

Territorial Autonomy & Indigenous Self-Government: A Global Perspective

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Although less celebrated than waves and ebbs of democratization, countries around the world have witnessed a powerful, sustained trend towards decentralization. The forms of decentralization vary, with some countries decentralizing to third tier governments, shifting to something akin to federalism, or undergoing asymmetrical decentralization. The latter often involves special autonomous regions, in which territorially concentrated ethnic minorities are afforded special governmental powers.

Autonomy represents a compromise between independence and incorporation, enabling minority self-government. Territorial autonomy has become a go-to option for settling separatist conflicts and recognizing distinct national minorities.

Paralleling the trend towards decentralization, recent decades have also seen a rise of Indigenous activism and demands for self-determination. This is true not only of Anglo and Latin American settler countries, but also across Asia and Africa. In demanding forms of self-government, Indigenous communities sought to regain communal lands, protect cultural rights, and manage resources. However, Indigenous self-government scholars and movements have tended not to use the language of territorial autonomy, while studies of autonomy typically overlook Indigenous self-government. This reflects a long-standing division between what Kymlicka (1995) refers to as national minorities and Indigenous peoples. Thus, the peoples of Quebec, Tibet, Kashmir, Okinawa, and Mindanao might seek territorial autonomy, while the Inuit, Hmong, Adivasi, Ainu, and Lumad seek forms of self-government, representing an uneasy separation of similar demands.

This paper seeks to connect these worlds, placing Indigenous calls for self-governance in the language of territorial autonomy as well as emphasizing some distinctive features of 'Indigenous autonomy'. I highlight several prominent cases such as Greenland, Nunavut, and Nicaragua's Mosquito Coast. However, due to the ethnolinguistic diversity of Indigenous societies as well as the realities of settler colonialism, few Indigenous autonomous regions are larger second-tier administrative regions, but are instead smaller, more localized territories. Many powers sought by Indigenous autonomous regions are distinct, prioritizing citizenship, hunting and fishing rights, communal lands, cultural preservation, and restricting migration. Indigenous autonomous regions also stand out in terms of Multi-Level Governance (MLG), with government roles shared with various public corporations as well as tiers above and below. All told, I approach Indigenous autonomy as a form of territorial autonomy and as one realization of Indigenous self-determination.

This paper consists of three sections. First, I¹ lay out core concepts related to territorial autonomy and Indigenous sovereignty. I then introduce Indigenous autonomy, a topic approached by a handful of scholars on autonomy and Indigenous politics. Second, I provide an overview of prominent Indigenous autonomous regions, identifying some common elements across these examples. Although some are larger, second-tier administrative units, Indigenous autonomy typically takes place in lower-tier, community levels. Third, I analyze distinctive elements of Indigenous autonomy compared to mainstream territorial autonomy, varying in terms of powers (especially related to citizenship), scale, and governance.

Territorial Autonomy, Indigenous Self-Government, and Indigenous Autonomy

Territorial autonomy refers to special forms of self-government for territorially concentrated minorities that possess distinctive national identities. Yash Ghai (2000, 8) defines autonomy as “a device to allow ethnic or other groups claiming a distinct identity to exercise direct control over affairs of special concern to them, while allowing the larger entity those powers which cover common interests.” Territorial autonomy is a widespread though underappreciated political system to accommodate difference. For the host country, it represents asymmetrical decentralization, a form of territorial pluralism (Basta 2021). Autonomy may form gradually, perhaps negotiated by minority political parties, or else may form suddenly, perhaps part of peace agreements to resolve separatist conflicts. The powers sought by autonomous regions vary considerably, ranging from language and education, to different political systems, resource management, and international competencies. Autonomy is typically found in regions with histories of sovereignty, areas incorporated into a given country through conquest. Examples of autonomous regions include Quebec, Scotland, Wales, Catalonia, the Basque Region, and South Tyrol in the West, as well as Aceh, Mindanao, Yogyakarta, and Papua in Asia, not to mention regions struggling for meaningful autonomy such as Kashmir, Hong Kong, Tibet, Kurdistan, and Zanzibar (Benedikter 2009).

Academically, territorial autonomy sits at the intersection of research on federalism and decentralization, conflict resolution, multiculturalism, and minority rights. Major studies related to autonomy include various edited volumes documenting prominent cases (Anderson and Choudhry 2019; Ghai and Woodman 2013); in-depth case studies of historical roots and mobilization for self-government; autonomy as a means to resolve separatist violence (Lapidoth 1997; Weller and Nobbs

¹ The author is a Canadian of European descent who has long studied separatist conflicts in Southeast Asia. This paper is part of a broader book project analyzing the forms and challenges of territorial autonomies.

2010); and mechanisms to accommodate minority demands (Choudhry 2008). Scholars have found that autonomous regions have especially active governments in local economies and culture (Laforest and Lecours 2016), tend to pursue subnational nation-building (Keating 1996), and that dynamic forms of autonomy capable of adapting to new demands perform better than more brittle, one-off agreements (Lecours 2021).

Despite fears among national leaders, meaningful autonomy has yet to result in independence. This said, scholars have voiced concerns over the surprisingly centralized nature of autonomous regions and the status of regional, “second-order minorities” in the face of regional nationalism (Barter 2018). In her study of Bolivian Indigenous communities, Postero (2007, 14) cites criticisms of cultural recognition, which may be based on static, essentialized views of ethnicity, with the effect of fragmenting society, thus representing a barrier to collective action and deliberative democracy. Autonomy can freeze and even amplify divisions, so is relevant only when divisions are already highly salient (Anderson and Choudhry 2019).

Territorial autonomy provides minority nations with partial sovereignty, standing as a compromise between independence and incorporation. Meaningful autonomy enables a national minority to see itself as a regional majority, a crucial shift for communities that have survived sustained campaigns of exclusion, assimilation, and violence. It is often found in regions that were forcefully incorporated into larger states, thus standing as a tool to overcome historic conquest. This makes it all the more puzzling that concepts derived from territorial autonomy have rarely been applied to Indigenous sovereignty, which in many ways aims at similar justice and redress.

