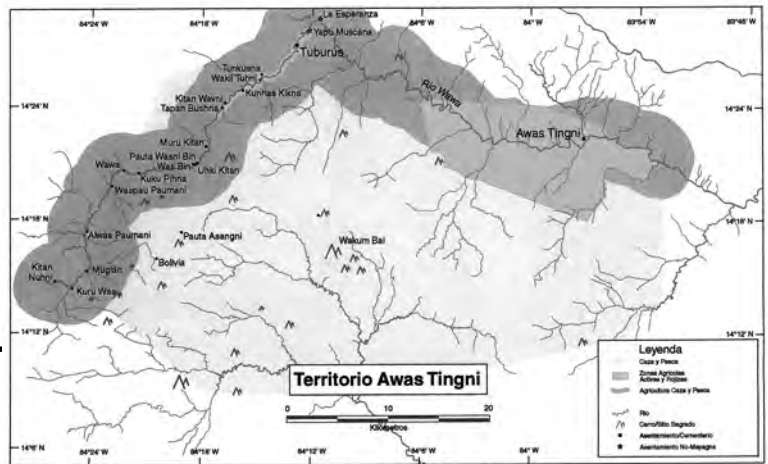
The development of the case

In the early 1990s, Nicaragua’s economic demands led to a rush toward the resource-rich (hardwoods and minerals) areas of the coastal, tropical forest uplands of the Northern Autonomous Region. The Awás Tingni project began when a joint Nicaraguan-Dominican lumber company sought logging rights on Awás Tingni lands after the Ministry of Natural Resources had, without informing the residents, declared the region as a “protected area.” In May 1994 leaders of Awás Tingni signed a trilateral agreement with the Nicaraguan-Dominican lumber company and the government of Nicaragua for lumbering on 42,000 hectares of tropical rain forest claimed by the community. This agreement, negotiated under the eye of an international environmental organization and supported by specialists in national and international law, led to a community-based natural forest management project that was economically beneficial, environmentally sound, and respectful of human rights.

To strengthen compliance with the agreement, and to deal with any future disputes, the community members sought formal recognition of their territorial claims. In 1995, community members began a land tenure initiative through which their claims could be supported by community-assisted anthropological and geographical research. PONSACS was asked to assist with anthropological research and technical support to a community-mapping project, while others provided national and international legal assistance. (International law specialist, Professor S. James

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Indian community members prepared the “Awás Tingni Sketch Map” (below) in 1994. The same map—with coordinates added later by community members using a hand-held, electronic, Global Positioning System (GPS) and then converted to a computer-based GIS format by Harvard University’s Map Library—is represented by the map to the right. The territorial units and cultural explanation for both maps were determined through ethnographic research.





September 29, 2001

Conference on Military Conflict and Public Health

Project Directors: Gary King and Christopher Murray

Conference Chair: Lisa Martin

The conference is sponsored as part of the Weatherhead Initiative in International Affairs faculty grant, which was awarded to Professors King and Murray for the Military Conflict as a Public Health Problem (MCPHP) research project. The project is an ongoing, multi-year collaborative effort to study the human costs of military conflict instead of, or in addition to, the elite decision to go to war. The roadmap conference will allow an assessment of progress during the first year of the project and identify a research agenda for the next few years, with the participation of those who have been actively involved in the project in 2000-2001, scholars working on the topic of conflict and public health, and scholars of international security more generally.

November 17, 2001

Research Group on Political Institutions and Economic Policy

Chairs: Jeffrey Frieden and Kenneth Shepsle

Over the past 25 years, two separate strands of research in political economy have developed. The first is the rigorous analysis of the impact of political institutions on political behavior and political outcomes. The second is the analysis of the making of economic policy, which has tried to develop theoretically consistent and empirically grounded explanations of economic policy outcomes. Typically, they have developed in entirely segregated processes from each other: the analysis of political institutions without concern for economic policymaking implications, and the study of economic policymaking with limited attention to the institutional environment in which it takes place. The goal of this conference is to encourage the development of an approach to politics and policymaking that is theoretically rigorous and empirically systematic with regard to both political institutions and economic factors.