Territorial autonomy is intended to protect and represent ethnic minority nations. However, Indigenous activists and communities have long resisted being labelled ‘ethnic minorities’, since Indigeneity has different meanings and entails special, prior claims to land and sovereignty. Various United Nations documents highlight that “Indigenous peoples can claim minority rights under international law, but specific international mandates and mechanisms also exist to protect the individual and collective rights of indigenous peoples” (UN 2018, 97-98). In the Americas, notwithstanding the challenges faced by Muslim or Asian migrant communities, the struggles of Indigenous communities are simply different, with longer histories, largely rural status, and territorial homelands located within the country. In many Asian countries, governments may acknowledge various ethnic minorities, but refuse to acknowledge Indigenous peoples, as this may imply prior residence and special rights. In China, the government asserts that all ethnic groups, including the Han, are equally Indigenous, so that the term has no special relevance (Hathaway 2010, 302).

While status as a member of ethnic minority may be an issue of self-definition, descent, or physiology, Indigenous status is a contested legal concept intertwined with racial theories and blood quotients (Palmer 2011). In ‘New World’ settler countries of the Americas and Oceania, Indigenous peoples may be physically distinctive from migrant majorities and/or able to trace precolonial descent. In ‘Old World’ countries, the idea of Indigeneity may be even more contested. In Nigeria or Indonesia, European colonialism cast all local groups as ‘natives’, and with the end of formal, direct colonial rule, natives came to rule independent countries. While in settler countries, ‘native’ and ‘Indigenous’ may be synonyms, in Africa and Asia, Indigeneity involves living in smaller, often rural, marginalized traditional communities. To be Igbo in Nigeria or Javanese in Indonesia is to be native, but not Indigenous, as these large, powerful groups held precolonial and postcolonial political power. In a sense, Indigenous people are historically non-state communities, those at the margins of traditional colonial and independent states, typically sustaining traditional cultural practices in the face of encroachment by dominant groups. The Philippines’ Indigenous Peoples Rights Act focuses largely on ancestral domain, defining Indigenous peoples as those living continuously in a given territory and maintaining traditional beliefs in the face of foreign colonial culture, becoming differentiated from the rest of the country by virtue of being less Hispanicized (IPRA 1997). Indigeneity may involve autochthony—direct ties to the land traced to time immemorial. However, Morton, Wang, and Li (2016) remind us that many Indigenous communities are highly mobile due to nomadic lifestyles or displacement, with groups such as the Akha being both migrant and Indigenous. Although Indigeneity may be different in Africa and Asia, it is nonetheless a useful concept, with rural native minorities facing similar challenges of in-migration, land and resource ownership, and cultural loss.

In the face of colonial expansion and migration, Indigenous communities have by no means been passive observers or ‘vanishing races’. From violent resistance in response to failed treaties to activism inspired by civil rights movements, Indigenous peoples have mobilized against exclusion, assimilation, and historical injustices. Examples include the American Indian Movement and Dakota Access Pipeline (Smith and Warrior 1996); Meech Lake, Oka, and Idle No More (Coates 2015); and uprisings in Chiapas, Guatemala, and Bolivia (Warren and Jackson 2002). Many Indigenous communities have sought to restore sovereignty over territories and cultures, especially where sovereignty was never ceded. For Muehlebach (2003, 241), Indigenous demands for self-determination involve placing collective group rights over individual ones, constructing movements “through which radical claims to culture and territory are being made.”

Indigenous movements throughout the world have voiced their demands in terms of sovereignty and self-determination (Wunder 1999). For Moreton-Robinson (2020), “Despite the continued disavowal of Indigenous sovereignty” by settler states, continued declarations of sovereignty represent common grounds for Indigenous communities. Article Three of the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) states that “Indigenous peoples have the right to self-determination”, a principle inspired by and in turn inspiring Indigenous demands worldwide (Kuokkanen 2019, 2). What these terms mean in practice, though, varies considerably, with many Indigenous activists rejecting forms of sovereignty and self-government as insufficient or oppressive.² For Taiaiake Alfred (2005, 31), First Nations have been “coopted into movements of ‘self-government’ and ‘land claims settlements,’ which are goals defined by the colonial state.” Legacies of reservations and powerless local governments, especially those dominated by federal agencies and staffed by pliant chiefs, have led many Indigenous activists to reject self-government. Indigenous communities have endured long histories of states ‘granting’ them administrative powers only to later renege, gutting the powers of native governments and using them as systems of domination rather than representation.

For many Indigenous communities, “Self-determination is usually understood as a means of gaining distance from, rather than inclusion in, state institutions” (Murphy 2008, 185). Indigenous activists may be suspicious of electoral politics and government, although it is unclear if this understandable skepticism is towards government in general or else institutions created by (and for) settler states. For some, sovereignty means something more radical, perhaps the cessation of settler control, revolutionary socioeconomic transformation, or dispossessing settler property. Coulthard rejects the politics of recognition, arguing that the language of governments ‘granting’ self-government reproduces colonial hierarchies. Coulthard echoes Fanon, noting that self-government without struggle or conflict entails a failure to be “truly self-determining...as the creators of the terms and values by which they are to be recognized” (2007, 450). He rejects self-government as stopping far short of self-determination, since the former assumes subordination to “the ultimate sovereign authority” of the national government (2014, 123). Rather than accept or even negotiate self-government with settler states, many Indigenous peoples may prefer to carry on with de facto shadow governments operating beyond state recognition and control (Champagne 2013, 12).

² The UNDRIP has also invited skepticism as “a new and sophisticated form of assimilation” (Champagne 2013, 9).

Despite the above concerns and criticisms, in practice many Indigenous communities strive for greater control of resources, education, policing, and other government functions. While perhaps sympathetic to more radical demands, many Indigenous peoples seek concrete ways to protect their cultures, manage social issues, and represent their nations. For Wilson and Alcantara (2012, 784), many Indigenous communities are pragmatic, seeing the potential to work within given systems to create new models of governance and development. Indeed, more powerful autonomous self-government is rarely granted by settler governments, but instead won and sustained through struggle. As Papillion (2011, 290) observes, “Indigenous autonomy faces considerable institutional resistance”, growing only through communities “asserting their political autonomy and establishing the legitimacy and authority of their governments.” Just as territorial autonomy is typically granted only after protest and even violence, the ability of Indigenous communities to operate their own schools, police forces, and social programs, as well as manage resources, is a result of sustained activism.

Towards Indigenous Autonomy

Territorial autonomy and Indigenous self-government rarely speak to one another, to the detriment of each. This is puzzling, since they both involve minority nations with histories of sovereignty struggling to recapture power from powerful centralized states. Claims to sovereignty and self-determination are far more common among Indigenous communities than other ethnic minorities, although crucially, this is a common link with those seeking territorial autonomy, who tend to be defeated nations with memories of sovereignty. Above, I noted the right to Indigenous self-determination laid out in Article 3 of the UNDRIP; the following Article 4 states that, in exercising this right, Indigenous peoples possess “the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.” UNDRIP articulates an Indigenous right to self-determination through autonomous self-government. Just as Indigenous self-government may represent a compromise between more radical visions of sovereignty and continued domination, territorial autonomy represents a compromise between independence and incorporation, providing partial sovereignty that may be a second choice for states and minorities.

Research on territorial autonomy only rarely includes few prominent examples of what we could call Indigenous autonomous regions, such as Greenland or perhaps Nunavut. Hurst Hannum’s study (1990) features a chapter on Indigenous rights, framing territorial autonomy as an ideal mechanism to satisfy Indigenous rights to self-determination. Benedikter (2009, 15) differentiates

between reservations and territorial autonomy. Rezvani (2014, 204) writes off reservation governments as “sham federacies” that serve to control Indigenous peoples, although he notes that Nunavut and various Canadian treaty governments achieve partial independence by recognizing Indigenous sovereignty (208). Recent versions of the Regional Authority Index (RAI), probably the dominant measure of subnational government power, includes a special dataset for Indigenous autonomy, defined as “general purpose jurisdiction created with the explicit purpose to provide governance for an indigenous people or peoples” (RAI 2021; Shair-Rosenfield et al 2021). I will return to RAI data throughout this paper as a benchmark to gauge the power of autonomous governments, ranked out of 18 points for self-rule as well as out of 12 points for shared rule in the national government. This is all to say that some scholarship on territorial autonomy does take into account Indigenous autonomy, typically seen as very different than reservation governments.

Conversely, a growing number of experts on Indigenous self-government speak in terms of territorial autonomy. González (2015) recognizes early Indigenous autonomous regions in Panama and Nicaragua, with a new wave in the 2000s in Bolivia and Ecuador. Perhaps because they use the term ‘autonomy’ in their names, Nicaragua’s RAAN (*Región Autónoma de la Costa Caribe Norte*) and RAAS (*Región Autónoma de la Costa Caribe Sur*) are often studied as autonomous regions (Baracco 2019; Sánchez 2007). In Bolivia, Postero and Tockman (2020) analyze Indigenous autonomy, namely the Charagua government and potential for new regions going forward. Although critical of the limited results, Anthias (2022, 130) identifies multiple pathways to “Indigenous autonomy” in the Bolivian constitution. Kuokkanen (2017, 193) observes how Indigenous ideas of self-determination diverge from the Westphalian nation-state, with examples of Indigenous autonomy “pushing the boundaries” of what is possible in terms of sovereignty. Focusing on Asian cases, Inguanzo (2022, 3) notes how the right to self-determination outlined in UNDRIP has been actualized through forms of territorial autonomy. The term ‘Indigenous autonomy’, signifying more assertive forms of self-government, is thus sometimes seen in work on Indigenous politics.

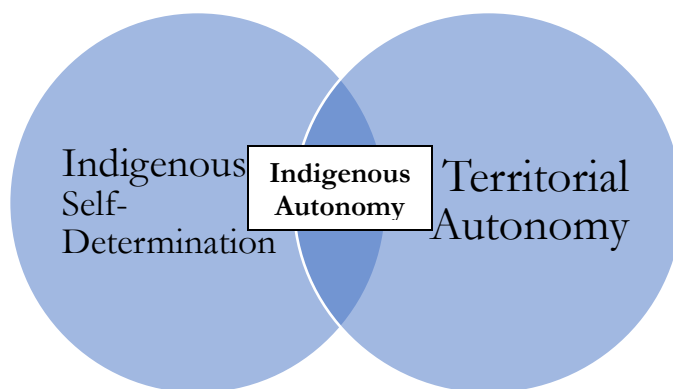
As the below case studies and following analysis will make clear, Indigenous territorial autonomy differs from mainstream forms of territorial autonomy in many key dimensions, namely citizenship, scale, and governance. While autonomous areas feature territorial governance, with authorities catering to all residents of their territory, Indigenous autonomy is also concerned with Indigenous status, providing special rights to recognized citizens, sometimes beyond their territories. In terms of scale, centuries of migration and localized Indigenous identities mean that many Indigenous autonomous regions are found among smaller, third-tier governments. And while

autonomous regions typically empower strong, centralized regional governments, Indigenous autonomy often exemplifies MLG, multi-level governance that features key roles for public corporations, smaller local governments, as well as from above through national governments and international organizations. These differences speak to the importance of seeing Indigenous autonomy as distinct from mainstream territorial autonomy.

This said, there are also important shared elements that should encourage us to still see Indigenous governments as examples of territorial autonomy. Both feature minority communities with territorial claims and a sense of sovereignty, often groups forcefully incorporated into colonial states. Both may involve demands for independence and full sovereignty, but find a compromise in partial sovereignty. Both may have to take into account members of the titular community living beyond the autonomous region, as well as migrants within their region. And although Indigenous peoples are distinct from ethnic minorities, they are closer to the types of ethnic minorities seeking or wielding autonomy. For Champagne (2013, 13), ethnic minorities “have collective human rights, but they do not claim to have territorial rights and rights to self-government from time immemorial.” However, ethnic minorities with a history of sovereignty seeking territorial autonomy do have territorial rights and distinctive national identities. Champagne differentiates between ethnic minorities and “submerged nations” whose sovereignty was taken by larger states. Although we may generally differentiate between ethnic and Indigenous groups, the minority nations seeking autonomy may have more in common with Indigenous peoples than we might think. And while some autonomous regions are provided to settler communities (i.e., Quebec), most autonomous regions feature a sense of nativism, with titular groups’ presence stretching back through history.