November/December 2001

Treating Identity as a Variable: Developing Methodologies and Technologies for Measuring the Content, Intensity, and Contestation of Identity

Chairs: Rawi Abdelal, Yoshiko Herrera, Alastair Iain Johnston, Terry Martin

This conference will be the first step in a larger project sponsored by the Weatherhead Initiative in International Affairs. The conference will bring together scholars from a variety of social science disciplines to discuss how identity is defined, used, and measured in their discipline. The objective is to generate a working definition of collective identity, a conceptualization of how collective identity varies, a list of social science puzzles that may be particularly amenable to identity analysis, and a list of possible techniques and “technologies” for observing and measuring change in collective identities.

January 2002

Research Systems for Sustainable Development: Challenges for International Institutions

Chair: William Clark

This conference will explore the challenges and opportunities faced by international institutions seeking to engage science more effectively in the pursuit of sustainable development. Its immediate goal will be to promote a critical dialogue between scholars and practitioners as a contribution to preparations for the World Summit on Sustainable Development. More generally, it will seek to broaden and deepen the international discourse on the role of knowledge production systems in strategies for environmentally sustainable human development. The conference will bring together a unique cross section of senior civil servants, foundation officers, private sector leaders, natural scientists, and development scholars engaged in the design, financing, operation, and evaluation of research systems involved in linking knowledge production with efforts to meet human development needs.

February or May 2002

Social Movements in the South: Brazil, India and South Africa in Comparative Perspective

Chairs: Sanjeev Khagram, Harvard University; Carlos Vainer, University of Rio de Janeiro; S.Parasuraman, Tata Institute of Social Sciences; Vivian Taylor, University of Cape Town

This conference will be one of four workshops as part of a multi-year research project on the topic of social movements. The objectives of the first conference are threefold: 1) to assemble scholars from Brazil, South Africa, and India to present initial research papers on various social movements in their countries to each other and to scholars at Harvard who are interested in social movements or any of these three countries; 2) to begin developing common thematic foci, conceptual frameworks, and methodological approaches for the broader, three-year project; and 3) to discuss funding, logistics, and a timetable for the next two years.

April 2002

Informal Institutions and Politics in the Developing World

Chairs: Steven Levitsky and Gretchen Helmke

The conference will bring together leading scholars who work on informal institutions in various regions of the developing world, including Latin America, the former Soviet Union, and Asia. The conference will treat a range of topics including corruption, clientelism and machine politics, the rule of law, executive-legislative relations, and the norms and practices that govern state bureaucracies, legislatures, and courts. An important objective of the conference will be to include scholars from multiple research traditions within political science and economics and sociology. This conference will serve as the initial round of a larger project on informal institutions in Latin America.

Fellows' Research Papers

Yukiya Amano "The Elimination of Nuclear Weapons: A Japanese View"

James C.P. Chang "U.S. Policy Toward Taiwan"

Chen Zhou "A Comparative Study of the Evolution and Development of the Military Strategy of the People's Republic of China"

Werner Daum "Democracy, Human Rights, and Secure Oil Supply"

Dominique Decherf "Religious Freedom and Foreign Policy: The International Religious Freedom Act of 1998"

Rodolfo Diaz "The Reforms of the Nineties in Argentina"

Paul Hatt "‘Misunderestimated’ Arms Control: UNSCOM and 42 Practical Lessons and Conclusions for Implementing Arms Control Regimes"

Erkki Huittinen "Back to the West: Reintegration of the Baltic States to Western Structures, Especially to the European Union"

Kevin Hutcheson "The Treaty on Open Skies and the Future of Aerial Inspection Regimes as Confidence and Security Building Measures"

Ji Young-Sun "Conflicting Visions for Korean Reunification"

Ginandjar Kartasmita "Globalization and the Economic Crisis: The Indonesian Story"

Epameinondas Marias "Toward a Political Community in the Aegean Area: New Opportunities for Greece and Turkey"

Oliver McTernan "‘Killing in the Name of God’: The Religious Factor in Ethnic Conflict"

Smita Purushottam "Can India Overtake China? Indian Economic Reforms in a Comparative Perspective"

Elisabeth Scheper "The Right to Life and Human Security: A Critical Analysis of the New Approach to Development and Conflict Prevention"

Jeffrey Stambaugh "Peacekeeping Exit Strategy: A Renaissance for the Deadline?"

William Troy "Colombia's Civil War Strategy"

Leonardo Vivas "Democracy on the Ropes: Parallel Crises in Colombia and Venezuela"

Sebastian Wood "Transatlantic Security and the Taiwan Straits"

Xénophon Yataganas 1. "The Treaty of Nice: Sharing of Power and Institutional Balance in the European Union—A Continental Perspective"

2. "Delegation of Regulatory Authority in the European Union: The Relevance of the American Model of Independent Agencies"

Graduate Student Associate News

Christina Davis has accepted a job as assistant professor of international relations at Princeton University. She will defer her start date until 2002 in order to accept an advanced research fellowship in the Weatherhead Center's U.S.-Japan Program next year. Her dissertation is entitled "Beyond Food Fights: How International Institutions Promote Agricultural Trade Liberalization."

Judith Kelley completed her dissertation entitled "Norms and Membership conditionality: The Role of European Institutions in Ethnic Politics in Latvia, Estonia, Slovakia and Romania" for the Department of Public Policy in December.

Edward Miller received a Fulbright-Hays fellowship for 2001-02 to travel to Vietnam and Singapore for his dissertation work in the Department of History on American-South Vietnamese relations in the 1950s. While there, he will be doing archival research with records of the South Vietnamese government, and he will be a visiting associate at the Institute for Southeast Asian Studies in Singapore. Miller will be back with the Center and the GSA Program in Fall 2002.

Min Shi is finishing her dissertation entitled "Essays in International Economics" for the Department of Economics. She will be starting a position as assistant professor in the Finance Department at the University of Wisconsin, Madison, in August.

Lucia Volk completed her dissertation entitled "Missing the Nation: Lebanon's Post-War Generation in the Midst of Reconstruction" for the Committee on Middle Eastern Studies and the Department of Anthropology.



Weatherhead Center Fellow Kevin Hutcheson converses with Harvard undergraduates during the WCFIA Student Council's International Careers Dinner held at Eliot House on May 3, 2001.



**2001-02
Sidney R. Knafel
Dissertation
Completion
Fellow**

This grant is named for Sidney R. Knafel, the chairman of the Center's Visiting Committee from 1991-2000. Sidney Knafel also is the major donor for the new Center for Government and International Studies at Harvard. He made the initial pledge for the complex in 1996, and his support now totals approximately \$30 million.

The Center's Knafel Fellow will be **Gray Tuttle**, a Ph.D. candidate in the Department of Inner Asian and Altaic Studies. His project is entitled "Religious Culture in the Politics of Modern China: Chinese and Tibetan Buddhist participation in 20th century nation-building in Asia."

**2001-02 MacArthur
Transnational Security
Program Scholar**

The Center awarded one predoctoral fellowship funded by the MacArthur Foundation to a student pursuing research in the realm of transnational security. The new MacArthur Scholar is **Doireann Fitzgerald**, a Ph.D. candidate in the Department of Economics. She is conducting research for two comparative essays on the U.S. and Europe: 1) "Why do Americans work more than Europeans? Can demography, wages, and taxes explain the difference?"; and 2) "Exchange Rates and Asymmetric Shocks: How did Europe adjust before EMU?"

Inter-American Court of Human Rights...

Anaya of the University of Arizona Law School and a PONSACS affiliate, has been the lead attorney throughout this case.)

This work, initially seen as a "preventative" tool, took on immediate significance during late 1995. Community members found that yet another government lumber concession had been awarded to a large Korean corporation (Sol de Caribe, S.A., or SOLCARSA) on their lands. A review of the management plan, and the annual schedule of logging sites within the concession, revealed that all sites were located on lands to which community members had significant current and historical rights of use and cultural claims, which anthropological research had identified and mapped.