Below, Figure 1 provides a basic schema, locating Indigenous autonomy as the space connecting Indigenous sovereignty and self-determination on one hand, and territorial autonomy on the other. My goal is not to subsume Indigenous autonomy as a form of autonomy and deny wider, more radical or alternative demands for self-determination. Instead, I seek to frame Indigenous autonomy as one potential realization of Indigenous self-determination as well as a unique, underappreciated form of territorial autonomy.

Figure 1: Indigenous Autonomy in Relation to Sovereignty and Territorial Autonomy



At this point, I turn to provide several examples of Indigenous Autonomous Regions in practice, highlighting some of the above distinctive and common features.

Indigenous Autonomy: World Cases

This section presents a survey of Indigenous autonomous regions. It seeks to provide an inventory of sorts, but also to highlight some key features. The examples are organized in terms of scale, differentiating between larger, second-tier administrative units (as in second, below the national government) that are common in territorial autonomy, and smaller, third or fourth-tier local governments. Only a handful of Indigenous autonomous regions are second-tier units. Due to settler colonialism removing Indigenous communities, the arrival of migrants, and Indigenous ethnolinguistic fragmentation, Indigenous peoples often only form majorities in smaller areas or geographical regions less hospitable to settlement. The latter are where one finds the largest Indigenous autonomous regions. Even here though, due to the highly diverse, fluid nature of many Indigenous identities alongside remote geography, these regions may lack a strong, centralized autonomous government, establishing uniquely decentralized systems.

Second-Tier Indigenous Autonomy

Greenland (*Kalaallit Nunaat*), an autonomous region of Denmark, may be the best-known example in the mainstream autonomous literature (see Lapidoth 1997). The large island has a population of nearly 60,000 people, with almost 90% identifying as Inuit. Home to early Scandinavian settlements, Greenland was claimed by Denmark in the 18th century, becoming a constituent part of Denmark in 1953. In response to Danish assimilationist policies and entry into the European

Community, the island saw widespread mobilization for autonomy, culminating in the 1979 Home Rule Act, and then Greenland leaving the European Community in 1985. Greenland gained new, deeper self-government powers in 2009 following a referendum that saw 75% of voters support autonomy. The RAI's 18-point self-rule score saw Greenland jump from 1 to 6 in 1953, and to 17/18 in 1979, when it also gained shared government powers in the Danish government. Greenland's government consists of an elected 31-person unicameral parliament (*Inatsisartut*), which contains representatives from Inuit separatist parties. In 2009, its sole official language became Greenlandic Inuit. Greenland enjoys substantial autonomy, including in international affairs, with membership in several regional organizations and a right to representation in Danish foreign affairs (Nauc ler 2005). Greenland also has significant fiscal and taxation powers, including a right to its own minting of the Danish Krone. The Indigenous nature of Greenland's autonomy is evident in its promotion of Inuit culture and language, as well as powers related to fisheries and hunting grounds (Benedikter 2009, 113). Consistent with many Indigenous autonomous regions, Greenland features elements of economic autonomy alongside dependency, with about 1/3 of its GDP deriving from an annual block grant from Denmark (Kuokkanen 2017, 180). Greenland also features state-owned public corporations such as Royal Greenland (fishing and seafood), Great Greenland (furs), Royal Arctic Line (passenger and freight shipping), Kalaallit Nunaata Radioa (broadcasting), KNI Greenland Trade (retailer), Nunaoil (oil), Nukissiorfiit (energy), and many more.

Another major case of Indigenous autonomy, one evolving in tandem with Greenland (Loukacheva 2007), is Nunavut Territory in Canada. Inuit for 'Our Land', Nunavut was created from the the Northwest Territories in 1999 following long periods of Inuit activism and referenda in 1982 and 1992 (see Henderson 2007). Nunavut has a population of about 35,000 persons, over 80% of whom identify as Inuit. The political system features a unicameral legislature (*Nunavut Maligaliurvia*) that selects a Premier, who is in turn advised by a Council of Elders in matters related to Inuit culture, or IQ (*Inuit Qaujimagajatuqangit*). Due to its size and sparse population, power is decentralized across three regions. Nunavut's laws have focused on cultural education and hunting, as well as special laws relating to alcohol restrictions, firearms access, and land sales to non-Inuit. Unlike Greenland, Nunavut has three official languages, Inuit, English, and French, with the government promoting Inuit languages through the 2008 Language Protection Act. The 2008 Nunavut Education Act elevated Inuit language, writing, and elders, seeking to "to reflect and sustain Inuit self-determination, linguistic protection, and cultural promotion" (McGregor 2012). Nunavut has preferential public-sector hiring for Indigenous persons, although has struggled to reach its goal of 85% Inuit (George

2022). The Canadian federal government has considerable roles in the territory, especially fiscal policy and block grants, with 90% of the Nunavut budget derived from federal financing (Rodon 2014, 259). In 2023-24, Nunavut received CDN \$2 billion in territorial formula financing, about \$50,000 per capita (Government of Canada, n.d.). Despite this, the RAI assesses self-rule in Nunavut fairly highly, at 15/18, below Greenland only in terms of fiscal borrowing powers. Nunavut features a range of public corporations aimed at helping Indigenous Inuit, namely Nunavut Tunngavik Incorporated (NTI), an umbrella of public companies overseeing various social programs for Inuit (Henderson 2007, 33; Wilson and Alcantara 2012). The result is a territorial government serving all residents and public corporations serving only Indigenous peoples, with the two sectors overlapping and sometimes competing (Rodon 2014). If a key function of autonomy is to enable a national minority to see itself as a regional majority, self-government in Nunavut can be seen as largely successful, with far higher turnout in territory and NTI elections than Canadian ones, suggesting that residents “perceive the territory to be their primary political community” (Henderson 2007, 163).

In his study of world autonomous regions, Benedikter (2009, 31) discusses three cases of Indigenous self-government—Greenland, Nunavut, and Panama. Formerly known as San Blas, Panama’s Guna Yala *comarca indígena* (Indigenous province) was created in 1925 following large-scale revolts. Despite incursions by the state, settlers, tourism developers, and Colombian armed groups, the Guna people have managed to maintain self-rule. The Guna government has created various organizations to promote Indigenous cultures and land rights, including the *Instituto de Desarrollo Integral de Kuna Yala* to oversee Indigenous development, bodies to mediate projects with Panamanian government agencies, and several local cooperatives (Wickstrom 2003, 53). Assies (2005, 188) describes partnership with environmental organizations to keep migrants out through the creation of a border forest preserve. He sees the Guna Yala region as one of the strongest Indigenous autonomous regions, the blueprint for three later Indigenous provinces: Emberá-Wounaan, Naso Tjër Di on the Costa Rica border, and neighbouring Ngäbe-Buglé. Discussed below, Panama also features two Indigenous districts. This said, the formal powers of these provinces are limited, with RAI scoring self-rule at 6/18. This discrepancy is explained by the de jure powers of this remote region and a highly mobilized Indigenous community that meets state encroachment with resistance. Panama’s Indigenous comarcas lack centralized institutional development, with power decentralized to smaller community governments.

Along with Panama, the two Mosquito Coast provinces of Nicaragua are also often featured as cases of Indigenous Autonomy. Similar to Panama, Nicaragua’s Atlantic coast features various river

basins, swamps, and mangroves, limiting colonial settlement and protecting Indigenous and Afro-Indigenous communities. The Atlantic coast of Nicaragua has a distinctive political history, connected more to British and Caribbean influences than to the country's more populous Mestizo Pacific. With the 1979 Sandinista Revolution, Mosquito ambivalence turned to opposition in the face of assimilationist socialist education and state planning. The Sandinista regime was suspicious of ethnic claims to special rights, insisting on class-based approaches, leading to mistrust and then conflict in 1981 (Hannum 2000, 210). The coast was linked to US-sponsored Contra opposition leading to a 1987 Peace agreement that created the northern and southern Indigenous provinces. Representing half the country's territory but only 10% of its population, the autonomous provinces have seen their powers grow over time, with RAI scores increasing from 4/18 to 8 in 1990 and 11 in 2003, along with growing voice in national affairs, in an otherwise highly centralized country. Autonomous powers focus mostly on communal land and cultural protection (González 2015, 26). This said, autonomy in Nicaragua has seen mixed results. Sánchez (2007) observes continued disappointment, especially with budgets dependent on transfers from Nicaragua, spurring demands for greater autonomy and even separatism. Rezvani (2014, 1984) is especially critical, listing the regions as "sham federacies" on the grounds that autonomy lacks legal entrenchment. Like other Indigenous autonomous regions, the Mosquito Coast has faced challenges of in migration of dominant groups and out-migration of Indigenous peoples, as well as Indigenous ethno-linguistic divisions. The RAAN is home to four major groups and the RAAS to six (Assies 2005, 196), with major political parties linked to different Indigenous ethnic communities. In response, the provinces have recognized third-tier Indigenous governments, enabling smaller Indigenous communities to pursue land claims and cultural policies.

Bolivia provides another potential second-tier Indigenous autonomous region. Given that the majority of the country identifies as Indigenous, movements have focused partly on national politics and rights. Evo Morales, the country's first Indigenous President, created the framework for Indigenous autonomous regions, *La Autonomía Indígena Originario Campesina* (AIOC). This said, these regions have been slow to form, developing only in third-tier governments, although the law provides opportunities for municipalities to amalgamate (Postero and Tockman 2020). The country's first Indigenous region, Gran Chaco, formed in 2016. Anthias (2022) suggests that this involved the national governments' desire to wrestle petroleum rents from conservative department governments. This said, the region's three Indigenous communities have used this opening to claim new rights and representation, enjoying guaranteed representation in the Regional Assembly through which they have demanded resource rents, linguistic recognition, and land recognition. Although the Indigenous

autonomous region has seen mixed results, Indigenous communities “use their presence within these political spaces to voice prescient critiques of broader structures of colonial power, environmental dispossession and resource injustice” (Anthias 2022, 151).

The above larger Indigenous autonomous regions all exist in ecologically peripheral regions within settler colonial contexts. The states of Sabah and Sarawak in Malaysia stand as rare examples of larger, second-tier Indigenous autonomous regions in Asia. The periphery of the Brunei Sultanate, Western colonialism brought Christian missionaries and schools to non-Muslim groups. The states joined Malaysia in 1963 with the promise of autonomy, enshrined through federalism alongside special laws. Sabah and Sarawak are rarely approached as either autonomous regions or as Indigenous, perhaps due to a centralizing soft authoritarian state and Malaysia’s complex nativist politics.³ The provinces are both majority Indigenous, with over 58% of Sabah and 70% of Sarawak recognized as *Orang Asal* (original people) (Inguanzo 2022, 6). The provinces enjoy various special powers related to customary land rights and exemptions relating to Islam and the Malay language. *Orang Asal* are recognized as *Bumiputra* (children of the soil) alongside Malays, thus benefiting from wider state policies, including preferential hiring, education, and taxation. An especially important aspect of Indigenous autonomy in Borneo is found in Section 66 of the 1959/63 Immigration Act, which restricts migration from Peninsular Malaysia. Consistent with other Indigenous autonomous regions, the provinces see special land and cultural rights, laws to limit immigration, and diverse, often divided Indigenous communities. For example, Sabah sees various political parties representing rival Indigenous groups, most notably those representing largely Christian communities in the northwest coast and Muslims in the eastern coasts. The provinces also feature unique institutions, with Sabah featuring the *Huguan Sion* (paramount chief), usually seen as representing Kadazan communities, and various Indigenous bodies such as the Kadazandusun Cultural Association, a “non-political Association of 45 indigenous ethnic communities” created in 1963 to protect Indigenous cultural heritage (KDCA 2023). RAI data scores the two states at 15/18 in terms of self-rule, compared to 11 in other Malaysian states.