The residents of Awas Tingni and their lawyers responded to this violation through litigation. First, the community issued a legal complaint at a regional appellate tribunal. The complaint argued that a government body, the Ministry of the Environment and Natural Resources (MARENA), was in violation of laws approved by the Nicaraguan legislature. The tribunal stated that the community was fully aware of the agreement and had thus given tacit approval to the project. That decision was appealed to the Nicaraguan Supreme Court, which, though it found the concession to be "illegal," took no action to stop the work. Consequently, in late 1995, since no recourse could be obtained within the national legal system, a petition was submitted to the Inter-American Commission on Human Rights declaring failure to observe the international standards of the American Convention on Human Rights. The Inter-American Commission on Human Rights accepted the petition and recommended that the parties seek a "friendly settlement"—i.e., one mutually negotiated and accepted with consent.

Meanwhile, the World Bank, which had earlier withheld a broad sectoral loan to Nicaragua due to generally unclear land-tenure standards in the region, and in Awas Tingni in particular, approved the loan. At the same time it provided funds for a project to research the issues of land tenure along the entire Atlantic Coast region and to make subsequent recommendations. Using research methods similar to those of the Awas Tingni Project (ethnography and mapping), researchers from the Central American and Caribbean Research Council (CACRC) undertook a broad study and prepared a detailed report, the *Diagnóstico general sobre la tenencia de la tierra en las comunidades indígenas de la Costa Atlántica* (1998). The research illustrated extremely unclear, often overlapping, local perceptions of land tenure.

It strongly recommended immediate remedial actions to avoid or decrease inter-community conflicts. The Nicaraguan government never distributed or circulated the report. The researchers, however, testified in support of Awas Tingni's claim in San José.

Since filing the petition with the Inter-American Commission on Human Rights, numerous efforts to reach a "friendly settlement" acceptable to the INCHR have failed. Consequently, in June 1998 the Commission, which has no sanctioning capacity, transferred the case to the Inter-American Court on Human Rights, which does have sanctioning power.

In San José, from November 15-17, 2000, the Court heard the case. The principal witnesses for the prosecution were three Mayagna Indians from the community of Awas Tingni and the PONSACS anthropological researcher who provided the ethnographic study and related maps (presented in Geographic Information System format). In addition, over a dozen "expert witnesses" from Nicaragua and throughout the Americas testified on behalf of the community. Among them was Rodolfo Stavenhagen, a Robert F. Kennedy visiting professor in Latin American studies at Harvard. Since then the Court has requested additional information and clarification. However, a final decision is not expected until September 2001.

This delay is, perhaps, to be expected. The Awas Tingni case was the first indigenous land rights case ever heard by this court, the highest human rights court in the Americas. The decision will be landmark in terms of its impact on land rights in Nicaragua, where most indigenous communities exist with precarious tenure. Equally important and clearly more far reaching, a decision favorable to the community will have wide regional impact and will set a precedent for action, particularly in countries that have ratified the International Labor Organization's Convention # 169. That convention requires formal recognition of lands, or territories, "traditionally" occupied by indigenous peoples.

Though the case is still in litigation, it is ironic that if the community receives a favorable opinion, then the Nicaraguan government will simply be required to do what it could have done several years ago. It must begin to undertake its obligation to respect and subsequently negotiate indigenous land rights by demarcating and titling the region's communal lands. The Awas Tingni case illustrates that, on some occasions, by invoking legal sanctions traditionally less powerful groups can begin to balance structural asymmetry and force serious negotiation.





Center NEWS

Undergraduate Associate Program

Each spring, the Weatherhead Center for International Affairs holds a competition for Harvard undergraduates seeking financial support for their senior thesis research. Awards are made to Harvard juniors who are undertaking a thesis research project related to international affairs. This spring the Center awarded grants to fifteen students who will travel during the summer to Aden, Bolivia, China, Colombia, Cuba, Cyprus, France, Germany, India, Japan, Mauritius, Serbia, South Africa, the United Kingdom, and Zanzibar to conduct field research for their senior theses. These students will be undergraduate associates of the Weatherhead Center for 2001-02.