Although most autonomous regions have nativist elements and many contain Indigenous groups, the above cases represent unique examples of self-identified, larger Indigenous autonomous regions. There are some other potential cases. Myanmar features an ethnofederal model that provides

³ Malays identify as *Bumiputra* (natives, children of the soil) alongside Borneo’s *Orang Asal* (original people). In contrast, Indigenous peoples in Peninsular Malaysia, the *Orang Asli*, lack any self-government, overseen by a paternalistic government agency tasked with ‘modernizing’ highland communities (Nordin and Witbrodt 2012, 207).

self-government to Indigenous peoples, and is included in the RAI Indigenous authority index. Given Myanmar's military rule and ongoing insurgencies, and that its ethnofederal model is not framed in terms of Indigeneity or autonomy, I opted to exclude Kachin, Kayah, and Shan states, as well as its six smaller self-administered zones. Also listed in the RAI Indigenous authority index, Russia presents a complex landscape of autonomous republics, oblasts, and okrugs, a system dubbed "Matryoshka federalism" (Wilson 2008). Today, Russia is home to 21 autonomous republics, with some larger ones such as the Republic of Sakha (Yakutia) featuring Indigenous majorities. Although Russia is not at war with its Indigenous republics as in Myanmar and one should not totally dismiss autonomy in autocracies, autonomy here seems more of a mechanism for control than representation. RAI scores chart a slow decline in autonomy, with Yakutia moving from 16/18 in 1993, to 15, 13, and 11 in 2014. Similarly, we might also consider Guangxi in China to be an Indigenous autonomous region, as it serves the Zhuang and several other hill minority communities. Guangxi autonomous province also features twelve autonomous counties for smaller minorities. China as a whole features hundreds of autonomous prefectures, counties, and cities intended to recognize titular minority groups. However, China does not recognize Indigenous peoples and these governments play limited roles under an autocratic state. Finally, one near example of an Indigenous autonomous region is found in the Philippines, where the Cordillera Administrative Region has seen failed referenda to create a stronger Indigenous province to represent the diverse highland Igorot communities (Bertrand 2021).

Third-Tier Indigenous Autonomy

Given that Indigenous peoples tend to feature immense ethno-linguistic diversity and smaller-scale communities, partly due to colonial migration, Indigenous autonomy is rarely found in larger administrative units. Even in the larger cases described above, power is often decentralized to smaller units, contrasting with the centralized nature of most mainstream autonomous regions (Barter 2018). Instead, Indigenous autonomy largely takes place in third-tier, municipal levels or their equivalents. This has several important implications, making them not only more difficult to research, but also meaning that Indigenous autonomous regions may involve fewer powers than those available to larger, second tier units. On one hand, this makes Indigenous autonomous regions weaker forms of territorial autonomy. On the other hand, this may be the level that some Indigenous nations identify with most strongly, can still involve considerable power beyond ordinary municipal units, and may entail innovative confederations with other Indigenous regions.

The vast majority of Latin American Indigenous autonomous regions are lower-tier municipal units. As noted above, the strides towards forms of Indigenous self-government in Bolivia have been found mostly in smaller units. The 2009 law that enacted Indigenous autonomy (under a Ministry of Autonomy, 2009-2017) was primarily focused on municipal-level governments (Tockman, Cameron, and Plata 2015). Augsburger and Haber (2018, 144) document the creation of Indigenous municipalities, the formation of which depends local unity and alignment with national political leaders. Bolivia's Indigenous municipalities consciously decentralized and are permitted to amalgamate into larger units (Postero and Tockman 2020, 7). Assies (2005) differentiates between the larger Guna Kala and Moskito regions on one hand, and the "local" Indigenous governments in Panama, Ecuador, and Colombia on the other. Panama features two Indigenous districts—Madungandí and Kuna de Wargandí—within non-Indigenous provinces. In Ecuador, Indigenous regions are found at the parish level, below national, provincial, and canton governments. Indigenous regions can form if a population is at least 2/3 African or Indigenous, and these may amalgamate into larger units. In Colombia, there are 50 Indigenous *resguardos*, comprising one quarter of the country's territory, but remain municipal governments. Article 329 of the 1991 Constitution features the possibility of these contiguous *resguardos* forming larger *Entidades Territoriales Indígenas* (ETIs), although the process remains unclear (González 2015, 19). Elsewhere, Brazil stands out for the absence of Indigenous autonomy, while Venezuela's continued instability has limited the implementation of Indigenous autonomy laws. In Mexico, Oaxaca features a unique system of autonomous municipalities dating back to 1917, with new powers granted to Indigenous municipalities in the 2000s. Neighbouring Chiapas contains numerous unrecognized Zapatista autonomous municipalities. A mixture of Indigenous and anarchist principles has led to a decentralized system of self-government focusing on cultural preservation and justice (Mora 2015).

Throughout Latin America, Indigenous autonomy exists as a more localized form of self-government. The primary areas of governance relate to communal ancestral lands, indigenous languages, natural resources, education, and local courts. In the RAI, Bolivia's Indigenous Municipalities and Gran Chaco region are scored at 10/18, the same as larger department governments, with the Indigenous polities having a stronger role in national government. In Colombia, Departments are scored at 11/18 for self-rule and zero power in the national government, while Indigenous *resguardos* have 9/18 in self-rule and 4.5/12 in terms of national power. This suggests that although Indigenous autonomy exists at lower tiers, the powers of these governments approximate and even eclipse those of provinces and states.

(Squamish Nation, n.d.). Alcantara and Nelles (2013, 195) caution that, despite gaining new competencies, such arrangements are more akin to self-administration than self-government, as band councils “remain creatures of the federal government.” This said, they find that new treaties have provided Indigenous governments with Constitutional recognition beyond previous colonial arrangements. While critical of reservation governments, Rezvani (2014, 208) notes that these powers are supported by formal recognition of Indigenous sovereignty. The RAI Indigenous autonomy index provides aggregate scores for Indian Band Governments (those created under the 1876 Indian Act) with 8/18 in self-rule, while newer self-government agreements such as those noted above score 14/18 in self-rule, plus adding 5.5/12 for self-rule due to special protections, vetoes, and consultation powers in the federal government. This is consistent with Benedikter’s (2009, 16) observation that Indian reservations fall short of territorial autonomy, but with growing competencies, many reservation governments may evolve to oversee autonomous regions.

In the United States, Indigenous governance is a highly complex institutional terrain, and for the most part, remains under the thumb of the Bureau of Indian Affairs (BIA). As long as Indigenous governments remain “domestic dependent nations”, they fall short of autonomous self-government. This said, some communities have evolved significant powers. In response to UNDRIP, the State Department announced its support for the principle of limited sovereignty through enhanced levels of autonomy (Tsosie 2012, 936). The Navajo Court System is widely seen as the most active, extensive tribal justice system in the country, slowly reasserting competencies to manage Diné affairs (Austin 2009). Elsewhere, the 1971 Alaska Native Claims Settlement Act transferred 45 million acres of land to Indigenous public corporations. Due to distinct colonial histories and relatively large size of indigenous communities, Alaska saw treaty processes create new governments. As of 2023, the United States federal government recognizes 574 Indian Nations, almost half of which are found in Alaska. In the 1980s, Athabascan villages confederated to create a new administration tier between village and county governments, gaining powers to deliver public services. In 1990, the city of Akiachak transformed into the Akiachak Native Community, the same year that the Chilkoot tribal government was revived. These and other new Indigenous bodies have taken over many public services and attained a degree of self-government (Cornell and Kalt 2003). These governments exist alongside older public corporations, in which Indigenous peoples stand as shareholders, but as part of non-profit cooperatives that bear limited resemblance to Western corporations (Swensen 2015, 109).

As third-tier units, many native American communities have also gained recognition from state governments. Some communities straddle multiple states, adding an additional layer of complexity.

Just as Latin American Indigenous communities may amalgamate to form larger areas, many Indigenous communities in the United States have formed confederacies to expand the scale of self-government. Oregon features several Indigenous confederations, such as the Confederated Tribes of Siletz, which brought together 27 bands to restore federal recognition in 1977. In 1992, the Siletz Confederation gained new self-government powers to manage social services and budgeting. Perhaps the most famous North American Indigenous confederacy is the Haudenosaunee (Iroquois) along the northeastern Canada-US border.⁴ Although it remains limited, Indigenous self-governance is growing in the United States, with the BIA shedding half of its powers over tribal nations since 2000 (National Congress of American Indians 2020, 15).

Europe and Asia are also home to various third-tier Indigenous autonomous regions. The Sámi have developed unique systems of self-government across Scandinavia. Finland, Sweden, and Norway are home to Sámi non-territorial parliaments serving Sámi people across respective countries rather than a defined territory (Hannum 1990, 250). This said, Finland has created a small Sámi domicile area in its far north. Section 17 of the Finnish Constitution (1999) recognizes Sámi as Indigenous peoples, with Section 121 providing linguistic and cultural self-government. Sami people primarily have sought rights related to fisheries and hunting, including the ability to cross borders and link to other Sami communities (Lantto 2010).

India is home to several third-tier autonomous councils. Indigenous peoples are those identified as Scheduled Tribes, sometimes known as *Adivasi*, many of whom reside in the mountainous northeast. Unlike many other Asian countries, India has a long history of recognizing Indigenous peoples and forms of autonomy (Xaxa 1999). On several occasions, the state of Assam has been divided to create new states, including Manipur, Nagaland, Tripura, and Mizoram. Since they possess ordinary state powers as part of the Indian federation, they are not autonomous regions, but governments using state powers to protect Indigenous peoples and cultures. Within these states are various Indigenous autonomous districts and councils. Ten such regions are authorized under the Sixth Schedule of the Indian Constitution, while over a dozen less powerful councils have been created through other federal and state legislation. Hausing (2022, 121) explains how, in the face of violent and non-violent mobilization against migration and resource extraction, India has responded “by envisioning a vast array of autonomy arrangements” sometimes dubbed “Tribalstan”. He

⁴ Today, the Haudenosaunee government in Canada consists of a council of 50 chiefs representing six nations, with specialized institutions for clan mothers as well as faith keepers, plus agencies focusing on development, repatriation of sacred objects, native status, and wildlife (Haudenosaunee Confederacy, n.d.)

differentiates between ‘Homeland State’ autonomy where larger Indigenous minorities obtain states (Nagaland and Mizoram), decentralized autonomy to district councils, and devolved autonomous regions lacking constitutional recognition. District Councils enjoy powers in 46 areas defined in the Constitution, while devolved regions possess smaller advisory powers. For example, the autonomous Bodoland region is governed by the 46-member Bodoland Territorial Council, whose powers focus on communal lands, fisheries, cooperatives, Indigenous faith and culture, irrigation, agriculture, education, welfare, and municipal corporations. Bodoland was created following agreements in 1993 and 2003, with autonomous powers extended in 2020 to provide greater powers in terms of justice and taxation (BTR 2023).

All told, Indigenous autonomy is especially common in lower-tier districts and counties. These special regions may possess fewer powers than larger units, but one should not discount the importance of powers related to water, collective lands, customary law, language, religion, and employment. Many of these third-tier governments possess autonomous powers normally found in second-tier units, empowering smaller Indigenous groups to achieve a degree of self-determination despite their smaller communities.

Reflections on Indigenous Autonomy

This paper documented cases of Indigenous autonomous regions—special self-government crafted to represent Indigenous peoples. It has been an exploratory study, perhaps aiming to accomplish too much. Many communities discussed in this paper may be seen by some readers as not being Indigenous, while other readers may feel that other cases should have been included. The RAI Indigenous self-government dataset includes cases such as Baluchistan and Khyber-Paktunkwa in Pakistan, the Chittagong Hill Tracts in Bangladesh, various cases in Russia and Myanmar, Tibet and Xinjiang in China, Australia’s Northern Territory, all provinces of Papua New Guinea as well as autonomous Bougainville, and Indigenous reserves in Costa Rica. My goal is not to totally exclude such cases, but they seem less clearly representative, Indigenous, or autonomous.

Above all, I hope to have made a case to connect studies of territorial autonomy and Indigenous self-determination, highlighting cases of Indigenous autonomy between the two policy and research areas. Both involve not just ethnic minorities, but rather ethnic minority nations with memories of sovereignty and demands for self-determination. They see demand for government competencies related to fiscal policy, natural resources, education, and culture. In all forms of territorial autonomy, special forms of self-government can play key roles in cultural revitalization.

Both must also take into account second-order minorities, be they gender minorities belonging to the titular group, or distinctive ethnic minorities inside their territories (Barter 2015). For example, autonomous regions all face challenges in managing relations with migrants (i.e., Anglophones or Muslims in Quebec) or native minorities with rival claims (Aranese in Catalonia or Ladin in South Tyrol). Similarly, Indigenous autonomous regions may have smaller groups that may resist self-government, such as Bodo resistance to Assamese demands for autonomy in India (and Miya resistance within Bodoland), or Dene resistance to the boundaries of Nunavut. All autonomous regions must also engage with national governments, incorporating some national laws and resisting national encroachment. Above all, territorial autonomy is a compromise, one that neither national governments nor more radical activists will be totally pleased with.