Following their return in September, Clare Putnam, the coordinator of student programs, and Wendy Torrance, director of undergraduate student programs, will encourage undergraduate associates to take advantage of the resources of the Center and make contact with the Center's Fellows. They will match each undergraduate associate with one of the Center's graduate student associates in a mentorship program. During the Spring 2002 semester, undergraduate associates will present their thesis research in Weatherhead Center seminars that are open to the Harvard community. Here we list the Center's undergraduate associates and their senior thesis research topics.

Alex Athanassiou (History)
Archival research on the free trade Cobden-Chevalier treaty in Britain and France.

Albert Cho (Social Studies)
Study of the social and political basis of successful stabilization and adjustment in Mauritius.

Sameer Doshi (Environmental Science and Public Policy)
Research in Tokyo and London on Japanese and Western environmental paradigms in the international whaling controversy.

Rohit Goel (Social Studies)
Research on the increasing decline in the quality of governance in India in order to expose viable and inherent solutions in the existing system of governance.

Bianca Gwinn (Sociology)
Cross-comparative analysis of U.S. health care policy and its effects on access to preventative/effective treatment for breast cancer patients versus the effects of socialized medicine in England.

Jean Han (English and American Literature and Language)
Travel to South Africa to access trial documents and conduct interviews of participants of the Delmas treason trial.

Paven Malhotra (Social Studies)
Analysis of how political actors in two Indian states manage diverse constituencies via their development strategies.

Matthew Milikowsky (History)
Research on three small British colonies (Aden, Cyprus and Zanzibar) to test current theories as to the causes and culture of imperialism.

Suzannah Phillips (Anthropology)
Research in Bolivia on the motives behind the racialization of the "campesino," inaccuracies in this construction, and its socio-political consequences.

Robinson Ramirez (History)
Americanization and its effect on social protest in Colombia and Panama from 1945 to 1964.

Sarah Stapleton (History)
Research in Cape Town, South Africa, on the development of the antiapartheid movement in sports between 1968 and 1971.

Jovana Vujovic (Government)
Exploration of the causes of supremacy of civic over ethnic nationalism in the political discourse of Vojvodina, the northern province of the Republic of Serbia.

Ting Wang (Government)
The impact of grassroot elections in urban China and the reaction of Chinese policymakers and the political elite.

Miranda Worthen (Social Studies)
Research on whether relief food aid to Somalia, the Sudan, and Ethiopia during conflict leads to higher food insecurity, protracted conflict, lower political participation, and a longer recovery period after the conflict and famine.

Xiao Wu (East Asian Studies)
Studying attitudes toward race that are reflected in the designs of the Chinese city, Qingdao, colonized by Germany in 1898.

Staff News



An energetic staff displayed its talents beyond the halls of 1737 Cambridge Street this spring. Andrew Sexton, publications, conferences, and student programs assistant, and Ken Marden, information technology assistant, ran the Boston Marathon on Patriot's Day in April, and Amanda Pearson, publications manager, competed in the St. Anthony's International triathlon in St. Petersburg, Florida, on April 29. The Center applauds their fortitude!



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From the Director...

faculty and graduate students continues to broaden and deepen. The Center's new challenge then, is twofold:

- to use the Center's augmented resources most effectively to assist the work of scholars here at Harvard; and
- to make the results of Center-sponsored research available to as wide a circle of interested parties as possible.

I believe that many scholars affiliated with the Center would welcome the opportunity to make more and better use of its resources. I also believe that there are substantial untapped audiences for Center-sponsored research. I am confident that the Center's faculty and staff will continue to work together to maximize the impact of the WCFA's contributions to our understanding of a complex world.

Jeffry Frieden
Acting Director

*The Weatherhead Center
for International Affairs
is pleased to announce the
launching of our new Web site
on Monday, June 18, 2001.*



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