However, Indigenous autonomy differs with mainstream autonomy, and should be seen as a distinctive form. First, while territorial autonomy sees special government for all residents, Indigenous autonomy can be more complex, with governments defining Indigenous status as a type of citizenship. Indigenous regions feature non-territorial autonomy, with some agencies supporting only members of Indigenous communities, even those outside the territory, while other institutions support all residents. For example, the Haudenosaunee Council has an agency to provide tribal recognition, developing ID cards and even passports for those recognized as Indigenous, but different agencies see to the needs of non-Indigenous territorial residents. Some Indigenous autonomous regions, such as Sabah and Sarawak, enjoy protections from further migration, a core demand of many Indigenous communities. This said, some mainstream Western autonomous regions pay particular attention to restricting migration from the host country and defining citizenship. Åland, an ethnic Swedish autonomous region within Finland, features strict limitations on Finnish migration and land ownership, seen as necessary to preserve the minority group. This speaks to a related feature of Indigenous autonomy, that while Indigenous governments may aspire to similar powers as those found in other autonomous regions, they may also seek capacities that are somewhat unique, such as limiting migration, but also communal property, revitalizing endangered languages, special roles for elders, and rights associated with hunting and fishing.

Second, the reality of migrant settlement and Indigenous communities mean that Indigenous autonomy rarely features larger, mostly homogenous regions. While mainstream autonomous regions may exist in larger historical states and threaten independence, Indigenous communities are often smaller-scale, and as a result, may present fewer threats of secession (Kuokkanen 2017, 193; Bertrand and Xu 2023). There are only a handful of large, second-tier Indigenous autonomous regions; even

here, their diversity and expansive territory have led them to decentralize. Perhaps with the exception of the Basque region, mainstream autonomous regions tend to be centralized, while Indigenous autonomous regions are distinctly decentralized. In Nunavut, there exists a long-standing “commitment to a decentralized model of government”, seeking to avoid power being concentrated in Iqaluit in favour of spreading jobs and authority across the territory (Government of Nunavut 2002). The smaller-scale identities of Indigenous nations also mean that Indigenous autonomous regions are often lower-tier governments, and even many of are decentralized. An important implication is that Indigenous autonomous regions may possess fewer powers and limited centralized capacity to implement them. This said, we can also see this as uniquely democratic, responding to challenges associated with varied Indigenous demands. Further, even third-tier municipal governments may possess considerable over powers in areas of interest to many Indigenous communities.

Third, more than other forms of territorial autonomy, Indigenous autonomous regions involve complex forms of multilevel governance. Observing its importance for Indigenous autonomous regions, Alcantara and Nelles (2013, 185) define MLG as “a process of political decision-making in which governments engage with a broad range of actors embedded in different territorial scales to pursue collaborative solutions to complex problems.” Indigenous autonomous regions feature various public corporations catering to Indigenous citizens and properties. The central roles of corporations in governance goes against common views of Indigenous peoples, especially the “scholarly opinion...that the relationship between Aboriginal peoples and the liberal-capitalist order is inherently antagonistic” (Wilson and Alcantara 2012, 782). Examples include Makivik Corporation in Nunavik, as well as Ho-Chunk Incorporated for the Winnebago Tribe, tasked with creating jobs and managing revenue to overcome tribal poverty (Ho-Chunk, n.d.; Waara 2003). Indigenous autonomous regions also feature especially visible roles of national governments, namely in terms of financing and providing grants. Although some mainstream autonomous regions may enjoy block grants from national governments, Indigenous autonomous regions are especially likely to receive national aid, both due to rural poverty, but also as reparations. Since many Indigenous autonomous regions are third-tier, MLG also involves relations with second-tier governments. For example, the Navajo nation must engage with the US national government, but also with multiple state governments, just as Bodoland is under the Indian Federal and Assam state governments. Some Indigenous autonomous regions are nested within other autonomous regions, such as Nunavik in Quebec. A final element of Indigenous MLG is international. While locally rooted, Indigenous politics is highly globalized. Notwithstanding the active roles of autonomous regions such as Quebec or Scotland in international

affairs, Indigenous autonomous regions have transnational partnerships and gain support from various international actors, such as the United Nations and International Labour Organization. Most notably, Indigenous self-determination autonomy is stated as a right in UNDRIP, whereas autonomy is not seen as a right for other minority nations (Benedikter 2009, 33). For Bertrand and Xu (2023, 256), “With indigenous issues at the forefront for both national and international organisations and NGOs, indigenous claim-making has a higher degree of legitimacy, and groups can tap into this valuable international network and diffuse their issues.”

Conclusions

Indigenous autonomy represents an intersection between territorial autonomy and Indigenous self-government. This paper has provided an inventory of cases in an effort to identify common traits as well as distinctive elements. By identifying Indigenous autonomy more clearly as a form of territorial autonomy and Indigenous self-determination, I aim to stimulate discussion between the respective fields. Although research on territorial autonomy sometimes includes prominent Indigenous cases and some studies of Indigenous politics speak of autonomy, the links are surprisingly minimal.

I hope that those interested in studying as well as realizing Indigenous autonomous regions can benefit from knowing more about territorial autonomy. They may gain allies or inspiration in their struggles, perhaps learning from special powers and programs elsewhere. As autonomous governments in Åland restrict Finnish migration, in Wales revive an endangered language, or Yogyakarta features a hereditary leader in an otherwise democratic assembly, Indigenous nations may learn a great deal. Indigenous communities not currently enjoying autonomy, such as many groups in the United States, the Ainu in Japan, or the Lumad in Mindanao, may find autonomous governments to be useful sources of lessons and allies. As importantly, an appreciation of what Indigenous communities have managed to achieve may enrich autonomous regions more generally. Territorial autonomy always involves an aspect of nativism, something that might be more explicitly understood, especially in terms of land and resource rights. For example, Papua’s government features an upper house of tribal chiefs, immense ethnolinguistic diversity, and resistance to Indonesian migration (Barter and Wangge 2022). It may be better approached in terms of Indigenous autonomy, decentralizing power and focusing on ancestral domain. Territorial autonomy is a broad approach to accommodating the demands of minority nations in general, challenging the idea of a nation-state and seeking to protect minority, often first, nations.

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